



County of El Dorado

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Minutes - Final Board of Supervisors

Rusty Dupray, Chairman, District I
Ron Briggs, First Vice Chairman, District IV
Norma Santiago, Second Vice Chairman, District V
Helen K. Baumann, District II
James R. Sweeney, District III

Cindy Keck, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, August 5, 2008

8:00 AM

Board of Supervisors Meeting Room

Vision Statement

"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

Public Testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' website at www.co.el-dorado.ca.us subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

Present: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 16 pulled from the Consent Calendar for separate action.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [08-1240](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, July 28, 2008 and the Regular Meeting of Tuesday, July 29, 2008.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
2. [08-1153](#) Human Services Department recommending Chairman be authorized to sign retroactive, non-financial and nonstandard Field Placement Agreement 219-O0910 with California State University, Sacramento for the term July 1, 2008 through June 30, 2013 for the placement of voluntary student interns with said Department.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

3. [08-1112](#) Human Services Department recommending Chairman be authorized to sign Agreement 098-S0911 with Fiscal Experts, Inc. in the amount of \$90,000 for the term August 15, 2008 through August 14, 2011 for financial consulting services on an "as requested" basis.
RECOMMENDED ACTION: Approve.
- FUNDING:** Funding sources are 85% Federal/State Social Services Allocation with a 15% County match.
- This matter was Approved on the consent calendar**
4. [08-1131](#) Child Support Services Department recommending Director be authorized to sign Agreement 20-0202-10 with the California Department of Child Support Services in the amount of \$200,574 for the term September 1, 2008 through August 31, 2010, for an inter-jurisdictional employee exchange in support of the Child Support Program and the California Child Support Automation (CCSAS).
RECOMMENDED ACTION: Approve.
- FUNDING:** Reimbursement by the State of California
- This matter was Approved on the consent calendar**
5. [08-0995](#) Transportation Department recommending adoption of Resolution **207-2008** accepting the Irrevocable Offer of Dedication from Western Pacific Housing, Inc., a Delaware Corporation, for road right of way, including the underlying fee, located on the property identified as APN 115-040-14-100 (formerly APN 115-040-01-100) in El Dorado Hills, necessary in order to accommodate construction of Bass Lake Road Reconstruction Project 66109.
RECOMMENDED ACTION: Approve.
- This matter was Approved on the consent calendar**
6. [08-0996](#) Transportation Department recommending adoption of Resolution **208-2008** accepting the Irrevocable Offer of Dedication from Carolyn M. Uchikura, for road right of way, including the underlying fee, along with landscape and public service easements, located on the property identified as APN 119-100-15-100 in El Dorado Hills, necessary in order to accommodate construction of Bass Lake Road Reconstruction Project 66109.
RECOMMENDED ACTION: Approve.
- This matter was Adopted on the consent calendar**

7. [08-1048](#) Transportation Department recommending adoption of Resolution **209-2008** (AOE 08-0007) summarily vacating the public utility easements located along the side boundary lines for Lot 82 and on the common side boundary line between Lot 82 and Lot 84, also identified as APN's 124-130-19 and 124-130-54, as requested by Derrek L. Lee and Christina Lee, to accommodate construction of improvements on the subject lots.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

8. [08-1098](#) Transportation Department recommending adoption of Resolution **210-2008** (AOE 08-0008) summarily vacating the public utility easements located along the side and rear boundary lines for Lot 152, also identified as APN 110-380-33, as requested by Patrick Lama, to accommodate construction of improvements on the subject lot.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

9. [08-1128](#) Transportation Department recommending the following pertaining to Lakehills Community Covenant Church:
- (1) Accept as complete the constructed improvements;
 - (2) Reduce the Performance Bond No. 104840806 from \$365,676.08 to \$36,567.61, which is 10% of the total cost of improvements to guarantee against defective work, labor done, or defective materials furnished and release after one year if no claims are made; and
 - (3) Hold Labor and Materialmens Bond No. 104840806 in the amount of \$551,757.69 to guarantee payment to persons furnishing labor, materials, or equipment and release in six months if no claims are made.

RECOMMENDED ACTION: Approve.

FUNDING: Developer Funds.

This matter was Approved on the consent calendar

10. [08-1046](#) Environmental Management Department recommending Chairman be authorized to sign Second Amendment to Agreement 021-A-06/07-BOS with The Law Offices of Thomas M. Bruen increasing compensation by \$200,000 to a total not to exceed amount of \$500,000 and increase the hourly rate from \$225 to \$250 for a perpetual term to provide specialty research and advisory services regarding air quality management, solid, liquid and hazardous waste.

RECOMMENDED ACTION: Approve.

FUNDING: CSA No. 10 and Air Quality Management District funds.

This matter was Approved on the consent calendar

11. [08-1157](#) Recorder-Clerk/Registrar of Voters recommending the Board declare the results of votes cast for the special mailed ballot election held July 15, 2008 for Many Oaks Lane Zone of Benefit No. 98132; Mortara Circle Community Services District; and Golden West Community Services District.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

12. [08-1215](#) Auditor-Controller recommending Chairman be authorized to sign Budget Transfer 28244 for Fiscal Year 2007/2008 increasing estimated revenues in Operating Transfers In from the Timeshare Assessments Fund in the Auditor, Assessor, and Tax Collector's budgets by a total of \$21,472 and increase the General Fund Appropriation for Contingency by an equal amount. (4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

13. [08-1220](#) Auditor-Controller recommending the Board receive and file the Report of Special Tax Delinquencies for Community Facilities District No. 1992-1 (CFD 1992-1 Serrano) and No. 2001-1 (CFD 2001-1 Promontory); and adopt Resolutions **212-2008** and **213-2008** authorizing judicial foreclosure of delinquent special tax installments pursuant to the Community Facilities District 1992-1 and 2001-1 Mello Roos Bonds Indenture and ordering that the Tax Collector be credited from collecting those special taxes.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [08-1175](#) County Counsel recommending adoption of Resolution **211-2008** authorizing the El Dorado Union High School District to issue and sell a series of voter-approved bonds in an amount not to exceed \$34,000,000 on its own behalf pursuant to State law.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [08-1124](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board: (1) Award Bid 09-680-018 for the purchase of ammunition for the Sheriff's Department, Probation Department and District Attorney's Office to the low qualified bidders, Adamson Police Products of Hayward, CA in the amount of \$11,000.00; San Diego Police Equipment Co., Inc. of San Diego, CA in the amount of \$101,600.00; Advanced Tactical Supply of Santa Maria, CA in the amount of \$7,000.00; LC Action Supply of San Jose, CA in the amount of \$5,000.00; and Botech Tactical of Los Angeles, CA. in the amount of \$2,600.00; (2) Authorize the Purchasing Agent to issue multiple blanket purchase orders to same in the total amount of \$127,200.00 for a twelve (12) month term following Board approval; and (3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period if funding is available within each requesting department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: General fund.

This matter was Approved on the consent calendar

16. [08-1199](#) Supervisor Baumann recommending extension of Building Permit No. 168727 for a single family dwelling unit and Building Permit No. 168728 for a detached garage (APN: 077-651-18) to October 3, 2009.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to extend the Building Permit to October 3, 2009 and waive all fees pertaining to same.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

17. [08-1241](#) Supervisor Santiago and Planning Services Division submitting a request submitted by Bryan Schwartz and Rebecca Schwartz-Leuch for a commercial floor area (CFA) allocation of 2000 square feet within the Meyers Community Plan Area, noting said allocation subject to conditions described in Master Report.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

18. [07-1463](#) Supervisor Santiago recommending extension of building permit for Mike and Kirsten Kabour to October 15, 2008 for South Lake Tahoe property described as APN 033-693-07.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

DEPARTMENT MATTERS

19. [08-1183](#) Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$430.45 to Jennifer R. Walters and \$430.45 to Cassandra Reidenbach (also known as Riker) from the sale of tax defaulted property (APN 500-479-50-100) dated May 4, 2007.

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to approve this matter.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

20. [08-1110](#) Adoption of Ordinance **4783** amending Sections 3.12.050(F) and 3.12.130 of Chapter 3.12 of Title 3 of the El Dorado County Ordinance Code titled Procurement. (Introduced 7/29/08, Item 24)

A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to adopt Ordinance 4783.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

21. [08-1243](#) County Counsel recommending Chairman be authorized to sign Employment Agreement with Gayle Erbe-Hamlin for services as the Chief Administrative Officer.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

22. [08-0909](#) Adoption of Ordinance **4784** extending the temporary suspension of Ordinance Code Section 17.38.062, for a period of 10 months and 15 days to allow the Department and County Counsel staff to continue to study and finalize the revisions of Section 17.38.062 to comply with the constitutional limitations the courts have expressed concerning similar regulations. (Refer 6/17/08, Item 44)

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to adopt Ordinance 4784.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

23. [08-0832](#) Development Services Department submitting names and credentials of three additional Plant and Wildlife Technical Advisory Committee (PAWTAC) volunteers and is prepared to receive the Board's recommendations as to their appointed members for the Integrated Natural Resources Management Plan Stakeholders Advisory Committee (INRMP SAC).

A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to appoint Jim Davies, Jim Brunello, Philip Mosbacher, James Gibson and Mahala Young to the Plant and Wildlife Technical Advisory Committee.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to appoint the following members to the Plant and Wildlife Stakeholders Advisory Committee: District II member appointments are David Pratt and Janine D'Agostini and alternate member appointment is John Zentner; District III member appointments are Cynthia Shaffer and Dave Bolster; and District IV member appointment is Art Marinaccio.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to continue the remainder of the Plant and Wildlife Stakeholders Advisory Committee appointments to August 12, 2008.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Absent: 1 - Dupray

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

24. [08-1161](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: U.S.A. v. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520-MCE GGH (ED CA).
No action reported.
25. [08-1192](#) Pursuant to Government Code Section 54956.8: **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 325-230-18. The persons with whom the negotiator may negotiate are Francis E. Carver and Josephine L. Cohen, Trustees of the Rizoooly Trust, U/A dated July 6, 2000, F/B/O/ Francis E. Carver and Josephine L. Cohen, their Co-Owned Property. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager. (Cont'd 7/29/08, Item 43)
No action reported.
26. [08-1242](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant Exposure to Litigation: Title: Discussion of Rare Plant Issues.
No action reported.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 2, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)
South Lake Tahoe - Charter Cable 21, Daily - Time varies