



# County of El Dorado

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## Minutes - Final Board of Supervisors

*Norma Santiago, Chair, District V*  
*Ray Nutting, First Vice Chairman, District II*  
*John R. Knight, Second Vice Chairman, District I*  
*James R. Sweeney, District III*  
*Ron Briggs, District IV*

*Suzanne Allen de Sanchez, Clerk of the Board of Supervisors*  
*Gayle Erbe-Hamlin, Chief Administrative Officer*      *Louis B.*  
*Green, County Counsel*

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Tuesday, February 23, 2010

8:00 AM

Board of Supervisors Meeting Room

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### 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.edcgov.us](http://www.edcgov.us) subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that 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. - CALLED TO ORDER AND RECESSED TO CLOSED SESSION**

**Present:** 5 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

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

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

**ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR**

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 2 and 27 were amended to the Consent Calendar, Item 3 was amended to the Consent Calendar and conceptually approved, and Items 12 and 25 were pulled from the Consent Calendar.

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

**OPEN FORUM**

**PUBLIC COMMENT**

A. Clark RE: Cameron Park CSD Thanked the Board for their hard work.

**BUDGET UPDATE**

**PRESENTATIONS**

- 1. [10-0163](#) Year of the Child Presentation by Steve Thaxton, Director, First Five El Dorado. (Est. Time: 15 Min.)

Received and Filed.

- 2. [10-0082](#) Presentation by Supervisor Santiago presenting a Proclamation recognizing March 1, 2010 through March 7, 2010, as Peace Corps Week. (Est. Time: 10 Min.)

This matter was Approved on the consent calendar.

**9:30 A.M. - TIME ALLOCATION**

3. [10-0166](#) Supervisor Nutting requesting the Board discuss and possibly take action regarding inscriptions at the Veteran's Memorial. (Est. Time: 1 Hr.)

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to allow the bench inscription proposed by Mr. Soike, since it is consistent with the purpose of the Veteran's Monument established in the County Veterans' Monument Ordinance: " ... to honor the veterans of this country and to provide a place for individuals to engage in quiet contemplation, reflection, meditation and consideration of veterans and their service." and therefore ratify the actions by the Commanders.

### CONSENT CALENDAR

4. [10-0140](#) Approval of Board of Supervisors Meeting Minutes from the Regular Meeting of Tuesday, February 9, 2010.

This matter was Approved on the consent calendar.

5. [10-0112](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of property surplus to the needs of the County; and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.

This matter was Approved on the consent calendar.

6. [10-0086](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Authorize the Purchasing Agent to issue a purchase order to Kodiak America, LLC of Burley, Idaho, in the amount of \$128,334.64, plus applicable sales tax, for the purchase of four replacement snow blower axles; and
  - 2) Authorize the Purchasing Agent to increase the purchase order on an "as needed" basis for miscellaneous parts necessary for installation or additional freight charges, as long as funding is available within the requesting department's budget.

**FUNDING:** Road Fund.

This matter was Approved on the consent calendar.

7. [09-0135](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to increase purchase order No. PO2913387, issued for the purchase of one six-wheel waterless broom street sweeper with belt conveyor in the amount of \$3,279.50 for a total of \$284,660.60, necessary to reflect the change in sales tax rate which occurred on April 1, 2009.

**FUNDING:** Approximately 75% of the funding is Grant Funding from the El Dorado County Air Quality Management District with the remaining amount funded by the Road Fund.

**This matter was Approved on the consent calendar.**

8. [10-0131](#) Environmental Management Department requesting the Board adopt Resolution authorizing the Director of said Department, or his/her designee, to execute and submit an application and all necessary documentation to the State of California Environmental Protection Agency, California Integrated Waste Management Board for the Local Government Waste Tire Cleanup and Amnesty Event Grant Program Fiscal Year 2009/2010 to help divert waste tires from landfills.

**FUNDING:** California Integrated Waste Management Board Grants.

**Resolution 013-2010**

**Adopted Resolution 013-2010 upon approval of the consent calendar.**

9. [10-0084](#) Environmental Management Department requesting the Board adopt Resolution authorizing the Director of said Department, or her designee, to execute an Agreement SWC29-09-1 with the State of California for the Solid Waste Disposal and Codisposal Site Cleanup Program Fiscal Year 2009/2010, for financial assistance related to the Meyers Landfill final closure.

**FUNDING:** State of California Solid Waste Disposal Site Cleanup Trust Fund.

**Resolution 014-2010**

**Adopted Resolution 014-2010 upon approval of the consent calendar.**

10. [09-1485](#) Human Resources Department requesting the Board adopt Resolution superseding Resolution 269-2009 amending the Salary Schedule and correcting rates for the classes affected by El Dorado County Charter Section 504.

**FUNDING:** General Fund Department 15.

**Resolution 015-2010**

**Adopted Resolution 015-2010 upon approval of the consent calendar.**

11. [10-0093](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Chair to execute Contract 328-S1011 with the Law Offices of Hanna, Brophy, MacLean, McAleer & Jensen in an amount not to exceed \$60,000 for a term of two (2) years to provide defense representation of industrial disability retirement applications on an "as requested" basis.

**FUNDING:** Risk Management Internal Service Fund.

**This matter was Approved on the consent calendar.**

12. [10-0161](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Principal Risk Management Analyst to complete and sign all necessary documents for the renewal premium with Ace USA in the amount of \$15,860 for the period February 5, 2010 through February 5, 2011 for Airport Liability Insurance for the Placerville and Georgetown Airports.

*NO PUBLIC COMMENT*

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

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

13. [10-0119](#) Human Resources Department requesting the Board adopt Resolution amending the Authorized Personnel Allocation Resolution 158-2009 approving reclassification of one (1) Information Technology Department Specialist incumbent in the Assessor's Office to Information Technology Department Coordinator.

**Resolution 016-2010**

**Adopted Resolution 016-2010 upon approval of the consent calendar.**

14. [10-0132](#) Human Resources Department recommending the Board authorize the Chair to sign Letter of Agreement (LOA) to memorialize the agreement reached between the County of El Dorado and the El Dorado County Employees Association, Local No. 1 representing employees in the General (GE), Professional (PL), and Supervisory (SU) bargaining units, through their duly authorized representatives to amend Article 7, Section 13 of the Memorandum of Understanding.

**This matter was Approved on the consent calendar.**

15. [10-0141](#) Human Services and Health Services Departments recommending the Board support and authorize the directors of said departments to sign letters of commitment supporting the El Dorado County Community Health Center's application for a County Medical Services Program (CMSP) Local Health Connections Pilot Project planning grant in an amount up to \$40,000 to develop a plan to create a healthcare "pathway" for the homeless.
- FUNDING:** County Medical Services Program Governing Board Grant
- This matter was Approved on the consent calendar.**
16. [10-0088](#) Human Services Department requesting the Board adopt Resolution authorizing the release of General Assistance liens upon full repayment to the County of aid received and designating the Director of the El Dorado County Department of Human Services as the County officer with the authority to execute instruments of release for said liens.
- Resolution 017-2010**
- Adopted Resolution 017-2010 upon approval of the consent calendar.**
17. [10-0115](#) Human Services Department requesting the Board adopt Resolution authorizing the Chair to execute Amendment 2 to Contract AP-0910-29 with the California Department of Aging increasing the maximum grant amount by \$80,731 to \$1,037,336, for the term July 1, 2009 through June 30, 2010 for the provision of senior services during Fiscal Year 2009-2010; and Budget Transfer 2010043 incorporating the new revenues and corresponding appropriations within the Aging Services Program, including an appropriation for the fixed asset purchase of a replacement refrigerator for the South Lake Tahoe Senior Nutrition meal site estimated at \$3,300. (4/5 vote required)
- FUNDING:** Federal Grant Funding.
- Resolution 018-2010**
- Adopted Resolution 018-2010 upon approval of the consent calendar.**
18. [10-0116](#) Human Services Department recommending the Board authorize the Chair to sign Amendment IV to Agreement for Services 542-S0811 with Lilliput Children's Services, decreasing Fiscal Year 2009-2010 compensation by \$19,440 for a not-to-exceed amount of \$466,560 for the term November 10, 2007 through June 30, 2010 for the continued provision of Kinship Support Services Program (KSSP) services.
- FUNDING:** KSSP is 100% funded by a State Allocation.
- This matter was Approved on the consent calendar.**

19. [10-0075](#) Health Services Department recommending the Board authorize the Chair to sign Amendment 5 to Agreement CTA-04033 (218-S0610) with California Tahoe Conservancy increasing the contract amount by \$5,000 to \$47,000 and extending the term through June 30, 2011, noting the scope of services of this Agreement requires the Health Services Department's Animal Services Program to provide limited services within the boundaries of the California Tahoe Conservancy properties known as "Cove East" and "Barton Meadow."

**FUNDING:** State of California, Tahoe Conservancy.

**This matter was Approved on the consent calendar.**

20. [09-0691](#) Information Technologies Department recommending the Board authorize the Chair to sign retroactive Amendment 1 to perpetual Agreement 803-S0911 with Sacramento County Office of Communications and Information Technologies (OCIT) in the amount of \$113,022, effective February 1, 2010, for continued access to Criminal Justice data.

**This matter was Approved on the consent calendar.**

21. [10-0122](#) Sheriff's Department requesting the Board authorize the Sheriff to sign Agreement 09-204-761 with the State of California, Department of Boating and Waterways in the amount of \$30,000 for the purchase of dry suits for the Boat Unit, and approve Budget Transfer 2010044 adding \$30,000 in State Boating Grant revenue and \$30,000 in offsetting expenditures in the Sheriff's Fiscal Year 2009/2010 budget.

**FUNDING:** State of California Boating and Waterways Equipment Grant.

**This matter was Approved on the consent calendar.**

22. [09-1096](#) Sheriff's Department recommending the Board authorize the Chair to sign retroactive Amendment 1 to Agreement 875-S0911 with Keefe Commissary Network, LLC an affiliate of The Keefe Group, for the term April 30, 2009 through April 29, 2014 to provide commissary goods to the inmates housed in the Placerville and South Lake Tahoe Jails.

**FUNDING:** Non General Fund - Inmate Welfare Fund.

**This matter was Approved on the consent calendar.**

23. [10-0071](#) Transportation Department requesting the Board adopt Resolution acknowledging, but rejecting the Irrevocable Offer of Dedication (2010-03) for a drainage easement from Brian D. Fisher and Leslie L. Fisher located on Eastwood Park Unit No. 5, Lot 26, on property identified as APN 070-410-38, in Cameron Park area.  
**Resolution 019-2010**  
**Adopted Resolution 019-2010 upon approval of the consent calendar.**
24. [10-0094](#) Transportation Department recommending the Board authorize the Chair to sign Easement Acquisition Agreement for Public Purposes and Certificate of Acceptance for the related deed from Mark K. Freeman and Christine Freeman, husband and wife as joint tenants as to an undivided 2/3 interest and Mark Freeman and Christine Freeman, husband and wife as joint tenants, as to an undivided 1/3 interest for APN 069-241-14; and authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Green Valley Road at Tennessee Creek - Bridge Replacement Project No. 77109. (District 4)  
  
**FUNDING:** Highway Bridge Program, Highway Safety Improvement Program Grants and the 2004 Traffic Impact Mitigation Fee Program.  
**This matter was Approved on the consent calendar.**
25. [10-0152](#) Supervisor Nutting requesting a six month extension for Pacific House/Gene Long to comply with remaining planning conditions.  
  
**A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to withhold enforcement of the conditions of the Special Use Permit for a period of six months.**  
  
**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago
26. [10-0120](#) Chief Administrative Office recommending the Board approve Budget Transfer adjusting the Fiscal Year 2009-2010 OMB A-87 Cost Allocation Charges to the Health Services Department, Public Health Division, from \$653,781 to \$779,624 to be consistent with the final Cost Allocation Plan for Fiscal Year 2009-2010. (4/5 vote required)  
  
**FUNDING:** General Fund / Health Services Fund.  
**This matter was Approved on the consent calendar.**

**END CONSENT CALENDAR****DEPARTMENT MATTERS**



27. [10-0060](#) Continued hearing to consider Serrano Associates, LLC request for refund of Mello-Roos taxes - Revenue and Taxation Code Section 5096. (Cont'd 1/26/10, Item 17)(Est. Time: 45 Min. )

This matter was Approved on the consent calendar as follows:

- 1) Direct CAO to hire an outside auditor that is acceptable to County staff and claimant;
- 2) Direct such auditor to provide a full transactional analysis of the Serrano Mello Roos fund and with an analysis of such transactions compliance with the indenture documents; and
- 3) Upon receipt of such audit and analysis, Chief Administrative Officer would transmit such to Bond Counsel for his opinion.

28. [10-0159](#) County Counsel recommending consideration of the reappointment of Louis B. Green for a four-year term as County Counsel. (Est. Time: 10 Min.) (Cont'd 2/23/10, Item 28)

*NO PUBLIC COMMENT*

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to continue this matter to March 16, 2010.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

29. [09-1491](#) Chief Administrative Officer requesting the Board receive a status report on the operation of Joe's Skate Park. (Refer 12/15/09, Item 26) (Est. Time: 5 Min.)

*NO PUBLIC COMMENT*

**Received and Filed.**

30. [09-1129](#) Environmental Management Department requesting the Board consider the following:

- 1) Accept the NewPoint Group/BAS proposal for the development of a Countywide Solid Waste Management Plan; and
- 2) Authorize the Department to negotiate a contract for said services. (Est. Time: 30 Min.)

*PUBLIC COMMENT*

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

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

31. [10-0154](#) Supervisor Knight recommending the Board approve and authorize the Chair to sign the Extension and Amendment to Settlement and Release with El Dorado Development Partnership Group, LLC aka Stable Development, LLC, and accompanying Amendment to Promissory Note. (Est. Time: 15 Min.)

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

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

**2:00 P.M. - TIME ALLOCATION**

32. [10-0072](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z08-0033/Planned Development PD09-0006/Tentative Map TM08-1482/Cameron Woods Unit 9 on property identified by APNs 070-011-45, 070-011-33, and 083-020-21, consisting of 75.47 acres, in the Cameron Park area, submitted by Darol Rasmussen; and recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
  - 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines Section 15074 (d), incorporating the Mitigation Measures in the Conditions of Approval as listed in Attachment 1;
  - 3) Approve Z08-0033 rezoning: APN 070-011-45 (54.17 acres) from Estate Residential Five-Acre/One-Acre Residential/Professional Office Commercial-Design Control-Airport Safety (RE-5/R1A/CPO-DC-AA) to One Family Residential-Planned Development-Airport Safety (R1-PD-AA) [approximately 33.17 acres] and Open Space-Planned Development-Airport Safety (OS-PD-AA) [approximately 21 acres]; APN 070-011-33 (15.74 acres) from Estate Residential Ten-Acre/One-Acre Residential/Professional Office Commercial-Design Control-Airport Safety (RE-10/R1A/CPO-DC-AA) to One-Family Residential-Planned Development-Airport Safety (R1-PD-AA); and APN 083-020-21 (5.56 acres) from Estate Residential Five-Acre-Airport Safety (RE-5-AA) to Professional Office Commercial-Design Control-Airport Safety (CPO-DC-AA) based on the findings listed in Attachment 1;
  - 4) Approve Planned Development PD09-0006 adopting the development plan as the official development plan based on the findings and subject to the conditions listed in Attachment 1;
  - 5) Approve Tentative Map TM08-1482 based on the findings and subject to the conditions listed in Attachment 1; and
  - 6) Adopt Ordinance **4941** for said rezone. (Supervisory District IV) (Est. Time: 30 Min.)

**A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, as follows:**

- 1) Adopt the Mitigated Negative Declaration;**
- 2) Adopt the Mitigation Monitoring Program;**
- 3) Approve Rezone Z08-0033;**
- 4) Approve Planned Development PD09-0006 ;**
- 5) Approve Tentative Map TM08-1482; and**
- 6) Adopt Ordinance 4941 for said rezone.**

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNED AT 2:33 P.M.**

**CLOSED SESSION**

33. [10-0135](#) Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee.  
Employee Organization: El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades and Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees.
- No Action Reported.**

**CONSENT CALENDAR:**

34. [08-1462](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board of Supervisors:
- 1) Extend Bid Award 09-393-028 for food products and kitchen supplies for use County-wide for an additional eight months, through October 14, 2010; and
  - 2) Authorize extension of blanket purchase orders with Strauss Food Service of Placerville; Mad Butcher Meat Company of Sacramento, and Crystal Dairy Foods of South Lake Tahoe; and
  - 3) Authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed" basis during the awarded period if funding is available within the requesting Department's budget. (Refer 10/13/09, Item 5)
- FUNDING:** General Fund.

**This matter was Approved on the consent calendar.**

**CLOSED SESSION:**

35. [10-0188](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Request for Inscription on Bench at Veteran's Monument. Number of potential cases: (1).
- No Action Reported.**