



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
Terri Daly, Chief Administrative Officer *Louis B. Green,*
County Counsel

Tuesday, December 14, 2010

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) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. 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 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 SESSIONS

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

9:20 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 Knight, seconded by Supervisor Santiago, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 11, 12, 15, 19, 20 and 24 were pulled from the consent calendar and Item 32 was added to the consent calendar.

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

PRESENTATIONS

- 1. [10-1311](#) El Dorado County Christmas Singers to provide a presentation for the Board of Supervisors. (Est. Time: 10 Min.)

Presented.

- 2. [10-1313](#) Supervisor Briggs recommending the Board approve a Certificate of Commendation honoring Kristofer Michael Moen-Chinn of Boy Scout Troop 700 acknowledging the hard work and commitment necessary to attain the rank of Eagle Scout. (Est. Time: 5 Min.)

Approved certificate of commendation.

- 3. [10-1247](#) Supervisor Santiago and Environmental Management Department recommending the Board adopt a Proclamation recognizing Virginia Huber for over 37 Years of Service to the County of El Dorado. (Est. Time: 5 Min.)

Approved proclamation.

- 4. [10-1321](#) Supervisor Santiago recommending the Board receive a presentation by Tara Turrentine regarding Homeless Youth in the County of El Dorado. (Est. Time: 15 Min.)

Received and filed.

OPEN FORUM

PUBLIC COMMENT

E. Blakemore RE: Thank you Supervisor Santiago for Year of the Child.

Roy RE: Road conditions and home values in Watterford.

B. Johnson RE: Retiring from DSA.

S. Taylor RE: Public Records Request.

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

- 5. [10-1235](#) Health Services Department recommending the Board approve the following:
 - 1) Conduct a duly noticed public hearing on December 14, 2010, in the Board Chambers at 10:00 am for comments on a proposed fee schedule for Animal Services; and
 - 2) Approve and adopt a Resolution setting new Animal Services fees, thereby superseding Resolution 126-2005 that set the current fees; and
 - 3) Authorize the Chief Animal Control Officer to approve waived, discounted, or deferred payment of fees in unusual/limited incidences, where this is considered reasonable and in the best interest of the animal.

FUNDING: Animal Services is funded by Fines, Fees, Permits, Charges for Services, Realignment, and General Fund.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to continue this matter to February 22, 2011.

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

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to amend the motion to continue this matter to Monday, February 27, 2011.

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

CONSENT CALENDAR

6. [10-1320](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes of the Special Meeting of Monday, December 6, 2010, and the Regular Meeting of Tuesday, December 7, 2010.

This matter was Approved on the consent calendar.

7. [10-1308](#) Chief Administrative Office recommending the Air Quality Management District Board of Directors designate the County Chief Administrative Officer as the Interim Air Pollution Control Officer (APCO), effective January 1, 2011, until such time as a new APCO is recruited and appointed by the Board.

This matter was Approved on the consent calendar.

8. [10-1296](#) Chief Administrative Office recommending the Board approve the authorization of Discharge of Responsibility for the collection of the Debts listed on the Discharge of Accountability Report submitted by the Superior Court for the period May 2008 through October 2010.

This matter was Approved on the consent calendar.

9. [10-1302](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Bid No.11-204-026 for the purchase of Computers: Desktops, Laptops, Monitors and Related Items to the low qualified bidder, Helm Technical Service of El Dorado Hills, CA., upon conclusion of the ten (10)-day bid protest period which ends on December 16, 2010;
 - 2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$160,000 for a four (4) month period following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting Department's budget.

FUNDING: Various.

This matter was Approved on the consent calendar.

10. [10-1318](#) County Counsel recommending that the Board act to appoint Theresa R. Daly to the position of Chief Administrative Officer of the County of El Dorado effective December 18, 2010; that her salary be set at Step 3 of the current salary range; and that the Board approve and authorize the Chair of the Board to execute the Memorandum of Agreement (Employment Agreement).

This matter was Approved on the consent calendar.

11. [10-1293](#) Environmental Management Department recommending the Board authorize the Chair to sign the Second Amendment to Agreement No. 017-A-09/10-BOS with Geosyntec Consulting Inc. increasing the compensation amount by \$302,911.41 to an amount not to exceed \$652,840.41 and extending the term through December 31, 2011 for services related to the Meyers Landfill Cap Closure project.

FUNDING: Non General Fund Insurance.

PUBLIC COMMENT

S. Taylor

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

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

12. [10-1292](#) Environmental Management Department recommending the Board authorize the Chair to sign the First Amendment to Agreement No. 025-A-09/10-BOS with Bryan A. Stirrat and Associates increasing the compensation amount by \$330,550 to an amount not to exceed \$870,540 and extending the term through June 1, 2012 for services related to the Meyers Landfill Cap Closure project.

FUNDING: Non General Fund Insurance.

PUBLIC COMMENT

S. Taylor

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

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

13. [10-1257](#) District Attorney's Office recommending the Board declare a weapon as surplus and approve the transfer of a duty weapon to a retiring District Attorney Investigator.

This matter was Approved on the consent calendar.

14. [10-1263](#) Health Services Department recommending the Board authorize the Chair to sign Agreement 181-162-P-R2010 (10-95368) and the accompanying certificates with the California Department of Public Health, in the amount of \$64,010 for the term July 1, 2010 through June 30, 2011 for the purpose of providing State and Federal funding for Public Health immunization programs for children and the general public.

FUNDING: California Department of Public Health.

This matter was Approved on the consent calendar.

15. [10-1291](#) Environmental Management Department recommending the Board consider the following pertaining to the construction of the Cap System, French Drain and Landfill Gas Emission Control System Operable Unit 1 at the Meyers Landfill (Public Works Contract No. 013-PW-09/10-BOS):
- 1) Authorize the Director of said Department to sign the first amendment to Change Order 001 in the amount not to exceed \$199,246 for additional work required due to a number of issues, errors and omissions with the Final (100%) Remedial Design provided to the County by the U.S. Forest Service and in doing so, find that it is in the public interest to waive competitive bidding for the work described therein;
 - 2) Authorize the Director of said Department to execute Change Order 010 in the amount not to exceed \$59,867.08 (Sewer line backfill), Change Order 011 not to exceed \$88,826.91 (October storm repair), Change Order 012 not to exceed \$69,592.56 (French drain backfill), Change Order 013 not to exceed \$853,933.60 (Additional 2011 bid schedule charges), Change Order 014 not to exceed \$525,000 (Additional 2011 out of scope charges), and Change Order 015 not to exceed \$225,000 (Winterization Plan) for additional work required for the construction of the Cap System, French Drain and Landfill Gas Emission Control System Operable Unit 1 at the Meyers Landfill and in doing so, find that it is in the public interest to waive competitive bidding for the work described therein; and,
 - 3) Authorize the Director of said Department to execute Change Order 013 to extend Public Works Contract No. 013-PW-09/10-BOS for one (1) year, expiring on December 31, 2011.

FUNDING: The Department is exploring additional sources of revenue to help offset the increased costs.

PUBLIC COMMENT
S. Taylor

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

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

16. [10-1248](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 231-S1111 with New Morning Youth and Family Services, Inc., in the amount of \$1,350,000 for the term January 1, 2011 through June 30, 2012 to provide specialty mental health services for seriously emotionally disturbed minors on an as requested basis for said Department.

FUNDING: Medi-Cal/Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), as well as Mental Health Realignment, as determined by the funding sources available and appropriate for each youth.

This matter was Approved on the consent calendar.

17. [10-1301](#) Human Resources, Risk Management Division, recommending the Board authorize the Chair to sign Agreement No. 313-S1111 with George Hills Company, Inc. for a total amount of \$782,880 for the term January 1, 2011 through December 31, 2015 for the provision of liability claims administration services including services to ensure compliance with Medicare, Medicaid, and SCHIP Extension Act (MMSEA).

This matter was Approved on the consent calendar.

18. [10-1272](#) Department of Human Services recommending the Board authorize the Chair to sign retroactive nonfinancial ongoing Memorandum of Understanding 481-M1011 with the Shingle Springs Band of Miwok Indians for the provision of Tribal Temporary Assistance for Needy Families (Tribal TANF) services to eligible American Indian recipients effective June 1, 2010, to remain in effect for one year and automatically renew for successive one-year terms unless terminated pursuant to the terms and conditions contained therein.

FUNDING: Non-financial Memorandum of Understanding (MOU).

This matter was Approved on the consent calendar.

19. [10-1267](#) Health Services Department, Mental Health Division, recommending the Board authorize the Health Services Director to sign and submit to the State Department of Mental Health (DMH) and the California Housing Finance Agency (CalHFA) the MHSA Housing Program - Supportive Services Plan (Section D) and associated attachments.

FUNDING: State Mental Health Services Act (MHSA).

PUBLIC COMMENT

S. Taylor

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to Approved this matter.

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

20. [10-1251](#) Human Services Department recommending the Board authorize the Chair to sign retroactive Amendment III to Agreement to Services 610-S0711 with Sierra Recovery Center (dba Vitality at the Lake) amending Article III-Compensation increasing the compensation amount by \$389.24 to \$131,389.24 for the term May 24, 2007 through June 30, 2010 for the provision of therapeutic counseling, inpatient and outpatient substance abuse testing and other related services for clients in the South Lake Tahoe area.

FUNDING: 85% Federal/State Social Services allocation with a 15% County match.

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, to approve this matter.

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

21. [10-1264](#) Human Services Department recommending the Board authorize the Chair to sign Amendment III to Agreement for Services 652-S0810 with Family Connections El Dorado, Inc. increasing the compensation amount by \$5,000 to an amount not to exceed \$185,000 for the term February 1, 2008 through January 31, 2011 for the continued provision of therapeutic counseling and equine-assisted therapeutic services, classes and other related services for clients of the Department of Human Services (DHS) on an "as requested" basis for services necessary through the end of the contract term.

FUNDING: 85% Federal/State Social Services Allocation with 15% County match. This annual Federal/State Social Services allocation is expected to be ongoing.

This matter was Approved on the consent calendar.

22. [10-1199](#) The Department of Transportation recommending the Board adopt four Resolutions acknowledging but rejecting the Irrevocable Offers of Dedication from Peter L. Navarra and Leslie Towns Navarra, as Co-Trustees of the Navarra Family Trust dated January 17, 2007, Andrew Peter Navarra, John Towns Navarra, Margaret McNulty Navarra, Kathleen Elizabeth Navarra, and Bencor-Saratoga L. P. a California Limited Partnership, for drainage and pedestrian easements, situated on Parcels A1, A2, and B of the Parcel Map filed in Book 50 of Parcel Maps at page 90, which are necessary to meet the commercial grading requirements for development.

Resolution 183-2010 Navarra drainage easement, Resolution 184-2010 Bencor-Saratoga drainage easement, Resolution 185-2010 Navarra pedestrian easement, and Resolution 186-2010 Bencor-Saratoga pedestrian easement.

Adopted Resolution 183-2010 for the Navarra drainage easement, Resolution 184-2010 for the Bencor-Saratoga drainage easement, Resolution 185-2010 for the Navarra pedestrian easement, and Resolution 186-2010 for the Bencor-Saratoga pedestrian easement upon approval of the consent calendar.

23. [09-1359](#) Department of Transportation recommending the Board authorize the Chair to sign the Notice of Acceptance with Thomas Haen Company, Inc. for the Christmas Valley Phase 2B Erosion Control Project (Contract No. PW 09-30488, CIP No. 95189).

FUNDING: United States Forest Service.

This matter was Approved on the consent calendar.

24. [10-1095](#) Department of Transportation recommending the Board approve and authorize the Chair to sign Amendment II to Lease Agreement 304-L0711 with Jeffrey Smith to amend the lease to reduce the lease payments from \$7,960.19 to \$7,000; eliminate the two and three quarter (2.75%) percent annual rent increase; make minor corrections two sections in Amendment I; and extend the term commencing January 1, 2011 ending December 31, 2013 for the Animal Shelter located at 511 Placerville Drive in Placerville. The cost is \$1.21 per square foot.

FUNDING: Approximately 58% General Fund and 42% from revenues generated by other sources (license fees, impounds, adoptions, permits).

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

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

25. [10-1201](#) Department of Transportation recommending the Board authorize the Chair to:
- 1) Approve the termination of the Airport Land Use Agreement with Larry and Beverly Williams dated May 15, 1996, at the Placerville Airport;
 - 2) Approve the termination of Airport Land Use Agreement 581-L0511 with Richard K Stewart, at the Georgetown Airport;
 - 3) Sign the Airport Ground Lease for Portable Hangars 10-53103 with Leigh Kolb, at the Placerville Airport; and
 - 4) Sign the Airport Ground Lease for Portable Hangars 10-53091 with Gary Vorderbruggen, at the Georgetown Airport. (4/5 vote required)

FUNDING: Placerville and Georgetown Airports Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar.

26. [10-1218](#) Department of Transportation recommending the Board approve the termination of the Fixed Base Operator (FBO) Airport Lease Agreement 689-L0811 with Joe Stancil Jr. and Doralee Stancil, dba Stancil Enterprises, Inc. and authorize the Chair to sign the Fixed Base Operator Lease Agreement 10-52980 with Skywagons.com, LLC for the Placerville Airport. (4/5 vote required)

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar.

27. [10-1219](#) Department of Transportation recommending the Board approve the termination of the Airport Land Use Agreement dated June 23, 1999 with Joe Stancil Jr. and Doralee Stancil and authorize the Chair to sign the Fixed Base Operator (FBO) Lease Agreement 10-53025 with Skywagons.com, LLC for the Placerville Airport (4/5 vote required).

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar.

28. [10-1298](#) Sheriff's Department recommending Board authorize the Chair to sign a Memorandum of Understanding (MOU) between the County of El Dorado Sheriff's Department and the Placerville Police Department for the Placerville Police Department to participate on the County of El Dorado Sheriff's SWAT Team.

This matter was Approved on the consent calendar.

29. [10-1149](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment II to Lease Agreement 046-L9611 with Briw Office Investors in the amount of \$33,050.36 per month commencing January 1, 2011 and ending on December 31, 2011. This amendment shall exercise the first option for an additional one (1) year term, amend the agreement to eliminate the two (2%) percent annual increase and request that the Lessor provide and pay for snow removal when needed for the Department of Human Services located at 3057 Briw Road in Placerville. Cost per square foot is \$1.11.

FUNDING: 85% Federal/State, 15% County match met primarily from realignment funds.

This matter was Approved on the consent calendar.

30. [10-1152](#) Department of Transportation recommending the Chair be authorized to sign Second Amendment to Facility Use Agreement 498-0411 with Celco Partnership dba Verizon Wireless for the right to install, operate and maintain at Verizon Wireless' sole cost and expense, three (3) additional panel antennas on the existing tower, together with accompanying radio communications equipment and appurtenances. Installation and maintenance of wires, cables, conduits and pipes running from the tower to the shelter and install six (6) additional guy wires to support the existing tower located at 300 Fair Lane in Placerville.

FUNDING: Revenue generating agreement.

This matter was Approved on the consent calendar.

Board of Supervisors - Consent

31. [10-1310](#) Supervisor Sweeney recommending the Board adopt a proclamation commemorating December 15, 2010 as Bill of Rights Day in the County of El Dorado.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

- 32. [10-1314](#) Sheriff's Department recommending advance step hiring at step 5 of the salary range for Donald Ashton who has been selected as the Fiscal Administrative Manager for the Sheriff's Department. (Est. Time: 10 Min.)

FUNDING: General Fund.

This matter was Approved on the consent calendar.

- 33. [10-1177](#) Department of Transportation recommending Board provide clarification of Section 7.5 of the "County of El Dorado Department of Transportation Guidelines for Road Impact Fee / Traffic Impact Mitigation Fee Reimbursement Projects" and direct the Department of Transportation to;

1) Allow for the reimbursement of project soft costs for non-publicly bid construction projects and base the 20% soft cost limit on the lower of: the non-publicly bid price, publicly bid price, negotiated contract price, or the engineer's estimate (bond amount) for construction costs; only if the soft costs would have otherwise been allowed if eligible construction was publicly bid; and

2) Exclude right-of-way acquisition costs from the 20% soft cost limit and allow reimbursement of right-of-way acquisition as a hard cost not to exceed the appraised value. (Est. Time: 10 Min.) (Cont'd 12/14/10, Item 33)

PUBLIC COMMENT

L. Ido

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to continue this matter to January 25, 2011.

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

- 34. [10-1139](#) Public Defender recommending Board authorize the Chair to sign an Agreement with Alpine County to provide Indigent Legal Services for the term January 1, 2011 through December 31, 2014. (Est. Time: 20 Min.)

FUNDING: Alpine County Superior Court.

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

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney

35. [10-0886](#) County Counsel recommending the Board receive an update on a proposal method to reduce the account balance in regard to the future levy of special district taxes in Community Facilities District No. 1992-1, and consider adoption. (Cont'd 11/15/10, Item 23) (Est. Time: 20 Min.)

PUBLIC COMMENT

S. Taylor

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to proceed with the amendment. Noting the final documentation will return to the Board on January 11, 2011.

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

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to direct staff to retain language relating to the release and waiver.

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

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to direct staff to include language allowing the amendment to the Indenture of the 2010-2011 fiscal year, subject to completion of a successful completion of a validation action.

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney

36. [10-1265](#) Supervisor Briggs recommending the Board direct the Information Technology Department to conduct a Countywide Assessment for Information Technology Needs and infrastructure. (Est. Time: 20 Min.)

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

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

37. [10-0380](#) Department of Transportation recommending the Board consider the following regarding the El Dorado County Parks and Trails Master Plan:
- 1) Make findings pursuant to Article II, Section 210b (6) of the El Dorado County Charter;
 - 2) Authorize the Chair to sign the First Amendment to Agreement for Services 267-S0911 (A), AGMT 10-52952 with Whitney Environmental Consulting, Inc. doing business as Foothill Associates, extending the term for three (3) months to March 22, 2011;
 - 3) Conceptually approve the alternative Scope of Work, as set forth in Exhibit 1;
 - 4) Receive and file staff responses to questions posed by the Board on November 8, 2010 relative to the El Dorado County Parks and Trails Master Plan; and
 - 5) Direct the Department of Transportation to return to the Board with a Second Amendment to Agreement for Services 267-S0911 (A), AGMT 10-52952 with a revised Scope of Work reflecting the Board's conceptual approval (Refer File 08-1827, 12/16/08 Item 53) (Refer File 10-0380 11/08/10 Item 2). (Est. Time 1 Hr.)

FUNDING: Accumulated Capital Outlay fund.

PUBLIC COMMENT

*B. Smart
E. Crim
L. Murray
J. Harper*

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to direct staff to incorporate the conceptual revised scope into a contract for a twelve month period.

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

2:00 P. M. - TIME ALLOCATION

38. [10-1279](#) Department of Transportation recommending the Board adopt the Saturated Soil Water Quality Protection Plan (Plan); and authorize the Chair to sign said Plan for the Rubicon Trail. (Est. Time: 2 Hrs.)

FUNDING: Funding for the preparation of the proposed Plan came from a combination of California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division grants (OHMVR), Sacramento Municipal Utility District Cooperation Agreement Fund (SMUD), and OHV In-Lieu fees.

PUBLIC COMMENT

*M. Hendricks
S. Johnston
K. Schonback
R. Burlison
R. Platt
T. Gibney
E. Morales
A. Granite
J. Scott
J. Arns
Steve*

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

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

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****CLOSED SESSION**

39. [10-0708](#) 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 & 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. (Est. Time: 10 Min.)
No Action Reported.
40. [10-1307](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
Governing Board of the In Home Supportive Services Public Authority and County Negotiator: Bruce Heid of IEDA, and/or designee
Employee Organization: United Domestic Workers of America (UDWA) AFSCME/AFL-CIO representing Independent Providers. (Est. Time: 5 Min.)
No Action Reported.
41. [10-1285](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 117-020-15. The person or persons with whom the negotiator may negotiate are Dennis A. Gardemeyer and Denice Gardemeyer, Trustees. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of El Dorado County. (Est. Time: 15 Min.)
No Action Reported.
42. [10-1128](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Serrano Claim for CFD Tax Refund. Number of potential cases: (1). (Cont'd 11/15/10, Item 33) (Est. Time: 15 Min.)
This matter is continued to January 11, 2011.

43. [10-1319](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title: TLY, LLC Forebay Series dba The Village Mobilehome Park v. County of El Dorado, et al., El Dorado County Superior Court Case No. PCL 20101410. (Est. Time: 10 Min.)
The Board by a 5-0 vote authorized County Counsel to defend the action.
44. [10-1286](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-01-1520 (Meyers Landfill Site (Cont'd 12/7/10, Item 41) (Est. Time: 15 Min.)
The Board by a unanimous vote authorized budget transfer in the amount of \$500,000 from the Risk fund to the Meyer fund number 7742306 to cover the increase of work.
45. [10-1297](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: MV Transportation, Inc. v. El Dorado County, et al., 9th Judicial District Court of the State of Nevada, County of Douglas, Case No. 10-CV-0240. (Cont'd 12/7/10, Item 44) (Est. Time: 15 Min.)
No Action Reported.
46. [10-1289](#) Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Number of potential cases: (1). (Cont'd 12/7/10, Item 42) (Est. Time: 15 Min.)
No Action Reported.

ADJOURNED AT 6:05 P.M.