



County of El Dorado

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Minutes - Final Board of Supervisors

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

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

Tuesday, August 18, 2009

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.edcgov.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: 5 - Supervisor Knight, Supervisor Sweeney, Supervisor Nutting, 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

ADOPTION OF AGENDA AND APPROVAL OF 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 1 was continued off calendar and Items 12, 15, and 18 were pulled off the Consent Calendar and acted upon separately.

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

OPEN FORUM

PUBLIC COMMENT

A. Hunts RE: Response from D. Neilson has been good. Working with other County staff is not always good. State Ombudsman is also working with him. Main concern is his child.

H. Gonzales RE: Contact with caseworkers has not been effective. Children still have problems due to bad and dangerous placements outside of the home. Programs focused to help families stay together are very important.

E. Claudio RE: Preventing Child Abuse and Neglect. Funding is needed for these services to keep families together and out of the Court system. Community Groups need to be encouraged to seek funding to help support families staying together. He is seeing progress with his issues.

10:00 A.M. - TIME ALLOCATION

1. [09-0452](#) Health Services Department recommending the following pertaining to an Agreement with El Dorado County Emergency Services Authority (JPA):
 - 1) Authorize the Chairman to sign Amendment 3 to Agreement for Services 200-S0811 extending the term from July 1, 2006 through June 30, 2018;
 - 2) Require maintenance of a minimum fund balance of \$3,000,000 for County Service Area No. 7; allow the JPA to use fund balance exceeding this minimum for special projects or activities approved by the JPA Board of Directors if such fund balance is not otherwise necessary to cover projected excess expenditures or revenue deficits; and define the process for annual budget review/development, fiscal forecasting, and contract payment; and
 - 3) Allow the County to reimburse the JPA for procuring the services of a Certified Public Accountant (CPA) to perform annual audits of the JPA's books and records.

FUNDING: Property tax, special tax, and fee-for-service ambulance billing revenue.

This matter was continued off calendar upon approval of the consent calendar.

BUDGET UPDATE**CONSENT CALENDAR**

2. [09-1088](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, August 4, 2009 (Cont'd 8-4-09, Item 3) and the Regular Meeting of Tuesday, August 11, 2009.
3. [09-1057](#) 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 or donation of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220.

This matter was Approved on the consent calendar.

4. [09-1044](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board: (1) Make findings that it is more economical and feasible to contract out relocation services in accordance with Section 3.13.030 of the County Ordinance Code; (2) Award request for proposal (RFP) 09-961-056 for relocation services on an "as requested" basis countywide to Valley Relocation & Storage of West Sacramento, Movers, Inc. of Benicia, and S.R. Moving and Storage of West Sacramento; and, (3) Authorize the Purchasing Agent to execute contracts for same for a three year term, in an amount not to exceed \$100,000 each upon approval of County Counsel and Risk Management.

FUNDING: Funding is available within each requesting Department's services and supplies budget.

This matter was Approved on the consent calendar.

5. [09-1046](#) Child Support Services Department, Revenue Recovery Division, recommending the Board approve continuation of a perpetual Agreement 415-S0611 with Columbia Ultimate, Inc. dba Columbia Ultimate (CUBS) in the amount of \$13,670 for the period of July 1, 2009 through June 30, 2010 for collection software licenses and support.

FUNDING: Revenues from Collections.

This matter was Approved on the consent calendar.

6. [09-1032](#) Development Services Department recommending Chairman be authorized to sign Amendment III to Agreement for Services 156-S0711 with Dokken Engineering, Inc. increasing the compensation by \$50,000 to \$180,000 and extending the term through August 20, 2010 to provide plan review services during peak seasonal periods on an "as-requested" basis.

This matter was Approved on the consent calendar.

7. [09-1042](#) Development Services Department recommending Chairman be authorized to sign Amendment III to Agreement for Services 154-S0711 with R.E.Y. Engineers increasing the compensation by \$30,000 to \$100,000 and extending the term through August 20, 2010 to provide plan review services during peak seasonal periods on an "as-requested" basis.

This matter was Approved on the consent calendar.

8. [09-1021](#) Development Services Department, Planning Services Division, submitting for approval final map (TM07-1460-F) for Monte Vista Subdivision creating three lots ranging in size from .64 to 2.57 acres on 3.9 acres on property identified by APN 048-620-08, located on the north side of Monte Vista Drive, 100 feet east of the intersection with Verde Robles Road, in the Camino area. (Supervisory District III)

This matter was Approved on the consent calendar.

9. [09-0765](#) Environmental Management Department recommending adoption of Resolution authorizing the execution of an Agreement with the State of California Environmental Protection Agency, State Water Resources Control Board, in the amount of \$93,202 for the term July 1, 2009 through June 30, 2010 to allow said Department to provide services for the Local Oversight Program for Fiscal Year 2009/2010 as related to underground storage tank contamination monitoring, remediation activities and site closure.

FUNDING: California State Water Resources Control Board.

Resolution 189-2009

Adopted Resolution 189-2009 upon approval of the consent calendar.

10. [09-1031](#) Human Services Department recommending adoption of Resolution authorizing the Director of Human Services, or successor, to sign all documents necessary to enter into a Contract, with the California Department of Community Services and Development for funding up to \$175,375, for Community Services Block Grant American Recovery and Reinvestment Act (CSBG ARRA) services for the term July 1, 2009 through September 30, 2011; and further authorizing the Director of said Department, or successor, to execute documents relating to said Contract, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not increase the amount beyond \$175,375 or extend the term beyond September 30, 2011, to sign subsequent required fiscal and programmatic reports and to perform any and all administrative responsibilities in relationship to said Contract.

FUNDING: Federal American Recovery and Reinvestment Act Community Services Block Grant Funds.

Resolution 190-2009

Adopted Resolution 190-2009 upon approval of the consent calendar.

11. [06-1669](#) Information Technologies Department recommending Chairman be authorized to sign Amendment IV to Agreement C12-048 with Infor Global Solutions (Michigan), Inc. formerly known as Extensity, Inc. and Geac Enterprise Solutions, Inc. to continue to provide software maintenance and license support for the County's payroll/personnel system.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

12. [09-0656](#) Information Technologies Department requesting the Board approve the updated Computer and Network Usage Guides and incorporate them into Board Policy A-19. (Cont'd 6/2/09, Item 18; Cont'd 6/9/09, Item 29)

NO PUBLIC COMMENT

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

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

13. [09-0918](#) Library Director recommending Chairman be authorized to sign perpetual Agreement 752-S0911, including Amendment and Long Term Maintenance Quote with Sirsi Corporation dba SirsiDynix in the amount of \$38,220.38 for the term September 1, 2009 through August 31, 2010, to continue the software license and maintenance of the integrated library system used by the library.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

14. [09-0790](#) Transportation Department recommending the Board approve the new Airport Ground Lease for Portable Hangars as to the boiler plate form and authorize amendment to change the title and date of Supervisors approval in County Policy F-5.

FUNDING: Airport Enterprise Fund.

This matter was Approved on the consent calendar.

15. [09-1025](#) Transportation Department requesting authorization to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Pleasant Valley Road and Oak Hill Road Intersection Improvements Project 73358 affecting portions of the following parcels: APN 098-160-01, Antonina Borsoff; APN 098-160-03, Pleasant Oak Baptist Church; 098-160-04, Ronald D. Kenzy and Rosalie Kenzy, as Trustees of the Kenzy Family Trust dated May 19, 1999 and Derek E. Kenzy; APN 098-160-06, Silvano Gonzalez Garcia and Martha Gonzalez; APN 098-160-07, Ingeborg Kelley; APN 098-160-87, Ronald L. and Margaret E. Leonard; APN 098-160-28, Robin Lea Peck; APN 098-160-27, Roger and Joyce Sherman; APN 098-160-26, Pilot Midtown, LLC; APN 098-130-01, Barbara Steward Hillmer.

FUNDING: Funding for this acquisition will be provided by 2004 General Plan TIM fees in the amount of \$450 and Highway Safety Improvement Program grant funds in the amount of \$4,050.

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

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

16. [09-0251](#) Transportation Department recommending adoption of Resolution accepting the Correctory Irrevocable Offer of Dedication from West Valley LLC, for road right of way, including the underlying fee, located on property identified as APN 118-140-37 in El Dorado Hills, necessary in order to make the current road right of way on Latrobe Road more uniform in width, noting adoption of said Resolution supersedes Resolution 059-2009 previously adopted on March 24, 2009, as Item 13. **Resolution 191-2009**

Adopted Resolution 191-2009 upon adoption of the consent calendar.

17. [09-0741](#) Transportation Department recommending the Chairman be authorized to sign the Exchange Fund Transfer Agreement 09-52639 with the Tahoe Regional Planning Agency (TRPA) allowing direct transfer of \$300,000 of the Federal/State Exchange funds with the TRPA for Fiscal Years 2002-03 to 2005-06 cycles of Regional Surface Transportation Program (RSTP) Exchange Funds.

FUNDING: Regional Surface Transportation Program Funds - TRPA Transfer.

This matter was Approved on the consent calendar.

18. [09-1040](#) Sheriff's Office recommending Chairman be authorized to sign perpetual Agreement 874-S0910 with Trans Union Corporation LLC, in the amount of \$20,000 to provide credit reports for applicant background processing for said Department.

FUNDING: General Fund.

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

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

END CONSENT CALENDAR

DEPARTMENT MATTERS

19. [09-0910](#) Treasurer-Tax Collector recommending introduction of Ordinance amending County Ordinance Code Chapter 5.56 for Vacation Home Rentals in the Lake Tahoe Basin; and recommending second reading and final adoption of proposed Ordinance to be scheduled on Tuesday, August 25, 2009. (Cont'd 8/11/09, Item 24)

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

- 1) **Approve the introduction of Ordinance 4826; and**
- 2) **Set adoption (second reading) of Ordinance 4826 for August 25, 2009.**

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

20. [09-1085](#) Chief Administrative Office recommending the Board approve, in principle, Agreements with the Administrative Office of the Court (AOC); and authorize Chairman to sign the following:
- 1) Agreement for Equity Exchange transferring the Court's equity in the El Dorado Center for a similar interest in Juvenile Hall;
 - 2) Agreement to Terminate the Joint Occupancy Agreement ending the Joint Occupancy Agreement entered into in 2008 for the El Dorado Center; and,
 - 3) New Joint Occupancy Agreement setting forth the terms and conditions of the Court's occupancy of a portion of Juvenile Hall.

Resolution 192-2009

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

- 1) **Approve agreements in principal;**
- 2) **Direct staff to return to the Office of the Court to address the issues identified and modify the agreements as necessary;**
- 3) **Authorize the Chairman to sign the final agreements; and**
- 4) **Adopt Resolution 192-2009.**

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

1:30 P.M. - TIME ALLOCATION

- 21. [09-0348](#) Development Services Department presenting fire safety requirements for development projects and recommending the Board direct staff to continue working with Cal Fire and the local fire protection districts to implement the various standards in a comprehensive manner, incorporating same into the update to the County Design and Improvement Standards Manual (DISM) , and provide consistent information to the public.

PUBLIC COMMENT

K. Russell RE: The complexity of the fire regulations.

R. Laurie RE: Off site road requirements need to be clarified.

O. Shirolu RE: The 10% grade of the roads and the difficulty of meeting these regulations within our county.

T. Giorgianes RE: Current regulations requiring the 20' road from firehouse to structure. Fire Marshalls need to write down the exceptions to this regulation.

K. Beal RE: Difficult to explain codes to prospective buyers when each fire district has different fire codes.

A. Marinaccio RE: When regulations are waived too often then the regulations are not being followed.

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to direct staff and Economic Development Advisory Committee to work with Cal Fire and Fire Districts to compile one set of comprehensive standards for the County.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNED

CLOSED SESSION**ADDENDUM****No. 22 has been amended as follows:**

22. [09-0967](#) 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 (Local 1) representing the General (GE), Supervisory (SU) and Professional (PL) Bargaining Units; Operating Engineers, Local No. 3, representing employees in the Trades and Crafts (TC), Probation (PR), and Corrections (CR) Bargaining Units; El Dorado County Managers' Association (MA) Bargaining Units, El Dorado County Criminal Attorney's Association (CA) Bargaining Unit, the El Dorado County Deputy County Counsel Association (CC) Bargaining Unit, the Deputy Sheriff's Association (DSA); and the El Dorado County Law Enforcement Managers Association (SM) Bargaining Unit.
- No Action Reported**
23. [09-1069](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Claim of Harry Dean v. County of El Dorado, Worker's Compensation Claim Settlement, Bragg & Associates, Inc. Claim No. 2004021782.
- No Action Reported**
24. **09-1070** Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Claim of John Yaws v. County of El Dorado, Worker's Compensation Claim Settlement, Bragg & Associates, Inc., Claim Nos. 2007062725 and 2006047252.
- No Action Reported**
25. [09-1089](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Yubacon, Inc. v. El Dorado County Department of Transportation. One (1) potential case.
- No Action Reported**
26. [09-1084](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** Initiation of litigation. One (1) potential case.
- No Action Reported**

ADDENDUM

DEPARTMENT MATTERS:

- 27. [09-1095](#) Probation Department recommending the Board approve and authorize the Chairman to sign Budget Transfer 29217 increasing estimated revenue and appropriations in Special Revenue Fund (SFR) 7725309 and increasing Department revenues and Department 15 Contingency by \$6,550 to reflect Fiscal Year End 2008/2009 actuals.

FUNDING: Revenue received for SB933.

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to approve this matter and authorize the Chairman to sign Budget Transfer 29217.

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

TIME ALLOCATION - 3:00 P.M.

- 28. [09-1099](#) **PRESENTATION** by John Grubb, Senior Vice President of External Affairs for the Bay Area Council, informing the Board and the public about the California Constitutional Convention.

No Formal Action Required.