



County of El Dorado

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MEETING AGENDA

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, June 23, 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

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

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.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [09-0845](#) Approval of Board of Supervisors Minutes for the Regular Meeting of Tuesday, June 16, 2009.
2. [09-0802](#) Auditor-Controller and the Chief Administrative Officer advising the Board of a current perpetual agreement with Hinderliter, deLlamas & Associates and recommending continuation of same to provide services for report preparation and data analysis relating to current sales tax disbursements.

3. [09-0547](#) Air Quality Management District (AQMD) recommending Chairman be authorized to sign the following Funding Agreements in total not to exceed amount of \$379,061 for FY 09/10 AB2766 Motor Vehicle Emission Reduction Projects:
- 1) 001-DMV-09/10-BOS with River Store, Inc. (Shuttle Service)
 - 2) 002-DMV-09/10-BOS with American River Music, Inc. (Shuttle Service)
 - 3) 003-DMV-09/10-BOS with El Dorado County Transit Authority (Free Rides on Spare the Air Days)
 - 4) 004-DMV-09/10-BOS with El Dorado County Transit Authority (County Fair Shuttle Service)
 - 5) 005-DMV-09/10-BOS with El Dorado County Transit Authority (Apple Hill Shuttle Service)
 - 6) 006-DMV-09/10-BOS with El Dorado County Fire Safe Council (Chipping Program)
 - 7) 007-DMV-09/10-BOS with El Dorado County Department of Transportation (Georgetown School Sidewalk)

FUNDING: AB 2766 DMV vehicle registration fees.

4. [09-0818](#) Clerk of the Board of Supervisors recommending the Board adopt the digital interpretation of the Board of Supervisors seal.
5. [09-0804](#) District Attorney recommending adoption of Resolution authorizing the District Attorney and/or the Chief District Attorney to sign the Standard Agreement with the California Victim Compensation and Government Claims Board for the Victim Witness Claims Grant for Fiscal Years 2009-2010 through 2011-2012 and any amendments or extensions thereof to operate a Victim Witness Center in the County.
- Resolution 138-2009**
- FUNDING:** California Victim Compensation and Government Claims Board.
6. [09-0773](#) Elections Department recommending the Board declare the results of the official canvass of the May 19, 2009 Statewide Special Election conducted by the Recorder-Clerk-Registrar of Voters.
7. [09-0746](#) Environmental Management Department recommending the Board approve and authorize the Chairman to sign Amendment 1 of Cooperative Agreement 03A1207 with the State of California, Department of Transportation (CALTRANS) increasing the contract amount by \$25,000 to \$325,000 and extending the term through September 30, 2009 for reimbursement to said Department for solid waste and litter abatement services.

FUNDING: State revenue is recognized in the CSA No. 10 Litter Abatement proposed FY 2009-10 budget.

8. [09-0747](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment 4 to Agreement CTA-04033 (218-S0610) with California Tahoe Conservancy increasing the contract amount by \$10,000 to \$42,000 and extending the term through June 30, 2010 to provide limited animal control services within the boundaries of the California Tahoe Conservancy properties known as "Cove East" and "Barton Meadow" for the Animal Services Division.

FUNDING: California Tahoe Conservancy.

9. [09-0813](#) Health Services Director requesting authorization to sign a letter of support to the U. S. Department of Health and Human Services' Administration for Children and Families for New Morning Youth and Family Services' application for the Basic Center three-year grant funding to allow for continued services to the County at-risk youth.

FUNDING: No fiscal impact to County, (Grant funds for New Morning, if awarded).

10. [09-0776](#) Health Services Department recommending the Board approve and authorize the Chairman to sign two budget transfer requests as follows:
- 1) Fund Type 11: \$1,300,000 from Medi-Cal Administrative Activities ("MAA") Index 401115 (Fund Type 11, fund 109, sub fund 010) to Health Services Department - Public Health Division Administration Index 401111 (Fund Type 11, fund 109, sub fund 001); and
 - 2) Fund Type 12 CSA 3 and CSA 7: \$27,000 from CSA 3 Index 408110 (Fund Type 12, fund 153, sub fund 100) and \$28,000 from CSA 7 Index 408220 (Fund Type 12, fund 157, sub fund 001) for a combined total of \$55,000 transfer to Ambulance Billing Index 408220 (Fund Type 12, fund 157, sub fund 001). (4/5 vote required)

FUNDING: Medi-Cal Administrative Activities (MAA) funds and CSA revenues.

11. [09-0762](#) Human Resources Department, Risk Management Division, advising the Board of all current automatically renewing perpetual Agreements with Optum Nurseline, American Specialty Health Insurance Company, (ASHIC), Jefferson Pilot, AIG, and Managed Health Network (MHN) for health benefits contracts and insurance policies administered; and recommending continuation of same; and further recommending the Purchasing Agent be authorized to establish blanket purchase orders to process the Fiscal Year 2009/2010 payments required.

12. [09-0761](#) Human Resources Department, Risk Management Division, recommending the Board approve Fiscal Year 2009-2010 "Negotiated" rates for the County's Health Benefit Program for Unrepresented Employees, effective July 1, 2009.

13. [09-0823](#) Human Resources Department, Risk Management Division, recommending adoption of Resolution to provide accident insurance coverage for the volunteers working on the El Dorado County Rubicon Trail.
Resolution 139-2009
FUNDING: Risk Management special revenue fund.
14. [09-0763](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Version 2 of Amendment 2 to Agreement 196-S0811 with Caremark, L. L. C., to provide prescription drug benefits to the County of El Dorado.
FUNDING: Risk Management Internal Service Fund.
15. [09-0815](#) Human Resources Department recommending Chairman be authorized to sign Amendment 1 to Agreement 067-S0911 with Valentina Reiner, dba The Law Offices of Valentina Reiner increasing the compensation amount by \$10,000 to a not to exceed amount of \$85,000 extending the term through June 30, 2010 to provide investigative services and other specialized personnel services on an "as-requested basis" for said Department.
16. [09-0812](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Chairman to sign Amendment I to perpetual Agreement 061-S9810 with the State of California, Department of General Services, Office of Administrative Hearings for Fiscal Year 2008/2009 and Fiscal Year 2009/2010 to provide the County with neutral fact finding hearings relating to disability retirement appeals.
17. [09-0810](#) Human Services Department recommending the Chairman be authorized to sign a Budget Transfer adjusting said Department's estimated Fiscal Year 2008-2009 revenues and corresponding appropriations in the amount of \$581,140 to reflect year-end actual projections for Foster Care Assistance payments and the County share of cost for In-Home Supportive Services providers due to increased numbers of applicants eligible for mandated services. (4/5 vote required)
FUNDING: Federal/State Revenues and Realignment Funds.
18. [09-0842](#) Human Services Department recommending the Board conceptually approve the submittal of a Community Development Block Grant application to the California Department of Housing and Community Development for up to a \$600,000 grant to continue to provide Housing Rehabilitation and Homeownership Assistance Loan Programs.
FUNDING: Federal CDBG Grant Funds.

19. [09-0846](#) Human Services Department recommends the Board approve and authorize the Chairman to execute, contingent upon County Counsel and Risk Management approval, Forest Service (FS) Agreement 09-CS-11051900-030 with the U.S. Forest Service, Lake Tahoe Basin Management Unit, to enable four youth participating in the Department's Work Experience Program to gain paid work experience with the Forest Service during the term June 23, 2009 through September 30, 2009.

FUNDING: Federal Workforce Investment Act.

20. [09-0755](#) Human Services Department recommending the Board approve the 2010-2011 Community Services Block Grant (CSBG) Community Action Plan (CAP); and authorize the Chairman to sign the cover sheet to be submitted to the California Department of Community Services and Development Board, noting that minor modifications required by the State will be made prior to submittal.

21. [09-0749](#) Library Director advising the Board of Perpetual Agreements with OCLC, Inc., SIRSI Corporation, and Comcast in the total amount of \$48,560 for Fiscal Year 2009-2010; and recommending continuation of same to provide online cataloging, content enhancement, maintenance and support for the automated circulation system, and Internet access.

FUNDING: General Fund.

22. [09-0757](#) Library Director recommending the Board authorize the Chairman to sign Budget Transfer 29143 increasing appropriations for library materials by \$6,135 as a result of donations received from the community and the Friends of the Library. (4/5 vote required)

FUNDING: Donations.

23. [09-0766](#) Sheriff's Office recommending the Board approve and authorize the Chairman to sign Budget Transfer 29145 increasing the Fiscal Year 2008/2009 State funding for the Standards and Training for Corrections (STC) Program. (4/5 vote required)

FUNDING: State of California.

24. [08-1715](#) Sheriff's Department requesting the Board authorize the Sheriff to sign a Memorandum of Understanding (MOU) with the City of South Lake Tahoe, City of Placerville, South Tahoe Public Utility District, and El Dorado Irrigation District to maintain and equally share in the annual maintenance cost of the Reverse 911 emergency notification system.

FUNDING: EMPG Grant funds.

25. [09-0751](#) Sheriff's Office recommending the Chairman be authorized to sign Amendment 1 to Agreement 369-S0810 with Lexipol, LLC deleting the standard indemnity language in said Agreement.

FUNDING: General Fund.

26. [09-0770](#) Treasurer-Tax Collector advising the Board of the following perpetual agreements with Bank of America, Bloomberg, BNY Western Trust, Diebold, Inc., Electronic Data Systems, Loomis, Fargo & Company, NCR, Professional Consultancy Inc., and SymPro Inc. in a total amount of \$180,510 for Fiscal Year 2009-2010; and recommending continuation of same.

FUNDING: General Fund.

27. [08-1614](#) Transportation Department recommending Chairman be authorized to sign Agreement for Services AGMT 08-52518 with the State of California, Department of California Highway Patrol in an amount not to exceed \$500,000 for the term September 1, 2009 through August 30, 2012 to provide Traffic Control and Enforcement Services.

FUNDING: Traffic Impact Mitigation Fee Program and State and Federal Capital Improvement Program project funding.

28. [09-0703](#) Transportation Department recommending adoption of Resolution sanctioning the closure of Pony Express Trail between Sly Park Road and Sanders Drive, with partial road closures at the intersections of Forebay Road, Oak Street, North Street, Polaris Street, Laurel Drive and Sanders Drive, on Saturday, July 4, 2009, between 12:00 p.m. and 1:00 p.m. for the "Pollock Pines 4th of July Parade," subject to conditions set forth in Resolution No. 110-79, and conditions set forth in the "Application for Road Closure."

Resolution 140-2009

29. [09-0704](#) Transportation Department recommending adoption of Resolution sanctioning the closure of Pleasant Valley Road, between Leisure Lane and Mt. Aukum Road (E-16), and closure at the intersections of Alameda Road, Leisure Lane and Sly Park Road, on Saturday, July 4, 2009, between 10:45 a.m. and 12:00 p.m., for the "Pleasant Valley 4th of July Parade," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 141-2009

30. [08-1853](#) Transportation Department recommending the Board authorize the Chairman to sign the Notice of Acceptance with Nehemiah Construction, Inc. for the Missouri Flat Road Overcrossing Phase 1A Project (JN 71317) at the interchange of U.S. 50 and Missouri Flat Road in Placerville.
- FUNDING:** This Project was funded with Traffic Impact Mitigation Fees and funds from Utility Agencies, noting the requested Board action has no associated fiscal impact.
31. [09-0801](#) Supervisor Knight recommending Hal Erpenbeck be appointed to serve as the District 1 representative on the Commission on Aging for a term to expire January 1, 2013.
32. [09-0798](#) Supervisor Knight recommending Douglas Bisbee be reappointed to serve as a member on the Assessment Appeals Board for a term to expire September 2012.
33. [09-0796](#) Supervisor Santiago recommending Linda Mendizabal be appointed to serve as a member on the Happy Homestead Cemetery District Board for a term to expire January 2011.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

34. [09-0808](#) Per the request of Waste Connections Inc. and as outlined in the June 25, 2002 Franchise Agreement, conduct a public hearing to consider adoption of Resolution adjusting the solid waste collection rates for Waste Connections, Inc., dba Amador Disposal Service by 12.5% and adjusting the fuel surcharge from 3.22% to 2.70%, effective July 1, 2009.
Resolution 142-2009
35. [09-0750](#) Per the request of Waste Connections Inc. and as required by the Franchise Agreement, conduct a public hearing to consider adoption of Resolution adjusting the solid waste collection and Material Recovery Facility (MRF) rate for Waste Connections, Inc., dba El Dorado Disposal Service by the annual Consumer Price Index of 3.4% and adjusting the fuel surcharge from 3.75% to 2.97%, effective July 1, 2009. (Cont'd 6/16/09, Item 20)
Resolution 143-2009
36. [09-0786](#) Health Services Department requesting that the Board:
- 1) Consider recommended actions to deal with potential State funding cuts and/or payment deferrals that would impact Department's programs and services;
 - 2) Consider recommendations to address annual State contracts or funding allocations that have been historically received after beginning of the fiscal year period; and
 - 3) Take action on any Department or Board recommendations relative to managing the Department's budget in Fiscal Year 2009/2010.
Resolution 144-2009 and 145-2009
37. [09-0715](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign a Budget Transfer increasing appropriations in the amount of \$1,180,000 to fund the County's Health Plan. (4/5 vote required)
38. [09-0820](#) Probation Department recommending the Board receive and review the Proposition 36 update from the Chief Probation Officer.

FUNDING: State - Proposition 36.

39. [09-0168](#) Transportation Department recommending the Board take the following actions regarding the Apalachee Phase 3B.1 Erosion Control Project (95183.1):
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be recommended by the Department at the June 23 Board meeting; and
 - 2) Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

FUNDING: United States Forest Service Funds.

40. [09-0819](#) Clerk of the Board of Supervisors recommending adoption of Resolution establishing a Processing Fee to offset some of the expenses related to the processing of assessment appeals applications.

Resolution 146-2009

FUNDING: Assessment Appeals Filing Fee.

41. [09-0836](#) Chief Administrative Office recommending adoption of Resolution approving the County Proposed Budget and Budgets for Board Governed Special Districts for Fiscal Year 2009-2010; and, recommending the Board schedule the public hearings for said budgets, starting no later than September 18, 2009.

Resolution 147-2009

42. [09-0641](#) Chief Administrative Office providing update regarding a proposal for a Sheriff's Administrative Facility in Cameron Park.

ADDENDUM

4:00 P.M. - TIME ALLOCATION

43. [08-1218](#) **THIS ITEM WILL BE HEARD AT 2:00 P.M.**
Chief Administrative Office recommending the Board receive a status report pertaining to the operation of Joe's Skate Park and the appointment of the Skate Park Advisory Committee; and provide direction to staff in regard to the report.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

44. [09-0682](#) Pursuant to Government Code Section 54957.6; **Conference with Labor Negotiator.**
County Negotiator: Interim 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 Sheriff's Association representing employees in the Law Enforcement unit.
45. [09-0826](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Chief Administrative Officer.
46. [09-0816](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Title: Bobby S. Dutta v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20070464.
47. [09-0817](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Title: El Dorado County v. Loring Brunius, et al., El Dorado County Superior Court Case No. PC20010482.
48. [09-0831](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Title: M&H Builders, Inc. v. RDCO, Inc., et al., and RDCO, Inc. v. Crete Seal Concrete Waterproofing Products, Inc., et al., El Dorado County Superior Court Case No. PC20070019, consolidated with Case No. PC20070140.
49. [09-0839](#) Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation:** Initiation of Litigation.
50. [09-0830](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** Significant Exposure: Title: Award of Apalachee Phase 3B.1 Erosion Control Project (95183.1). One (1) potential case.

ADDENDUM**CLOSED SESSION**

51. [09-0852](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation**: Significant Exposure to Litigation. Title: Caremark Claim of Trade Secrets. One (1) potential case.

Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation**: Initiation of Litigation: Title: Caremark Claim of Trade Secrets. One (1) potential case.

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

ANNOUNCEMENTS

Monday, June 22, 2009, 9:00 a.m. - General Plan/5 Year Review and Update (Continued from May 4, 2009)

Tuesday, June 23, 2009 – 8:00 a.m. - Adopt Proposed Fiscal Year 2009/2010 Budget