



# 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, October 26, 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) 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](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.

**8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

**9:07 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 Briggs, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 30 was added to the consent calendar, Items 15 and 24 were pulled from the consent calendar, and Item 29 was continued to November 15, 2010.**

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

**PRESENTATION**

- 1. [10-1143](#) Supervisor Santiago recommending the Board receive a Presentation by Mark Contois from the Human Services Department regarding the Independent Living Program. (Est. Time: 15 Min.)

**Received presentation.**

**OPEN FORUM**

**PUBLIC COMMENT**

**E. Blakemore RE: Local impacts due to the State child care budget cuts.**

**BUDGET UPDATE**

**CONSENT CALENDAR**

2. [10-1145](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, October 18, 2010, and the Regular Meeting of Tuesday, October 19, 2010.

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

3. [10-1115](#) Auditor-Controller and the Chief Administrative Officer advising the Board of a current perpetual agreement with Hinderliter, deLlamas and Associates and recommending continuation of same for continued report preparation and data analysis necessary to effectively manage the County's sales tax base and recovery of revenues.

**FUNDING:** General Fund.

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

4. [10-1087](#) 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.**

5. [10-0830](#) Chief Administrative Office recommending the Board approve employees eligible to receive the County's Early Retirement Incentive Plan, noting said plan was approved by the Board of Supervisors on July 20, 2010, Item No. 30. (Cont'd 10/19/10, Item 6)

**This matter was approved and continued to November 2, 2010 upon approval of the consent calendar.**

6. [10-1136](#) Clerk of the Board of Supervisors recommending the Board:  
1) approve registration and travel expenses, totaling approximately \$1,105, for the Board Chair to attend the California State Association of Counties (CSAC) annual conference November 15-19, 2010; and  
2) ratify expenditures, totaling \$398.20, for the Board-appointed representative's attendance at the Regional Council of Rural Counties (RCRC) annual conference, held September 22-24, 2010 .

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

7. [10-1071](#) District Attorney recommending the Board adopt a Resolution authorizing him to execute a Grant Award Agreement Application with the California Department of Insurance for Fiscal Year 2010-2011 for the Automobile Insurance Fraud Program (Economic Auto Theft); and approval of Budget Transfer 2011009 for same.

**Resolution 167-2010**

**Adopted Resolution 167-2010 and approved the Budget Transfer upon approval of the consent calendar.**

8. [10-1107](#) District Attorney recommending the Board receive and file the Sixth Annual Report on Real Estate Fraud for Fiscal Year 2009-2010.

**FUNDING:** Real Estate Fraud Prosecution Trust.

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

9. [10-1105](#) Health Services Department recommending the Board authorize the Chair to sign funding Agreement 228-162A-P-R2010 with the California Department of Public Health for the following Public Health Preparedness programs:

- 1) Centers for Disease Control and Prevention (CDC) Public Health Emergency Preparedness (PHEP) in the amount of \$219,625 for the term August 10, 2010 through August 9, 2011;
- 2) Cities Readiness Initiative (CRI) in the amount of \$100,000 for the term August 10, 2010 through August 9, 2011;
- 3) Hospital Preparedness Program (HPP) in the amount of \$200,163 for the term July 1, 2010 through June 30, 2011; and
- 4) State General Fund Pandemic Influenza (Pan Flu) in the amount of \$66,117 for the term July 1, 2010 through June 30, 2011.

**FUNDING:** Federal and State Public Health Preparedness Funding.

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

10. [10-1089](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 020-S1111 with Family Connections El Dorado, Inc. increasing compensation by \$6,600 to \$114,000 to provide outreach and support services primarily for Latino individuals and families on the Western Slope, noting there is no change in the term of this Agreement, which is July 1, 2010 through June 30, 2011.

**FUNDING:** State Mental Health Services Act (MHSA).

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

11. [10-1090](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 061-S1111 with South Lake Tahoe Family Resource Center increasing compensation by \$12,509 to \$149,409 to provide outreach, engagement, and mental health services primarily for Latino individuals and families in South Lake Tahoe, noting there is no change in the term of this Agreement, which is July 1, 2010 through June 30, 2011.

**FUNDING:** State Mental Health Services Act (MHSA).

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

12. [10-1106](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 426-S1011 with Foothill Indian Education Alliance in the amount of \$181,450 for the term November 1, 2010 through January 31, 2012 to provide Cultural Specialists from the Native American community to conduct the Wennem Wadati (A Native Path To Healing) program, a culturally-specific intervention strategy to address gaps in service, health disparities, and the effects of traumatic stress in the local American Indian community.

**FUNDING:** State Mental Health Services Act (MHSA).

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

13. [10-1142](#) Human Resources Department, Risk Management Division, recommending the Board approve and authorize the Chair to sign Agreement 146-S1111 and Amendment I with Vision Service Plan (VSP) in the amount not to exceed \$375,000 for the term July 1, 2010 through July 1, 2012 for the provision of vision benefits to County employees.

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

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

14. [10-1085](#) Probation Department recommending the Board receive and file the annual Juvenile Justice Crime Prevention Act (JJCPA) Progress Report for El Dorado County's Community Alliance to Reduce Truancy (CART) Program for Fiscal Year 2009/2010.

**FUNDING:** JJCPA and CART.

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

15. [10-1139](#) Public Defender requesting authorization to respond to a Request for Bid from Alpine County Superior Court to provide trial court public defense services beginning January 1, 2011.

**FUNDING:** Alpine County Superior Court.

*NO PUBLIC COMMENT*

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

**Yes:** 4 - Knight, Nutting, Briggs and Santiago

**Noes:** 1 - Sweeney

16. [10-1133](#) Sheriff's Office recommending the Board accept, with thanks, a donation from the Sheriff's Posse of El Dorado County, a volunteer organization. Proceeds will be used to make purchases for the Peer Support Team.

**FUNDING:** Donation from the Sheriff's Posse of El Dorado County.

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

17. [09-1243](#) Surveyor's Office advising the Board of perpetual Contract No. C34-013 with Environmental Systems Research Institute, Inc. (ESRI) in the amount of \$40,076.66 for Fiscal Year 2010-2011 for Geographic Information System (GIS) software licenses and maintenance and recommending continuation of same; and requesting authorization to request additional purchase orders as may be necessary to acquire additional licenses in Fiscal Year 2010-2011, if funding is available within said Department's budget.

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

18. [10-0491](#) Department of Transportation recommending the Board consider the following regarding the Durock Road/Business Drive Intersection Project No. 73354:

1) Authorize the Chair to sign the Certificate of Acceptance for the Grant of Slope and Drainage Easement from Thomas R. Van Noord, As Trustee of the Thomas R. Van Noord 1999 Trust, Dated July 15, 1999 for APN 109-240-08; and

2) 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 Durock Road/Business Drive Intersection Project No. 73354.

**FUNDING:** 2004 General Plan Traffic Mitigation Fee Program.

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

19. [10-1032](#) Department of Transportation recommending the Board approve the Traffic Signal Appurtenances Easement from El Dorado Hills Investors, Ltd., a California Limited Partnership; and authorize the Chair to execute said easement and the related Certificate of Acceptance, necessary to construct the White Rock Road Widening and Signalization Project No. 72372.

**FUNDING:** Blackstone Pre-Paid TIM Fee Account.

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

20. [10-1042](#) Department of Transportation recommending the Board authorize said Department to proceed with ordering and payment of a title report to commence the acquisition process for the Wentworth Springs Road at Gerle Creek Bridge Project No. 77118, affecting a portion of APN 010-040-08, owned by Sierra Pacific Industries.

**FUNDING:** Off Highway Vehicle grant funds.

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

21. [10-1066](#) Department of Transportation recommending the Board authorize said Department to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Northside Bicycle Path Project Phase I (Hwy. 193) No. 72304 and Phase II (Hwy. 49) No. 72306, affecting portions of the following subject parcels:  
APN 071-390-08, Cool Community Church; APN 071-390-06, Margaret R. Merritt; APN 071-390-05, Charles A. Scott and Francine Scott, Trustees for the Scott Family Living Trust; APN 071-390-10, Catherine A. Bos, Trustee for the Bos Living Revocable Trust dated 7/22/2007; APN 071-390-09, Richard E. Fieseler and Kristine Fieseler, Trustees for the Fieseler Family Trust dated 4/06/10; APN 071-390-02, Michael S., Linda L. and Nicole M. Tate; APN 071-390-01, Judson R. Roberts, Co-Trustee and Debra L. Roberts, Co-Trustee of the Roberts Family Living Revocable Trust dated 10/11/06; APN 071-480-07, Robert H. and Kathleen A. Ellinghouse; APN 071-080-06, James M. Stanaway and Carol Ann Stanaway, Trustees of the Stanaway 1992 Revocable Trust dated 11/24/93; APN 071-080-07, Flyers, A California LLC; 071-051-01, United States of America; APN 071-480-04, Richard E. Morgan, Sr., Trustee of the R. E. Morgan 1998 Separate Property Trust; APN 071-500-11, William J. White; APN 071-500-42, Ronald W. Guire and Alice L. Guire, Trustees of the Guire Family Trust of 9/23/2008; APN 071-500-30, Robert D. and Patricia Meader; APN 071-500-31, Gary L. and Kathryn F. Kinkade; and APN 071-500-36, David Warren Dwelle, Kerry M. Dwelle and David Michael Dwelle.

**FUNDING:** Federal and State Safe Routes to Schools Grants.

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

22. [10-1072](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Newtown Road at South Fork Weber Creek Bridge Replacement Project No. 77122, affecting portions of the following subject parcels: APN 077-431-61, County of El Dorado; APN 077-431-62, Wanda H. Nagel, Trustee of the Nagel Revocable Trust of 1/14/1999; APN 077-431-17, Karen F. Ruiloba and Arthur D. Ruiloba; APN 077-431-14, Janice L. Eppinger, Trustee of the Eppinger 2000 Revocable Trust; APN 077-431-57, Karen Lee Lindwall, Trustee of the Lindwall Family Trust dated 1/07/09; and APN 077-431-15, Deeanne S. Durst.

**FUNDING:** Highway Bridge Program Grant/RSTP.

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

23. [10-0950](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment II to Lease Agreement 159-L1011 with Emerald Bay Properties, LLC, to amend the lease to correct the language in Section 13, Utilities (b) for lease space located at 924 Emerald Bay Road in South Lake Tahoe.

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

24. [10-1132](#) Department of Transportation recommending the Board approve and authorize the Chair to sign Contract Change Orders No. 15 and 15.1 with De Silva Gates - Viking, A Joint Venture in an estimated amount of \$350,000 to perform additional welding on the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project (JN 71336).

**FUNDING:** State Transportation Improvement Program regional grant funds; State Highway Operations and Protection Program state operation funds; American Recovery and Reinvestment Act Transportation Enhancement federal grant funds; Transportation, Community, and System Preservation federal grant funds; Congestion Mitigation and Air Quality regional grant funds and Missouri Flat Master Circulation and Funding Plan local funds.

*NO PUBLIC COMMENT*

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

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



25. [10-0996](#) Department of Transportation recommending that the Board adopt a Resolution sanctioning the closure of roads in the Apple Hill area of Camino on Sunday, November 7, 2010, between 7:00 a.m. and 11:15 a.m., for the "31st Apple Hill Harvest Run" Event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

**Resolution 168-2010**

Adopted Resolution 168-2010 upon approval of the consent calendar.

**Board of Supervisors - Consent**

26. [10-1144](#) Proclamation by Supervisor Nutting recognizing November 2010 as Pollock Pines Business Appreciation Month.

This matter was Approved on the consent calendar.

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

27. [10-1018](#) HEARING - Consider the introduction (First Reading) of an ordinance amending Sections 9.47.020 and 9.47.040 of Chapter 9.47 of Title 9 of the El Dorado County Ordinance Code to remove references to uses other than skateboarding at any County-owned skateparks; and, if introduced, recommending this amendment be scheduled on Tuesday, November 2, 2010, for final adoption. (Est. Time: 10 Min.)

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

- 1) Read title, waived reading of ordinance 4953 in its entirety;
- 2) Approved introduction with the following corrections;
  - a) Section 9.47.040 L. delete "Parks and Recreation" and insert "Risk Management";
  - b) Section 9.47.050 C. delete "Parks and Recreation" and insert "Maintenance"
- 3) Set adoption (second reading) for November 2, 2010;

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

28. [10-1046](#) HEARING - Consider adoption (second reading) of an ordinance authorizing the redevelopment of certain territory of the County of El Dorado by the City of Placerville (the "City") and the Redevelopment Agency of the City of Placerville (the "Agency"). (Cont'd 10/19/10, Item 2) (Est. Time: 15 Min.)

ORD 4952

*PUBLIC COMMENT*

*S. Taylor*

*J. Driscoll*

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Ordinance 4952.

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

29. [10-0991](#) Chief Administrative Office recommending the Board receive and file a report regarding policy issues for the creation of formalized directions and procedures for accounting matters in this County, including OMB A-87. (Cont'd 10/19/10, Item 20) (Est. Time: 10 Min.)

**This matter was continued to November 15, 2010 upon approval of the consent calendar.**

30. [10-1045](#) Chief Administrative Office returning to the Board as directed in Item 31 on September 28, 2010 to enable commencement of negotiations with the State of California, Administrative of the Courts (AOC). (Refer 9/28/10, Item 31).

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

**Yes:** 4 - Knight, Nutting, Sweeney and Santiago

**Abstained:** 1 - Briggs

31. [10-0836](#) Department of Transportation recommending the Board consider the following:
- 1) Receive an update on the U.S. 50/Cameron Park Drive Interchange Improvement Projects, (Capital Improvement Program Project No. 72361 and No. 72367); and
  - 2) Provide direction on the project alternatives and evaluation criteria included in the Project Decision Matrix developed thus far. (Est. time: 1 1/2 hours) (Refer Legistar File 09-1523, 1/25/10, Item 1)

*PUBLIC COMMENT*

*H. Leiga  
E. Treaver  
L. Price  
A. Clark  
A. Johnson  
N. Brillo*

**The Board received the report and by consensus noted the following:**

- 1) Satisfied with the work to this point;
- 2) The Wild Chaparral and Palmer connection is critical;
- 3) The freeway overcrossing connecting Palmer to the south side of the freeway is important
- 4) Local road circulation improvements need to be considered;
- 5) Further study on diverging diamond interchange concept is important;
- 6) Consider the phasing of the improvement projects;
- 7) Balance the cost of the improvements against the improvements in traffic flows.

## CAO REPORTS

**ITEMS TO/FROM SUPERVISORS**

**CLOSED SESSION**

32. [10-0704](#) 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.**
33. [10-1134](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation**, Title: Claim of Robert Glass v. County of El Dorado, Workers' Compensation Claim Settlement, York Insurance Services Group, Inc., Claim No. 2006051144. (Est. Time: 10 Min.)  
**No Action Reported.**
34. [10-1126](#) Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (5). (Est. Time: 10 Min.)  
**No Action Reported.**
35. [10-1151](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Shellie Scott Complaint of Discrimination. Number of potential cases: (1). (Est. Time: 15 Min.)  
**No Action Reported.**
36. [10-1154](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 325-300-32. The person or persons with whom the negotiator may negotiate is State of California, Administrative Office of the Courts, Office of Court Construction and Management. Instructions to negotiator will concern terms and conditions of property transfer. Supervisors Sweeney and Knight will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)  
**No Action Reported.**

37. [10-1079](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Clerk of the Board of Supervisors. (Cont'd 10/19/10, Item 31)(Est. Time: 30 Min.)  
**No Action Reported.**
38. [10-1148](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Chief Administrative Officer. (Est. Time: 15 Min.)  
**No Action Reported.**
39. [10-1160](#) 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.  
**No Action Reported.**

**ADJOURNED AT 4:10 P.M.**