



# 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, November 2, 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.

#### **8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

**Present:** 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Briggs

**Absent:** 1 - Supervisor Santiago

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

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

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

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

Approval of the Consent Calendar

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 18 was pulled from the consent calendar, and Items 20 and 24 were continued to November 15, 2010.**

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

#### **PRESENTATION**

1. [10-1138](#) Supervisor Briggs recommending the Board approve a Certificate of Commendation honoring Kenneth Scott Burnside of Boy Scout Troop 700 acknowledging the hard work and commitment necessary in attaining the rank of an Eagle Scout. (Est. Time: 5 Min.)

**A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt the proclamation.**

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

- 2. [10-1175](#) Supervisor Santiago recommending the Board receive a Presentation by Cindy Rice, Executive Director, Partners in Care. (Est. Time: 15 Min.)

Received presentation.

**OPEN FORUM**

**PUBLIC COMMENT**

S. Koch RE: Timely funding of the retirement health savings account.

[10-1141](#)

**BUDGET UPDATE**

Distributed Updated 10 Year Histories.

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

- 3. [10-1108](#) Presentation to the Board by Alexandra Ivanovsky, Chair and Carol Keates, Vice Chair of the In-Home Supportive Services Advisory Committee, of the Fiscal Year 2009-10 In-Home Supportive Services Public Authority Annual Report. (Est. Time: 10 Min.)

Received report.

**CONSENT CALENDAR**

- 4. [10-1174](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes of the Special Meeting of Monday, October 25, 2010, and the Regular Meeting of Tuesday, October 26, 2010.

This matter was Approved on the consent calendar.

- 5. [10-1125](#) Air Quality Management District (AQMD) recommending the Board authorize the Air Pollution Control Officer, or designee, to sign and submit the Subvention Application to the California Air Resources Board for Fiscal Year 2010-2011 for funding for air pollution control programs.

This matter was Approved on the consent calendar.

- 6. [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 10/26/10, Item 5)

This matter was approved and continued to November 9, 2010 upon approval of the consent calendar.

7. [08-1513](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Authorize the Purchasing Agent to extend Blanket Purchase Order 290360 for one month to expire on December 5, 2010 for the purchase of diesel fuel to the low qualified bidder, Hunt and Sons, Inc. of Placerville, CA; and
  - 2) 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:** Non-General Fund (Road Fund Discretionary).

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

8. [10-1180](#) Human Resources Department recommending the Board approve a Budget Transfer increasing revenues and appropriations in the amount of \$1,642,334 to fund the County's Early Retirement Incentive Health Plan through International City Management Association Retirement Corporation (ICMA-RC) called Vantagecare.

**FUNDING:** Risk Management Special Revenue Fund.

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

9. [10-1129](#) Department of Human Services recommending the Board authorize the Chair to sign Memorandum of Understanding (MOU) 215-M1111 with the El Dorado Irrigation District (District), an operational MOU with no stated term, to allow Human Services to provide specified administrative services for the District's Helping Hands Outreach Program which assists eligible District customers with payment of water and sewer utilities.

**FUNDING:** Helping Hands Outreach Program Donations

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

10. [10-1168](#) Information Technologies Department (IT) recommending the Board authorize the Purchasing Agent to sign and execute Purchase Order Agreement PO201104033 with Bear Data in the amount of \$92,689.35 for ongoing maintenance and advanced depot exchange of critical Cisco switches and routers.

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

11. [10-1163](#) Sheriff's Department recommending the Board authorize the Chair to sign retroactive Agreement 013-S1111 with Identix, Inc., a Delaware Corporation in an amount not to exceed 57,620.28 plus any applicable taxes for the term July 1, 2010 through June 30, 2011 to provide equipment maintenance on LIVESCAN fingerprinting machines.

**FUNDING:** Livescan Special Revenue Fund 7724353.

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

12. [09-0147](#) Sheriff's Department recommending the Board authorize the Chair to sign Amendment No. 2 to Agreement No. 714-S0811 with TracNet Corporation of Pacific Grove, CA increasing the contract amount by \$25,000 with no change in the term through June 30, 2012 to provide additional software components that supports the Mobile CAD Interactive system.

**FUNDING:** General Fund.

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

13. [10-0260](#) Sheriff's Department recommending the Board approve and authorize the Chair to sign a Budget Transfer adding \$41,681 to the Sheriff's budget for the Fiscal Year 2010 Off-Highway Motor Vehicle Recreation project from California State Parks for law enforcement of the Rubicon Trail, and authorize the Sheriff to sign the Grant Project Agreement. (4/5's vote required)

**FUNDING:** Off-Highway Vehicle (OHV) Funds and Vehicle in-Lieu Fees to offset 25% County match.

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

14. [10-1164](#) Sheriff's Department recommending Board authorize the Chair to sign Agreement 080-L1010 with the State of California Department of General Services in the amount of \$9,778 for the term October 1, 2010 through September 30, 2015 for the Communications Vault lease of the Big Hill Radio site located in El Dorado County.

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

15. [10-0858](#) Department of Transportation recommending the Board take the following actions:
- 1) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53008 with HDR Construction Control Corporation in an amount not to exceed \$174,215 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the Durock Road/Business Drive Intersection Signalization Project (JN 73354); and
  - 2) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53056 with HDR Construction Control Corporation in an amount not to exceed \$127,285 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the White Rock Road Widening (2 to 4 lanes) - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project (JN 72372).

**FUNDING:** State-Local Partnership Program grant funds, Zones 1-7 Traffic Impact Mitigation Fees and Blackstone prepaid El Dorado Hills Traffic Impact Mitigation Fees.

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

16. [10-1100](#) Treasurer-Tax Collector recommending the Board renew delegation of fiduciary authority to the Treasurer-Tax Collector to invest and re-invest County funds, pursuant to Section 3.38.040 of the County Code and Section 53607 of the California Government Code.

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

#### **Board of Supervisors - Consent**

17. [10-1176](#) Supervisor Sweeney recommending the Board urge the City of Placerville to apply for all available funding for their Western Placerville Interchange Projects.

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

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

**Abstained:** 1 - Briggs

18. [10-1178](#) Supervisor Santiago, on behalf of the University of California Cooperative Extension Youth Development Program recommending the Board make the following appointments for the 2010-2011 El Dorado County Youth Commission:

**District I**

Vineetha Ramesh - Oak Ridge High School  
 Ashish Nag - Mira Loma High School

**District II**

Takoda Casias - El Dorado High School  
 Rebecca Rush - Markham Middle School

**District III**

Spencer Jones - Ponderosa High School  
 Sara Weimer - Markham Middle School

**District IV**

Nathan Somavarapu - Oak Ridge High School  
 Dakota Keeton - El Dorado High School

**District V**

Sarah Walker - Golden Sierra High School  
 Allison Wood - Ponderosa High School  
 Zachary Somers - El Dorado High School

**Clerk of the Board**

Paulina Cholewinski - Golden Sierra High School

*NO PUBLIC COMMENT*

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

- 1) Approve the appointment to the 2010-2011 El Dorado County Youth Commission;
- 2) Note the following change: Spencer Jones, Ponderosa High School; and
- 3) Direct staff to distribute the names of the appointees to the Board before being placed on future Agendas.

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

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

19. [10-1018](#) Consider the adoption (Second Reading) of Ordinance **4953** 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. (Est. Time: 10 Min.)

*NO PUBLIC COMMENT*

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to adopt Ordinance **4953**.

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

- 20. [10-0886](#) County Counsel recommending the Board receive and file 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. (Cont'd 10/19/10, Item 21) (Est. Time: 20 Min.)

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

**1:30 P.M. - TIME ALLOCATION**

- 21. [10-1069](#) Supervisor Sweeney recommending the Board receive a presentation by Dr. Albert Divittorio previewing the vision of Marshall Medical Center's Community Cancer Program. (Est. Time: 1 Hr. )

*PUBLIC COMMENT*

*R. Long*

*Rick*

**Received Presentation.**

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**



**CLOSED SESSION**

22. [10-0705](#) 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**
23. [10-1098](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation.** Title: Health Services Director. (Est. Time: 20 Min.)  
**By unanimous vote, the Board approved a satisfactory evaluation for Neda West, Director of Health Services, resulting in a one step salary increase to step 5.**
24. [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 10/19/10, Item 27) (Est. Time: 15 Min.)  
**This matter was continued to November 15, 2010 upon approval of the consent calendar.**
25. [10-1179](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Correa Construction v. County of El Dorado El Dorado County Superior Court Case No. PC20100603.  
**The Board on a 4-0 vote with Supervisor Santiago absent, authorized County Counsel to defend the action of Correa Construction vs. the County of El Dorado.**

**ADDENDUM**

**DEPARTMENT MATTERS:**

26. [10-1196](#) Chief Administrative Office and Auditor-Controller informing the Board on the role and assignment of the Internal Auditor in the Health Services Department.

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

- 1) Direct the Chief Administrative Officer and Auditor-Controller to return to the Board on December 7, 2010 with a mutually agreed upon work plan for the Internal Auditor's work in the Health Services Department; and
- 2) Direct the Chief Administrative Officer and Auditor-Controller to report back monthly during Chief Administrative Officer's Reports on the status of implementing the work plan.

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

**CLOSED SESSION:**

27. [10-1190](#) Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Number of potential cases: (1).

The Board on a 4-0 vote with Supervisor Santiago absent, authorized joining in a lawsuit against the State of California to have the mandate of AB 3632 suspended due to the lack of funding.

28. [10-1198](#) Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Number of potential cases: (5).

No Action Reported.

**ADJOURNED AT 2:50 P.M.**