



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minutes - Final Board of Supervisors

Rusty Dupray, Chairman, District I
Ron Briggs, First Vice Chairman, District IV
Norma Santiago, Second Vice Chairman, District V
Helen K. Baumann, District II
James R. Sweeney, District III

Cindy Keck, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, August 19, 2008

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.co.el-dorado.ca.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: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS

Present: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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.

Approval of the Consent Calendar

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney, to adopt the Agenda and approve the Consent Calendar with the following exception: Item 25 added to the Consent Calendar and approved.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [08-1289](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, August 12, 2008.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
2. [08-1244](#) Public Health Department recommending Chairman be authorized to sign Agreement 211-F0911 with First 5 El Dorado Children and Families Commission to provide funding in the amount of \$234,078 for Fiscal Year 2008-2009 for assistance with access to health insurance and health services for uninsured children between the age of 0-5 years.
RECOMMENDED ACTION: Approve.
FUNDING: First 5 Children and Families Commission.
This matter was Approved on the consent calendar

3. [08-1238](#) Public Health Department recommending Chairman be authorized to sign Agreement 212-F0910 with First 5 El Dorado Children and Families Commission to provide funding in the amount of \$35,000 for Fiscal Year 2008-2009 for coordination of dental services for children between the age of 0-5 years through the El Dorado County Health Initiative.
RECOMMENDED ACTION: Approve.

FUNDING: First 5 Children and Families Commission.

This matter was Approved on the consent calendar

4. [08-1125](#) Public Health Department recommending Chairman be authorized to sign retroactive Amendment II to Agreement 560-S0811 (683-PHD1107) with Progress House, Inc., for Substance Abuse Offender Treatment Program (OTP) for the corrected term December 1, 2007 to June 30, 2008.
RECOMMENDED ACTION: Approve.

FUNDING: State Alcohol/Drug Program funds.

This matter was Approved on the consent calendar

5. [08-1223](#) Public Health Department requesting the Board approve and authorize the Purchasing Agent to sign Agreement for Services 248-S0910 with Roche Diagnostics Corporation in the amount of \$4,000 for a 12-month term commencing October 22, 2008 for the Public Health Laboratory Lightcycler 1.2 used for laboratory testing.
RECOMMENDED ACTION: Approve.

FUNDING: Public Health Realignment.

This matter was Approved on the consent calendar

6. [08-1235](#) Mental Health Department recommending Chairman be authorized to sign Amendment I to Agreement 094-S0711 (State Agreement Number 06-76019-000) with the State Department of Mental Health specifying funding in the amount of \$809,011 for Fiscal Year 2007-2008 to provide services to mentally disordered clients who are Medi-Cal beneficiaries.
RECOMMENDED ACTION: Approve.

FUNDING: State Department of Mental Health.

This matter was Approved on the consent calendar

7. [08-1245](#) Human Services Department recommending Chairman be authorized to sign retroactive Agreement for Services 094-S0911 with Marshall Medical Center in the amount of \$214,230 for the term July 1, 2008 through June 30, 2011 to enable said Department to continue to provide and be reimbursed for the services of one Eligibility Worker to process Medi-Cal and County Medical Services Program applications on-site at the hospital.

RECOMMENDED ACTION: Approve.

FUNDING: Marshall Medical Center.

This matter was Approved on the consent calendar

8. [08-1155](#) Transportation Department recommending Chairman be authorized to sign Funding Agreement AGMT 08-1789 with property owners (DONORS) adjacent to the River Pines Estates Road Zone of Benefit to provide funding in addition to the annual benefit assessment in the amount of \$7,000 for a road maintenance and repair project; and approve Budget Transfer increasing estimated revenue and expenditures in the amount \$7,000 for said project. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: Donations.

This matter was Approved on the consent calendar

9. [08-1209](#) Transportation Department recommending adoption of Resolution **235-2008** accepting the Irrevocable Offer of Dedication from M. H. Mohanna, for road right of way, including the underlying fee, along with landscape and public service easements, located on the property identified as APN 119-080-16-100 in El Dorado Hills, necessary to accommodate construction of Bass Lake Road Reconstruction Project 66109.

RECOMMENDED ACTION: Approve.

This matter was Adopted on the consent calendar

(Corrections will be made to this item on November 4, 2008)

10. [08-1214](#) Transportation Department recommending adoption of Resolution **236-2008** accepting the Irrevocable Offer of Dedication from M. H. Mohanna, for road right of way, including the underlying fee, along with landscape and public service easements, located on the property identified as APN 119-080-15-100 in El Dorado Hills, necessary to accommodate construction of Bass Lake Road Reconstruction Project 66109.
- RECOMMENDED ACTION:** Approve.
- This matter was Adopted on the consent calendar**
- (Corrections will be made to this item on November 4, 2008)**
11. [08-1210](#) Transportation Department recommending adoption of Resolution **234-2008** accepting the Irrevocable Offer of Dedication from Alireza Ghabi and Farah Ghabi, for road right of way, including the underlying fee, along with landscape and public service easements, located on the property identified as APN 119-080-01-100 in El Dorado Hills, necessary to accommodate construction of Bass Lake Road Reconstruction Project 66109.
- RECOMMENDED ACTION:** Approve.
- This matter was Adopted on the consent calendar**
12. [08-1118](#) Transportation Department 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 Silver Springs Parkway (Offsite Improvements) Project 66108 affecting portions of the following subject APNs: 115-030-04, John Nojan Khoshcar; 115-030-03, Kenneth S. Hill; 115-030-15, David L. and Polly Rathe; 115-030-16, Carl E. Pohto, Deceased and his heirs and successors in interests; 115-310-03, David and Virginia Schratz; 115-310-23, Joel Madrigal and Goldee L. Hall-Madrigal; and 115-310-21, El Dorado Hills Community Services District.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** Funding for the project will come from Traffic Impact Mitigation (TIM) funds (up to \$1,000,000) , with the excess coming from Developer Advanced funds.
- This matter was Approved on the consent calendar**

13. [08-1185](#) Transportation Department recommending the following pertaining to the Asphalt Concrete Overlay of Cold Springs Road, Contract PW 08-227:
1) Approve the contract documents upon review and approval of County Counsel; and
2) Authorize advertisement for construction bids.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [08-1247](#) Environmental Management Department recommending adoption of Resolution **237-2008** authorizing the submittal of the Household Hazardous Waste 17th Cycle Grant Application for Fiscal Year 2008-09 to the State of California Environmental Protection Agency, California Integrated Waste Management Board; and Director of said Department, or her designee be authorized to execute all necessary applications, contracts, payment requests, agreements and amendments hereto for the purpose of securing grant funds.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [08-1249](#) Facilities and Fleet Services requesting Board authorization to exercise the second option to extend Lease Agreement 123-L0511 with Pacific States Development Corporation in the amount of \$1,684.47 per month for an additional one year term commencing September 15, 2008 and ending on September 14, 2009 for 1,004 square feet of improved office located at 981 Governor Drive, Suite 104 in El Dorado Hills, for the Sheriff's Department.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

16. [08-1276](#) Facilities and Fleet Services Department recommending the Board ratify the Interim Director's signature on Change Order No. 2 to Agreement 395-C0899 with PBM Construction, Inc. increasing contract amount by \$8,870.93 under the current authority of the Public Contract Code for the El Dorado Hills Senior Day Care Center remodel project.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

17. [08-1232](#) Library Director recommending Chairman be authorized to sign Agreement 231-O0911 with First 5 El Dorado Children and Families Commission providing funding in the amount of \$151,341 for a term to expire June 30, 2009, to provide library services for young children and families; and approve Budget Transfer 28247 increasing Estimated Revenue by \$151,341 to appropriate funding for same. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: First 5 Children and Families Commission Grant.
This matter was Approved on the consent calendar
18. [08-1230](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Amendment I to Agreement for Services 108-S0911 with PacifiCare of California to add the County Contract Administrator.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
19. [08-1256](#) Human Resources Department, Risk Management Division, recommending the Board accept the renewal offer from Symetra Life Insurance Company at the current specific stop loss level of \$175,000; and authorize the Human Resources Director to sign all required implementing insurance documents to maintain continuous insurance coverage for the Blue Shield Health Plan, noting the estimated annualized premium cost is \$1,211,187 and is comprised of individual stop loss of \$1,180,268 and aggregate excess of \$30,919.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
20. [08-1257](#) Supervisor Dupray recommending Mark Harris be appointed to serve as a member of the Cameron Park Design Review Committee for a term to expire January 2011.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

21. [08-1294](#) Supervisor Baumann recommending the Chairman be authorized to sign a letter of support for Assembly Bill AB 844 (Berryhill) which proposes new requirements for the purchase of nonferrous metals by junk dealers and recyclers by requiring said dealers to keep specified information regarding the seller and the material being purchased, a thumbprint of the seller, and imposing payment by mail or after a three-day waiting period.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

22. [08-1287](#) Supervisor Briggs recommending Claudia Ball be appointed to serve as a member on the Western Slope of the Mental Health Commission for a term to expire January 2011.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

23. [08-1147](#) Supervisor Briggs recommending the purchase of the Carriage Hill property with funds from the El Dorado County rare plant mitigation account be continued to August 26, 2008. (Cont'd 7/22/08, Item 48)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

DEPARTMENT MATTERS

24. [08-1250](#) Hearing to consider adoption of Public Housing Authority Resolution **PHA 3-08** approving an amendment to Chapter 2 of the Public Housing Authority Administrative Plan for the Section 8 Housing Choice Voucher (HCV) Program, incorporating Department of Housing and Urban Development (HUD) requirements described in HUD's Fiscal Year 2008 Policy Requirement and General Section Notice of Funding Availability (NOFA) dated March 19, 2008, and further defined in the Family Self-Sufficiency (FSS) Coordinator NOFA dated May 12, 2008 relative to steps the PHA will take to affirmatively further fair housing in the HCV FSS Program.

Hearing no protests, a motion was made by Supervisor Briggs, seconded by Supervisor Santiago to adopt Resolution PHA 03-2008.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

25. [08-1254](#) Child Support Services Department recommending the Chairman be authorized to sign retroactive Amendment II to Agreement 459-S0211 with American Eagle Attorney Service, Inc. increasing compensation by \$10,285 for a total not to exceed amount of \$105,285 to provide process services for child support enforcement purposes.

FUNDING: State/Federal.

This matter was added to Consent Calendar and approved.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

26. [08-1089](#) Development Services Department, Building Services Division, submitting three applications and recommending the Board appoint two Member-at-Large Alternates to the Building Industry Advisory Committee.

A motion was made by Supervisor Baumann, seconded by Supervisor Briggs to appoint David Cohen and Steven Johnson to serve as alternate At-Large members on the Building Industry Advisory Committee.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

27. [08-1248](#) Development Services Department recommending Chairman be authorized to sign Amendment II to Agreement for Services 156-S0711 with Dokken Engineering increasing the compensation by \$40,000 for a total amount not to exceed \$130,000 and extending the term through August 20, 2009 to provide plan check review during peak seasonal periods on an "as-requested" basis.

FUNDING: Permit fees.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve staff's recommendation with the request that the Chief Administrative Officer follow this matter to have these services brought back in-house.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

28. [08-1246](#) Development Services Department recommending Chairman be authorized to sign Amendment II to Agreement for Services 154-S0711 with R.E.Y. Engineers, Inc. increasing the compensation by \$40,000 for a total amount not to exceed \$70,000 and extending the term through August 20, 2009 to provide plan check review during peak seasonal periods on an "as-requested" basis.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve staff's recommendation with the request that the Chief Administrative Officer follow this matter to have these services brought back in-house.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

29. [08-1149](#) Transportation Department recommending the following pertaining to the El Dorado County Senior Center Pedestrian Access Improvements Project 99562:
1. Award of Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 7, 2008;
 2. Authorize the Chairman to sign said contract with the lowest responsive, responsible bidder, subject to review and approval of the final contract documents by County Counsel and Risk Management; and
 3. Authorize the Director of said Department to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding contract retention funds. (Cont'd 8/12/08, item 26)

FUNDING: Accumulated Capital Outlay (ACO) funds and general fund

A motion was made by Supervisor Dupray, seconded by Supervisor Briggs to approve this matter as follows:

- 1) Reject the bid proposal from the apparent low bidder, Quimu Contracting, Inc. in the amount of \$79,077 as being non-responsive and reject the bid proposal from the second low bidder, Construction Management General Engineering Company, in the amount of \$84,734 as being non-responsive;
- 2) Accept the third lowest bid proposal from Martin General Engineering, Inc. in the amount of \$100,651 and award the Construction Contract to Martin General Engineering, Inc. as being the lowest responsive, responsible bidder;
- 3) Authorize the Chairman to sign the contract with Martin General Engineering, Inc., subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
- 4) Authorize the Director of Transportation to sign an Escrow Agreement, if requested by the Contractor, and in accordance with Public Contract Code Section 22300 for the purpose of holding contract retention funds.

Yes: 4 - Dupray, Baumann, Sweeney and Briggs

Absent: 1 - Santiago

30. [08-1284](#) Facilities and Fleet Services Department recommending Chairman be authorized to sign retroactive Amendment II to Agreement 066-S0811 with Cunningham Engineering Corporation extending the term through August 1, 2009 and clarifying contract language for invoicing purposes for the preparation of construction documents for a Class I Bike Trail to be built within the Sacramento-Placerville Transportation Corridor between Forni Road and Missouri Flat Road.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

31. [08-0134](#) Human Resources Department providing updated job descriptions for Senior Department Analyst and Administrative Services Officer; and recommending the Board direct staff to proceed with reclassification of recommended incumbents. (Cont'd 07/29/08, item 31)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to receive and file proposal presented this date with direction to Human Resources to meet with the proper labor organizations to facilitate changes to the two job classifications, and return to the Board with updates on the classifications.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

32. [07-1967](#) Supervisor Sweeney recommending Board direct staff as follows with regards to the proposed design manual:
- 1) Wait to process the manual through the Planning Commission and Board until the proposals of the Ad Hoc Committee on Development Services Processes has made its proposal and incorporate such proposal in the Manual as directed by the Board;
 - 2) Be aware that since the manual is an organizational tool to catalogue design information found in ordinances and implementation measures found in the General Plan, there can be no CEQA implications and such manual should be processed through the use of a categorical exception; and
 - 3) Understand that since all design criteria, will be within (that is less onerous or impacting than those standards set forth in the General Plan), no General Plan Amendment will be needed. By example, the road design cross sections in the design manual are will carry less traffic than those in the General Plan hence they are less impacting.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

10:00 A.M. - TIME ALLOCATION

33. [08-1297](#) Supervisor Santiago recommending Board receive presentation of the Economic Development Administration Grant Pre-Application Progress Report for the Prosperity Plan and presentation of the Blue Ribbon Award Program by "B" Gorman, Executive Director, Lake Tahoe South Shore Chamber of Commerce.

No action required.

34. [08-1179](#) Chief Administrative Office recommending the Board receive and file the Initial Draft Response to the 2007-2008 Grand Jury Final Report Part 3, and provide responses regarding changes to include with the Final Draft Response.

No formal action taken; however, by consensus, the Board received and filed this matter.

2:00 P.M. - TIME ALLOCATION

- 35. [08-1154](#) Hearing to consider adoption of Resolutions **238-2008** and **239-2008** dividing existing Agricultural Preserve 133 into two separate Agricultural Preserves (No. 316/WAC06-0010 and No. 133/WAC06-0011) on property identified by APNs 089-010-29 (60 acres), 089-010-02 and -27 (100 acres) in the Lotus area, requested by Terry and Ellen Stigall. (District IV)

Hearing no protests, a motion was made by Supervisor Briggs, seconded by Supervisor Sweeney to find the request categorically exempt pursuant to Section 15317 of the California Environmental Quality Act (CEQA) Guidelines; and to approve the adoption of Resolution No. 238-2008 (WAC06-0011/Ag Preserve 133) to include APN 089-010-02 and -27 and Resolution No. 239-2008 establishing a new Agricultural Preserve (WAC06-0010/Ag Preserve 316) to include APN 089-010-29 based on findings.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

- 36. [08-0959](#) Supervisor Santiago recommending Board receive presentation of the Wayfinding Program by Nancy Kerry, Lake Tahoe South Shore Chamber of Commerce.

No action taken.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 37. [08-1290](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: U.S.A. V. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520 MCE GGH (ED CA).
No action reported.

- 38. [08-1302](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. Title: Discussion of Rare Plant Issues. One (1) potential case.
No action reported.

- 39. [08-1303](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. Title: Central Concrete Supply Batch Plant. One (1) potential case.
No action reported.

ADDENDUM

CLOSED SESSION:

- 40. 08-1310** Pursuant to Government Code Section 54957, **Public Employment** :
Title: Director of Development Services.
No action reported.

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