



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, August 11, 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

10:00 A.M. - TIME ALLOCATION

1. [09-1030](#) Chief Administrative Office recommending the Board receive and file the Initial Draft Response to the 2008-2009 Grand Jury Final Report Part 3, and provide direction regarding any changes to include with the Final Draft Response.
2. [09-1045](#) Presentation by Michael Lafferty, Outreach Manager, California Department of Consumer Affairs informing the Board and the community about various services they provide.

BUDGET UPDATE

CONSENT CALENDAR

3. [09-1054](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, August 4, 2009.
4. [09-1050](#) Chief Administrative Office recommending Budget Transfer 29202 increasing Court revenue and appropriations by \$142,026 in the Court Maintenance of Effort budget related to County obligation to split excess Court related revenue with the State that was not anticipated in the Fiscal Year 2008-2009 budget. (4/5 vote required)

FUNDING: General Fund - Department 20.

5. [09-0415](#) Chief Administrative Office recommending Chairman be authorized to sign a Memorandum of Understanding with the Local Agency Formation Commission (LAFCO) for the implementation of a Fires Services Consultant agreement for the preparation of a Fire Services Structure and Efficiency Study. (Refer 6/2/09, Item 32)

FUNDING: General Fund.

ADDENDUM

Item No. 6 has been amended as follows:

6. [09-1007](#) Supervisor Briggs and the Environmental Management Department (EMD) recommending the following pertaining to the 28th Annual American River Festival and the 3rd Annual American River Music Festival:
- 1) Direct EMD to work with Risk Management to take the necessary steps to approve the use of Henningsen Lotus Park by American River Music, Inc. Festival for the 28th Annual American River Festival scheduled September 11-13, 2009, and waive all applicable fees;
 - 2) Direct EMD to work with Risk Management to take the necessary steps to approve the use of Henningsen Lotus Park by American River Music, Inc. for the 3rd Annual American River Music Festival scheduled September 18-20, 2009, and waive all applicable fees; and
 - 3) Authorize the Chairman to sign the Daily License Application/Authorization form (pertaining to the 3rd Annual American River Music Festival) granting the property owner approval for the applicant to apply for a permit with the State Department of Alcoholic Beverage Control for the sale of beer and wine at the event.
7. [09-0991](#) Elections Department recommending adoption of Resolution authorizing the consolidation of local district elections with the upcoming November 3, 2009 Election, pursuant to Section 10400/10401 of the California Elections Code.
- Resolution 182-2009**
8. [09-1019](#) Health Services Department recommending the Board receive and file report on domestic violence shelter-based programs for Fiscal Year 2008-2009.

9. [09-0827](#) Health Services Department recommending Chairman be authorized to sign Amendment V to Agreement 753-S0911 (689-PHD1207) with California Tahoe Emergency Services Operations Authority ("CAL TAHOE") amending said Agreement to allow County to reimburse CAL TAHOE for procuring the services of a Certified Public Accountant (CPA) to perform annual audits of CAL TAHOE's books and records.

FUNDING: Fee-for-service and tax revenue to County Service Area (CSA) 3.

10. [09-1014](#) Human Services Department recommending Chairman be authorized to sign ongoing Contract for Services 782-O0911 with First 5 El Dorado Children and Families Commission to enable this local service provider to continue to participate in the State Medi-Cal Administrative Activities (MAA) Program, performing Medi-Cal outreach activities and receiving reimbursement for reported eligible activities, noting this Contract is effective July 1, 2009 and shall continue until terminated.

FUNDING: Federal Medicaid Funds.

11. [09-1013](#) Human Services Department recommending the Board approve and authorize the Purchasing Agent to execute Agreement for Services 427-S0911 with Youth Recovery Unlimited, Inc., a group home, in an amount not to exceed \$100,000 for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis.

FUNDING: Federal and State Social Services Allocation with required County Share of Cost met primarily with realignment resources.

12. [09-1028](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign a renewal Agreement 066-O01011 with Blue Shield of California in the approximate amount of \$635,000 for the period from July 1, 2009 through June 30, 2010 to provide claims administration services and PPO provider network access for the County's self-insured health plan.

FUNDING: Risk Management Health Insurance Fund / Employer, Employee and Retiree Contributions

13. [09-0855](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Agreement 035-S1011 with Kaiser Foundation Health Plan, Inc. for the term July 1, 2009 through June 30, 2010 to provide group health benefits for County employees and retirees who elect this plan. (Cont'd 8/4/09, Item 15)

14. [09-0835](#) Library Director recommending Chairman be authorized to sign Agreement 051-F1011 with First Five El Dorado in the amount of \$209,639 for a term through July 30, 2010 to provide library services for young children and families; and Budget Transfer 2010002 incorporating revenues and appropriations for same. (4/5 vote required)

FUNDING: Grant funding from First Five El Dorado.

15. [09-0532](#) Probation Department recommending the Board certify that Item 19 approved by the Board of Supervisors on June 2, 2009 shows the correct amount of \$4,200 as written in the Space Available Agreement.

FUNDING: Funding for this agreement is included in Probation's proposed budget for Fiscal Year 2009/2010.

16. [09-1000](#) Sheriff's Office recommending the Board approve the purchase of two Fiscal Year 2009/2010 Fixed Asset Items with Fiscal Year 2008 Homeland Security Grant funds before formal approval of the budget; 1) Bomb Robot Tools and IED Movement Hardware from Allen Vanguard Technologies, Inc., in the amount of \$6,654; and, 2) Underwater Remote Operated Vehicle (ROV) from Brock Rosenthal Ocean Innovations in the amount of approximately \$36,206.27.

FUNDING: FY 2008 Homeland Security Grant.

17. [07-087](#) Transportation Department recommending the Board approve the Correctory Grant Deed for the property identified as APN 327-290-59 & 60 (formerly APN 327-190-58), owned by WRI Golden State LLC, A Delaware Limited Liability Company; and authorize the Chairman to sign the Certificate of Acceptance for same.

18. [09-0914](#) Treasurer-Tax Collector's Office recommending adoption of Resolution granting approval to sell tax-defaulted property; noting said sale to be conducted on November 6, 2009.

Resolution 183-2009

19. [09-1024](#) Treasurer-Tax Collector recommending the Chairman be authorized to sign Amendment I to Agreement for Service 100-S0911 with Moore Wallace North America Inc., dba - R.R. Donnelly to extend the term one year to June 30, 2010 and increase compensation in the amount of \$55,000.00 to cover the additional year, noting this Agreement provides printing, programming security and artwork to produce and mail mandated annual secured and unsecured property tax bills for the Treasurer-Tax Collector, total not to exceed for the two year Agreement will be \$110,000.

FUNDING: General Fund.

20. [09-1058](#) Supervisor Knight recommending Supervisor Sweeney be appointed to serve as the Member on the Mountain Counties Air Basin Control Council and Supervisor Nutting be appointed to serve as the Alternate Member on the Mountain Counties Air Basin Control Council due to the relationship this Council has with Regional Council of Rural Counties.

END CONSENT CALENDAR

NOTICED HEARING

21. [09-1036](#) Hearing to consider adoption of Resolution approving submittal of a Community Development Block Grant, Economic Development Allocation Planning and Technical Assistance application to the California Department of Housing and Community Development for funding up to \$35,000, under the Fiscal Year 2009-2010 Notice of Funding Availability (NOFA) to hire a consultant to develop a Divide Community Economic Development Strategic Plan; committing \$1,750 in budgeted general funds for in-kind staff support; authorizing the Chairman to sign the Statement of Assurances; and if awarded, authorizing the Director of Human Services, or successor, to execute the grant agreement and subsequent amendments thereto that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management, and to sign other grant-related documents.

FUNDING: Federal CDBG Grant Funds.

Resolution 184-2009

22. [09-1023](#) Hearing to consider adoption of Resolution approving submittal of a HOME Investment Partnerships Program Grant Application to the California Department of Housing and Community Development on behalf of Mercy Housing California for funding in an amount up to \$5,100,000 for the development of a 55-unit affordable work force housing project; and authorizing the Director of Human Services, or successor, to sign the Applicant Certification and Commitment of Responsibility and other application documents and, if awarded, to execute the subsequent grant agreement and any amendments thereto that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management, and other grant-related documents.

FUNDING: Federal HOME Grant Funds.

Resolution 185-2009

23. [09-0997](#) Hearing to consider adoption of Resolution establishing benefit assessments to be maintained at current fee for ambulance services in County Service Area No. 3, South Shore Area, for Fiscal Year 2009-2010 on improved parcels within the Service Area (except for the Tahoe West Shore Zone of Benefit).
FUNDING: CSA 3 Benefit Assessments.
Resolution 186-2009

DEPARTMENT MATTERS

24. [09-0910](#) Treasurer-Tax Collector recommending introduction of Ordinances amending County Ordinance Code Chapters 5.56 for Vacation Home Rentals in the Lake Tahoe Basin; and recommending second reading and final adoption of proposed Ordinances be set on Tuesday, August 18, 2009. (Cont'd 8/4/09, Item 26)
25. [09-1053](#) Chief Administrative Office recommending the Board approve Budget Transfer 2010004 appropriating \$965,861.32 for Fiscal Year 2009-2010 supplemental funding payments to certain fire districts pursuant to Agreement dated August 28, 2001 and Resolution 111-2009. (4/5 vote required)

FUNDING: Fund balance available in the Fire District Contribution fund.
26. [09-1049](#) Chief Administrative Office, on behalf of the Lake Tahoe Community College (LTCC), is interested in partnering with the County of El Dorado to support a Lake Tahoe Green Energy District, the benefits include a reduction in energy consumption, operating costs, and improving the environment of the Lake Tahoe Basin; and recommending the Chairman be authorized to sign a letter of support for Lake Tahoe Community College (LTCC), The Lake Tahoe Green Energy District, and the ARRA Geothermal Technology Ground Source Heat Pump Grant Program.
27. [09-0992](#) Chief Administrative Office recommending the Board discuss Propositions 90 and 110 and provide direction to staff as it relates to Revenue and Tax Code section 69.5(a)(2)(D) which limits implementation to a period of not less than five years; In addition, Revenue and Taxation Code 69.5 (a) (2) requires the county to consult with "local affected agencies within the boundaries of the county" Given there are some 400 agencies/districts within the county, discussion and direction is requested from the Board as to the process for conducting these consultations with local affected agencies and districts. (Refer 7/28/09, Item 20)
28. [08-1218](#) Chief Administrative Office recommending the Board finalize the appointments to the Skate Park Advisory Committee and receive an update on the operation of the Skate Park.

29. [09-1022](#) Chief Administrative Office recommending the Board take the following actions:
1) Adopt the Tier 1/ Tier 2 plan document presented to the Board on July 27, 2009 and direct the Chief Administrative Office to make the associated budget reductions during the Addenda process ; and
2) Adopt the amended Personnel Allocation Resolution deleting 28.05 vacant positions and 9.6 filled positions.
Resolution 187-2009
30. [09-0995](#) Supervisor Knight requesting the Board consider credit for payment of all building permit fees in the amount of \$37,747.75 paid by Rudy and Jackie Rosen on property located at 2069 Chateau Montelana in El Dorado Hills, and to allow the County District Attorney's office to continue to pursue restitution from the contractor for fraudulently written checks passed to the County. (Cont'd 8/4/09, Item 22)
31. [09-1059](#) Chief Administrative Office recommending Chairman be authorized to sign Budget Transfer recognizing Fiscal Year 2008-2009 actual revenues for Realignment Vehicle License Fee (VLF) and Sales Tax revenues for the Health Services Department.

FUNDING: Realignment.
32. [09-0922](#) Human Resources Department recommending adoption of Resolution and the Modified Last, Best, and Final Offer covering employees in the Trades & Crafts Bargaining unit represented by Operating Engineers, Local No 3 and take such action in regard to the impasse process as the Board, in its discretion, deems appropriate as in the public interest. Any legislative action by the Board of Supervisors on the impasse shall be final and binding.
Resolution 188-2009

2:00 P.M. - TIME ALLOCATION

33. [09-1004](#) Hearing to consider a request submitted by El Dorado Hills Community Services District (CSD) appealing the denial of Special Use Permit S09-0003 on property identified by APN 125-110-09, consisting of 39.5 acres, in the El Dorado Hills area; and Planning Services recommending the Board take the following actions:
1) Certify that the project is statutorily exempt from California Environmental Quality Act (CEQA) pursuant to Section 15270(a) of the CEQA Guidelines; and
2) Deny the appeal thereby upholding the denial of Special Use Permit S09-0003 by the Planning Commission based on the Findings listed in Attachment 1. (Supervisory District I)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNED

CLOSED SESSION

34. [09-0966](#) 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 Sheriff Association representing employees in the Law Enforcement Unit.
35. [09-1061](#) Pursuant to Government Code Section 54956.9 (b), **Anticipated Litigation:** Significant exposure to litigation. Title: The Rosen Request for Waiver of Fees.

ADDENDUM**DEPARTMENT MATTERS:**

36. [09-0153](#) Sheriff's Department recommending the Board sign Budget Transfer 29206 increasing the appropriation to the City of South Lake Tahoe for Fiscal Year 2008/2009 Anti-Drug Abuse Grant from the California Emergency Management Agency (Cal EMA) from \$78,064 to \$103,184.00 for the term July 1, 2008 through June 30, 2009.

FUNDING: California Emergency Management Agency (Cal EMA).

CLOSED SESSION

37. [09-1080](#) Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation:** Title: Initiation of Litigation: One (1) potential case.

ADDENDUM 2**CLOSED SESSION**

38. [09-1081](#) Pursuant to Government Code Section 54957; **Public Employee Performance Evaluation:** Title: Public Defender.

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, August 24, 2009, 9:00 a.m. – Special Meeting to discuss Proposed reductions for Fiscal Year 2009-2010 Budget.

Thursday, September 17, 2009, 9:00 a.m. – Open Budget Hearings.

Monday, September 21, 2009 through Friday, September 25, 2009, 9:00 a.m. – Budget Hearings

Tuesday, September 29, 2009 , 9:00 a.m. - Adoption of Fiscal Year 2009-2010 Budget.