



County of El Dorado

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MEETING AGENDA

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*

Tuesday, July 27, 2010

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) 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 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.

8:00 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.

PRESENTATION

1. [10-0821](#) Supervisor Santiago recommending the Board consider the following pertaining to the Sierra Nevada GeoTourism Project:
 - 1) Receive a Presentation by Nicole DeJonghe, Program Director for the Sierra Business Council;
 - 2) Approve a letter of endorsement to Sierra Business Council; and
 - 3) Adopt a Resolution to endorse the Sierra Nevada GeoTourism Project.

OPEN FORUM

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

2. [10-0805](#) Chief Administrative Office recommending the Board adopt response to the 2009-10 Grand Jury Final Report.

CONSENT CALENDAR

3. [10-0819](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes from the Regular Meeting of Tuesday, July 20, 2010.
4. [10-0766](#) Agriculture, Weights and Measures Department, on behalf of the Agricultural Commission, recommending the Board appoint Tim Neilsen to serve as the Livestock Industry Representative on the Agricultural Commission for the remainder of the term vacated on May 26, 2010, by Gary Ward, commencing August 11, 2010 until expiration in January of 2014.

FUNDING: General Fund included in Fiscal Year 2010/11 budget.

5. [10-0770](#) Agriculture, Weights and Measures Department recommending the Board receive and file the El Dorado-Alpine Counties 2009 Agricultural Crop and Livestock Report.
6. [10-0807](#) Agriculture, Weights and Measures Department recommending the Board authorize the Chair to sign Amendment I to Agreement for Services 039-S1011 with Thomas Amesbury, an individual, dba Forester's Co-Op modifying the Scope of Services and increasing the maximum compensation amount by \$78,000 to an amount not-to-exceed \$168,000 for the term of July 9, 2009 through June 30, 2011, for continued specialty weed abatement, control and eradication work.

FUNDING: 100% California Department of Food and Agriculture.

7. [10-0758](#) Chief Administrative Office recommending the Board receive and file a status report on recommendations made by the Grand Jury in its 2006-07 Final Report, 2007-08 Final Report and 2008-09 Final Report.

8. [09-0945](#) Chief Administrative Office, Procurement and Contracts Division, recommending the following pertaining to Paul Funk, dba Pro Line Cleaning:
- 1) Find that it is more economical and feasible to contract out for custodial services for the Human Services and Child Support Services offices located at 3047 and 3057 Briw Road in accordance with County Ordinance 3.13.030; and
 - 2) Authorize the Chair to execute Amendment III to Agreement 045-S0810 with Paul Funk dba Pro Line Cleaning extending the term for one additional year and increasing compensation by \$45,695 to an amount not to exceed \$167,335 for a four year period through July 18, 2011.

FUNDING: Funding sources for the Department of Human Services are 85% Federal/State via Social Services allocations with a 15% County match (met primarily with realignment resources). Funding sources for the Department of Child Support Services are 66% Federal and 33% State with no County match.

9. [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.
10. [10-0772](#) County Counsel recommending the Board authorize the Chair to sign Amendment No. 3 to the contract with Science Applications International Corporation for biological consulting services to extend the termination date of said contract from July 31, 2010 to July 31, 2011, noting the original compensation amount of \$65,000 remains unchanged.
11. [10-0778](#) Health Services Department recommending the Board authorize the Chair to sign Agreement 092-131-P-E2010 (416-S1011) with the County of Placer in an amount not-to-exceed \$122,925 for a total not-to-exceed amount of \$368,775 for the term of July 1, 2010 through June 30, 2013 to provide services for solid waste permitting and enforcement activities within the County of El Dorado jurisdiction.

FUNDING: State of California Integrated Waste Management Board grant and solid waste franchise fees.

12. [10-0452](#) Health Services Department recommending the Board authorize the Chair to sign Memorandum of Understanding (MOU) 872-PHD0709 known as the "HPP Coalition" with Alpine County Public Health Department; Barton Healthcare System; El Dorado Care Center; El Dorado County Community Health Center; Marshall Medical Center; and Western Sierra Medical Center to formalize their membership in the Local Entity Hospital Preparedness Program.

13. [10-0803](#) Health Services Department recommending the Board authorize the Chair to sign Amendment I to Agreement 653-PHD0707 with California Shock/Trauma Air Rescue (d.b.a. CALSTAR) extending the term for an additional two years, through August 31, 2012. Through this Agreement, the County Emergency Medical Services Agency designates CALSTAR as an Emergency Medical Air Ambulance Advanced Life Support provider, dispatched from the South Lake Tahoe airport, in accordance with the California Health and Safety Code, Division 2.5 and California Code of Regulations Title 22, Division 9. There is no remuneration associated with this Agreement.

FUNDING: Not applicable to Agreement (CALSTAR invoices clients on a fee for service basis).

14. [10-0738](#) Health Services Department recommending Board authorize the Chair to sign Agreement 042-115-P-R2010 with EDCA Lifeskills, Inc., for the term July 1, 2010 through June 30, 2012 to provide drug diversion client education and counseling services for those persons who meet the criteria defined in California Penal Code 1000 et seq.

FUNDING: Fee for Service.

15. [10-0802](#) Health Services Department recommending the Board approve in concept and authorize the Health Services Director to sign and submit a Letter of Intent and subsequent full application to the Judicial Council of California, Administrative Office of the Courts in collaboration with California Superior Court of El Dorado for grant funding in support of the Collaborative Justice Substance Abuse Focus Grant for Youth (Juvenile Drug Court program) for Fiscal Year 2010-11. Grant awards are contingent upon funding in the State Budget Act and subsequent allocations would range between \$12,000 to \$45,000 per applicant.

FUNDING: State Grant Funds.

16. [10-0752](#) Health Services Department, Mental Health Division recommending the Board authorize the Chair to sign Agreement 011-S1111 with Crestwood Behavioral Health, Inc. in the amount of \$1,025,000 for the term July 1, 2010 through June 30, 2013 to provide a long-term, 24-hour special treatment program for mentally ill adults on an "as requested" basis for said Department.

FUNDING: Funding is provided by State Managed Care and Realignment.

17. [10-0763](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 038-S1011 with Blue Cross of California for the term August 15, 2010 through June 30, 2011 to provide reimbursement to the county for CMSP-eligible patients receiving treatment in the Psychiatric Health Facility.

FUNDING: Payments from Blue Cross for services provided.

18. [10-0761](#) Department of Human Services recommending the Board authorize the fixed asset purchase of one non-fleet vehicle in the amount of \$41,000 and seven systems furniture workstations in the amount of \$37,100 for the Supplemental Food Program for Women, Infants and Children prior to the adoption of the final Fiscal Year 2010-11 budget in September, due to the grant requirement that all funds be expended prior to September 30, 2010.

FUNDING: 100% Federal WIC One-Time Grant Funds.

19. [10-0811](#) Human Resources Department, Risk Management Division, recommending the Board adopt a resolution to provide employees eligible for the Early Retirement Incentive Program a one time opportunity to change health insurance programs.

20. [10-0767](#) Information Technologies Department recommending Board approve perpetual agreement 458-S1011 with TimeTrade Systems, Inc. in the amount of \$3,570 for the first year, plus applicable tax, to provide appointment scheduling services.

21. [10-0791](#) Recorder-Clerk recommending the Board consider the following:
1) Approve the continuation of perpetual Agreement 700-S0510 with Cyberscience Corporation for software license related to the Department's imaging system; and
2) Authorize the Chair to sign Amendment I to the Agreement.

FUNDING: Micrographic Special Revenue Fund.

22. [10-0780](#) Sheriff's Department recommending the Board authorize the Chair to sign retroactive perpetual Agreement 509-S1010 with Comcast Cable of Sacramento in the amount of \$4,000 for the term June 10, 2010 through June 9, 2013 for data/internet service for the Sheriff's Office of Emergency Services.

FUNDING: General Fund.

23. [10-0535](#) Department of Transportation recommending the Board adopt a Resolution acknowledging the signature of the Director of Transportation or his designee executing a grant application and assurances with the United States Department of Transportation, Federal Aviation Administration for funding in the amount of \$155,500 for remediation of a hazardous condition at the Georgetown Airport.

FUNDING: FAA and Georgetown Airport Enterprise Fund. The FAA will fund 95% of the application amount.

24. [10-0473](#) Department of Transportation recommending the Board adopt a Resolution updating the Pledge of Revenue as related to the County's ownership and operation of the Somerset Sand Mine as required by the Surface Mining and Reclamation Act of 1975 and Public Resources Code Section 2710; noting adoption of said Resolution rescinds Resolutions 243-97 and 247-98, adopted on October 8, 1997 and October 20, 1998, respectively.

FUNDING: Road Fund.

25. [09-1359](#) Department of Transportation recommending the following pertaining to Christmas Valley Phase 2B Erosion Control Project (Contract No. PW 09-30488, CIP No. 95189):
- 1) Find the lowest bidder, Herback General Engineering, non-responsive since the certification date on the Power of Attorney on behalf of the surety for the bonds was omitted; and, Herback General Engineering failed to provide the percentage of each bid item subcontracted;
 - 2) Waive the irregularity in which Thomas Haen Company, Inc. used the original Bidder's Bonds instead of the revised Bidder's Bonds; find that complete execution of the Equal Employment Opportunity Certification at the time of bid submittal is not an irregularity; and, award the Construction Contract to Thomas Haen Company, Inc. who submitted the second lowest bid of \$527,059.16 contingent upon the successful execution of the Southern Nevada Public Lands Management Act Round 10 funds;
 - 3) Award Schedule A work only;
 - 4) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and,
 - 5) Authorize the Director of Transportation to execute Contract Change Orders with an individual value up to \$31,340, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project.

FUNDING: United States Forest Service.

26. [10-0724](#) Department of Transportation recommending Board authorize the Director of Transportation to sign and submit two (2) original Federal Financial Assistance Award Domestic Grant Documents 10-DG-11051900-027 (AGMT 10-53011) with the United States Department of Agriculture Forest Service Lake Tahoe Basin Management Unit for grant award execution and any modifications that do not change the total dollar amount of said AGMT 10-53011 in the amount of \$2,175,000.00 for a term through June 30, 2015 for various Erosion Control Projects located in the Tahoe Basin.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

27. [10-0777](#) HEARING - Consider adoption of Resolution establishing delinquent mandatory refuse collection fees as special assessments and providing for collection in the same manner as ad valorem property taxes for South Tahoe Refuse Co., Inc. (Est. Time: 10 Min.)

28. [10-0160](#) Department of Transportation recommending the Board take the following actions regarding the Rubicon 5 Erosion Control Project (Contract No. PW 09-30490, CIP No. 95178):
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for July 8, 2010;
 - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and,
 - 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project. (Est. Time: 5 Min.)

FUNDING: United States Forest Service.

29. [10-0607](#) **STAFF IF RECOMMENDING THIS ITEM BE CONTINUED TO TUESDAY, AUGUST 3, 2010.**
HEARING - Consider adoption of Resolution revising the Development Services Department's Planning Services Fee Schedule, including Policies and Procedures. (Est. Time: 30 Min.) (Cont'd 6/29/10, Item 60)

30. [10-0617](#) **STAFF IS RECOMMENDING THIS ITEM BE CONTINUED TO TUESDAY, AUGUST 3, 2010.**
HEARING - Consider adoption of Resolution revising Building Fee Schedule. (Est. Time: 30 Min.)(Cont'd 6/29/10, Item 61)

ADDENDUM

DEPARTMENT MATTERS:

Staff is requesting Item 31 be added to the Consent Calendar

31. [10-0755](#) Health Services Department recommending the Board adopt a Resolution authorizing the Director of Health Services to sign all necessary applications and financial documents; contracts, agreements, amendments, subject to review and approval by County Counsel, for the purposes of securing State Tobacco Control Program Allocation funds (Proposition 99) to implement and maintain the Tobacco Use Prevention Program for the period commencing with Fiscal Year 2010-11 to and including Fiscal Year 2012-13. (Est. Time: 5 Min.)

FUNDING: California Tobacco Control Program.

2:00 P.M. - TIME ALLOCATION

32. [10-0757](#) HEARING - Consider the recommendation of the Planning Commission on Williamson Act Contract WAC10-0001 on property identified by APN 087-021-58, consisting of 178.75 acres, in the Latrobe area, submitted by Kuhl Survivors Trust/Jack Rudd, Trustee and Jeanine Santillo, as follows:
- 1) Certify that the project is Categorically Exempt from CEQA pursuant to Section 15317;
 - 2) Approve a new Williamson Act Contract WAC10-0001, Agricultural Preserve No. 323, for APN 087-021-58 (consisting of 178.75 acres), replacing Agricultural Preserve No. 172 for said parcel that remains in a Williamson Act Contract, based on the Findings listed in Attachment 1; and
 - 3) Adopt Resolution for said Williamson Act Contract. (Supervisory District II.) (Est. Time: 10 Min.)

2:30 P.M. - CLOSED SESSION - INTERVIEWS FOR AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

33. [10-0798](#) Pursuant to Government Code Section 54957: **Public Employee Interviews and Appointment:**
Title: Agricultural Commissioner/Sealer of Weights and Measures. (Est. Time: 75 Min.)
34. [10-0799](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Chief Administrative Officer.
Employee Appointment: Agricultural Commissioner/Sealer of Weights and Measures. (Est. Time: 15 Min.)

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

CLOSED SESSION

35. 10-0790 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Paul Sayegh v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC 20100101. (Est. Time: 10 Min.) (Cont'd 7/20/10, Item 37)
36. 10-0822 **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).(Est. Time: 15 Min.)
37. 10-0692 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.)
38. 10-0771 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code section 54956.9(a): Title: Daniel Harkin, et al., v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20090530. (Est. Time: 15 Min.)
39. 10-0786 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Michelle Chouinard v. El Dorado County. Number of potential cases: (1). (Est. Time: 15 Min.)
40. 10-0789 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Abel v. County of El Dorado. Number of potential cases: (1). (Est. Time: 10 Min.) (Cont'd 7/20/10, Item 35)
41. 10-0762 Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Claim of Gail Anderson v. County of El Dorado, York Insurance Group, Inc., Claim No: 9400077. (Est. Time: 15 Min.) (Cont'd 7/20/10, Item 36)

42. 10-0750 Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Claim of William Davis v. County of El Dorado, Worker's
Compensation Claim Settlement, York Insurance Services Group, Inc.,
Claim No. 2003012593. (Est. Time: 15 Min.) (Cont'd 7/20/10, Item 38)
43. 10-0831 **Conference with Legal Counsel - Existing Litigation** pursuant to
Government Code Section 54956.9(a): Title: MV Transportation, Inc. v.
South Tahoe Area Transit Authority, et al. El Dorado County Superior
Court Case No. SC20100154. (Est. Time: 15 Min.)
44. 10-0823 **Conference with Legal Counsel - Initiation of Litigation** pursuant to
Government Code section 54956.9(c): Title: BlueGo Transit Company
Financial Issues. Number of potential cases: (1). (Est. Time: 15 Min.)

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 15, 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

Special Meeting – Monday, August 23, 2010 at 1:00 p.m. – Cameron Park Interchange Project/Silva Valley Interchange Project.

Special Meeting – Monday, September 13, 2010 at 9:00 a.m. – Fiscal Year 2010/11 Budget Hearings.

Special Meeting – Monday, October 25, 2010 at 1:00 p.m. – Cameron Park Interchange Project.

ADDENDUM**CONSENT CALENDAR:**

45. [10-0832](#) Human Resources, Risk Management Division, recommending the Board accept the stop loss coverage proposal from Sun Life Assurance Company and increase the coverage level by \$25,000 to \$200,000; and authorize the Human Resources Director to sign all required documents to maintain the stop loss insurance coverage for the County's medical benefits and prescription coverage self insured health plan. The estimated annualized premium cost is \$822,263 which is comprised of an individual stop loss of \$782,087 and an aggregate excess of \$40,176 which is a savings of 36% from Fiscal Year 2009/2010 premium.

CLOSED SESSION:

46. 10-0839 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Central Valley Regional Water Quality Control Board - Clean up and Abatement Order, No. R5-2009-0030 (Rubicon Trail).