



County of El Dorado

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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

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, November 18, 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

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.

PRESENTATION

1. [08-1695](#) **PRESENTATION** of Proclamation to Lilliput Children's Services recognizing November 2008 as National Adoption Month and proclaiming November 19, 2008 as El Dorado County Adoption Day in the County of El Dorado.

A motion was made by Supervisor Briggs, seconded by Supervisor Baumann, to adopt the Proclamation.

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

Approval of the Consent Calendar

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 3, 20, 27, 28, 38 and 39 pulled from consent calendar, Item 37 continued to December 9, 2008 and Item 49 was added to consent calendar.

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

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

2. [08-1709](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, September 15, 2008 and the Regular Meeting of Tuesday, November 4, 2008.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

3. [08-1657](#) Human Services Department recommending the Chairman be authorized to sign Amendment I to Agreement for Services 609-S0711 with EDCA Lifeskills, Inc. in a not to exceed amount of \$250,000 and extending the term through April 25, 2010 for provision of therapeutic counseling and substance abuse testing services on an “as requested” basis for clients referred by said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Funding sources are 85% Federal/State Social Services Allocation with a 15% County match.

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

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

4. [08-1581](#) Transportation Department recommending Chairman be authorized to sign Notice of Completion with Herback General Engineering for the Apalachee Phase 3B Erosion Control Project (JN 95183).

RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy, United States Bureau of Reclamation and United States Forest Service Grant Funds and Tahoe Regional Planning Agency Mitigation Funds.

This matter was Approved on the consent calendar

5. [08-1274](#) Transportation Department recommending Chairman be authorized to sign Notice of Completion with Sierra Nevada Construction, Inc. for the Latrobe Road Widening Highway 50 to White Rock Road Project (JN 72402).

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan El Dorado Hills Traffic Impact Mitigation West Valley, LLC prepayment funds. The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar

6. [08-1528](#) Transportation Department recommending adoption of Resolution **304-2008** supporting a request to the California Tahoe Conservancy (CTC) for site improvement grant funding for proposed work for the Christmas Valley 2 Erosion Control Project (JN 95159) and Sawmill 2 Bike Path Project (JN 95165) in the Tahoe Basin.

RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy.

Adopted resolution 304-2008 upon adoption of the consent calendar

7. [08-1166](#) Transportation Department recommending Chairman be authorized to sign the Consent of Lessor related to the Assignment and Amendment of Airport Land Use Lease 222-L0611 with Collins Family Trust, Patricia Collins Trustee and William V. Norberg, Golden Foothill LLC., for Hangar Space SP-04 at the Placerville Airport.
RECOMMENDED ACTION: Approve.

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar

8. [08-1165](#) Transportation Department recommending Chairman be authorized to sign the Consent of Lessor related to the Assignment and Amendment of Airport Land Use Lease 581-L0511 with Leonard F. or Peggy F. Brewer Trust, and Richard K. Stewart, for Hangar Space SP-06 at the Georgetown Airport.
RECOMMENDED ACTION: Approve.

FUNDING: Georgetown Airport Enterprise Fund - Fee Revenue

This matter was Approved on the consent calendar

9. [08-1168](#) Transportation Department recommending Chairman be authorized to sign the Consent of Lessor for the Assignment and Amendment of Airport Land Use Lease 578-L0511 with Holly S. Foster, Jim Shannon and Mehrdad Mehranpour for Hangar Space SP-26 at the Placerville Airport.
RECOMMENDED ACTION: Approve.

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the consent calendar

10. [08-1355](#) Transportation Department recommending Chairman be authorized to sign Certificates of Acceptance for a slope and drainage easement and a temporary construction easement from Ethel A. Colwell, as Trustee of The Colwell Trust of July 18, 1989, located on the property identified as APN 115-051-07 in the Rescue area, necessary to accommodate construction of Deer Valley Road and Green Valley Road Intersection Improvements Project 66114.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

11. [08-1424](#) Transportation Department recommending Chairman be authorized to sign Certificates of Acceptance for slope and drainage easements and temporary construction easements from Carlton C. Crystal and Wilma S. Crystal, as Trustees of The Crystal Family Trust of December 27, 1990, located on the properties identified as APNs 115-080-02 and 102-220-04 in the Rescue area, necessary to accommodate construction of Deer Valley Road and Green Valley Road Intersection Improvements Project 66114.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

12. [08-1604](#) Transportation Department recommending Chairman be authorized to sign the Certificate of Acceptance for Temporary Construction Easement from Donahue Schriber Realty Group, L.P., for APN's 327-130-54, -56, -62 and -77; and authorize the Director of said Department, or designee, to execute the escrow instructions and any other related escrow documents relating to this transaction, including payment of title and escrow fees.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Mitigation Fee Program (TIM).

This matter was Approved on the consent calendar

13. [08-1592](#) Transportation Department recommending Chairman be authorized to sign Certificates of Acceptance for a slope and drainage easement and temporary construction easement from Springs Equestrian Center, Inc., located on the property identified as APN 115-410-05 in the Rescue area, necessary to accommodate construction of Deer Valley Road and Green Valley Road Intersection Improvements Project 66114.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [08-1591](#) Transportation Department recommending Chairman be authorized to sign Certificates of Acceptance for a slope and drainage easement and temporary construction easement from Carl E. Greenhalgh, as Trustee of The Greenhalgh Family Trust of March 27, 1997, located on property identified as APN 102-220-07 in the Rescue area, necessary to accommodate construction of Deer Valley Road and Green Valley Road Intersection Improvements Project 66114.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [08-1689](#) General Services Department recommending Chairman be authorized to sign Notice of Completion with R. T. English Construction Company, Inc. for the Cameron Park Courthouse ADR Modular - Sitework Project.

RECOMMENDED ACTION: Approve.

FUNDING: The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar

16. [08-1642](#) General Services Director requesting authorization to sign Change Order 02 to Agreement 584-C0899 with R. T. English Construction Company, Inc. decreasing the contract amount by \$4,661.86 for a new not to exceed amount of \$227,638.98 and increasing the contract term by thirty (30) calendar days under the current authority of the Public Contract Code for the Cameron Park Courthouse ADR Modular Building - Sitework project.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

17. [08-1656](#) General Services Director requesting authorization to sign Change Order 01 to Agreement 717-C0899 with Sabah International increasing the contract term by eighty eight (88) calendar days under the authority of the Public Contract Code for the Information Technologies Fire Suppression System project.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

18. [08-1620](#) General Services Department recommending Chairman be authorized to sign Lease Agreement 355-L0911 with Joseph H. Avendano Sr. in the amount of \$1,650 per month for the period December 1, 2008 through March 31, 2009 for temporary housing located at 551 McKinney Road, Tahoma for the Department of Transportation snow removal crew.

RECOMMENDED ACTION: Approve.

FUNDING: Road Funds.

This matter was Approved on the consent calendar

19. [08-1661](#) Air Quality Management District requesting authorization to sign and submit the Subvention Application to the California Air Resources Board for Fiscal Year 2008-2009 on behalf of said District for funding for air pollution control.

RECOMMENDED ACTION: Approve.

FUNDING: California Air Resources Board.

This matter was Approved on the consent calendar

20. [08-1511](#) Environmental Management Department recommending Chairman be authorized to sign Agreement No. 020-A-08/09-BOS (363-S0911) with Decade Software Company, LLC, in an amount not to exceed \$114,510 for the term December 1, 2008 through November 30, 2011 to provide a specialized software product called "Envision and EnvisionConnect" for said Department, noting Article 15, Page 12 of the agreement is non-standard indemnity language and has been reviewed by County Counsel.

RECOMMENDED ACTION: Approve.

FUNDING: Permit Fees.

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

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

21. [08-1613](#) Environmental Management Department recommending the Board receive and file the Special Taxes Accountability Act Annual Report for Fiscal Year 2007/2008 for County Service Area 03.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

22. [08-1535](#) Environmental Management Department recommending adoption of Resolution **280-2008** implementing increased recycling service levels within the South Tahoe Refuse Company, Inc. franchise area and to conceptually approve the requested 8% general rate increase. (Refer 10/7/08, Item 23)

RECOMMENDED ACTION: Continue to December 9, 2008.

This matter was continued to December 9, 2008 upon adoption of the Agenda.

23. [08-1533](#) Environmental Management Department recommending adoption of Resolution **277-2008** implementing increased recycling service levels within the Sierra Disposal Service franchise area and to conceptually approve the associated program rate increase of 9.38% and general rate increase of 4.03%. (Refer 10/7/08, Item 21)
RECOMMENDED ACTION: Continue to December 9, 2008.
This matter was continued to December 9, 2008 upon adoption of the Agenda.
24. [08-1531](#) Environmental Management Department recommending adoption of Resolution **275-2008** implementing increased recycling service levels within the El Dorado Disposal Service franchise area and to conceptually approve the associated program rate increase. (Refer 10/7/08, Item 19)
RECOMMENDED ACTION: Continue to December 9, 2008.
This matter was continued to December 9, 2008 upon adoption of the Agenda.
25. [08-1532](#) Environmental Management Department recommending adoption of Resolution **276-2008** implementing increased recycling service levels within the Amador Disposal Service Company, Inc. franchise area and to conceptually approve the associated program rate increase and general rate increase inclusive of the fuel surcharge. (Refer 10/7/08, Item 20)
RECOMMENDED ACTION: Continue to December 9, 2008.
This matter was continued to December 9, 2008 upon adoption of the Agenda.
26. [08-1697](#) Sheriff's Department recommending adoption of Resolution **303-2008** formally integrating the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS), used by the State of California, into the emergency management system.
RECOMMENDED ACTION: Approve.
Adopted Resolution 303-2008 upon adoption of consent calendar.
27. [08-1631](#) Sheriff's Department requesting relief of accountability for a \$100 shortage in the South Lake Tahoe Work Program revenue due to a counterfeit bill pursuant to Government Code Section 29390.
RECOMMENDED ACTION: Approve.
FUNDING: Work Program participant revenue.
A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann, to approve this matter.

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

28. [08-1651](#) Recorder Clerk-Registrar of Voters recommending the Board approve the following appointments of Directors to Special Districts in lieu of the election held on Tuesday, November 4, 2008:

DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT
(Supervisorial Districts II, III and IV)

Vacancies: Three Directors at Large (full terms)

RECOMMENDED ACTION: Appoint three nominees that filed: Edward Cunha, Charles Hoff and Jackye Phillips.

EL DORADO HILLS COUNTY WATER/FIRE DISTRICT (Supervisorial Districts I, II and IV)

Vacancies: Two Directors at Large (full terms) and one Director at Large (unexpired two-year term)

RECOMMENDED ACTION: Appoint three nominees that filed: John Hidahl and Jim Hartley (full terms) and Greg Durante (unexpired two-year term).

EL DORADO COUNTY FIRE PROTECTION DISTRICT (Supervisorial Districts II, III and IV)

Vacancies: Two Directors (full terms) qualified and elected by Division.

RECOMMENDED ACTION: Appoint one nominee that filed: Edward Courtial (Division 5) and appoint one nominee recommended by the Board of Directors: Dennis Edwards (Division 1).

GARDEN VALLEY FIRE PROTECTION DISTRICT (Supervisorial District IV)

Vacancies: Two Directors at Large (full terms) and two Directors at Large (unexpired two-year term)

RECOMMENDED ACTION: Appoint three nominees that filed: Karen Smith and Richard Smith (full terms) and Rick Nelson (unexpired two-year term) and appoint one nominee recommended by the Board of Directors: Dave Souza.

GEORGETOWN FIRE PROTECTION DISTRICT (Supervisorial District IV)

Vacancies: Three Directors at Large (full terms)

RECOMMENDED ACTION: Appoint three nominees that are recommended by the Board of Directors: Brook Rother, William Mahl and Patti Smith.

MOSQUITO FIRE PROTECTION DISTRICT (Supervisory District IV)
Vacancies: Two Directors at Large (full terms) and one Director at Large (unexpired two-year term)

RECOMMENDED ACTION: Appoint three nominees that filed: Jerome Avery, Tom Harris (full terms) and John Moalli (unexpired two-year term).

CAMINO UNION SCHOOL DISTRICT (Supervisory Districts II, III and IV)

Vacancies: Two Governing Board Members at Large (full terms)

RECOMMENDED ACTION: Appoint two nominees that filed: Tony Oliver and Ann Wofford.

GOLD TRAIL UNION SCHOOL DISTRICT (Supervisory Districts III and IV)

Vacancies: Two Governing Board Members at Large (full terms)

RECOMMENDED ACTION: Appoint one nominee that filed: Gary Ritz and appoint one nominee recommended by the Board of Directors: Janet Barbieri.

INDIAN DIGGINGS SCHOOL DISTRICT (Supervisory District II)

Vacancies: One Governing Board Member at Large (full term) and One Governing Board Member at Large (unexpired two year term)

RECOMMENDED ACTION: Appoint two nominees that filed: Robert Becker (full term) and Daniel Smith (unexpired two-year term).

POLLOCK PINES SCHOOL DISTRICT (Supervisory District II, III, and IV)

Vacancies: Two Governing Board Members at Large (full terms)

RECOMMENDED ACTION: Appoint two nominees that filed: Dennis Cullen and Thomas Griffin.

RESCUE UNION SCHOOL DISTRICT (Supervisory Districts I, II, and IV)

Vacancies: Two Governing Board Members at Large (full terms)

RECOMMENDED ACTION: Appoint two nominees that filed: Bruce Lagomarsino and Serena Posner.

SEIRRA JOINT COMMUNITY COLLEGE DISTRICT (Supervisory District IV)

Vacancies: One Governing Board Member (full term) qualified by Trustee Area 3 and elected at Large

RECOMMENDED ACTION: Appoint one nominee that filed: Scott Tim Leslie.

EL DORADO UNION HIGH SCHOOL DISTRICT (Supervisory Districts I, II, III and IV)

Vacancies: Two Governing Board Members at Large (full terms)

RECOMMENDED ACTION: Appoint two nominees that filed: Mary T. Muse and Lori M. Veerkamp.

TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT (Supervisory District V)

Vacancies: One Governing Board Member qualified by Trustee Area and elected at Large

RECOMMENDED ACTION: Appoint one nominee that filed: Kristy Olk.

EL DORADO COUNTY BOARD OF EDUCATION (Supervisory Districts I, III and IV)

Vacancies: Two Governing Board Members (full terms) qualified and elected by Trustee Areas

RECOMMENDED ACTION: Appoint one nominee that filed: E. Eugene Rasmussen (Trustee Area 5) and appoint one nominee recommended by the Board of Directors: Dolores Garcia (Trustee Area 3).

GEORGETOWN DIVIDE RESOURCE CONSERVATION DISTRICT (Supervisory District IV)

Vacancies: Three Directors at Large (full terms)

RECOMMENDED ACTION: Appoint one nominee that filed: Ray Griffiths and appoint two nominees recommended by the Board of Directors: Sidney Davis and Al Hubbard.

EL DORADO RESOURCE CONSERVATION DISTRICT (Supervisory Districts I, II, III, IV and V)

Vacancies: Three Directors at Large (full terms)

RECOMMENDED ACTION: Appoint one nominee that filed: John C. James II and appoint two nominees recommended by the Board of Directors: Charles R. Mitchell and Dale R. Pierce.

GEORGETOWN DIVIDE RECREATION DISTRICT (Supervisory District IV)

Vacancies: Four Directors qualified by area elected at Large

RECOMMENDED ACTION: Appoint the four nominees that filed: Judith Habig (Georgetown/Area 1), Judy Ryland (Garden Valley/Kelsey/Area 2), John Crane (Pilot Hill/Area 5) full terms and Aloha Adams (Cool/Area 4) unexpired two-year term.

TAHOE CITY PUBLIC UTILITY DISTRICT (Supervisory District IV and V)

Vacancies: One Director at Large (full term)

RECOMMENDED ACTION: Appoint the one nominee that filed: Ron Treabess (Seat No. 5).

CAMERON ESTATES COMMUNITY SERVICES DISTRICT

(Supervisory District II)

Vacancies: One Director at Large (unexpired two-year term)

RECOMMENDED ACTION: Appoint the one nominee that filed: Mark Steven Lewis.

GARDEN VALLEY RANCH/ESTATES COMMUNITY SERVICES

DISTRICT (Supervisory District IV)

Vacancies: Four Directors at Large, three (full terms) and one (unexpired two-year term)

RECOMMENDED ACTION: Appoint two nominees that filed: Barbara Avery and Walt Rivas (full terms) and appoint the two nominees recommended by the Board of Directors: Francisco Perez (full term) and Frank Clark (unexpired two-year term).

GREENSTONE COUNTRY COMMUNITY SERVICES DISTRICT

(Supervisory District IV)

Vacancies: Three Directors at Large (full terms)

RECOMMENDED ACTION: Appoint three nominees that filed: Robert Ayrest, Bert Drouin and John Gibson.

SPRINGFIELD MEADOWS COMMUNITY SERVICES DISTRICT

(Supervisory District II)

Vacancies: Four Directors at Large - three Directors (full terms) and one Director (unexpired two-year term)

RECOMMENDED ACTION: Appoint three nominees that filed: Cruz Arellances and John Kennedy (full terms) and Chaney Hicks (unexpired two-year term) and appoint one nominee recommended by the Board of Directors: Mark Magee (full term).

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

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

29. [08-1640](#) Information Technologies Department, Records Management Division, recommending adoption of Resolution **302-2008** approving the Records Disposition Schedule for the Department of Transportation, Transportation Planning/Land Development unit.

RECOMMENDED ACTION: Approve.

Adopted Resolution 302-2008 upon adoption of the consent agenda.

30. [08-1673](#) Information Technologies Department recommending the Purchasing Agent be authorized to issue a purchase order to Dell in the amount of \$98,465.10 as required by said Department for IBM software maintenance and license renewal (aka Passport Advantage).

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

31. [08-1555](#) Information Technologies Department recommending Chairman be authorized to sign retroactive Amendment I to Agreement 816-S0811 with Sacramento County Office of Computer and Information Technology (OCIT) increasing the contract amount by \$765 to \$114,297 to provide a web front end to present data from several systems for the District Attorney, Probation Department, Sheriff's Office and Department of Human Services, Social Services Division.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

32. [08-1662](#) Surveyor advising the Board of perpetual Contract C34-013 with Environmental Systems Research Institute, Inc. in the amount of \$36,868.68 for Fiscal year 2008-2009 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 2008-2009 if funding is available within said Department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund and Non General Fund.

This matter was Approved on the consent calendar

33. [08-1678](#) Auditor-Controller recommending adoption of Resolution **305-2008** establishing the transfer of \$12,476.64 in unclaimed property tax refunds to the County General Fund in accordance with Revenue and Taxation Code Section 5102.
RECOMMENDED ACTION: Approve.
Adopted Resolution 305-2008 upon adoption of consent calendar.
34. [08-1677](#) Treasurer-Tax Collector recommending Chairman be authorized to sign Amendment 1 to Agreement for Services 030-S0211 with Professional Consultancy International, Inc. to add software licenses for four (4) back office users, and annual license fees for the new Imaging Module added in June 2008.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
35. [08-1491](#) Treasurer/Tax Collector recommending Resolution **301-2008** discharging accountability for unpaid County debts, pursuant to Government Code Sections 25257 through 25259.
RECOMMENDED ACTION: Approve.
This matter was Adopted on the consent calendar
36. [08-1693](#) Treasurer-Tax Collector advising the Board of the following perpetual agreements in the total amount of \$14,100 for Fiscal Year 2008-2009: (1) Diebold Premier Services; (2) Loomis, Fargo and Co.; and (3) Professional Consultancy Inc. (PCI) with an increase of \$4,000.
RECOMMENDED ACTION: Approve.
FUNDING: General Fund.
This matter was Approved on the consent calendar
37. [08-1635](#) Human Resources Department recommending adoption of Board of Supervisors Personnel and Payroll Policy E-8 "Tuition Reimbursement."
RECOMMENDED ACTION: Approve.
FUNDING: No Change to Net County Cost.
This matter was continued to December 9, 2008 upon adoption of the Agenda.

38. [08-1719](#) Clerk of the Board of Supervisors recommending the Board approve funding for the District I and District II Supervisors-elect to attend the New Supervisors Institute at the California State Association of Counties Annual Conference to be held December 4, 2008 and December 5, 2008.

RECOMMENDED ACTION: Approve.

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

Yes: 3 - Dupray, Sweeney and Santiago

Noes: 2 - Baumann and Briggs

39. [08-1648](#) Chief Administrative Office recommending Request for Proposal 09-918-027 for the funding of Programs and/or Services to Promote the County of El Dorado's Arts, Culture and Tourism Resources as follows: El Dorado Arts Council in the amount of \$125,000; El Dorado Hills Chamber of Commerce in the amount of \$39,300; Lake Tahoe South Shore Chamber of Commerce in the amount of \$90,000; El Dorado County Chamber of Commerce Visitor's Authority Council in the amount of \$221,265; El Dorado County Chamber of Commerce Film Commission in the amount of \$96,200; and authorize the Chief Administrative Officer, or designee, to negotiate agreements with the above organizations in the amounts specified, noting that the contract with the El Dorado Arts Council, El Dorado Hills Chamber of Commerce, Lake Tahoe South Shore Chamber of Commerce, El Dorado County Chamber of Commerce for Film and Visitor's Authority will be retroactive to October 1, 2008; and further recommending Chairman be authorized to sign said contracts subject to review and approval of the final contract documents by County Counsel and Risk Management.

RECOMMENDED ACTION: Approve.

FUNDING: Hotel and Motel Tax (HMT).

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

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

40. [08-1671](#) Chief Administrative Office, Procurement and Contracts Division, requesting ratification of the Purchasing Agent's signature on a retroactive extension of BP270334 with Brannon Tire of Stockton, California in accordance with Invitation to Bid 07-863-002.

RECOMMENDED ACTION: Approve.

FUNDING: Department's Road Fund (Non General Fund).

This matter was Approved on the consent calendar

41. [08-1654](#) Chief Administrative Office, Procurement and Contracts Division, presenting two (2) Cleveland Braizer SGM30 Tilt Skillets 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.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
42. [08-1655](#) Chief Administrative Office and the Grand Jury recommending the Board temporarily waive Board of Supervisors Policy B-10 for the current year relative to the publication and distribution of the Grand Jury Final Report and agency responses in tabloid form in lieu of alternative advertising and distribution methods.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
43. [08-1711](#) Supervisor Dupray recommending Certificate of Recognition for Jared Magnusson, Troop 728, Boy Scouts of America, acknowledging his hard work and community commitment needed to complete the requirements for the rank of Eagle Scout.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
44. [08-1717](#) Supervisor Baumann recommending November 20, 2008 be proclaimed as "Business Appreciation Day" in Pollock Pines, County of El Dorado.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
45. [08-1728](#) Supervisor Briggs recommending adoption of Resolution **306-2008** sanctioning the closure of Main Street, Georgetown from Highway 193 to Harkness Street and Harkness from Main Street to South Street from 10:00 a.m. to 6:00 p.m. on Saturday, December 6, 2008 for the Annual Christmas "Parade of Lights."
RECOMMENDED ACTION: Approve.
Adopted Resolution 306-2008 upon adoption of the consent calendar.

46. [08-1694](#) Supervisor Santiago recommending Lorrie Evers, Leanne Wagoner, Susana James, Kim Nida, David Ashby, Dee Cutter, Elizabeth Blakemore, Alissa Nourse, Michelle Witt, Michael Ungeheuer and Wendy David be reappointed to serve as members on the Child Abuse Prevention Council for terms to expire January 2011; and recommending the Board accept a letter of resignation from Cathy Bean.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

47. [08-1714](#) Supervisor Santiago recommending David Antonucci be reappointed to serve as a Director on the Tahoe Resource Conservation District for a term to expire November 2012.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

48. [08-0832](#) Development Services Department requesting review and direction for the Integrated Natural Resources Management Plan program.

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

- a) Authorize the Chairman to sign the letter of commendation for Adina Merenlender;
- b) Refer this matter back to PAWTAC and ISAC to work with staff to create a new RFP or modify the current proposed RFP which is to include a review of the need for connectivity including, consideration of the IBC consistent with General Plan policy 7.4.2.9. The committees need to help staff select identifiers and indicator species that would define the need or lack of need for connectivity; and
- c) Direct staff to return to the Board with the RFP on or before February 24, 2009.

Yes: 4 - Dupray, Sweeney, Briggs and Santiago

Noes: 1 - Baumann

49. [08-1723](#) County Counsel recommending Chairman be authorized to sign an Employment Agreement with Neda West for services as Director of Health Services.

This matter was Approved on consent calendar

50. [08-1388](#) Transportation Department recommending the following pertaining to the US 50 HOV Lanes, Phase 1 - El Dorado Hills to Bass Lake Grade Project (JN 53110):
1. Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for October 30, 2008;
 2. Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management;
 3. 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;
 4. Authorize the Director of Transportation to execute Contract Change Orders with an individual value up to \$150,000, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project;
 5. Authorize the Chairman to sign Contract Change Orders in the total amount of \$2,689,000 for the County's share of certain supplemental Items of Work; and,
 6. Authorize the Director of Transportation to sign the Dispute Review Board Agreement with the Contractor, the County, and the Dispute Review Board Members for the purpose of assisting in the resolution of disputes and/or potential claims. (4/5 vote required) (Cont'd 11/4/08, Item 15)

FUNDING: Funding will be from the Corridor Mobility Improvement Account; Congestion Mitigation and Air Quality Program; Regional Surface Transportation Program; and, Traffic Impact Mitigation Fee Programs.

A motion was made by Supervisor Briggs, seconded by Supervisor Baumann, trail matter to 2:00 p.m.

Heard in closed session and no action reported.

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Recused: 1 - Sweeney

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

The Board of Supervisors heard testimony and accepted information into the record that provided, among other things, the following facts: Nehemiah Construction, Inc. ("Nehemiah") submitted a bid for the U.S. 50 HOV Lane Project on October 30, 2008; Nehemiah has not asked to withdraw its bid nor followed the statutory procedures for claiming a mistake to seek withdrawal without forfeiture of its bid bond; Nehemiah has represented, and staff has confirmed, that the project can be physically performed with only the four subcontractors listed by Nehemiah through, for example, a combination of self-performance and use of subcontractors performing less than one-half of one percent of the work; staff has verified by an evaluation of information contained in Nehemiah's bid that Nehemiah will self-perform at least 50% of the work in accordance with the specifications; Nehemiah could not have obtained any competitive advantage by not listing subcontractors performing less than one-half of one percent of the work; the specifications do not mandate the use of blasting to perform rock excavation and Nehemiah has proposed an appropriate alternative means of performing rock excavation which is reflected in Nehemiah's higher cost for this item of work, and that strategically blasting in an amount less than one-half of one percent of the work could also be utilized; and staff's analysis did not reveal any obvious unbalancing in Nehemiah's bid and no substantial evidence was presented to demonstrate any obvious unbalancing.

Based upon all of the information contained in the record, including the aforementioned facts, the Board of Supervisors moved to award the contract to Nehemiah, with the four subcontractors listed in Nehemiah's bid, and made the following findings/took the following actions as to each discrete issue raised in the protests:

That with regard to the issue of the bidder's listing of subcontractors the Board finds that the Nehemiah bid is determined to be responsive on its face with four listed subcontractors. The Board did not waive any alleged irregularity submitted by Nehemiah as to the listing of subcontractors on the face of the bid;

That with regard to the subcontractor percentages, the Board waives the irregularity in Nehemiah bid's based upon the findings that the County specifications require bidders to perform at least 50% of the work, and that the intent of the specifications has been met in that staff has determined using Department of Transportation's evaluation from information contained in the bid that the prime Nehemiah will perform at least 50% or more of the work;

That with regard to the listing of subcontractors for DBE purposes, the Board waives the irregularity based upon the findings that the DBE form is a reporting form and based upon the federal requirements that the reporting may be accomplished in alternative ways;

That with regard to the issue of blasting, the Board finds that there is no irregularity on the face of Nehemiah's bid and rejects the protest on this issue based upon the evidence in the record; and

That the Board also rejects the allegation that Nehemiah's bid was unbalanced based upon the evidence in the record.

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Recused: 1 - Sweeney

A motion was made by Supervisor Santiago, seconded by Supervisor Baumann, as follows:

- a) Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management;
- b) 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;
- c) Authorize the Director of Transportation to execute Contract Change Orders with an individual value up to \$150,000, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project;
- d) Authorize the Chairman to sign Contract Change Orders in the total amount of \$2,689,000 for the County's share of certain supplemental Items of Work; and,
- e) Authorize the Director of Transportation to sign the Dispute Review Board Agreement with the Contractor, the County, and the Dispute Review Board Members for the purpose of assisting in the resolution of disputes and/or potential claims. (4/5 vote required)

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Recused: 1 - Sweeney

51. [08-1706](#)

Chief Administrative Office recommending adoption of Resolution **300-2008** amending the County's Authorized Personnel Allocation.

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

- a) Initiate a voluntary furlough program authorizing that employees in furlough status will continue to receive their full holiday pay and accrual of sick and vacation time based on FTE;
- b) Authorize that employees will continue to receive their full holiday pay and accrual of sick and vacation time based on FTE, for mandatory temporary layoff already in place in Development Services;
- c) Direct the CAO to continue evaluating Department's organizational structures for cost savings and efficiencies;
- d) Direct the CAO to report back to the Board in February 2009 with the following: final cost savings figures, program impacts of the reductions, 2nd Quarter revenue and year end projections, and recommendations for further actions; and
- e) Direct Department Heads to work with the CAO to identify every opportunity to reduce budget expenses; and
- f) Implement an immediate hiring freeze

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

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

- a) Adopt revised Resolution 300-2008 for removing the deletion of the Economic Development Specialist; and
- b) Approve the deployment of the Economic Development Specialist to the Development Services Department.

Yes: 3 - Dupray, Baumann and Sweeney

Noes: 2 - Briggs and Santiago

52. [08-1680](#) Chief Administrative Officer and Health Services Director providing the Board a written report listing the specific steps taken to address the cash flow issue in the Mental Health Special Revenue Fund. (Refer 11/4/08, Item 27)

No action required

53. [08-1441](#) Chief Administrative Office recommending Chairman be authorized to sign Transfer of Responsibility agreements for five Court facilities; Main Street Courthouse, Cameron Park Courthouse, Building C Shared Court facility, Johnson Courthouse and El Dorado Center Shared Court facility. (Refer 9/23/08, Item 26)

FUNDING: General Fund.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve, adopt and certify Resolution 313-2008 as required by the mandate of the Trial Court Facilities Act authorizing the immediate execution of the transfer agreements for the county's court facilities identified as the Main Street Courthouse, Building C, Cameron Park and the Johnson Building and authorizing the execution of the fifth and final transfer agreement for the court facility identified as El Dorado Center no later than December 31, 2008.

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

54. [08-1617](#) Chief Administrative Office recommending adoption of Resolution **309-2008** to provide a designated period for two years additional service credit for certain classifications in the Sheriff's Department; and Chairman be authorized to sign the required Certificate of Compliance for same; and adoption of Resolution **310-2008** to provide two years of additional County service credit for the sole purpose of retiree health insurance and allow for one (1) opportunity to changes health insurance programs. (Refer 11/4/08, Item 19)

FUNDING: General Fund.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to adopt Resolution 309-2008 and Resolution 310-2008.

Yes: 3 - Dupray, Sweeney and Santiago

Noes: 2 - Baumann and Briggs

55. [08-1588](#)

General Services and Transportation Departments recommending the following pertaining to the El Dorado Trail Improvement Project - Forni Road to Missouri Flat Road:

1. Award of Construction Contract to the lowest responsive, responsible bidder; said bidder, PBM Construction, Inc., in the amount of \$1,348,348;
2. Authorize the Chairman to sign said contract with PBM Construction, Inc, subject to review and approval of the final contract documents by County Counsel and Risk Management;
3. 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;
4. Authorize Director of Transportation to execute Contract Change Orders with an individual value up to \$100,000 provided the cumulative total of all change orders is within the contingency budget established for the project;
5. Approve changes to Parks ACO projects as reflected under recommended funding;
6. Approve Budget Transfer moving project funding from the General Services Department's budget to the Department of Transportation's budget. (4/5 vote required)

FUNDING: State Proposition 40 funds of \$315,996.00 (\$45,996.00 designated for the El Dorado Trail, \$160,000.00 from Pollock Pines Park, and \$110,000.00 from Bass Lake Park); a State and Federal Transportation Enhancement (TE) grant of \$1,099,000;\$18,500.00 from Grant match (from Walker Ball Field), approximately \$200,000.00 from Community Enhancement funds; \$50,000.00 from exchanged Transportation Enhancement Funds; and the remaining funding (\$219,086) from a State Bicycle Transportation Account grant of \$400,000.

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

- a) Award of Construction Contract to the lowest responsive, responsible bidder; said bidder, PBM Construction, Inc., in the amount of \$1,348,348;
- b) Authorize the Chairman to sign said contract with PBM Construction, Inc, subject to review and approval of the final contract documents by County Counsel and Risk Management;
- c) 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;
- d) Authorize Director of Transportation to execute Contract Change Orders with an individual value up to \$100,000 provided the cumulative total of all change orders is within the contingency budget established for the project; and
- e) Approve changes to Parks ACO projects as reflected under recommended funding;
- f) Approve Budget Transfer moving project funding from the General Services

Department's budget to the Department of Transportation's budget. (4/5 vote required)

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

56. [08-1645](#) Human Resources Department recommending adoption of Board of Supervisors Personnel and Payroll Policy Section E-9 "On-Call Status-Exempt Employees."

FUNDING: No Change to Net County Cost.

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to adopt this matter.

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

2:00 P.M. - TIME ALLOCATION

57. [08-1479](#) Hearing to consider the following pertaining to 46.23 acres (APN 073-020-43) in the Cool area (District IV); Applicant Susan Marcyan: (1) Approve Rezone (Z06-0040) from Residential Agricultural 20-Acre/Planned Development (RA-20-PD) to Estate Residential Ten-Acre (RE-10); (2) Approve Parcel Map (P06-0043) creating four parcels ranging in size from 10 to 16.43 acres; and (3) Adopt Ordinance **4795** for said rezone. (Cont'd 10/14/08, Item 32)

A motion was made by Supervisor Briggs, seconded by Supervisor Baumann, to continue this matter off calendar.

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

58. [08-1713](#) Supervisor Baumann requesting the Board direct staff to require, as a condition of approval, all permit applications for projects within the El Dorado Hills Business Park include a letter from the Business Park Architectural Review Committee which confirms the Committee has received a copy of the permit application, noting this directive will remain in place until appropriate changes can be made to the County Ordinance.

A motion was made by Supervisor Baumann, seconded by Supervisor Briggs, to direct staff to require all permit applications for projects within the El Dorado Hills Business Park include a letter from the Business Park Architectural Review Committee which confirms the Committee has received a copy of the permit application, noting this directive will remain in place until appropriate changes can be made to the County Ordinance

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT****CLOSED SESSION**

59. [08-1702](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Operating Engineers Local No. 3, Corrections (CR) Bargaining Unit.
No action reported.
60. [08-1701](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Deputy Sheriff's Association (DSA) Bargaining Unit.
No action reported.
61. [08-1700](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: El Dorado County Criminal Attorney Association, (CA) Bargaining Unit.
No action reported.
62. [08-1699](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: El Dorado County Employees Association Local No. 1, General, Professional, and Supervisory Bargaining Units.
No action reported.
63. [08-1698](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Operating Engineers, Local No. 3, Probation Bargaining Unit.
No action reported.

64. [08-1725](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of Human Resources.
No action reported.
65. [08-1704](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation: One (1) potential case. Title: Bid Protest on U.S. Highway 50 High Occupancy Vehicle (HOV) Lanes (Phase 1 Project).
No action reported.
66. [08-1690](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Bobby S. Dutta v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20070464.
No action reported.
67. [08-1691](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe. Civil Action No. S-01-1520, x-ref: (Meyers Landfill Site).
No action reported.

ADDENDUM

DEPARTMENT MATTERS:

68. [08-1733](#) Air Quality Management District (AQMD) recommending adoption of Resolution **311-2008** amending the County's Authorized Personnel Allocation.
A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann, to adopt resolution 311-2008.
Yes: 3 - Dupray, Baumann and Sweeney
Noes: 2 - Briggs and Santiago
69. [08-1736](#) In-Home Supportive Services (IHSS) Public Authority recommending adoption of Resolution **312-2008** amending the County's Authorized Personnel Allocation.
A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann, to adopt resolution 312-2008.
Yes: 3 - Dupray, Baumann and Sweeney
Noes: 2 - Briggs and Santiago

CLOSED SESSION:

70. [08-1734](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: No Gridlock Committee v. El Dorado County Board of Supervisors,
et al., El Dorado County Superior Court Case No. PC20060502.
No action reported.
71. [08-1735](#) Pursuant to Government Code Section 54957, **Public Employee
Performance Evaluation:**
Title: Chief Administrative Officer.
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