



County of El Dorado

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Minutes

Board of Supervisors

Ray Nutting, Chair, District II
John R. Knight, First Vice Chair, District I
Ron Briggs, Second Vice Chair, District IV
James R. Sweeney, District III
Supervisor Norma Santiago, District V

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, May 3, 2011

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. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:10 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Cooke gave the Invocation.
Supervisor Sweeney led the Pledge of Allegiance.

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4, 12 and 23 were pulled from the Consent Calendar.

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

OPEN FORUM

PUBLIC COMMENT

K. Weiland RE: Foster Parent Appreciation Month.
A. Amaro RE: Title 24 Energy Requirements.

BUDGET UPDATE

None

10:00 A.M. - TIME ALLOCATION

1. [11-0435](#) Supervisor Sweeney recommending the Board adopt a Proclamation commemorating May 14, 2011 as Junior Ambassador Day in the County of El Dorado. (Est. Time: 10 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt the Proclamation.
Present:
Bob & Sue Russell
Laurel Brent-Bumb
Junior Ambassadors Present:
Breanne Bartok, Junior ~ Ponderosa High School
Naomi Bastian, Freshman ~ El Dorado High School
Kyle Brown, Sophomore ~ El Dorado High School
Dallas Franklin, Junior ~ Ponderosa High School
Carol Hewitt, Sophomore ~ Shenandoah High School
Chris Lohan, Sophomore ~ Union Mine High School
James Mynatt, Junior ~ Union Mine High School
Sheila Pradel, Junior ~ El Dorado High School
Jessica Shults, Senior ~ Shenandoah High School
Kurtis Thompson, Sophomore ~ El Dorado High School

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

2. [11-0464](#) Supervisor Nutting recommending the Board adopt a Proclamation acknowledging the retirement of Karen Beckman and recognizing her 34 years of service to Folsom Lake College. (Est. Time: 5 Min)

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

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

CONSENT CALENDAR

3. [11-0480](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes for the Special Meeting of Monday, April 25, 2011 and the Regular Meeting of Tuesday, April 26, 2011.

This matter was Approved on the consent calendar.

4. [11-0488](#) County Counsel recommending the Board review and approve the conflict of interest codes received from the El Dorado County Indian Gaming Local Community Benefit Committee. (Refer 4/12/11, Item 22 and 4/19/11, Item 18)

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

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

5. [11-0352](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreement 434-S1111 with California Psychiatric Transitions, Inc. in the amount of \$125,000 for the term April 1, 2011 through March 31, 2012 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 Allocation and Realignment.

This matter was Approved on the consent calendar.

6. [11-0387](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Agreements 381-127-M-N2010 (UCD H10-00340V) and 381-127a-M-N2010 (UCD H10-00341V) with the Regents of the University of California to provide a loan of telemedicine equipment for said Department, noting the Agreements will be effective upon execution and will continue until terminated.

FUNDING: Funding is provided by State Proposition 1D, passed by voters in 2006.

This matter was Approved on the consent calendar.

7. [11-0431](#) Health Services Department recommending the Board approve and ratify the Director’s signature on a letter requesting extension of the term for the Hospital Preparedness Program grant fiscal year (FY) 2009-10 through June 30, 2012, noting this extension would allow the Department to carry forward \$13,718 of FY 2009-10 funding through June 30, 2012.

FUNDING: State and Federal funding for Hospital Preparedness Program.

This matter was Approved on the consent calendar.

8. [11-0445](#) Health Services Department recommending the Board adopt a Proclamation acknowledging May 15, 2011 through May 21, 2011 as “Emergency Medical Services Week” in the County of El Dorado.

This matter was Approved on the consent calendar.

9. [11-0433](#) Department of Human Services recommending the Board adopt a Proclamation designating May 2011 as, "Foster Parent Appreciation Month" in the County of El Dorado.

This matter was Approved on the consent calendar.

10. [11-0420](#) Department of Human Services recommending the Board adopt a Resolution authorizing the Chair to sign Amendment 1 to Agreement 11B-5708 with the California Department of Community Services and Development, increasing the maximum grant amount from \$472,096 to \$882,987, reflecting an increase of \$410,891, for the term January 1, 2011 through March 31, 2012 for the provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine counties; and further authorizing the Department Director, or successor, to continue to administer Agreement 11B-5708 as amended and execute subsequent documents relating to said Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports.

FUNDING: 100% Federal LIHEAP Grant Funds.

Resolution 069-2011

Adopted Resolution 069-2011 upon approval of the consent calendar.

11. [11-0425](#) Department of Human Services recommending the Board declare a 1998 Chevrolet Tracker as surplus and authorize the disposal of same by auction, in accordance with the procedures outlined in the County's Purchasing Ordinance Chapter 3.12, with proceeds to be credited to the CalWORKS Family Loan Program Revolving Loan Fund which funded the loan to purchase said vehicle.

FUNDING: 100% Federal Funds.

This matter was Approved on the consent calendar.

12. [11-0450](#) Department of Human Services recommending conceptual approval to develop a Community Development Block Grant (CDBG) Planning and Technical Assistance application for a General Allocation site-specific study in an amount up to \$70,000 to the California Department of Housing and Community Development under the FY 2010-11 Notice of Funding Availability (NOFA).

FUNDING: Federal CDBG Grant Funds.

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

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

13. [11-0444](#) Department of Human Services recommending the Board approve Budget Transfer 2011072 appropriating \$10,000 in funding from the Department of Housing and Community Development for HOME Investment Partnership Agreement 10-HOME-6850 for the provision of First-Time Homebuyer Loan program activities during the remainder of FY 2010/11. (4/5 vote required)

FUNDING: Federal Department of Housing and Urban Development
This matter was Approved on the consent calendar.

14. [11-0447](#) Department of Human Services recommending the Board:
1) Conceptually approve an application to Golden Sierra Job Training Agency (GSJTA) for federal Workforce Investment Act (WIA) funding for said Department to provide WIA Youth Program services in the County of El Dorado during the term July 1, 2011 through June 30, 2012; and
2) Authorize the Director or Assistant Director of said Department to submit said application and sign all documents required for submittal; and
3) Ratify the Director of Human Services signature on the prequalification certifications which were due to GSJTA by May 2, 2011.

FUNDING: Federal Workforce Investment Act Funding.
This matter was Approved on the consent calendar.

15. [11-0243](#) Sheriff's Office recommending the Board authorize the Sheriff to sign the Fiscal Year 2011/12 Boating Safety and Enforcement Financial Aid Contract with the California Department of Boating and Waterways in the amount of \$319,546 for the term July 1, 2011 through June 30, 2012 to provide boating safety and enforcement activities on the County's rivers and lakes.

FUNDING: State of California Department of Boating and Waterways.
This matter was Approved on the consent calendar.

16. [11-0441](#) Sheriff's Office recommending the Board authorize the continuation of perpetual Agreement 380-S1010 with Principal Decision Systems International (PDSI) for annual service and support costs totaling \$4,788 and web access annual renewal fees totaling \$2,646, for a total maximum obligation of \$7,434, relative to automated scheduling software utilized by the Sheriff's office.

FUNDING: Sheriff's Operating Budget - Index Code 241140.
This matter was Approved on the consent calendar.

17. [11-0411](#) Sheriff's Office recommending the Board accept, with thanks, the donation of a Hitachi LCD Projector (Model CP-SX1350) from Hitachi America, Ltd., Digital Media Division that retails for approximately \$3,700 and will be utilized for training, demonstrations and public displays during events through El Dorado County.
This matter was Approved on the consent calendar.
18. [10-0962](#) Department of Transportation recommending the Board consider the following:
1) Authorize the Department to begin the right-of-way acquisition process to incorporate a 0.2 mile section of Boulder Mountain Drive, which traverses through an existing United States of America owned parcel (APN 033-010-18) that is managed by the United States Department of Agricultural, Forest Service - Lake Tahoe Basin Management Unit, into the County Maintained Mileage System; and
2) Authorize the Department to proceed with ordering and payment of title reports for the parcel, which will be included in the Boulder Mountain Erosion Control Project (JN 95153).

FUNDING: United States Forest Service Grant Funds.
This matter was Approved on the consent calendar.
19. [11-0466](#) Supervisor Knight recommending the Board receive an update on the Economic Development Advisory Committee (EDAC) Regulatory Reform Committee's progress. (Refer 4/26/11, item 23)
This matter was Approved on the consent calendar.
20. [11-0482](#) Supervisor Briggs recommending the Board accept an invitation from CASA El Dorado, Executive Director John Adams to attend a lunch meeting on Tuesday, June 28, 2011, at 12:00 Noon in the Office of Emergency Services (OES) Conference Room to meet members of the CASA Board of Directors and to receive a presentation by John Adams.
This matter was Approved on the consent calendar.

21. [10-0456](#) Supervisor Nutting recommending the Board consider the following pertaining to the Second Annual Independence Day Firework Jubilee to be held at the El Dorado Hills Town Center on Sunday, July 3, 2011:
- 1) Approve and adopt a Resolution permitting Pyro Spectacular, Inc. to conduct a pyrotechnic display for the Event, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by the control authorities; and
 - 2) Authorize the Director of the Department of Transportation to work with the Town Center proponents and the California Highway Patrol to develop and implement a traffic management plan for the event.
- Resolution 070-2011**
- Adopted Resolution 070-2011 upon approval of the consent calendar.**
22. [11-0225](#) Supervisors Santiago and Nutting recommending the Board authorize the Chair to sign a letter regarding "Coordination" as proposed in the Planning Rule for the National Forest System Land Management Section 219.4 for the public comment period to end May 16, 2011.
- This matter was Approved on the consent calendar.**
23. [11-0500](#) Supervisor Nutting recommending the Board approve and authorize the Chair to sign a comment letter to the California Department of Fish and Game (DFG) regarding the ban on suction dredging as proposed by the Draft Subsequent Environmental Impact Report (DSEIR).
- A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to approve the letter as amended in the late distribution language as of May 3, 2011, 9:02 a.m. (Noting: The additional information paragraph submitted on May 3, 2011 at 9:13 a.m. is also to be included in the final letter.)**
- Yes:** 4 - Nutting, Sweeney, Briggs and Santiago
- Absent:** 1 - Knight
24. [11-0478](#) Supervisor Santiago recommending the Board appoint Desiree Blondeel-Timmerman to serve as a trustee on the Happy Homestead Cemetery District Board of Trustees for a term to expire January 2015.
- This matter was Approved on the consent calendar.**

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

25. [11-0070](#) Development Services Department recommending introduction of Ordinance amending Section 16.74.030 of Chapter 16.74 of Title 16 of the El Dorado County Ordinance Code addressing time extensions to approved subdivision and parcel maps. (Refer 3/15/11, Item 20)(Est. Time: 30 Min.)

FUNDING: No net funding required. Potential loss of permit renewal and reactivation fee revenues.

Ordinance 4960

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

- 1) Read title, waived reading of ordinance 4960 in its entirety;
- 2) Approved introduction;
- 3) Set adoption (second reading) for May 17, 2011.

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

26. [11-0073](#) On February 8, 2011, the Board of Supervisors directed staff to issue Request for Proposal (RFP) No. 11-0073 and conduct a competitive bidding process for ambulance transport and dispatch services in County Service Area Number 3 (CSA No. 3). The Health Services Department, Public Health Division, requests the Board:
- 1) Receive and review the results from the RFP process;
 - 2) Find California Tahoe Emergency Services Operations Authority (CalTahoe) the successful proposer for ambulance dispatch and transport services in CSA No. 3; and
 - 3) Direct staff to conduct contract negotiations with CalTahoe and return to the Board for final approval of the contract. (Refer 2/8/11, Item 1)(Est. Time:15 Min.)

FUNDING: Fees for service, CSA No. 3 South Shore area benefit assessment.

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Briggs, as follows:

- 1) Receive and review the results from the RFP process;
- 2) Find California Tahoe Emergency Services Operations Authority (CalTahoe) the successful proposer for ambulance dispatch and transport services in CSA No. 3; and
- 3) Direct staff to conduct contract negotiations with CalTahoe and return to the Board for final approval of the contract.

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

27. [11-0414](#) Environmental Management Department recommending the Board adopt a Resolution, superseding Resolutions 111-98 and 073-99, amending current language and fees, and establishing new fees for County Parks. (Est. Time: 30 Min.)

FUNDING: General Fund.

Resolution 071-2011

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Resolution 071-2011.

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

28. [11-0493](#) Supervisors Nutting and Sweeney recommending the Board consider the following:
- 1) Discuss approval of Ed Hagen's proposal to move his reproduction of the El Dorado Train Depot building to, or near the original depot site on the SPTC JPA right-of-way near the town of El Dorado.
- If approved:
- 2) Consider a fee waiver;
 - 3) Discuss with staff the process necessary to move forward;
 - 4) Forward Board direction to the JPA for consideration; and
 - 5) Direct staff to implement the Boards intent and return with the appropriate agenda items as necessary. (Est. Time: 1 Hr.)

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

- 1) Indicated intent to approve Ed Hagen's proposal to move his reproduction of the El Dorado Train Depot building to the vicinity of the original Depot Building; and
- 2) Direct staff to return to the Board with appropriate agenda items to implement the Board's intent including:
 - a) A lease of the building by the County; and
 - b) A possible fee waiver; and
 - c) Processes necessary to move forward.

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

LUNCH - 12:00 NOON TO 2:00 P.M.

El Dorado County and Georgetown Divide Resource Conservation Districts hosting an informational luncheon meeting with the Board of Supervisors at the Main Library Meeting Room.

11-0270

CAO REPORTS

CAO REPORT

The Chief Administrative Officer reported on the following:

- 1) The Garrido's sentencing will be on Thursday, June 2, 2011 and staff are currently working with the Courts to assure the least amount of impact.
- 2) Discussed the memo regarding the County's Software Licensing Program through the Microsoft "Select" Volume Licensing contract.
- 3) The Employee Assistance Program's actual costs have come in higher than had been reported to the Board originally. The contract which was approved by the Board authorizes the full payment and we are bound by the contract.

11-0280

ITEMS TO/FROM SUPERVISORS

ITEMS TO/FROM SUPERVISORS

Supervisor Nutting reported that Randy Moore will be meeting with the Supervisors to work on coordination.

CLOSED SESSION

29. 11-0325 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: 1 Hr.)
No Action Reported.
30. 11-0479 Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Title: Claim of Louis Erhart v. County of El Dorado, Worker's Compensation Claim Settlement, York Insurance Services Group, Inc., Claim No. 2008082930. (Est. Time: 10 Min.)
No Action Reported.
31. 11-0484 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: CSA No. 7 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.

32. 11-0483 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: CSA No. 3 Ambulance Services Issues. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
33. 11-0491 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (4). (Est. Time: 10 Min.)
No Action Reported.
34. 11-0504 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: TIM Fee Zone 8 Reimbursement Agreements. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.

CONSENT CALENDAR:

35. [11-0407](#) Development Services Department recommending adoption, second reading, of **Ordinance 4959** amending the El Dorado County Building Code and the El Dorado County Grading Ordinance, to grant a two-year extension on all building permits for new buildings and grading permits which are valid on May 30, 2011, with listed exceptions. (Introduced 4/26/11, Item 26)
- FUNDING:** No net funding required. Potential loss of permit renewal and reactivation fee revenues.
- Adopted Ordinance 4959 upon approval of the consent calendar.**

CLOSED SESSION:

36. 11-0511 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Silva Valley Interstate SEIR. Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported.

ADJOURNED AT 11:52 P.M.