



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, June 8, 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) 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.

PRESENTATIONS

1. [10-0604](#) Supervisor Santiago recommending the Board receive a presentation by Kaye Medellin, Executive Director, Child Development Programs for the El Dorado County Office of Education. (Est. Time: 15 Min.)
2. [10-0602](#) Supervisor Briggs recommending the Board adopt a Proclamation recognizing June 28, 2010 through July 4, 2010, as "Yellow Ribbon Week" in El Dorado County. (Est. Time 10 Min.)

OPEN FORUM

BUDGET UPDATE

10:00 A.M. - TIME ALLOCATION

3. [10-0601](#) Supervisor Briggs recommending the Board receive a presentation by Ed Borba on the benefits of the cattle industry and grazing lands in El Dorado County. (Est. Time: 25 Min.)

CONSENT CALENDAR

4. [10-0568](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes from the Special Meeting of Monday, May 24, 2010 and the Regular Meeting of Tuesday, May 25, 2010.

5. [10-0531](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of property 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 thereof.
6. [10-0571](#) District Attorney's Office recommending the Board adopt a Resolution amending the Department's Authorized Personnel Allocation deleting two Victim Witness Claims Specialist I/II and one Office Assistant I/II.
- FUNDING:** Grant.
7. [10-0406](#) District Attorney's Office recommending the Board approve a Budget Transfer establishing a budget for use of prior years interest and carry over funds resulting from audit findings relating to the Department of Insurance programs. (4/5's vote required)
- FUNDING:** Grant Funds.
8. [10-0488](#) Elections Department recommending the Board declare the results of the official canvass of the May 4, 2010 Mail Ballot Elections conducted by the Recorder-Clerk-Registrar of Voters for Emerald Meadows Zone of Benefit No. 98580 and King of the Mountain Road Zone of Benefit No. 98138.
9. [10-0576](#) Health Services Department recommending the Board approve and authorize the Chair to sign Agreement 032-125-P-E2010 (074-S1111) with the County Medical Services Program Governing Board for a term through July 1, 2010 until terminated by either party, to provide health care services to indigent adults pursuant to California Welfare and Institutions Code Section 16809 et seq.
- FUNDING:** Realignment (sales tax and vehicle license fees).
10. [10-0487](#) Human Resources Department recommending the Board of Supervisors:
- 1) Approve a change in job classification title from "Waste Recycling Technician" to "Hazardous Materials/Recycling Technician;" and
 - 2) Approve revisions to the classification specification.

11. [10-0507](#) Human Resources Department, Risk Management Division, recommending Allyn Bulzomi, Director of Human Resources, be appointed to serve as the Primary Member to the California State Association of Counties Excess Insurance Authority; and Janet Parnell, Principal Risk Management Analyst, be appointed to serve as the Alternate Member.

12. [10-0525](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment I to Agreement for Services 778-S0911 with Progress House for the provision of substance abuse testing, therapeutic counseling and other related services on an “as requested” basis to revise and clarify the services provided and the corresponding rates for such services and adding current standard contract language with no change to the original contract term of July 1, 2009 through June 30, 2012 for eligible CalWORKS clients, and no change to the total not-to-exceed amount of \$170,000.

FUNDING: 82% Federal/10% State Social Services Allocation with 8% County Match.

13. [10-0526](#) Department of Human Services recommending the Board authorize the Chair to sign retroactive non-financial Operational Agreement 421-S1010 with The Center for Violence-Free Relationships (Center) for a term of April 1, 2010 through March 31, 2013 setting forth the roles of the Center and the Department of Human Services in providing maximum assistance for crime victims residing on the western slope of El Dorado County.

14. [10-0527](#) Department of Human Services recommending the Board authorize the Chair to sign non-financial Operational Agreement 409-O1010 with the South Lake Tahoe Women’s Center (Center) setting forth the roles of the Center and the Department of Human Services in providing maximum assistance for crime victims residing on the eastern slope of El Dorado County for a term of July 1, 2010, through June 30, 2013.

15. [10-0561](#) Information Technologies recommending the Board approve the advance step placement of Steve Featherston at a Step 5 of the salary range for the Extra Help position of Assistant Director of Information Technologies for a limited term of approximately one month.

16. [10-0499](#) Probation Department recommending the Board authorize the Chair to sign Agreement 028-S1111 with the County of Solano, Fouts Springs Youth Facility, for the space-available rate of \$4,200 per ward per month, for the term July 1, 2010 through June 30, 2011, to provide court-ordered commitments for juvenile court wards on an "as requested" basis.
- FUNDING:** Youthful Offender Block Grant.
17. [10-0529](#) Probation Department advising the Board of a perpetual agreement with the American Red Cross, Sacramento Sierra Chapter, in an amount not to exceed \$5,000 annually for CPR / First Aid Training for Probation staff, course and instructor materials, and rental fees, on an as-requested basis.
- FUNDING:** General fund
18. [10-0500](#) Probation Department recommending the Board authorize the Chair to sign Agreement 038-O1111 with El Dorado County Office of Education (known as County Schools) to fund the Probation Department \$100 per unit of average daily attendance of youth enrolled in the Charter Community School Intervention Program for the term of July 1, 2010 through June 30, 2012.
- FUNDING:** Revenue received from El Dorado County Office of Education.
19. [10-0501](#) Probation Department recommending the Board authorize the Chair to sign Agreement 436-S1011 with the County of Calaveras to place four (4) juveniles of said county in County of El Dorado Juvenile Detention Facilities for the amount of \$100 per day, per bed, whether or not the bed is occupied.
- FUNDING:** Revenue from County of Calaveras.
20. [10-0502](#) Probation Department recommending the Board approve the continuation of Agreements with the Counties of Alpine, Amador, Calaveras, Placer, and Plumas, to place juveniles of said counties in County of El Dorado Juvenile Detention Facilities on a space-available and reserved basis.
- FUNDING:** Revenue from Inter-County agreements.

21. [10-0503](#) Probation Department is requesting the Board complete the annual review of the developed rules, regulations, and administrative policy of the Electronic Monitoring Program as defined by Sections 1203.016 and 1203.017 of the Penal Code.

FUNDING: None. This item is advisory only.

22. [10-0573](#) Sheriff's Department recommending the Board approve acceptance of additional funding from the California Multi-Jurisdictional Methamphetamine Enforcement Team program grant in the amount of \$40,000 and approve the corresponding Budget Transfer modifying the Sheriff's Fiscal Year 2009-10 budget. (4/5's vote required)

FUNDING: California Multi-Jurisdictional Methamphetamine Enforcement Team grant.

23. [10-0381](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment 2 to the Cooperative Agreement with the State of California, Department of Transportation, County Agreement AGMT 08-1685, District Agreement No. 03-351 for the U.S. 50 High Occupancy Vehicle Lanes from Latrobe Road to Bass Lake grade, extending the easterly limit of the Project from PM 2.9 to PM 5.0, revising funding obligations and other minor changes.

24. [10-0481](#) Department of Transportation recommending the Board:
- 1) Approve the Contribution Agreement with the State of California/Caltrans and the City of South Lake Tahoe, for the contribution of drainage, non-motorized, and maintenance access easements affecting County-owned parcels APN 026-050-05 (County 56-acre parcel), APN 027-010-31 (Lakeside Property) and APN 027-361-13 (El Dorado Center parcel);
 - 2) Approve a Consent to Easement and Agreement to Subordinate with the City of South Lake Tahoe, for the contribution of non-motorized and maintenance access easements affecting County-owned parcels APN 026-050-05 (County 56-acre parcel), and APN 027-361-13 (El Dorado Center parcel);
 - 3) Authorize the Chair to execute said Contribution Agreement and all easement documents and rights of entry identified in Exhibit A of the Agreement, and to execute said Consent to Easement and Agreement to Subordinate; and,
 - 4) Authorize the payment of title and escrow fees in the amount of \$1,000.

FUNDING: General Fund.

25. [10-0592](#) Department of Transportation recommending that the Board authorize the Chair to execute Contract Change Order No. 58 with Nehemiah Construction, Inc. in the amount of \$4,375,281.73 to extend the eastbound limits of work on Phase 1 of the U.S. 50 HOV Lanes Phase 1 El Dorado Hills to Bass Lake Grade, Project No. 53110, and in doing so, find that it is in the public interest to waive competitive bidding for the work described therein. Commencement of construction will be contingent upon Caltrans concurrence with Contract Change Order No. 58.

FUNDING: Prop 1B (CMIA), TIM Fees, and Casino Revenue.

26. [10-0492](#) Treasurer-Tax Collector recommending the Board approve the continuation of the following perpetual Agreements with Bloomberg, BNY Western Trust, Diebold Inc., Electronic Data Systems, Loomis Fargo and Company, NCR, Professional Consultancy Inc. and SymPro Inc. in a total amount of \$104,410 for the Fiscal Year 2010-2011.

FUNDING: General Fund.

Board of Supervisors - Consent

27. [10-0593](#) Supervisor Knight recommending the Board approve Certificates of Recognition for the following young men attaining the rank of Eagle Scout: Christopher Gomm of Boy Scouts of America, Troop 657; Will Dodson, Ian Moyer, Nic Nelson, Quentin Parker, Greg Sanders, Ricky Stewart, Matthew Widman and Bryan Witt of Boy Scouts of America, Troop 645; and acknowledging the hard work, commitment and service to the community needed to achieve this honor.
28. [10-0589](#) Supervisor Knight recommending the Board approve the appointment of Scott McNeil to serve as a member of the Cameron Park Design Review Committee for a term to expire January 1, 2011.
29. [10-0578](#) Supervisor Sweeney recommending the Board adopt a Resolution authorizing Pyro Spectaculars, Inc. to conduct a pyrotechnic display for the annual "4th of July Celebration" on Sunday, July 4, 2010 at the Placerville Speedway located at the El Dorado County Fairgrounds.

30. [10-0588](#) Supervisor Briggs recommending the Board consider the following regarding the 4th Annual American River Music Festival - Fee Waiver Request:
- 1) Direct Environmental Management Department to work with Risk Management to take the necessary steps to approve the use of Henningsen Lotus Park by American River Music, Inc. for the 4th Annual American River Music Festival, scheduled September 17 - 19, 2010;
 - 2) Waive the applicable park rental/use fees; and
 - 3) Authorize the Chair to sign the Daily License Application/Authorization form, granting the property owner approval for the applicant to apply for a permit with the State Department of Alcoholic Beverage Control for the sale of beer and wine at the event.
31. [10-0575](#) Supervisor Briggs requesting the Board ratify the Chair's signature on a Proclamation in recognition of Laurel Brent-Bumb for ten years of dedicated leadership as the Chief Executive Officer of the El Dorado County Chamber of Commerce. The Proclamation was presented on May 25, 2010.
32. [10-0587](#) Supervisor Briggs recommending the Board consider the following regarding the 29th Annual American River Festival - Fee Waiver Request:
- 1) Direct Environmental Management Department to work with Risk Management to take the necessary steps to approve the use of Henningsen Lotus Park for the 29th Annual American River Festival, scheduled September 11 - 12, 2010; and
 - 2) Waive the applicable park/rental use fees.
33. [10-0580](#) Supervisor Santiago recommending the Board ratify a Letter to Legislators in Support of "Operation Welcome Home" a Statewide Veterans Service Offices Assistance Program.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

34. [10-0461](#) HEARING - Auditor-Controller recommending the Board adopt a Resolution establishing the Fiscal Year 2010/2011 Proposition 4 Gann Spending Limit for the County of El Dorado in the amount of \$155,347,438. (Cont'd 5/18/10, Item 5)
35. [10-0610](#) Chief Administrative Office recommending the Board authorize the Chair to sign a letter to the Administrative Office of the Courts continuing to advocate for the Administrative Office of the Courts to select the court facility site offered by the Board.

36. [10-0585](#) Chief Administrative Office recommending the Board consider the following:
- 1) Receive update on the status of AB 811 programs; and
 - 2) Direct staff to delay further program implementation efforts until priority of lien status is resolved.
37. [10-0073](#) Department of Transportation recommending the following pertaining to Angora Creek Fisheries/Stream Environment Zone Enhancement Project (Contract No. PW 09-30486, CIP No. 95161):
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for May 21, 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 with an individual value up to \$66,450, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project.
- FUNDING:** California Tahoe Conservancy, Bureau of Reclamation, Tahoe Regional Planning Agency and South Tahoe Public Utility District funds.

2:00 P.M. - TIME ALLOCATION

38. [10-0538](#) HEARING - Consider a request submitted by Jerry Griffin appealing the conditional approval of Special Use Permit S07-0019/Olde Coloma Theatre by the Planning Commission on April 22, 2010 on property identified by APN 006-290-04, consisting of 19,602 square feet, in the Coloma area; and Planning Services recommending the Board take the following actions:
- 1) Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines; and
 - 2) Deny the appeal, thereby upholding the approval of Special Use Permit S07-0019 by the Planning Commission on April 22, 2010 based on the Findings and subject to the Conditions of Approval listed in Attachment 1. (Supervisory District IV) (Est. Time: 1 Hr.)

- 39. [10-0301](#) HEARING - Consider adoption of Resolution amending the 2004 General Plan Traffic Impact Mitigation Fee Program and Revised Traffic Impact Mitigation Fee Rates. (Est. Time: 30 Min.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

40. 10-0581 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Director of Development Services.
41. 10-0596 Pursuant to Government Code Section 54957.6; **Conference with Labor Negotiator**.
County Negotiator: Director of Human Resources and/or designee.
Employee Organization: El Dorado County Employees Association Local No. 1, representing employees in the General, Professional, and supervisory Bargaining Units; Operating Engineers, Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriff's Association representing employees in the Law Enforcement unit; El Dorado County Law Enforcement Managers Association representing employees in the Law Enforcement Management unit; El Dorado County Criminal Attorneys Association representing employees in the Criminal Attorney unit; El Dorado County Managers Association representing employees in the Managers Association; the El Dorado County Deputy County Counsel Association representing employees in the Deputy County Counsel unit; and the unrepresented employees covered by the Salary and Benefits Resolution, as amended.
42. 10-0558 Pursuant to Government Code Section 54956.9(a), **Existing Litigation**: Title: Claim of Cheryl Johnson v. County of El Dorado, Workers' Compensation Claim Settlement, Bragg & Associates, Inc., Claim No. 2004025673.
43. 10-0599 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Amador Disposal Service. Number of potential cases: (1).
44. 10-0608 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 070-261-82. The person or persons with whom the negotiator may negotiate: Detmold Limited Partners, represented by Teddy Albusche McGraw and Sandy Sandoval, Broker. Instructions to negotiator will concern both price and term of payment. Louis B. Green, County Counsel, Peter Maurer, Principal Planner, and Pete Feild, Right-of-Way Program Manager, will be the negotiators on behalf of El Dorado County.

45. 10-0609 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real properties described as APN 026-050-05-100 and APN 027-361-13. The person or persons with whom the negotiator may negotiate is the State of California Caltrans. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of El Dorado County.

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

ADDENDUM

CLOSED SESSION

- 46. 10-0622 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).

ANNOUNCEMENTS

Special Meeting - Monday, June 7, 2010 at 9:00 a.m. – 5:00 p.m. – Budget Workshop.

Special Meeting - Wednesday, June 9, 2010 at 9:00 a.m. – 5:00 p.m. – Budget Workshop.

Special Meeting - Thursday, June 10, 2010 at 9:00 a.m. - 5:00 p.m. – Budget Workshop.

June 17, 2010 11:50 a.m. - Opening of the County Fair and Presentation of Resolution.

No Board of Supervisors Meeting on Tuesday, July 6, 2010.

No Board of Supervisors Meeting on Tuesday, July 13, 2010.