



County of El Dorado

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MEETING AGENDA

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

Cindy Keck, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.
Green, County Counsel

Tuesday, July 29, 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

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.

PRESENTATIONS

1. [08-1054](#) **PRESENTATION** of Certificate of Appreciation to Jo Ann Gillion in recognition of 31 years of dedicated service to the Planning Division and the citizens of El Dorado County.

2. [08-1206](#) **PRESENTATION** of Certificate of Appreciation to George Sanders in recognition of 16 years of dedicated service to the citizens of El Dorado County.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

3. [08-1201](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, July 22, 2008.
RECOMMENDED ACTION: Approve.

4. [08-1051](#) Public Health Department recommending Chairman be authorized to sign Amendment I to Agreement 655-S0711 (558-PHD1106) with The Grace Foundation of Northern California, expanding the Scope of Services to provide secure shelter and care for livestock in the custody of the Animal Control Division and increasing the not-to-exceed amount from \$150,000 to \$180,000 for the three year term of said Agreement.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund - West Slope Animal Services Budget.

5. [08-1097](#) Public Health Department recommending Chairman be authorized to sign Agreement 089-F0910 (761-PHD0508) with the County of Alpine in an amount not to exceed \$18,000 for the term July 1, 2008 through June 30, 2011 to provide selected animal control services at and within the boundaries of Alpine, excluding Bear Valley, for the purpose of enforcement of State and County Animal Control Ordinances, and to provide Alpine County and its residents access to animal shelter services.

RECOMMENDED ACTION: Approve.

FUNDING: Flat rate fee for service.

6. [08-0961](#) Mental Health Department recommending Chairman be authorized to sign Agreement 059-S0911 with Victor Treatment Centers, Inc. in the amount of \$95,000 for the term July 19, 2008 through June 30, 2010 to provide mental health services for minors with serious emotional disturbances on an "as requested" basis for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Approximately 90% of funding is provided by Medi-Cal/Early and Periodic Screening, Diagnosis and Treatment (EPSDT) reimbursement, with the remaining 10% from Realignment.

7. **08-1111** Human Services Department recommending Chairman be authorized to sign Agreement 766-S0810, a non-standard Business Class Service Order Agreement with Comcast in the amount of \$2,124.00 for a three-year term from date of execution to provide Internet access for clients of said Department at the JOB ONE OneStop.

RECOMMENDED ACTION: Approve.

FUNDING: Federal and State CalWORKS Allocation with County Match and Federal Workforce Investment Act (WIA) Allocation.

8. [08-1113](#) Human Services Department recommending Chairman be authorized to sign retroactive Agreement for Services 509-S0810 with Neopost, Inc. in the amount of \$9,384 for the term October 1, 2007 through September 30, 2011 for the provision of maintenance and support services for Neopost mailing system and desktop folder/stuffer machine.

RECOMMENDED ACTION: Approve.

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

9. **08-1115** Human Services Department recommending Chairman be authorized to sign Agreement 991-S0810, a non-standard Business Class Service Order Agreement with Comcast in the amount of \$2,124.00 for a three-year term from date of execution to provide Internet access for clients of said Department at the Placerville Senior Center.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal and State Grant Funds.
10. **08-1116** Human Services Department recommending Chairman be authorized to sign Agreement 992-S0810, a non-standard Business Class Service Order Agreement with Comcast in the amount of \$2,124.00 for a three-year term from date of execution to provide internet access for clients of said Department at the El Dorado Hills Senior Center.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal and State Grant Funds.
11. [08-1123](#) Human Services Department recommending Chairman be authorized to sign Contract No. R970535-01 with Golden Sierra Job Training Agency in the amount of \$770,510 for the term July 1, 2008 to June 30, 2009 for Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and the Director of said Department be authorized to execute subsequent documents relating to said contract, including one amendment thereto, contingent upon approval by County Counsel and Risk Management, that adjusts and confirms the total Rapid Response funding (estimated at \$50,000) to the actual allocation in an amount not to exceed \$50,000 and other amendments thereto that do not affect the dollar amount or the term and required fiscal and programmatic reports.
RECOMMENDED ACTION: Approve.
- FUNDING:** Annual Workforce Investment Act Allocation.
12. [08-1090](#) Human Services Department submitting recommendation made by the California Department of Community Services and Development (CSD) to provide a plan to expend the balance of excess revenues earned by the County's Low-Income Home Energy Assistance (LIHEAP) Weatherization Program; and recommending the Board approve the Expenditure Plan with a budget and timeframe for expenditure of said excess earned revenues for submittal to CSD. (Continued 7/22/2008, Item 8)
RECOMMENDED ACTION: Approve.
- FUNDING:** Weatherization Grant Program Earned Revenues.

13. [08-1019](#) Sheriff's Department recommending adoption of Resolution **202-2008** approving an application for Fiscal Year 2008/2009 State Homeland Security Grant funding.
RECOMMENDED ACTION: Approve.
14. [08-1108](#) Sheriff's Department recommending Board accept the donation of a 1999 GMC Sierra truck, California license 6D14343, VIN No. 1GTEC14W9XZ522630, from Unger Construction Company of Sacramento to be used by said Department as an undercover bait vehicle.
RECOMMENDED ACTION: Approve.
15. [08-1121](#) Treasurer-Tax Collector's Office recommending adoption of Resolution **204-2008** granting approval to sell tax-defaulted property as outlined in same; noting said sale to be conducted on November 7, 2008.
RECOMMENDED ACTION: Approve.
16. [08-1117](#) Facilities and Fleet Services requesting Board authorization to exercise the second option to extend Lease Agreement 232-L0311 with Charles H. Freeland and Cynthia J. Freeland in the amount of \$3,040.64 per month for an additional three year term commencing September 20, 2008 and ending on September 19, 2011 for 4000 square feet of improved warehouse space and 1.67 acres of land on which the facility is located, at 3615 China Garden Road in Diamond Springs, for the Sheriff's Department.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.
17. [08-1095](#) Facilities and Fleet Services Department recommending Chairman be authorized to sign Amendment I to Lease Agreement 044-L0311 with Kang Y. Lee. D.D.S., in the amount of \$3,257.56 per month for a term commencing on August 1, 2008 to July 31, 2012 to modify the existing lease for office space located at 3368 Lake Tahoe Blvd, Suites 201, 203, & 205, in South Lake Tahoe to better reflect the South Lake Tahoe office rental market.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.
18. [08-1122](#) Sheriff's Office recommending the Board authorize the Chair to sign Amendment I of the Facility Use Agreement 957-O0810 with South Tahoe Public Utility District for an additional five-year term from July 1, 2013 to June 30, 2018, for real property known as Building B, including exterior area, located at 1834 Santa Fe Road, Tahoe Paradise, for the Sheriff's Search and Rescue Station, for no cost.

FUNDING: No cost.

19. [08-1074](#) Sheriff's Department recommending the Board find that an independent contractor can more economically and feasibly perform work in accordance with Section 3.13.030 of the Purchasing Ordinance; and Chairman be authorized to sign Agreement 110-S0911 with William J. Gilles, M.D. in the amount of \$141,000 for the term August 1, 2008 through July 31, 2009 to provide pathology and related services for said Department's Coroner Section.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

20. [08-0618](#) Transportation Department recommending Chairman be authorized to sign Notice of Completion with Sierra Nevada Construction, Inc. for the Mother Lode Drive Two-Way Left-Turn Lane Project 73130 on Mother Lode Drive from South Shingle Road to French Creek Road in Shingle Springs.

RECOMMENDED ACTION: Approve.

FUNDING: This project was funded with Regional Surface Transportation Program Funds and Traffic Impact Mitigation Fees. The requested Board action has no associated fiscal impact.

21. [08-1065](#) Transportation Department recommending the following pertaining to Ridgeview West Unit 4:
- (1) Accept the subdivision improvements as substantially complete;
 - (2) Reduce Performance Bond No. 2206583 to \$52,537.74, which is 10% of the total cost of improvements to guarantee against any defective work, labor done, or defective materials furnished and release after one year if no claims are made; and
 - (3) Hold the Laborer and Materialmens Bond No. 2206583 in the amount of \$262,688.68 to guarantee payment to persons furnishing labor, materials or equipment and release in six months if no claims are made.

RECOMMENDED ACTION: Approve.

22. [08-1064](#) Transportation Department recommending the following pertaining to Ridgeview Village Estates Unit 3:
- (1) Accept the subdivision improvements as substantially complete;
 - (2) Reduce Performance Bond No. 2206581 from \$501,274.96 to \$90,360.02, which is 10% of the total cost of improvements to guarantee against any defective work, labor done, or defective materials furnished and release after one year if no claims are made; and
 - (3) Hold Laborer and Materialmens Bond No. 2206581 in the amount of \$451,800.08 to guarantee payment to persons furnishing labor, materials or equipment and release in six months if no claims are made.

RECOMMENDED ACTION: Approve.

23. [08-1096](#) Transportation Department recommending Director of said Department be authorized to accept the allocation of \$9,601 and execute an Airport Improvement Program Matching Grant Agreement, upon review and approval by County Counsel, for State Airport Improvement Program Matching Grant funds for engineering, administration and construction of Phase II Replacement of Medium Intensity Runway Lighting on Runway 5-23, installation of a new Precision Approach Path Indicator on Runway 23 and the Automated Weather Observation System at the Placerville Airport.

RECOMMENDED ACTION: Approve.

FUNDING: State Airport Improvement Program Matching Grant Funds

24. [08-1110](#) Chief Administrative Office, Procurement and Contracts Division, recommending introduction of ordinance amending Sections 3.12.050(F) and 3.12.130 of Chapter 3.12 of Title 3 of the El Dorado County Ordinance Code titled Procurement.

RECOMMENDED ACTION: Waive reading, read by title only, and continue to August 5, 2008 for adoption.

25. [08-1094](#) Human Resources Department recommending adoption of Resolution **203-2008** amending the Salary Schedule establishing the salary range, classification specification and designating the bargaining unit for the position of Deputy Agricultural Commissioner, Sealer of Weights and Measures.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund and State and Federal revenue.

26. [08-1156](#) Supervisor Baumann recommending August (Gus) Pike, Jr. be appointed to serve as a member of the Mental Health Commission, Western Slope Council, for a term to expire January 2011.

RECOMMENDED ACTION: Approve.

27. [08-1205](#) Supervisor Sweeney recommending a special meeting of the Board of Supervisors be scheduled for Monday, August 18, 2008 at 2:00 p.m. to discuss the results of the Waste Management survey and requirements for a new materials recovery facility.

RECOMMENDED ACTION: Approve.

28. [08-1133](#) Supervisor Briggs recommending Eric Clark be appointed to serve as a representative on the Georgetown Airport Advisory Committee for a term to expire January 2012.

RECOMMENDED ACTION: Approve.

29. [08-1191](#) Supervisor Briggs recommending appointment of Wendell Smith to the El Dorado County Economic Development Advisory Committee.

RECOMMENDED ACTION: Approve.

30. [08-1200](#) Supervisor Santiago recommending Del Laine be appointed to the Happy Homestead Cemetery District Board of Directors and acknowledge George Perusits with a Certificate of Appreciation for his 30 years of service on said Board.
RECOMMENDED ACTION: Approve.

END CONSENT CALENDAR

DEPARTMENT MATTERS

31. [08-0134](#) Human Resources Department recommending the Board receive and file an audit of Senior Department Analyst and Administrative Services Officer positions, as directed by the Board. (Cont'd 06/03/08, item 57).
32. [08-1066](#) Probation Department recommending Board authorize the submission of a Request for Proposal (RFP) to the Correction Standards Authority (CSA) for the Youthful Offender Rehabilitative Facility Construction Funding (YORFCF) to fund construction of a multi-purpose treatment/programming building at the Placerville Juvenile Hall.

FUNDING: General Fund, included in Probation's 2008/09 Budget.

TIME ALLOCATIONS - 10:00 A.M.

33. [08-1093](#) Hearing to conduct an assessment ballot proceeding of the property owners within the Barnett Business Park Lighting Zone of Benefit #98534 within County Service Area 9 to consider an increase to the current benefit assessment and, if no majority protest is heard, adopt Resolution increasing the annual benefit assessment.
34. [08-0642](#) Chief Administrative Office recommending the Board receive a status report from the Permit Process Ad Hoc Committee. (Refer 6/17/08, Item 50)

TIME ALLOCATIONS - 2:00 P.M.

35. [08-1102](#) Hearing to consider rezone (Z07-0004) of five acres (APN 070-040-02) from Estate Residential Five-Acre/Airport Safety (RE-5/AA) to One-Family Residential/Airport Safety (R1-AA); Tentative Subdivision Map (TM07-1433) creating 15 residential lots ranging in size from 10,060 square feet to 12,381 square feet in the Cameron Park area; and adoption of Ordinance **4782** for said rezone. Applicant Cayente Way Investors, LLC/Anthony Scotch. (District IV)

36. [08-1039](#) Hearing to consider adoption of Resolution **205-2008** amending the 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program and adoption of the revised Traffic Impact Mitigation Fee Rates.

FUNDING: TIM fees.

37. [08-1129](#) Transportation Department recommending the Board:
- (1) Approve El Dorado County's continued participation in the regional transportation collaborative known as the Highway 50 Corridor Mobility Partnership and its efforts to create a funding strategy for regional transportation improvements intended to alleviate traffic congestion on Highway 50;
 - (2) Endorse the concept, contingent upon further Board action prior to implementation, for El Dorado County to participate in development of a regional funding strategy which may include financial commitment, through a regional fee, or an alternative funding strategy as approved by the Board; and
 - 3) Provide direction to staff on parameters for participation in any regional funding strategy and considerations pertinent to fee collection and disbursement strategies in connection with governance options.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

38. [08-1159](#) Pursuant to Government Code Section 54956.9(a): **Existing Litigation:**
Title: El Dorado County v. California Department of Transportation, et al, Superior Court of California, County of Sacramento, Case No. 03CS00003, Third District Court of Appeal Nos. C054596 and C054597, California Supreme Court Case No. S163348.
39. [08-1161](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: U.S.A. v. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520-MCE GGH (ED CA).
40. [08-1171](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: El Dorado County v. Loring Brunius, et al., El Dorado County Superior Court Case No. PC20010482.
41. [08-1172](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: El Dorado County v. Davey Tree Surgery Company, Inc., et al., El Dorado County Superior Court Case No. PC20070628.
42. [08-1188](#) Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation**, Initiation of litigation.
43. [08-1192](#) Pursuant to Government Code Section 54956.8: **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 325-230-18. The persons with whom the negotiator may negotiate are Francis E. Carver and Josephine L. Cohen, Trustees of the Rizoooly Trust, U/A dated July 6, 2000, F/B/O/ Francis E. Carver and Josephine L. Cohen, their Co-Owned Property. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager. (Cont'd 7/29/08, Item 43)
44. [08-1204](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources
Employee Organization: El Dorado County Managers' Association, (MA) Bargaining Unit.
45. [08-1196](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources
Employee Organization: Operating Engineers, Local 3, Trades and Crafts Bargaining Unit.

46. [08-1194](#) 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.

ADDENDUM

DEPARTMENT MATTERS

47. [08-1193](#) Supervisor Baumann recommending adoption of Resolution **206-2008** formally requesting Governor Schwarzenegger take immediate action to provide fire prevention and maintenance work on California's federal wild and forest lands.
48. [08-1197](#) Supervisor Baumann recommending the Chairman be authorized to sign a letter to Mary D. Nichols, Chair of the California Air Resources Board, regarding the recent release of the "Climate Change Draft Scoping Plan" discussion draft pursuant to the provisions contained in Assembly Bill 32 - The Global Warming Solutions Act of 2006.

CLOSED SESSION:

49. [08-1219](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** Significant Exposure to Litigation.
Title: Threat of Litigation by DR Horton.

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