



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minutes - Final 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, April 6, 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. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

Present: 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Briggs

Absent: 1 - Supervisor Santiago

9:12 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORT

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions, Item 7 was pulled from the Consent Calendar and Item 35 was added to the Consent Calendar.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

OPEN FORUM

BUDGET UPDATE

PRESENTATIONS

1. [10-0320](#) **PRESENTATION** - Supervisor Santiago with William E. Schultz, Recorder-Clerk-Registrar of Voters-Interim Veterans Affairs Director, recommending the Board adopt a Proclamation designating April 2010, as "Autism Awareness Month," in the County of El Dorado. (Est. Time: 5 Min.)

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to adopt the proclamation.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

2. [10-0318](#) **PRESENTATION** by Kelly Plag, Director of Community Affairs for The Center for Violence-Free Relationships recognizing the month of April 2010 as Sexual Assault Awareness Month in the County of El Dorado. (Est. Time: 5 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt the proclamation.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

3. [10-0321](#) **PRESENTATION** by Alissa Nourse, Executive Director of Tahoe Youth and Family Services. (Est. Time: 15 Min.)

Received and Filed.

CONSENT CALENDAR

4. [10-0312](#) Approval of Board of Supervisors Meeting Minutes from the Special Meeting of Monday, March 22, 2010, and the Regular Meeting of Tuesday, March 23, 2010.

This matter was Approved on the consent calendar.

5. [10-0266](#) Auditor-Controller recommending the Board authorize him to adjust the County's unlocated fixed asset records as outlined in Schedule A to reflect the results of the property records inventory.

This matter was Approved on the consent calendar.

6. [09-0568](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award year two of Bid 09-288-095 for the purchase of Plant Mix Asphalt Concrete to the low qualified bidders, Teichert Aggregates of Folsom, CA and Tahoe Asphalt, Inc. of South Lake Tahoe, CA;
 - 2) Authorize the Purchasing Agent to increase and extend the blanket purchase orders with the above vendors in the total amount of \$450,000 for an additional twelve (12) month term;
 - 3) Authorize the Purchasing Agent to extend the blanket purchase orders for a third year, if the vendors agree to hold pricing and subject to the requirements of the Purchasing Ordinance and Board of Supervisors Policy C-17- Procurement; and
 - 4) Authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed" basis during the awarded period if funding is available within the requesting Department's budget.

FUNDING: Non-general fund - Road Fund Discretionary.

This matter was Approved on the consent calendar.

7. [10-0110](#) Clerk of the Board of Supervisors recommending the Board receive and file the Board of Supervisors February 2010, March 2010 Expenditure Reports and the Quarterly Budget Report. (Cont'd 3/23/2010, Item 6) (Est. Time: 10 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to continue this matter to April 27, 2010.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

8. [10-0228](#) Elections Department recommending the Board authorize the Chair to execute an Agreement with Runbeck Election Services, Inc. in an estimated cost of \$6,000, effective upon execution through November 30, 2010, for printing supplemental, duplicate, provisional, emergency and other ballots in-house.

This matter was Approved on the consent calendar.

9. [10-0027](#) Health Services Department recommending the Board consider the following:
- 1) Adopt Resolution authorizing the Emergency Medical Services Agency (EMS) to access state and federal level summary criminal history information for certification of Emergency Medical Technicians in the County of El Dorado; and
 - 2) Authorize the Director of Health Services to sign the following documents hereto as outlined in Attachment B:
 - a) Contract for Subsequent Arrest Notification Service with the Department of Justice;
 - b) Department of Justice Request for Contributing Agency ORI and/or Response Mail Code; and
 - c) Applicant Fingerprint Response Subscriber Agreement.

Resolution 038-2010

Adopted Resolution 038-2010 upon approval of the consent calendar.

10. [10-0264](#) Health Services Department recommending the Board authorize the Chair to sign Agreement 882-PHD0809 (162-S1011) with Sacramento County Department of Health and Human Services, Public Health Division Laboratory Services in an amount not-to-exceed \$20,000 for a term through June 30, 2010 to provide back-up laboratory services for said Department.

FUNDING: Health Services Department Public Health Realignment.

This matter was Approved on the consent calendar.

11. [10-0255](#) Health Services Department recommending the Board authorize the Chair to sign retroactive Memorandum of Understanding (MOU) 851-PHD0609 with the Superior Court of California, County of El Dorado, in an amount not-to-exceed \$11,670 for the term July 1, 2009 through June 30, 2010, to provide funding for treatment services for juveniles in the Collaborative Justice Juvenile Drug Court Program.

FUNDING: Judicial Council of California, Administrative Office of the Courts.

This matter was Approved on the consent calendar.

12. [10-0252](#) Health Services Department recommending the Board authorize the Chair to sign Amendment 1 to Agreement 839-PHD0409 (028-S1011) with Progress House, Inc. increasing the Provisional amount by \$20,095 to \$166,403, and increasing the not-to-exceed amount by \$20,000 to a total of \$205,000 for the term July 1, 2009 through June 30, 2010 to provide alcohol and drug treatment and prevention services for said Department.

FUNDING: Net Negotiated Amount (NNA) Agreement 07-NNA09, State Alcohol and Drug Program.

This matter was Approved on the consent calendar.

13. [10-0244](#) Health Services Department recommending the Board authorize the Chair to sign Amendment I to Agreement 836-PHD0409 with Progress House, Inc. increasing the not-to-exceed amount by \$10,000 to \$100,444 to provide alcohol and drug treatment services to clients who qualify to participate in the Substance Abuse Offender Treatment Program (OTP) services.

FUNDING: California Department of Public Health (CDPH) - Offender Treatment Program (OTP) funding; Federal Substance Abuse Treatment and Testing Accountability (SATTA) funding via the Net Negotiated Amount Agreement; and, General Fund (budgeted County match)

This matter was Approved on the consent calendar.

14. [10-0079](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 675-S0911 with Milhous Children's Services, Inc. increasing the compensation amount by \$75,000 to \$175,000 to provide specialty mental health services for seriously emotionally disturbed minors on an as-requested basis for said Department.

FUNDING: Funding is provided by Medi-Cal/Early and Periodic Screening, Diagnosis and Treatment (EPSDT), SB 163 and Realignment, as determined by the funding sources available and appropriate for each youth placed in this facility.

This matter was Approved on the consent calendar.

15. [10-0292](#) Human Services Department recommending conceptual approval to submit a Community Development Block Grant Planning and Technical Assistance Economic Development Allocation application for one or more projects in an amount up to \$35,000 each, for a combined total amount up to \$70,000 to the California Department of Housing and Community Development under the Fiscal Year 2010-2011 Notice of Funding Availability (NOFA).

FUNDING: Federal CDBG Grant Funds.

This matter was conceptually Approved on the consent calendar.

16. [10-0293](#) Human Services recommending conceptual approval to submit a Community Development Block Grant (CDBG) application to the California Department of Housing and Community Development for a grant in an amount up to \$800,000 to provide additional funding resources for the County ongoing Housing Rehabilitation and Homeownership Assistance Loan Programs.

FUNDING: Federal CDBG Grant Funds.

This matter was conceptually Approved on the consent calendar.

17. [10-0229](#) Human Services Department recommending the Board authorize the Chair to sign Budget Transfer 2010055 incorporating new Fiscal Year 2009-2010 Workforce Investment Act Program revenues and corresponding appropriations in the amount of \$417,426 within the Department's Fund 11 Community Programs Budget. (4/5 vote required)

FUNDING: 100% Federal Workforce Investment Act Funding.

This matter was Approved on the consent calendar.

18. [10-0224](#) Human Services recommending the Board authorize the Chair to sign Budget Transfer 2010057 adjusting the Department's budget as follows:
1) Decreasing estimated revenues and corresponding appropriations by \$107,271 in the Department's Fiscal Year 2009-2010 In-Home Supportive Services Public Authority (IHSS PA) in Fund 12, reflecting reductions of \$95,326 in Federal/State revenues and \$11,945 in County match for this program; and
2) Transferring the \$11,945 General Fund match for the reduced IHSS PA allocation to the Department's Fund 11 Community Services Division to cover a shortfall in funds necessary to help offset the impact of revised administrative cost allocations in those programs. (4/5 vote required)
FUNDING: 80% Federal/State In-Home Supportive Services Public Authority Allocation with 20% required County General Fund Match.
This matter was Approved on the consent calendar.

19. [10-0254](#) Human Services Department recommending the Board authorize the Chair to sign Amendment III to Agreement for Services 578-S0710 with Scripps Psychological Associates, Inc., increasing the maximum compensation amount by \$15,000 to an amount not-to-exceed \$72,470 for the term April 5, 2007 through April 30, 2010 for the continued provision of court-ordered psychological evaluation services for clients on an "as-requested" basis.
FUNDING: 85% Federal/State Social Services allocation with a 15% County match.
This matter was Approved on the consent calendar.

20. [10-0286](#) Human Services recommending that the Board, as the In-Home Supportive Services Public Authority (IHSS PA) Governing Board, take the following actions relative to the IHSS Advisory Committee:
1) Acknowledge and accept the resignation of Kenneth Poe II, Consumer Representative; and
2) Appoint Lyle Azevedo as a Consumer Representative to the In-Home Supportive Services Advisory Committee for a two year term commencing April 6, 2010 for a term through April 2012, in accordance with the In-Home Supportive Services Advisory Committee By-laws.
FUNDING: The portion of the annual In-Home Supportive Services Allocation that supports IHSS Advisory Committee activities is approximately 50% Federal / 50% State with no County match requirement.
This matter was Approved on the consent calendar.

21. [10-0275](#) Human Services Department recommending the Board authorize the Chair to sign Memorandum of Understanding (MOU) 393-M1011 with the Placer County District Attorney's Office, Placer County Sexual Assault Response Team (SART) in the amount of \$10,000 for a term through June 30, 2011 for provision of forensic evidentiary exam services on an as-requested basis at qualified facilities in Placer County for El Dorado County resident victims of sexual assault.

FUNDING: 85% Federal and State Social Services Allocation with required 15% County Share of Cost met primarily with realignment resources.

This matter was Approved on the consent calendar.

22. [10-0249](#) Sheriff's Department recommending the Board adopt a Resolution changing the names of authorized Sheriff Department staff who can execute grant documents necessary for the purpose of obtaining or managing federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California.

FUNDING: Homeland Security Grants.

Resolution 039-2010

Adopted Resolution 039-2010 upon approval of the consent calendar.

23. [10-0300](#) Sheriff's Department recommending the Board authorize the Chair to sign Budget Transfer moving \$12,211 from the Civil Equipment Special Revenue Fund to the Department's operating budget to purchase three (3) laptop computers, (6) Geographic Position system (GPS) units, supporting software licenses and software maintenance. (4/5 vote required)

FUNDING: Civil Trust Special Revenue Fund 7724309.

This matter was Approved on the consent calendar.

24. [10-0083](#) Transportation Department recommending the Board authorize the Chair to sign Agreement CTA-09006 (10-52910) and Contractor Certification CCC-307 for same with California Tahoe Conservancy in the amount of \$3,805 for the term December 1, 2009 through June 30, 2010 for the transfer to the County of 25% of the gross income from California Tahoe Conservancy leases to private individuals or groups on lands owned by the California Tahoe Conservancy in El Dorado County.

FUNDING: California Tahoe Conservancy.

This matter was Approved on the consent calendar.

25. [09-0621](#) Transportation Department recommending the Board ratify the previous time extension granted by the Director of Transportation, and authorize the Chair to sign the Second Amendment to Subdivision Improvement Agreement AGMT 06-1060 with Silver Springs, LLC., extending the time to complete subdivision improvements for Silver Springs Unit 1 to be on or before September 26, 2010.

FUNDING: Developer funds - Silver Springs, LLC.

This matter was Approved on the consent calendar.

26. [10-0069](#) Transportation Department recommending the Board authorize the Chair to sign the following Amendments with California Tahoe Conservancy (CTC):
- 1) Amendment 2 to Agreement CTA-03004 for the Angora Creek Stream Environment Zone Restoration Project;
 - 2) Amendment 1 to Agreement CTA-06035 for the Christmas Valley Phase 1 Project; and
 - 3) Amendment 1 to Agreement CTA-06036 for the Christmas Valley Phase 1 Project.

This matter was Approved on the consent calendar.

27. [10-0278](#) Treasurer-Tax Collector recommending the Board authorize the Chair to sign the El Dorado County 457 Plan Participant Loan Program document.

This matter was Approved on the consent calendar.

28. [10-0315](#) Supervisor Briggs recommending the Board reappoint Tim Lasko to serve as a Member-at-Large on the River Management Advisory Committee for a term to expire January 2014.

This matter was Approved on the consent calendar.

29. [10-0296](#) Supervisor Santiago, on behalf of the Early Care and Education Council, recommending the Board approve and authorize the Chair to sign said Council's local planning priorities as submitted to the California State Child Development Division.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

30. [10-0287](#) Environmental Management Department, as requested by South Tahoe Refuse Co., Inc., is recommending the Board consider a franchise extension as part of a new Solid Waste Services Agreement between El Dorado County and South Tahoe Refuse Co., Inc. (Est. Time: 20 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to direct staff to negotiate an extension incorporating the new rate methodology and recognizing the work the franchisee has already done.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

31. [08-0227](#) Supervisor Sweeney requesting the Board rescind Resolution Nos. 32-2008 through 43-2008 as adopted on the Board of Supervisors' agenda dated February 26, 2008, Item No. 25 (Legistar file 08-0227). (Refer to Legistar file 09-0348, Item 31, 5/19/09 and Item 21, 8/18/09) (Est. Time: 30 Min.)

PUBLIC COMMENT

T. Keating RE: Fire Chiefs need to work with County Counsel. One fire code for the whole county.

C. Alarcon RE: Thursday evening document deadline.

R. Combs RE: State Code updates every other year. State Code superceding County Fire Code.

J. Brunello RE: Uniform Regulations

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

- 1) Continue this matter to April 27, 2010; and**
- 2) Direct County Counsel to review existing documentation, discuss the matter with EDAC and the Fire Chief Association and to bring back on April 27, 2010 a true and correct action on this matter.**

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

32. [10-0304](#) Supervisors Briggs and Knight recommending the Board make a recommendation to the Chief Administrative Officer that a line item, not to exceed \$1,000,000, be placed in the Budget for Fiscal Years 2010/2011 and 2011/2012 for the restoration of the Supplemental Funding to Fire Districts (Aid to Fire), noting distribution to individual fire districts to be determined at a later time. (Est. Time: 30 Min.)

FUNDING: General Fund.

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

- 1) Recommend that the CAO identify options to establish appropriations in an amount not to exceed 1,000,000 dollars, as a high priority, to be used by specific Fire Districts; and
- 2) Recommend that Supervisor Knight and Supervisor Briggs work with the Fire Districts and Fire Chiefs to come up with long term solutions.

Yes: 3 - Knight, Nutting and Briggs

Noes: 1 - Sweeney

Absent: 1 - Santiago

33. [10-0263](#) Transportation Department (DOT) recommending the Board:

- 1) Adopt the proposed 2010 Capital Improvement Program (CIP), including the reduced housing permit forecast;
- 2) Direct said Department to add a new project into the Traffic Impact Mitigation (TIM) Fee Program (i.e., Project No. 71365 - Connect Palmer Dr. to Wild Chaparral Dr.) (Est. Time: 1 Hour)

FUNDING: Fiscal Impact/Change to Net County Cost: The CIP is a programming document, not a budgeting document. As such it has no fiscal impacts until the projects are actually included in the Department's annual budget. There is no change to the Net County Cost.

A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to continue this matter to April 27, 2010.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

34. [10-0173](#) Chief Administrative Office and Development Services recommending the following:
- 1) Receive status update on the operations related to the Development Services Department and reasons for projected revenue shortfalls in Fiscal Year 2009-2010;
 - 2) Adopt resolution amending the authorized personnel allocation to delete 2 FTE Building Inspectors (filled), 1 FTE Assistant/Associate Planner (vacant) and 1 FTE Sr. Planner (filled);
 - 3) Authorize the Chair to sign the budget transfer decreasing Development Services revenues and decreasing General Fund Contingency (4/5 vote required); and
 - 4) Provide direction regarding changes to Development Services fee structure and funding for program priorities; and
 - 5) Take action on any related recommendations or discussion associated with the Development Services budget in the current fiscal year or subsequent fiscal year. (Cont'd 3/2/10, Item 15)

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to continue this matter to April 13, 2010.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Absent: 1 - Santiago

35. [10-0330](#) Supervisor Briggs requesting the Board authorize the Chair to sign a Proclamation in recognition of the Oak Ridge High School varsity girls basketball team to formally congratulate them for winning the "2010 California Interscholastic Federation Division I State Title." The Proclamation will be presented at a special community celebration on April 11, 2010, in Town Center.

This matter was Approved on the consent calendar

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNED AT 11:49 A.M.

CLOSED SESSION

36. [10-0139](#) 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.
No Action Reported.
37. [10-0314](#) Pursuant to Government Code Section 54956.9 (a): **Conference with Legal Counsel - Existing Litigation:** Title: Serrano Claim for CFD Tax Refund. One (1) potential case.
No Action Reported.
38. [10-0323](#) Pursuant to Government Code Section 54957, **Public Employee Appointment (Discussion)** Title: Director of Information Technologies.
No Action Reported.
39. [10-0325](#) 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 Cherie L. Raffety 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 negotiator on behalf of El Dorado County.
No Action Reported.

40. [10-0327](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: This body will hold a closed session to give instructions to its negotiator regarding the real property described as APN 327-270-04 (4451 Missouri Flat Road, Placerville, California). The person or persons with whom the negotiator may negotiate: The Bahlman Family Trust, represented by Doug Bahlman. Instructions to negotiator will concern both price and term of payment. Louis Green, County Counsel, and Pete Feild, Right-of-Way Program Manager, will be the negotiators on behalf of El Dorado County.

No Action Reported.

41. [10-0335](#) Pursuant to Government Code Section 54956.9(b), **Conference with Legal Counsel - Significant Exposure to Litigation**: Title: STR Franchise Agreement Extension. Number of potential cases: (1).

No Action Reported.

42. [10-0339](#) Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):
Title: El Dorado County Grand Jury Request for Information
Number of potential cases: (1).

No Action Reported.