



# 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

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

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

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Tuesday, April 7, 2009

8:00 AM

Board of Supervisors Meeting Room

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### 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](http://www.co.el-dorado.ca.us) subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

### **8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS**

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

### **9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS**

### **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

### **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.

Approval of the Consent Calendar

**A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to adopt the agenda and approve the Consent Calendar with the following exceptions: Items No. 10 & 22 were pulled from the consent calendar and Item No. 33 was amended to the consent calendar.**

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

### **PRESENTATIONS**

1. [09-0441](#) Presentation by Kelly ~~Webb~~ Plag, Director of Community Affairs for The Center for Violence-Free Relationships recognizing the month of April 2009 as Sexual Assault Awareness Month in El Dorado County.

**This matter was Approved on the consent calendar**

2. [09-0449](#) Presentation of Certificate of Recognition to Cameron Cody Krek for achieving the rank of Eagle Scout in the Boy Scouts of America, Troop 170.

**This matter was Approved on the consent calendar**

### **OPEN FORUM**

### **BUDGET UPDATE**

### **CONSENT CALENDAR**

3. [09-0443](#) Approval of Board of Supervisors Conformed Agendas (Minutes) for the Special Meeting of Monday, March 30, 2009 and the Regular Meeting of Tuesday, March 31, 2009.

**This matter was Approved on the consent calendar**

4. [09-0311](#) Chief Administrative Office, Procurement and Contracts Division, (1) presenting a list of items 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; (2) presenting a 1990 John Deere Model 410C Backhoe (County Tag 200196) for donation to the El Dorado County Fair for use by its maintenance department and recommending the Board surplus the item and authorize donation of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12; and (3) recommending the Board accept the donation of a 1973 Case Model 580-B Backhoe, serial 5268085, California license SE313798 from the El Dorado County Fair to be used by the Transportation Department to comply with the terms of Grant funding.

**This matter was Approved on the consent calendar**

5. [09-0328](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board award Bid 09-760-024 for the purchase of one (1) asphalt milling machine to the sole qualified bidder, Nixon-Egli Equipment Company of Tracy, CA; and authorize the Purchasing Agent to issue a purchase order in the amount of \$422,838.57 for the purchase of an asphalt milling machine for the Department of Transportation.

**FUNDING:** Road Fund.

**This matter was Approved on the consent calendar**

6. [09-0349](#) Health Services Department recommending the Board authorize said Department to enter into negotiations with Sacramento and/or Placer County for backup Public Health Laboratory services, pursuant to Board of Supervisors Policy C-1, Contracts With Other Counties.

**FUNDING:** Health Services Department - Public Health Division Realignment Fund.

**This matter was Approved on the consent calendar**

7. [09-0402](#) Health Services Department recommending the Board authorize said Department to sign a letter of support for El Dorado Union High School District grant application for a Tobacco Use Prevention Education (TUPE) grant.

**This matter was Approved on the consent calendar**

8. [09-0359](#) Health Services Department recommending Chairman be authorized to sign Grant Agreement and Conditions 08-1901 with the California HealthCare Foundation in the amount of \$250,000 for the period April 1, 2009 through December 20, 2010, for the ACCEL Specialty Care Initiative Implementation Project; and authorize the Chairman to sign Budget Transfer 29098 increasing both revenues and expenditures by \$100,000 in the current fiscal year.

**FUNDING:** California HealthCare Foundation.

**This matter was Approved on the consent calendar**

9. [09-0345](#) Health Services Department recommending the Board approve in concept, the submittal of an application to the Department of Health and Human Services (DHHS) - National Institutes of Health for grant funding in the amount of up to \$250,000 for a two year project for "Community Participation Research Targeting the Medically Underserved."

**FUNDING:** Should a grant be awarded, El Dorado County could receive up to \$250,000 over a two year period to develop a community-based marketing campaign to address sexually transmitted disease (STD) questions and concerns within the community.

**This matter was Approved on the consent calendar**

10. [09-0406](#) Human Services Department requesting authorization to submit an application to the El Dorado Community Foundation for a Women's Fund grant in an amount not to exceed \$10,000 to provide direct financial assistance during the period June 1, 2009 through May 31, 2010 to help at least twenty-five (25) women to remove barriers to economic self-sufficiency and/or emotional well-being; and, if awarded, authorize the Director to accept and deposit an award check or execute a subsequent grant agreement contingent upon approval by County Counsel and Risk Management.

**FUNDING:** El Dorado Community Foundation Grant (if Application is funded).

**A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to approve this matter noting that the use of the funds is not gender specific.**

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

11. [09-0153](#) Sheriff's Department recommending the Board sign the attached Budget Transfer increasing the appropriation to the City of South Lake Tahoe for Fiscal Year 2008/2009 Anti-Drug Abuse Grant from the California Emergency Management Agency (Cal EMA) from \$78,064 to \$103,184.00 for the term July 1, 2008 through June 30, 2009.

**FUNDING:** California Emergency Management Agency (Cal EMA).

**This matter was Approved on the consent calendar**

12. [09-0362](#) Human Services Department recommending the Board authorize the Purchasing Agent to execute Agreement for Services 591-S0911 with Casa Pacifica in the amount of \$100,000 for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis.

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

**This matter was Approved on the consent calendar**

13. [09-0383](#) Human Resources Department recommending the Board authorize the Chairman to sign Amendment I to Agreement 758-S0810 with Meyers, Nave, Riback, Silver & Wilson, extending the term for one additional year for a total term of two (2) years to provide professional legal services to the Civil Service Commission on an "as requested" basis. ( 4/5 vote required)

**FUNDING:** General Fund.

**This matter was Approved on the consent calendar**

14. [09-0392](#) Library Director recommending the Board approve a Budget Transfer increasing appropriations for library materials by \$33,346 as a result of donations received from the community and the Friends of the Library. (4/5 vote required)

**FUNDING:** Donations.

**This matter was Approved on the consent calendar**

15. [09-0318](#) Library Director recommending the Board appoint Don Uelmen to serve as a member of the Historical Museum Commission for a term to expire January 2013.

**This matter was Approved on the consent calendar**

16. [09-0338](#) Transportation Department recommending adoption of Resolution summarily vacating excess right-of-way positioned at the end of the cul-de-sac easement identified as La Sierra Drive, on Parcel Map 47 at Page 53, as requested by Stanley M. Rhodes and Janet A. Rhodes, owners of Parcel 1 of PM 47/53, and Greg G. Gularte, owner of Parcel 4 of PM 46/112, to correct the cul-de-sac easement placement coordinates on record.

**Resolution 070-2009**

**Resolution 070-2009 was adopted upon approval of the consent calendar.**

17. [09-0339](#) Transportation Department recommending adoption of Resolutions accepting the Irrevocable Offers of Dedication from Stanley M. Rhodes and Janet A. Rhodes, owners of Parcel 1 of PM 47/53, and Greg G. Gularte, owner of Parcel 4 of PM 46/112, to correct the cul-de-sac easement placement coordinates currently on record.

**Resolution 071-2009**

**Resolution 072-2009**

**Resolutions 071-2009 and 072-2009 were adopted upon approval of the consent calendar.**

18. [09-0274](#) Transportation Department recommending the Board authorize the Chairman to sign the Right of Way Contract 035604-1 and Easement Deed with the State of California, affecting a portion of land relinquished by the State to the County of El Dorado along Highway 50 in the Fresh Pond area.

**This matter was Approved on the consent calendar**

19. [09-0376](#) Sheriff's Department recommending the Board authorize the Chairman to sign Agreement 623-S0911 with the El Dorado Union High School District, Adult Education Program, in an amount not-to-exceed \$100,733.96 for the term March 6, 2009 through March 25, 2010.

**FUNDING:** General Fund.

**This matter was Approved on the consent calendar**

20. [09-0357](#) Sheriff's Department recommending Board authorize the Chairman to sign Amendment 2 to Agreement 117-S0811 with TriSignal Integration, Inc. to identify changes in compensation for amended Exhibit A.

**FUNDING:** General Fund.

**This matter was Approved on the consent calendar**

21. [09-0356](#) Sheriff's Department recommending the Board authorize the Chairman to sign retroactive Communications Vault Lease 655-L0911 with the State of California, Department of Forestry and Fire Protection (CAL FIRE), General Services, for the term covering March 1, 2009 through July 1, 2017 for the lease of the communications vault at Amador-El Dorado Headquarters, formerly known as Mt. Danaher Lookout.

**FUNDING:** General Fund.

**This matter was Approved on the consent calendar**

22. [09-0424](#) Supervisor Santiago recommending the Board approve the appointment of Russ Nygaard to serve as an alternate member on the South Tahoe Area Transit Authority.

**A motion was made by Supervisor Santiago, seconded by Supervisor Nutting, to approve this matter. The motion FAILED by the following vote:**

**Yes:** 2 - Nutting and Santiago

**Noes:** 3 - Knight, Sweeney and Briggs

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

- 1) Approve the appointment of Ray Nutting as the Alternate Member on the South Lake Tahoe Area Transit Authority; and
- 2) Direct staff to return on May 12, 2009 with explanation of the structure of the organization.

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

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS**

23. [09-0355](#) Sheriff's Department recommending the Board authorize the Sheriff to sign retroactive Memorandum of Understanding 598-M0910 for the Central Valley High Intensity Drug Trafficking Area (HIDTA) and Mountain and Valley Marijuana Investigation Team (MAVMIT) to effectively enforce the controlled substance laws of the State of California, as well as all federal laws relating to the smuggling, trafficking and cultivation of controlled substances.

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

**Yes:** 4 - Knight, Sweeney, Nutting and Briggs

**Absent:** 1 - Santiago

24. [09-0409](#) Human Resources Department, Risk Management Division, recommending a Budget Transfer increasing appropriations in the amount of \$1,149,000 for Worker's Compensation Claims. (4/5 vote required)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve the Budget Transfer.**

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

25. [09-0445](#) Chief Administrative Office requesting the Board approve the minimum actuarial funding/confidence levels for the Risk Management General Liability and Workers' Compensation Programs for Fiscal Year 2009/2010.

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

- 1) Establish Workers Compensation and General Liability Funding levels for fiscal year 2009/2010 at 70%; and**
- 2) Direct that the Surplus/ Deficits be realized over a two year period.**

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

26. [09-0378](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- (1) Award Bid 09-204-083 for the purchase and installation of an IBM TS3500 Tape Library to the low qualified bidder, Jeskell, Inc. of Sunnyvale, CA;
  - (2) Declare as surplus one (1) StorageTek model 9740 Library Storage Module, asset tag number 29786;
  - (3) Authorize the Information Technologies Department to negotiate, and the Purchasing Agent to execute, a contract for the purchase and installation of the tape library and the removal and disposal of the existing Library Storage Module in the amount of \$329,969.00 plus applicable sales tax with Jeskell, Inc. upon County Counsel and Risk Management review and approval; and
  - (4) Approve budget transfer in the amount of \$358,017 from the General Fund, fund balance designated for capital projects. (4/5's vote required)

**FUNDING:** General Fund Designations.

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

- 1) Award bid 09-204-083;
- 2) Declare as surplus asset tag number 29786;
- 3) Authorize the Information Technologies Department to negotiate for the purchase and installation of a tape library with Jeskell, Inc. upon County Counsel and Risk Management review and approval; and
- 4) Approve Budget Transfer in the amount of \$358,017.

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

27. [09-0417](#) Chief Administrative Office recommending the Board authorize the Chairman to sign retroactive Agreement 751-O0911 setting the assessment for the El Dorado Professional Building Association in the amount of \$200 per month per unit for each Professional Condominium Unit located at 941 Spring Street for the term commencing June 1, 2008 and continuing unless terminated by the Association.

**FUNDING:** Realignment funds.

A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to authorize the Chairman to sign Agreement 751-00911.

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

**2:00 P.M - TIME ALLOCATION**

28. [09-0397](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z08-0042 on property identified by APNs 090-430-21 and -22, consisting of 2.98 acres, in the Shingle Springs area, submitted by Marlon Ginney; and recommending the Board take the following actions:
- (1) Adopt the Negative Declaration;
  - (2) Approve Z08-0042 rezoning APNs 090-430-21 and -22 from one-acre residential (R1A) to multifamily residential-design community (RM-DC) based on the findings listed in Attachment 1; and
  - (3) Adopt Ordinance for said rezone. **Ordinance 4817**  
(Supervisory District II)

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

- 1) Adopt Negative Declaration;**
- 2) Approve Rezone Z08-0042; and**
- 3) Adopt Ordinance 4817.**

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

29. [09-0352](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z07-0057/Parcel Map P07-0052/Cold Springs Estates on property identified by APN 323-250-42, consisting of 5.08 acres, in the Placerville Area, submitted by Living Care I, LLC, Demetre Harambakis; and recommending the Board take the following actions:
- (1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
  - (2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures listed in Attachment 1;
  - (3) Approve Z07-0057 rezoning APN 323-250-42 from Estate Residential Five-Acre (RE-5) to One-Acre Residential (R1A) based on the findings listed in Attachment 1;
  - (4) Approve P07-0052 based on the findings and subject to the conditions listed in Attachment 1;
  - (5) Approve the following design waivers as the required findings have been made: (1) Not require inclusion of a ten (10) foot roadway shoulder for Pedestrian/Bike paths along the subject property frontage on Cold Springs Road; (2) Allow creation of Parcels 1 and 3 exceeding the 3:1 lot depth to width ratio; (3) Allow the use of a modified Standard Plan 101B for Boulder Lane (24-foot travel surface, 1 foot shoulders); (4) To allow the existing width of Cold Springs Road along the project frontage to be considered adequate with no changes to the existing roadway; and (5) Allow the centerline of Boulder Lane to not follow the centerline of the proposed right-of-way; and
  - (6) Adopt Ordinance for said rezone. (Supervisory District III)

**After hearing testimony, a motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows:**

- 1) Adopt the Mitigated Negative Declaration;**
- 2) Adopt the mitigation monitoring program;**
- 3) Approve Rezone Z07-0057;**
- 4) Approve Parcel Map P07-0052;**
- 5) Approve the design waivers; and**
- 6) Adopt Ordinance 4819**

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

30. [09-0351](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z08-0026/Tentative Subdivision Map, TM08-1476/Vista Grande Estates on property identified by APN 070-160-58, consisting of 5.07 acres, in the Shingle Springs Area, submitted by Bobbie Lebeck, Nicole Young and Eric Alligue; and recommending the Board take the following actions:
- (1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
  - (2) Approve Z08-0026 rezoning APN 070-160-58 from Estate Residential Five-Acre (RE-5) to One-Acre Residential (R1A) based on the findings listed in Attachment 1;
  - (3) Approve TM08-1476 based on the findings and subject to the conditions listed in Attachment 1;
  - (4) Approve the following design waivers since appropriate findings have been made: a) To reduce the road improvements on Vista Grande to a modified 101B Standard with a road width of 20 feet with 2 foot shoulders; b) To reduce the road improvements on Sierrama Drive to a modified 101B Standard with a road width of 20 feet with 2 foot shoulders; and c) To allow the creation of parcels which do not front a road; and
  - (5) Adopt Ordinance for said rezone. (Supervisory District IV)

**A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to continue this matter off calendar.**

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

## **CAO REPORTS**

## **ITEMS TO/FROM SUPERVISORS**

## **ADJOURNMENT**

**Adjourned the meeting in memory of Jerry Waldie.**

**CLOSED SESSION**

31. [09-0386](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Interim Director of Human Resources and/or designee  
Employee Organization: El Dorado County Employees Association Local No.1, General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; Law Enforcement Unit Deputy Sheriff Association; El Dorado County Law Enforcement Unit Sworn Management Association.  
**No Action Reported**

32. [09-0440](#) Pursuant to Government Code Section 54957, **Public Employee Appointment:**  
Title: Acting/Interim Director of Human Services.  
**By unanimous vote of the Board, Jan Walker-Conroy was appointed to the position of Interim Director of the Department of Human Services effective Saturday, April 11, 2009.**

**ADDENDUM**

33. [09-0460](#) Treasurer/Tax Collector recommending approval of amendments to the El Dorado County Investment Policy, pursuant to California Government Code Section 27133.  
**FISCAL IMPACT:** None.  
**This matter was Approved on the consent calendar**

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

**ANNOUNCEMENTS**

**Monday, April 6, 2009, 9:00 a.m. – Strategic Direction/Prioritization of core functions and projects/activities plus Planning for FY 09/10 Budget Hearing Process**

**Monday, May 4, 2009, 9:00 a.m. - General Plan/Economic Development and Agricultural Issues.**

**Wednesday, May 6, 2009, 9:00 a.m. to Noon – Economic Stimulus Event - Connecting contractors to stimulus programs and government construction contracts.**

**Monday, May 18, 2009, 9:00 a.m. - General Plan/5 Year Review and Update/Health Services Department Update**

**Monday, June 22, 2009, 9:00 a.m. - General Plan/Other Topics.**

**Monday, June 8, 2009 through Thursday, June 18, 2009, 9:00 a.m. – Budget Hearings.**