



County of El Dorado

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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

Tuesday, March 10, 2009

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 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

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 Sweeney, seconded by Supervisor Nutting, to Approve the Consent Calendar with the following exceptions: Items 4 and 17 were pulled from the consent calendar and Item 19 was amended to the consent calendar.

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

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [09-0308](#) Approval of Board of Supervisors Conformed Agenda (Minutes) for the Special Meeting of Monday, March 2, 2009 and the Regular Meeting of Tuesday, March 3, 2009.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

2. [09-0283](#) Agriculture, Weights and Measures Department recommending Chairman be authorized to sign an Agreement with the County of Placer in the amount of \$20,000 to participate in making a one time contribution for the joint purchase of a new weight truck to be used by the Counties of Placer, El Dorado and Amador; and recommending Budget Transfer 29088 for same.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund included in Fiscal Year 200820-09 budget.

This matter was Approved on the consent calendar

3. [09-0280](#) 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.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
4. [09-0245](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Purchasing Agent to extend BP280993 and BP261178 for an additional term to expire on June 30, 2009 for the purchases of Hewlett Packard Print, Toner Cartridges and Related Items (BP280993) and Office Supplies (BP261178) to the low qualified bidder, Walker's Office Products; and authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.
RECOMMENDED ACTION: Approve.
FUNDING: General Fund.
A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, as follows:
1) Authorize the Purchasing Agent to extend BP280993 and BP261178;
2) Authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed basis"; and
3) Direct staff to allow for separate bids by categories.
Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago
5. [09-0264](#) County Counsel recommending adoption of Resolution **054-2009** revising the El Dorado County Conflict of Interest Code.
RECOMMENDED ACTION: Approve.
Resolution 054-2009 was adopted upon approval of the consent calendar.
6. [09-0272](#) County Counsel recommending the Board review and approve the revised conflict of interest codes received from the following local public entities within the County:
(1) Fallen Leaf Lake Community Services District;
(2) Buckeye Union Elementary School District;
(3) Pioneer Fire Protection District;
(4) El Dorado Union High School District;
(5) Lake Tahoe Unified School District;
(6) Happy Homestead Cemetery District; and
(7) El Dorado Transit Authority.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

7. [09-0298](#) County Counsel recommending Chairman be authorized to sign a Transition Agreement with the El Dorado County, El Dorado County Water Agency, El Dorado Irrigation District, El Dorado Water and Power Authority and Georgetown Divide Public Utility District for the withdrawal of the Georgetown Divide Public Utility District (GDPUD) from the El Dorado Water and Power Agency (EDWPA).

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

8. [09-0258](#) General Services Department recommending Chairman be authorized to sign the following Lease Agreements:
- (1) Amendment I to Lease Agreement 617-L0711 with Briw Office Investors, reducing the monthly payments from \$13,472.85 to \$10,686.08 for the office space located at 3057 Briw Road, Suite B, Placerville, CA, for the El Dorado County Department of Child Support Services. Overall yearly costs to be lowered by \$33,441. Cost per square foot lowered to \$1.18; and
- (2) Amendment I to Lease Agreement 448-L0811 with Broadway Plaza, a Partnership of Judith E. Puthuff and Waldron Family Partnership, reducing the monthly payments from \$16,740 to \$15,260.40 for the office space located at 1319, 1323, & 1337 Broadway, Placerville, CA, for the El Dorado County Sheriff's Department. Overall yearly costs to be lowered by \$17,755. Cost per square foot lowered to \$1.413 including tenant improvements.

RECOMMENDED ACTION: Approve.

FUNDING: State and Federal, Lease 617-L0711 - General Fund, Lease 448-L0811.

This matter was Approved on the consent calendar

9. [09-0232](#) Health Services Department recommending Chairman be authorized to sign Amendment I to Agreement for Services 825-S0811 (711-PHD0308) with Progress House, Inc., amending Article 2.1 - Notice to Parties, and Article 2.2 Administrator to reflect staffing changes; amending Articles 3.2, 3.3 and 3.4 to reflect State of California Drug Medi-Cal rates and decrease the Provisional Amount of the Agreement from \$666,730 to \$655,365; and replacing Exhibit B Standardized Rate Structure with an amended Exhibit B, Standardized Service Definitions.

RECOMMENDED ACTION: Approve.

FUNDING: El Dorado County Alcohol and Drug Program receives State and Federal funding for this Alcohol and Other Drug Counseling Services program.

This matter was Approved on the consent calendar

10. [09-0142](#) Human Resources Department recommending the Board review and approve revisions made to the classification specification for the position of Director of Human Resources.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
11. [08-1751](#) Transportation Department recommending adoption of Resolution **055-2009** summarily vacating a public service easement and a slope easement, on APN 327-213-10 as requested by Granite Grado Ventures Project II, LLC, a Limited Liability Company, to remove unnecessary encumbrances to accommodate planned development on the subject parcel.
RECOMMENDED ACTION: Approve.

FUNDING: N/A.

Resolution 055-2009 was adopted upon approval of the consent calendar.
12. [09-0131](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Agreement for Services AGMT 07-1601 with Smith Power Products, Inc., increasing the compensation amount by \$19,275.73 to an amount not to exceed \$650,376.03, to provide and install a retrofit device on said Department's equipment in accordance with Air Resources Board particulate matter reduction regulations.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
13. [08-1762](#) **APPOINTMENTS** to Committees/Commissions that are advisory to the Board of Supervisors. Only vacancies, expired terms and/or appointments that are coterminous with the District Supervisors' term are listed.

Supervisor Knight recommending Robert J. Blum be appointed to serve as a member on the Charter Review Committee representing Supervisorial District 1.
RECOMMENDED ACTION: Approve.

Robert J. Blum was appointed to serve as a member on the Charter Review Committee representing Supervisorial District 1. This matter was Approved on the consent calendar.
14. [09-0184](#) Supervisor Knight recommending a Certificate of Recognition for Matthew James, Troop 550, Boy Scouts of America, acknowledging his hard work and community commitment needed to complete the requirements for the rank of Eagle Scout.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [09-0294](#) Supervisor Briggs on behalf of the El Dorado Water and Power Authority recommending approval of the revised and updated Conflict of Interest Code per Government Code Sections 87303 and 87306.5(a).
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

16. [09-0301](#) Supervisor Briggs requesting authorization to sign a letter in support of Assembly Bill 268 (AB 268), introduced by Assemblyman Ted Gaines, that will entirely repeal Assembly Bill 885 (AB 885, Septic system regulations).
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

17. [09-0306](#) Supervisor Briggs requesting authorization to sign a letter to the State Office of Historic Preservation for the nomination of the Wakamatsu Tea and Silk Colony Farm to the National Register of Places (National Register).
RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to authorize the Chairman to sign the amended letter.

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

18. [09-0307](#) Supervisor Santiago recommending Alan Tolhurst be reappointed to serve as a member on the Tahoe Regional Planning Agency's Advance Planning Commission.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

DEPARTMENT MATTERS

19. [09-0114](#) Human Services Department recommending Chairman be authorized to sign Amendment 1 to Contract AP-0809-29 with the California Department of Aging increasing the maximum grant amount by \$17,432 to \$1,227,161 for the provision of senior services during FY 2008-09; and recommending Budget Transfer ~~29085~~ 29091 to incorporate these new revenues and appropriations, and also incorporating previous State General Fund cuts in the Aging Services allocations; and further authorizing the Area Agency on Aging Director to continue to administer Contract AP-0809-29 as amended and in accordance with provisions of Resolution No.124-2008. (4/5 vote required)

FUNDING: Federal One-Time-Only Grant Funding.

This matter was Approved on the consent calendar

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to approve the correction as read, "The correct Budget Transfer is 29091".

20. [09-0146](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Human Resources Director or designee, be authorized to sign all necessary documents to secure continued insurance coverage provided by California State Association of Counties (CSAC) Excess Insurance Authority (EIA) and coordinate payment through the Auditor-Controller when insurance premiums are due. (Cont'd 3/3/09, Item 16)

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

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

21. [09-0223](#) Hearing to consider adoption of Resolution **056-2009** establishing a new Agricultural Preserve 321(Williamson Act Contract WAC08-0004) on property consisting of 22.645 acres and identified as APN 093-180-07; and adoption of Ordinance **4813** rezoning said property from Estate Residential Ten-Acre (RE-10) to Agricultural Preserve (AP) in the Somerset area, Applicants: James and Janet Cox. (Supervisory District 2)

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

- 1) Certify that the project is Categorical Exempt from CEQA pursuant to Section 15317;
- 2) Adopt Ordinance 4813 rezoning Assessor's Parcel Number 093-180-07 from Estate Residential Ten-Acre (RE-10) to Agricultural Preserve (AP);
- 3) Adopt resolution 056-2009 as amended; and
- 4) Approve Williamson Act Contract WAC08-0004.

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

22. [09-0235](#) Hearing to consider an appeal of the Conditions of Approval Numbers 8, 9, and 34 of Parcel Map P08-0022 approved by the Zoning Administrator on February 4, 2009, to create two lots consisting of five acres each, served by private wells and septic systems on property identified as APN 091-070-01, consisting of 10 acres, in the Shingle Springs area, Appellant: Parvin Honarvar. (Supervisory District 2)

After hearing testimony, a motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to deny the appeal and uphold the approval of the parcel map as conditioned by the Zoning Administrator.

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

23. [09-0234](#) Hearing to consider adoption of Ordinance **4812** amending Section 17.38.062, Chapter 17.38 of Title 17 fo the El Dorado County Ordinance Code entitled Avigation and Noise Easement Required and recommending the following:
- (1) Certify the project is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA guidelines; and
 - (2) Adopt Ordinance 4812 amending Ordinance Section 17.38.062 as proposed.

After hearing testimony, a motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to continue this matter to March 24, 2009.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

24. [09-0267](#) 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 Employee 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; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; Deputy Sheriff Association; El Dorado County Law Enforcement Managers Association.
No Action Reported
25. [09-0302](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-01-1520. (Meyers Landfill Site)
No Action Reported
26. [09-0303](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant Exposure to Litigation: Title: South Lake Tahoe Court Transfer Agreement. One (1) potential case.
No Action Reported
27. [09-0320](#) Pursuant to Government Code Section 54957 **Public Employee Appointment:**
Title: Director of Transportation.
No Action Reported

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, March 16, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
Cleared Session - 2 hours
Solid Waste Management in El Dorado County**

**Monday, March 23, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
General Plan/Agriculture Issues**

**Monday, March 30, 2009 - 9:00 a.m.
Special Meeting of the Board of Supervisors
Aid to Fire Contracts**

**Monday, April 6, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
Strategic Direction/Prioritization of core functions and projects/activities
Planning for FY 09/10 Budget Hearing Process**

**Monday, May 4, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
General Plan/Economic Development**

**Monday, May 18, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
General Plan/5 Year Review and Update**

**Monday, June 22, 2009 - 9:00 AM
Special Meeting of the Board of Supervisors
General Plan/Other Topics**