



# County of El Dorado

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## 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*

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Tuesday, September 21, 2010

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) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. 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](http://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.

**8:04 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

**9:02 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

**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 Knight, seconded by Supervisor Briggs, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 5, 6, 7, 29 and 30 will be trailed to the end of the meeting, Item 20 is continued to September 28, 2010, and Item 28 is continued to October 5, 2010.**

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

**PRESENTATION**

- 1. [10-1012](#) Supervisor Santiago recommending the Board receive a presentation by John Johnson, Foster Family Service, regarding Foster Care in California. (Est. Time: 15 Min.)

**Received presentation.**

**OPEN FORUM**

**PUBLIC COMMENT**

- P. Arnold RE: Foster Care**
- K. Greenwood RE: Early Retirement and concealed weapons regulations**
- M. Lane RE: RMAC transparency**
- J. Noe RE: Cross State Bike Path**
- E. Blakemore RE: Poverty to Prosperity Forum**

**BUDGET UPDATE****10:00 A.M. - TIME ALLOCATION**

2. [10-1008](#) Supervisor Sweeney recommending the Board receive a presentation by the Folsom, El Dorado and Sacramento Historical Railroad Association. (Est. Time: 15 Min.)

*PUBLIC COMMENT**B. Thompson**J. Knoveck**M. Corey**C. Bogg**S. Taylor**P. Owens***Received presentation.****CONSENT CALENDAR**

3. [10-1013](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, September 14, 2010.

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

4. [10-0830](#) Chief Administrative Office recommending the Board approve employees eligible to receive the County's Early Retirement Incentive Plan, noting said plan was approved by the Board of Supervisors on July 20, 2010, Item No. 30. (Cont'd 9/14/10, Item 7)

**This matter was approved on the consent calendar and continued to September 28, 2010.**

5. [10-1019](#) Chief Administrative Office recommending the Board adopt a Resolution adopting Fiscal Year 2010-2011 Budget for El Dorado County In-Home Supportive Services Public Authority.

**Resolution 147-2010****A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 147-2010.**

6. [10-1020](#) Chief Administrative Office recommending the Board adopt a Resolution adopting Fiscal Year 2010-2011 Budget for El Dorado County Public Housing Authority.

**Resolution 148-2010****A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 148-2010.**

7. [10-1021](#) Chief Administrative Office recommending the Board adopt a Resolution adopting Fiscal Year 2010-2011 Budget for El Dorado County Air Quality Management District.  
**Resolution 149-2010**  
**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 149-2010.**
8. [10-0970](#) County Counsel recommending the Board approve the authorization of Discharge of Responsibility for Collection of the Debts on the Discharge of Accountability Report owed to El Dorado County.  
**This matter was Approved on the consent calendar.**
9. [10-0965](#) Elections Department recommending the Board declare the results of the official canvass of the August 31, 2010 Fallen Leaf Lake Community Services District Mail Ballot Election conducted by the Recorder-Clerk-Registrar of Voters.  
**This matter was Approved on the consent calendar.**
10. [10-0961](#) Health Services Department recommending the Board authorize the Chair to sign Memorandum of Understanding 147-162-P-N2010 with Lake Tahoe Unified School District, with a term from date of execution through December 31, 2013, to allow use of campus facilities and identified support services to enable mass prophylaxis dispensing in the event of a public health emergency.  
**This matter was Approved on the consent calendar.**
11. [10-0974](#) Department of Human Services recommending the Board approve and authorize the Purchasing Agent to execute Agreements for Services with two (2) foster family agency or group home vendors (Fresno Unity Group Homes 157-S1111 and Success in Recovery 434-S1011) for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis. The Agreements are effective upon execution, shall continue until terminated and each specifies a maximum annual compensation of \$100,000.  
**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.**

12. [10-0956](#) Department of Human Services recommending the Board approve and authorize the Purchasing Agent to execute Amendment I to Agreement for Services 252-S1010 with Star View Children and Family Services, a group home, for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis. Amendment I to Agreement 252-S1010 amends the term of the agreement from a three-year term to a perpetual agreement that shall continue until terminated. Amendment I also increases the maximum annual compensation from \$57,470 for the three-year term to \$300,000 for Fiscal Year 2010-11 and subsequent fiscal years.

**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. [10-0969](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment II to Agreement for Services 484-S0911 with the El Dorado County Office of Education for the provision of Child Abuse Prevention Council Coordinator services in the not-to-exceed amount of \$291,625 correcting the term to be January 1, 2009 through June 30, 2011.

**FUNDING:** Agreement is 100% funded by the County of El Dorado’s Children’s Trust Fund and a portion of the annual State Child Abuse Prevention, Intervention and Treatment Allocation.

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

14. [10-0958](#) Department of Human Services recommending the Board adopt a Resolution authorizing the Chair to sign Amendment 3 to Agreement 09B-5508 with the California Department of Community Services and Development, transferring funds between program budgets and reducing the total maximum contract amount by \$26,141 from \$1,527,054 to \$1,500,913, for Low-Income Home Energy Assistance Program (LIHEAP) services to eligible residents of El Dorado and Alpine Counties during the term January 1, 2009 through September 30, 2010; and further authorizing the Department Director, or successor, to continue to administer Agreement 09B-5508 as amended and execute subsequent documents relating to said Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports.

**FUNDING:** 100% Federal LIHEAP Grant Funds.

**Resolution 152-2010**

**Adopted Resolution 152-2010 upon approval of the consent calendar.**

15. [10-0971](#) Information Technologies Department recommending the Board adopt a Resolution for amended Records Disposition Schedule No. A2 for the Assessor's Office.  
**Resolution 153-2010**  
**Adopted Resolution 153-2010 upon approval of the consent calendar.**
16. [10-0989](#) Recorder/Clerk recommending the Board authorize the Chair to sign Amendment V to Memorandum of Understanding (AGR-384-M0610) with the California Department of Justice in the amount of \$1,848.48 for the Electronic Recording Delivery System (ERDS).  
**FUNDING:** Recorder-Clerk Special Revenue for ERDS 7728306.  
**This matter was Approved on the consent calendar.**
17. [10-0995](#) Sheriff's Department recommending the Board authorize the Chair and the Sheriff to execute the Fiscal Year 2009/10 Equitable Sharing Agreement and Certification.  
**FUNDING:** Equitable Sharing (Asset Seizure).  
**This matter was Approved on the consent calendar.**
18. [10-1005](#) Sheriff's Department recommending the Board authorize the Chair to sign a retroactive Memorandum of Understanding (MOU) 041-S1111 with the Placer County District Attorney's Office in an amount not to exceed \$10,000 for each Fiscal Year for the term July 1, 2010 through June 30, 2012 for Placer County Sexual Assault Response Team services.  
**FUNDING:** Sheriff's Dept Budget.  
**This matter was Approved on the consent calendar.**
19. [10-0808](#) Department of Transportation recommending the Board authorize the Chair to sign License Agreement CTC-20100921-EI Dorado County with the California Tahoe Conservancy for the term September 21, 2010 through September 21, 2013 for the Montgomery Estates Area 1 Erosion Control Project (CIP 95155) for access to California Tahoe Conservancy-owned parcels related to the Project.  
**This matter was Approved on the consent calendar.**

20. [10-0648](#) Department of Transportation recommending the Board rescind the original Right of Entry Indemnification and License Agreement approved on July 20, 2010 and authorize the Chair to sign the revised Right of Entry Indemnification and License Agreement with the State of California, Air Resources Board for the term of three (3) years commencing on August 1, 2010 and ending July 31, 2013 for the placement of air monitoring equipment and a trailer at the site located northeast of the El Dorado County Jail at 3111 Gold Nugget Way in Placerville.

**This matter was continued to September 28, 2010 upon approval of the consent calendar.**

21. [10-0812](#) Department of Transportation recommending the Board approve and authorize the Chair to sign the Fixed Base Operators Lease Agreement 10-53024 with Stancil Enterprises Inc. and Sierra Investment Group Inc. for the Placerville Airport (4/5 vote required).

**FUNDING:** Placerville Airport Enterprise Fund - Fee Revenue.

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

22. [10-0834](#) Department of Transportation recommending the Board authorize the Chair to approve the termination of Ground Leases with David Yaw and Christine Yaw 374-L7011 and William Wilson 232-L0611, at the Placerville Airport; and recommending the Board authorize the Chair to sign the 10-year Ground Lease for Portable Hangars 10-53027 with Ricky Branaugh, and 10- year Ground Lease for Portable Hangars 10-52970 with Nancy L. Porter Trustees of the David A. Porter and Nancy L. Porter Family Trust at the Placerville Airport. (4/5 vote required)

**FUNDING:** Placerville Airports Enterprise Fund - Fee Revenue.

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

23. [10-0865](#) Department of Transportation recommending the Board adopt a Resolution sanctioning the revision to the "Speed Limit" on Mandan Street (No. 2391).

**FUNDING:** Road Fund.

**Resolution 154-2010**

**Adopted Resolution 154-2010 upon approval of the consent calendar.**

24. [10-0949](#) Department of Transportation recommending the Board adopt a Resolution sanctioning the closure of Harvard Way between Tah-Nee Way and Silva Valley Parkway; Clermont Way between Harvard Way and Brisbane Circle; Brisbane Circle West between Clermont Way and St. Andrews Drive; St. Andrews Drive between Brisbane Circle West and Brisbane Circle East; Brisbane Circle East between St. Andrews Drive and Clermont Way; Springburn Way west of Brisbane Circle; and the complete closure of Rochampton Place, Holleston Place, Normanton Place, Fitzroy Place, Teally Place, Springburn Place, Forbes Place, Ranken Place, Pemberton Way, Northam Way, Murrell Place, Williston Way, Hedland Place, Canberra Place, Alburn Place, and Ravenshoe Way, be closed on Friday, October 1, 2010, between 4:00 p.m. and 5:00 p.m., for the "Oak Ridge High School Homecoming Parade", subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

**Resolution 155-2010**

**Adopted Resolution 155-2010 upon approval of the consent calendar.**

25. [10-0825](#) Veteran Affairs Department recommending the Board authorize the Chair to sign the California Department of Veteran Affairs Certificates of Compliance for Fiscal Year 2010-2011 for participation in the Medi-Cal Cost Avoidance and County Subvention Programs.

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

**BOARD OF SUPERVISORS - CONSENT**

26. [10-1011](#) Supervisor Briggs recommending the Board adopt a Resolution in opposition to Proposition 19 - A proposal to legalize marijuana under California but not federal law and to permit local governments to regulate and tax commercial production, distribution and sale of marijuana. **Resolution 156-2010**

**Adopted Resolution 156-2010 upon approval of the consent calendar.**

27. [10-0997](#) Supervisor Sweeney recommending the Board authorize the Chair to sign a letter to the Central Valley Regional Water Quality Control Board commenting on the monitoring of ground water in the proposed Long Term Irrigated Lands Regulatory Program; and authorize the Environmental Management Department to work with the El Dorado County Agricultural Water Quality Management Corporation and the El Dorado County Water Agency in the development of a compliance work plan.

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

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

- 28. [10-0450](#) HEARING - Consider introduction (First Reading) of **Ordinance 4948** revising County Ordinance Code Title 2 and Title 15 to bring into compliance with current building codes and terminology, to streamline permit processes, and to remain consistent with Tahoe Regional Planning Agency regulations. (Cont'd 8/24/10, Item 33) (Est. Time: 30 Min.)

This matter was continued to October 5, 2010 upon adoption of the agenda.

- 29. [10-0584](#) Chief Administrative Office recommending the Board adopt a Resolution adopting the County Budget and Budgets for Board Governed Special Districts for Fiscal Year 2010-2011. (Est. Time: 5 Min.)

**Resolution 150-2010**

*PUBLIC COMMENT*

*L. Brent-Bomb*

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 150-2010.

- 30. [10-0657](#) Chief Administrative Office recommending the Board adopt a Resolution amending Personnel Allocation Resolution 089-2010 based on the Fiscal Year 2010-11 Budget Addenda resulting in a net reduction of 5 positions (1.5 vacant positions and 3.5 filled positions). (Est. Time: 5 Min.)

**Resolution 151-2010**

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 151-2010.

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

- 31. [10-1018](#) Chief Administrative Officer recommending the Board approve moving to a skateboard only use designation at Joe's Skatepark effective October 1, 2010 per Board authority in the County Skatepark Ordinance (Ord. 4734, 7-17-2007) to set days of use and to direct Department of Transportation staff to post the change at the park and to provide notice to the Fair Board and Placerville Police of this change. (Est. Time: 1 Hr.)

*PUBLIC COMMENT*

- A. Chainey*
- J. Rogers*
- J. Bailey*
- D. Grahm*
- B. Walters*
- J. Stantsel*
- J. Pelayo*
- T. Hill*
- C. Martin*
- S. Rogers*
- M. Pelayo*
- K. Rogers*
- L. Johnson*
- M. Chantry*
- T. Soike*

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

- 1) Direct the Chief Administrative Officer to exercise her authority under section 9.47.040 of the Ordinance to limit the use to skateboards only;**
- 2) Direct the Chief Administrative Officer and County Counsel to bring back any necessary ordinance amendments.**

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

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**CLOSED SESSION**

**32. [10-0699](#)**

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. (Est. Time: 15 Min.)

**No Action Reported.**

33. [10-1016](#) Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator: Instructions to its negotiator regarding the real property described as follows:
- (a) APN 035-131-03. The person or persons with whom the negotiator may negotiate are Tara D. Chapman, an Unmarried Woman and Seth A. Frank, an Unmarried Man, as Joint Tenants;
  - (b) APN 035-132-10. The person or persons with whom the negotiator may negotiate are Emily A. Bowman, a Single Person and Fenn V. Barkley III, a Single Person, as Joint Tenants;
  - (c) APN 035-132-09. The person or persons with whom the negotiator may negotiate are Aaron J. Buckman and Ember E. Buckman, Husband and Wife as Joint Tenants;
  - (d) APN 035-134-01. The person or persons with whom the negotiator may negotiate are J. George Dion and Elizabeth I. Dion, Trustees of the Dion Family Trust dated February 3, 1990;
  - (e) APN 035-131-01. The person or persons with whom the negotiator may negotiate is Stanley Loredo, an Unmarried Man;
  - (f) APN 036-612-13. The person or persons with whom the negotiator may negotiate are Steven Keith Dufay and Cheryl R. Dufay, Husband and Wife as Joint Tenants;
  - (g) APN 036-612-04. The person or persons with whom the negotiator may negotiate are Clinton Givans and Florence J. Givans, Husband and Wife, and Florence J. Hill, a Widow by Deed Recorded in Book 1289 Page 447;
  - (h) APN 036-612-02. The person or persons with whom the negotiator may negotiate are Gregory T. Hughes and Sandra J. Hughes, Husband and Wife as Joint Tenants;
  - (i) APN 035-234-01. The person or persons with whom the negotiator may negotiate are Ben W. Louie and Way Bing Louie, Husband and Wife as Tenants in Common;
  - (j) APN 035-133-09. The person or persons with whom the negotiator may negotiate are Lindsay Newell and Carol Gong-Newell, Trustees of the Newell Family Trust dated February 26, 2006; and
  - (k) APN 035-133-10. The person or persons with whom the negotiator may negotiate is Duncan A. Sennott, Who Acquired Title as an Unmarried Man. Instructions to negotiator will concern price and term of payment. Pete Feild will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

**No Action Reported.**

**ADJOURNED AT 4:20 P.M.**