



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

Tuesday, August 3, 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) 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 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.

8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:25 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 Sweeney, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 2, 3, 4, and 5 were pulled from the Consent Calendar and Item 19 was added to the Consent Calendar.

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

OPEN FORUM

PUBLIC COMMENT

T. Franzoia RE: Capital Southwest Connector LAR study

BUDGET UPDATE

CONSENT CALENDAR

1. [10-0845](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes from the Special Meeting of Monday, July 26, 2010 and the Regular Meeting Minutes from Tuesday, July 27, 2010; and approve an amendment to the Tuesday, July 20, 2010 Meeting Minutes, Item No. 18.

This matter was Approved on the consent calendar.

2. [10-0779](#) Chief Administrative Office recommending the Board adopt a Resolution accepting the exchange of property tax increment for the annexation of three parcels (APN's 126-100-18, 110-020-12 and 126-100-20) to the El Dorado Irrigation District, Local Agency Formation Commission Project No. 2010-03.

Resolution 116-2010

PUBLIC COMMENT:

B. VeerCamp

H. White

E. Sanchez

R. Combs

A motion was made by Supervisor Knight to continue Items 2, 4, and 5 to a workshop on October 25, 2010. The motion died for lack of a second.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to continue Items 2 and 4 to a workshop on October 25, 2010.

The motion FAILED.

Yes: 2 - Knight and Santiago

Noes: 3 - Nutting, Sweeney and Briggs

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to schedule a workshop for October 25, 2010 regarding property tax increment.

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

A motion was made by Supervisor Nutting, seconded by Supervisor Briggs, to adopt Resolution 116-2010.

Yes: 3 - Nutting, Sweeney and Briggs

Noes: 2 - Knight and Santiago

3. [10-0783](#) Chief Administrative Office recommending the Board adopt a Resolution accepting the exchange of property tax increment for the detachment of one parcel (APN 319-100-37) from the Diamond Springs/El Dorado Fire Protection District, Local Agency Formation Commission Project No. 2010-05.

Resolution 117-2010

PUBLIC COMMENT:

B. VeerCamp

H. White

E. Sanchez

R. Combs

A motion was made by Supervisor Knight, seconded by Supervisor Nutting, to adopt Resolution 117-2010.

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

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to schedule a workshop for October 25, 2010 regarding property tax increment.

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

- 4. [10-0781](#) Chief Administrative Office recommending the Board adopt a Resolution accepting the exchange of property tax increment for the annexation of one parcel (APN 119-020-48) to the El Dorado Irrigation District, Local Agency Formation Commission Project No. 2010-01.

Resolution 118-2010

PUBLIC COMMENT:

B. VeerCamp

H. White

E. Sanchez

R. Combs

A motion was made by Supervisor Knight to continue Items 2, 4, and 5 to a workshop on October 25, 2010. The motion died for lack of a second.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to continue Items 2 and 4 to a workshop on October 25, 2010.

The motion FAILED.

Yes: 2 - Knight and Santiago

Noes: 3 - Nutting, Sweeney and Briggs

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to schedule a workshop for October 25, 2010 regarding property tax increment.

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

A motion was made by Supervisor Nutting, seconded by Supervisor Briggs, to adopt Resolution 118-2010.

Yes: 3 - Nutting, Sweeney and Briggs

Noes: 2 - Knight and Santiago

- 5. [10-0810](#) Chief Administrative Office recommending the Board adopt a Resolution accepting the exchange of property tax increment for the annexation of six parcels (APN's 062-390-36, 062-390-41, 062-390-46, 062-230-06, 062-230-09, and 062-230-10 (14.66 acres) to the Georgetown Divide Public Utility District, Local Agency Formation Commission Project No. 2010-02.

Resolution 119-2010

PUBLIC COMMENT:

B. VeerCamp

H. White

E. Sanchez

R. Combs

A motion was made by Supervisor Knight to continue Items 2, 4, and 5 to a workshop on October 25, 2010. The motion died for lack of a second.

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to adopt Resolution 119-2010.

Yes: 4 - Nutting, Sweeney, Briggs and Santiago

Noes: 1 - Knight

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to schedule a workshop for October 25, 2010 regarding property tax increment.

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

6. [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 7/27/10, Item 9)

Adopted and continued to August 10, 2010 upon approval of the consent calendar.

7. [10-0796](#) County Counsel recommending the Board approve and authorize the continuance of two (2) Current Perpetual Agreements for Services administered by County Counsel with the following companies:
a) Sterling Codifiers; and
b) Computer Works, Inc.

This matter was Approved on the consent calendar.

8. [10-0801](#) Health Services Department recommending the Board authorize the Chair to sign "Agreement to Detail Federal Civil Service Personnel" 358-108-P-N2010 for the term July 19, 2010 through approximately July 18, 2012 to provide an intern from the Centers for Disease Control and Prevention to be assigned to the Public Health Division; said intern is paid by, and covered under, the Federal employment agreement.

FUNDING: Public Health Realignment.

This matter was Approved on the consent calendar.

9. [10-0774](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Memorandum of Understanding 367-M1011 with El Dorado County Office of Education through which the Mental Health Division will receive \$80,000 for the term of July 1, 2010 through June 30, 2011 to provide mental health services to students with disabilities in accordance with the student's Individualized Education Program.

FUNDING: Federal Individuals with Disabilities Education Act funding.

This matter was Approved on the consent calendar.

10. [10-0827](#) Department of Human Services recommending the Board authorize the Chair to sign a letter for submittal to the California Department of Community Services and Development, which constitutes an Updated Spending Plan that projects expenditures for July, August and September 2010, reflecting full expenditure of the \$175,375 in Community Services Block Grant American Recovery and Reinvestment Act funding granted by the California Department of Community Services and Development to El Dorado County under Agreement 09F-5110 by the September 30, 2010 contract end date.

FUNDING: 100% Federal Community Services Block Grant American Recovery and Reinvestment Act Grant Funds.

This matter was Approved on the consent calendar.

11. [10-0794](#) Department of Human Services recommending the Board adopt a Resolution authorizing the Chair to sign Amendment 2 to Agreement 09B-5508 with the California Department of Community Services and Development, extending the term through September 30, 2010 with no change in the dollar amount, for the provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine Counties; 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 Low-Income Home Energy Assistance Program Grant Funds.

Resolution 120-2010

Adopted Resolution 120-2010 upon approval of the consent calendar.

12. [10-0792](#) Department of Human Services recommending the Board, as the Governing Board of the In-Home Supportive Services Public Authority, authorize the Chair to sign Amendment 1 to Agreement for Services 075-S1010 with Industrial Employers and Distributors Association, doing business as IEDA, Inc., increasing the total not to exceed amount by \$19,000 from \$25,000 to \$44,000 and extending the term for an additional year to provide consultation and advice on employer-employee relations to the El Dorado County In-Home Support Services Public Authority during the term October 1, 2009 through September 30, 2011.

FUNDING: 85% Federal/State In-Home Supportive Services Public Authority Funds with 15% required County General Fund Match.

This matter was Approved on the consent calendar.

13. [10-0816](#) Sheriff's Department recommending the Board adopt a Resolution approving an application for Fiscal Year 2010 Homeland Security Grant funding.

FUNDING: Fiscal Year 2010 Homeland Security Grant.

Resolution 121-2010

Adopted Resolution 121-2010 upon approval of the consent calendar.

14. [10-0541](#) Department of Transportation recommending the Board adopt two (2) Resolutions authorizing the Director of Transportation to order temporary road closures and detours for construction on Mosquito Road Bridge at South Fork American River, Project No. 77120 and Durock Road/Business Drive Intersection Signalization, Project No. 73354.

Resolution 122-2010 (Project 77120 Mosquito Road)

Resolution 123-2010 (Project 73354 Durock Road/Business Drive)

Adopted Resolution 122-2010 for Project 77120, Mosquito Road, and Resolution 123-2010 for Project 73354, Durock Road/Business Drive, upon approval of the consent calendar.

15. [10-0788](#) Treasurer-Tax Collector's Office recommending the Board adopt a Resolution granting approval to sell tax defaulted property as outlined in same; noting said sale to be conducted on November 5, 2010.

Resolution 124-2010

Adopted Resolution 124-2010 upon approval of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARINGS

16. [10-0450](#) HEARING - Consider introduction (First Reading) of Ordinance 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. (Est. Time: 30 Min.)

Ordinance 4948*PUBLIC COMMENT**V. Zentner*

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

- 1) **Read title, waived reading of ordinance 4948 in its entirety;**
- 2) **Approved introduction; and**
- 3) **Set adoption (second reading) for Tuesday, August 10, 2010.**

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney

17. [10-0607](#) HEARING - Consider adoption of Resolution revising the Development Services Department's Planning Services Fee Schedule, including Policies and Procedures. (Est. Time: 30 Min.) (Cont'd 7/27/10, Item 29)

Resolution 125-2010

A motion was made by Supervisor Sweeney to approve this matter as presented. The motion died for lack of a second.

*PUBLIC COMMENT**J. Ham**S. White**V. Sentner*

A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to adopt Resolution 125-2010.

Yes: 3 - Knight, Sweeney and Briggs

Noes: 1 - Nutting

Absent: 1 - Santiago

18. [10-0617](#) HEARING - Consider adoption of Resolution revising Building Fee Schedule. (Est. Time: 30 Min.)(Cont'd 7/27/10, Item 30)

*PUBLIC COMMENT**S. White**V. Sentner*

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to leave the Building Fee Schedule as it is.

Yes: 4 - Knight, Nutting, Sweeney and Briggs

Abstained: 1 - Santiago

19. [10-0843](#) Auditor Controller recommending the following:
1) Receive and file the Reports of Special Tax Delinquencies for Community Facilities District No. 1992-1 (CFD 1992-1 Serrano), Community Facilities District 2001-1 (CFD 2001-1 Promontory), and Community Facilities District 2005-2 (CFD 2005-2 Laurel Oaks); and
2) Adopt Resolutions authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1, and CFD 2005-2 Bond Indenture. (Est. Time: 15 Min.)

Adopted Resolution 126-2010, Community Facilities District No. 1992-1; Adopted Resolution 127-2010, Community Facilities District 2001-1; and Adopted Resolution 128-2010, Community Facilities District 2005-2 upon approval of the Consent Calendar

20. [10-0759](#) Chief Administrative Office recommending the Board adopt revisions to the Board of Supervisors Policy Manual. (Est. Time: 20 Min.)

This matter was continued to August 17, 2010.

21. [10-0842](#) Development Services recommending the Board authorize the Chair to sign the Fiscal Year 2009-10 budget transfer decreasing General Fund contingency by \$272,037 to backfill revenues within the planning fee special revenue account that have been over-recognized in multiple fiscal years. (4/5 vote required) (Est. Time: 15 Min.)

FUNDING: General Fund.

NO PUBLIC COMMENT

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

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

22. [10-0682](#) Department of Transportation recommending the Board adopt a Resolution authorizing the El Dorado County Museum to pursue development and operation of the El Dorado Western Railway, as a living history program of the El Dorado County Historical Museum. (Cont'd 6/29/10, Item 57)

PUBLIC COMMENT

M. Munoz

J. Shelwood

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to continue this matter to September 14, 2010.

Yes: 4 - Knight, Nutting, Briggs and Santiago

Noes: 1 - Sweeney

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

23. [10-0840](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Cameron Park Community Services District v. El Dorado County, et al., Sacramento County Superior Court Case No. 07CS00059. (Est. Time: 15 Min.)
This matter was continued to August 10, 2010.
24. [10-0841](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Serrano Claim for Community Facilities District Tax Refund. Number of potential cases: (1). (Est. Time: 30 Min.)
No Action Reported.
25. [10-0693](#) 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: 10 Min.)
No Action Reported.
26. [10-0852](#) Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported.

ADDENDUM

10:00 A.M. - TIME ALLOCATION

- 27. [10-0861](#) Chief Administrative Office recommending the Board approve the RFP process to be used to allocate \$540,000 from the promotions account to be used by local organizations to carry out activities for the promotion of tourism, entertainment, business and leisure travel in the County of El Dorado.

PUBLIC COMMENT

V. Sentner

M. Koby

D. Wager

S. Russell

J. Harper

R. Stanhope

D. Egerto

A. Marinaccio

M. Reeves

Al

L. Hanley

L. Brent-Bomb

K. Dodge

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

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

CLOSED SESSION:

- 28. [10-0854](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Director of Human Services.

This matter was continued to August 17, 2010.

- 29. [10-0855](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Director of Human Resources.

This matter was continued to August 17, 2010.

ADDENDUM 2

CLOSED SESSION:

30. [10-0863](#) Pursuant to Government Code Section 54957, **Public Employee Appointment:** Title: Agricultural Commissioner / Sealer of Weights and Measures.

Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Chief Administrative Officer.
Employee: Agricultural Commissioner / Sealer of Weights and Measures.

The Board by a unanimous vote, appointed Juli Jensen as the Agricultural Commissioner/Sealer of Weights and Measures, at Step 2 of the salary range, at Step 2 of the vacation accrual, effective August 23, 2010.