



# 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, June 22, 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](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.

### **8:01 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSION**

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

### **9:10 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 Briggs, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 29 and 30 were added to the Consent Calendar, Item 20 was continued to July 20, 2010 and Item 3 was continued off calendar.

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

### **PRESENTATION**

1. [10-0655](#) Supervisor Santiago recommending the Board receive a Presentation by Dr. Vicki Barber, Superintendent, El Dorado County Office of Education, providing an update to the Board on the state of education in the County of El Dorado. (Est. Time: 20 Min.)

**No Formal Action Required.**

### **OPEN FORUM**

**PUBLIC COMMENT:**

**M. Kenison RE: El Dorado bike trail**

**M. Lane RE: COMPAS issues**

**B. Smart RE: U.S. Forest Service funding for El Dorado County**

### **BUDGET UPDATE**

### **CONSENT CALENDAR**

2. [10-0649](#) Clerk of the Board recommending the Board approve the Board of Supervisors Meeting Minutes from the Regular Meeting of Tuesday, June 15, 2010 and the Special Meeting of Wednesday, June 9, 2010 .

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

3. **10-0600** Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Bid No. 10-288-074 for the purchase of Polymer Modified Rejuvenating Emulsion to the low qualified bidder, VSS Emultech of West Sacramento, CA;
  - 2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$1,149,000 for a twelve month period following Board approval; and
  - 3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

**FUNDING:** Road Fund Discretionary and Prop 1B.

**This matter was continued off calendar upon approval of the consent calendar.**

4. [10-0598](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award Bid No.10-760-075 for the purchase of a Three Axle Dump Truck with Dump Body to the low qualified bidder, Riverview International Trucks, LLC of West Sacramento, CA; and
  - 2) Authorize the Purchasing Agent to issue a purchase order in the amount of \$153,169, plus all applicable taxes and fees following Board approval.

**FUNDING:** Non-General Fund, Road Fund.

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

5. [10-0186](#) Health Services Department recommending the Board:
- 1) Adopt a Resolution authorizing the transfer of up to ten percent (10%) of Fiscal Year 2009-10 Realignment revenues realized for the Local Health and Welfare Trust fund / Health sub account to the Mental Health sub account; and
  - 2) Find that the Realignment reallocation is the most cost-effective use of the available revenues to maximize client outcomes.

**FUNDING:** Realignment funds from the Local Health and Welfare Trust fund / Health sub account (Public Health Division).

**Resolution 076-2010**

**Adopted Resolution 076-2010 upon approval of the consent calendar.**

6. [10-0408](#) Health Services Department recommending the Board authorize the Chair to sign Amendment III to Agreement for Services 534-PHD0606 (230-S0711) with Wittman Enterprises, LLC amending Article I - Scope of Services; Article IV - Term, extending the Agreement through June 30, 2011; Article V - Compensation; and replacing Exhibit A - Ambulance Rate Schedule with an amended Exhibit A - Ambulance Rate Schedule Effective June 1, 2010.

**FUNDING:** Ambulance billing collections.

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

7. [10-0479](#) Health Services Department recommending the Board authorize the Chair to sign Assignment Agreement authorizing the State Department of Mental Health to transfer the County's Fiscal Year 07-08 Community Services and Supports funding for the Mental Health Services Act Housing Program in the amount of \$2,276,500 to the California Housing and Finance Agency, which shall hold said funds in an interest bearing account for the County, to be accessed by the County at a future date for a project to provide supportive housing for consumers of mental health services. This Assignment Agreement is necessary to secure the County's MHSA Housing Program funding (and avoid reversion of these funds to the State).

**FUNDING:** State Mental Health Services Act (MHSA) Funds.

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

8. [10-0613](#) Health Services Department recommending the Board authorize the Chair to sign Amendment I to Agreement 848-PHD0509 for Alcohol and Other Drug Counseling services with Tahoe Youth and Family Services, amending Article IV - Compensation to increase the SAPT Federal Block Grant Perinatal Set Aside funding by \$8,346 to a new provisional amount of \$76,994 and a new total not-to-exceed amount of \$95,000.

**FUNDING:** Net Negotiated Amount Grant.

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

9. [10-0606](#) Department of Human Services recommending the Board adopt a resolution authorizing the Chair to sign Contract 09C-1758 with the California Department of Community Services and Development in the amount of \$113,364 for provision of Department of Energy Weatherization services during the period of June 30, 2010 through June 30, 2011; and further authorizing the Director of Human Services, or successor, to sign required fiscal and programmatic reports and execute subsequent documents relating to said contract, including one or more amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not alter the total maximum dollar amount or the term.

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

**Resolution 077-2010**

**Adopted Resolution 077-2010 upon approval of the consent calendar.**

10. [10-0582](#) Library Director recommending the Board approve the continuation of the following perpetual agreements for Fiscal Year 2010-2011 for a total amount of \$51,460:
- |                   |           |
|-------------------|-----------|
| OCLC, Inc.        | \$ 8,400  |
| SIRSI Corporation | \$ 39,400 |
| Comcast           | \$ 3,660  |

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

11. [10-0634](#) Sheriff's Department recommending the Board approve the acceptance of the retroactive grant funding from Agreement 2010-21 (County 470-M1011) with the United States Department of Justice Drug Enforcement Administration in the amount of \$35,000 for the period January 1, 2010 through December 31, 2010 to defray costs relating to the eradication and suppression of illicit marijuana.

**FUNDING:** United States Department of Justice Drug Enforcement Administration.

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

12. [10-0639](#) Sheriff's Department recommending the Board authorize the Chair to sign two Reimbursement Agreements between the County of El Dorado and the City of South Lake Tahoe totaling \$25,000 as listed below:
- |   |          |
|---|----------|
| Agreement for Portable Radios               | \$12,000 |
| T1 Line Rental for the Reverse 9-1-1 system | \$13,000 |

**FUNDING:** Fiscal Year 2009 Homeland Security Grant Funds.

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

13. [10-0570](#) Department of Transportation recommending the Board designate James W. Ware, P.E., Director of Transportation and the Deputy Directors of the Department as the "Legally Responsible Person" authorized to sign, certify and submit storm water permits, reports and documents to the State Water Resources Control Board for the Department's Capital Improvement Program projects.
- This matter was Approved on the consent calendar.**
14. [10-0414](#) Department of Transportation recommending the Board authorize the Director of Transportation to sign a Stream Alteration Agreement, AGMT 10-52979, with the State of California Department of Fish and Game for a term through December 31, 2014 for the Angora Creek Fisheries and Stream Environment Zone Enhancement Project (PW 09-30486, CIP No. 95161).
- This matter was Approved on the consent calendar.**
15. [10-0544](#) Department of Transportation recommending the Chair be authorized to sign a Resolution accepting the 2009 revisions to the County of El Dorado Maintained Mileage System.
- Resolution 078-2010**
- Adopted Resolution 078-2010 upon approval of the Consent Calendar.**
16. [10-0532](#) Department of Transportation recommending the Chair be authorized to sign the First Amendment to Agreement for Services AGMT 08-1677 with David Evans and Associates, Inc., to amend Article I to add an amended Base Scope of Work which ratifies the Contract Administrator's approval to use Dokken Engineering as a subconsultant; amend Article II, to extend the June 30, 2010 expiration date, to reflect expiration upon acceptance of the Project Study Report/Project Report by County and Caltrans; amend Article III, to add an amended Fee Schedule and Cost Proposal; and amend other Articles of the contract to conform to current contract standards for project planning and design engineering support services for the U.S. 50 / Ponderosa Road / South Shingle Road Interchange Improvements Project.
- This matter was Approved on the consent calendar.**
17. [10-0269](#) Department of Transportation recommending the Chair be authorized to sign Agreement for Services 10-52947 (425-S1011) with BST Services, Inc., doing business as Blain Stumpf Trucking in the amount of \$340,000 for a term of two years to provide road material transport services for said Department.
- FUNDING:** Road Fund.
- This matter was Approved on the consent calendar.**

18. [10-0354](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment 2 to Agreement CTA-04025 with the California Tahoe Conservancy for the Lake Tahoe Boulevard Erosion Control, Stream Environment Zone, and Bike Trail Projects. The Amendment will extend the life of Agreement CTA-04025.1 to June 30, 2011. There is no Fiscal Impact associated with this item.

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

19. [10-0566](#) Department of Transportation recommending the Board consider the following regarding the Green Valley Road at Tennessee Creek Bridge Replacement Project No. 77109:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificates of Acceptance for the related deeds from Ardys Beatrice Forster, As Trustee and Noree L. Preble and Darci A. Iseger, As Successor Trustees Under Declaration of Trust for the Forster Family Trust dated September 28, 1989; Tamra Forster Kingsley, A Married Woman as Her Sole and Separate Property; Karis Forster Vaughan, A Married Woman as her Sole and Separate Property; Noree Forster Preble, A Married Woman as Her Sole and Separate Property; Nadia Forster Artero, A Married Woman as Her Sole and Separate Property; Marli Bea Forster Patterson, A Married Woman as Her Sole and Separate Property; and Darci A. Iseger and Douglas A. Vaughan, as Co-Trustees or Their Successors in Trust, Under the Raymond H. Forster and Ardys B. Forster Irrevocable Living Trust Agreement Number One, For the Benefit of Darci A. Iseger, dated July 7, 2000, as Their Interests Appear Of Record for APN 069-340-02; and
  - 2) Authorize the Director of Transportation, or his designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title, escrow and geologist fees.

**FUNDING:** Highway Bridge Program, Highway Safety Improvement Program and the 2004 General Plan Traffic Impact Mitigation Fee Program.

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

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

20. [10-0364](#) **This matter is hereby continued to July 20, 2010 per Board action on June 8, 2010.**

HEARING - Consider Serrano Associates, LLC request for refund of Mello-Roos taxes. Continued to July 20, 2010 per Board action on June 8, 2010 after consideration of the request for continuance from Serrano Associates, LLC.

**This matter was continued to July 20, 2010 upon approval of the consent calendar.**

21. [10-0437](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for the Road Zones of Benefit within County Service Area No. 2, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.  
**Resolution 079-2010**

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 079-2010.**

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

22. [10-0441](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for snow removal services in the unincorporated areas within County Service Area No. 3, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.  
**Resolution 080-2010**

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 080-2010.**

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

23. [10-0442](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for the Emerald Meadows Zone of Benefit No. 98580 within County Service Area No. 9, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.  
**Resolution 081-2010**

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 081-2010.**

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

24. [10-0440](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for the Lighting Zones of Benefit within County Service Area No. 9, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.

**Resolution 082-2010**

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 082-2010.

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

25. [10-0438](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for the Road Zones of Benefit within County Service Area No. 9, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.

**Resolution 083-2010**

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 083-2010.

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

26. [10-0439](#) HEARING - Consider the adoption of a Resolution establishing the annual benefit assessment for the 2010/2011 tax year for the Drainage Zones of Benefit within County Service Area No. 9, noting this is a continuation of benefit assessments with no increase over current levels. (Est. Time: 5 Min.)

**FUNDING:** Benefit Assessments.

**Resolution 084-2010**

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 084-2010.

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

27. [10-0624](#) HEARING - Consider the adoption of a Resolution establishing fees for mosquito abatement and snow removal equipment within County Service Area No. 3 (City of South Lake Tahoe) for Fiscal Year 2010-2011, noting the \$20 snow removal and \$6 mosquito abatement benefit assessments remain unchanged. (Est. Time: 5 Min.)
- FUNDING:** Zone of benefit assessments.  
**Resolution 085-2010**
- A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 085-2010.
- Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago
28. [10-0625](#) HEARING - Consider the adoption of two Resolutions establishing the West Slope and East Slope waste management fees for Fiscal Year 2010-2011; and the adoption of a Resolution establishing an appeal process for County Service Area No. 10 waste management parcel fees. (Est. Time: 5 Min.)
- FUNDING:** Parcel Fees.  
**Resolution 086-2010 West Slope**  
**Resolution 087-2010 East Slope**  
**Resolution 088-2010 Appeal Process**
- A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, as follows:
- 1) Adopt Resolution 086-2010 for the West Slope;
  - 2) Adopt Resolution 087-2010 for the East Slope; and
  - 3) Adopt Resolution 088-2010 establishing an appeal process.
- Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago
29. [10-0584](#) Chief Administrative Office recommending the Board take the following actions:
- 1) Approve the Fiscal Year 2010-11 County Recommended Budget and Budgets for Board Governed Special Districts including changes directed to be made during the budget workshops; and
  - 2) Schedule a budget workshop on Monday, July 26, 2010 to discuss budget plans for the Sheriff and District Attorney as well as a countywide plan to address the projected structural deficit in Fiscal Year 2011-12; and
  - 3) Schedule the public hearings for the Fiscal Year 2010-11 budget beginning September 13, 2010.
- This matter was Approved on the consent calendar as follows:
- 1) Approve the Fiscal Year 2010-2011 Budgets;
  - 2) Set workshop on Monday, July 26, 2010;
  - 3) Set the public hearings for the Fiscal Year 2010-2011 Budget to begin on September 13, 2010.

30. [10-0657](#) Chief Administrative Office recommending the Board adopt the amended Personnel Allocation Resolution based on the approved Fiscal Year 2010-11 Recommended Budget resulting in a net reduction of 7.10 positions (4.10 vacant positions and 3.0 filled positions).

**Resolution 089-2010**

**Adopted Resolution 089-2010 upon approval of the consent calendar.**

31. [10-0621](#) Development Services Department recommending the Board of Supervisors adopt the revised initial inventory of habitat map, consistent with Subtask 1.b of the Integrated Natural Resources Management Plan (INRMP) work program. An update of INRMP Phase 1 tasks is also provided. (Est. Time: 2 Hrs.)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to accept the data used to map components one through four as sufficient for this phase.**

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

**Absent:** 1 - Knight

**A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, to accept the map as provided in Staff Report Exhibit L for staff to move forward in the development of INRMP and note that it is non-regulatory in nature.**

**Yes:** 3 - Sweeney, Briggs and Santiago

**Noes:** 1 - Nutting

**Absent:** 1 - Knight

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

32. [10-0574](#) HEARING - Consider a request submitted by Jeff and Deborah Burch appealing the approval of Special Use Permit S09-0015/SBA Cellular Telecommunications Facility-Garden Valley by the Planning Commission on May 13, 2010 on property identified by APN 088-420-06, consisting of 5.033 acres, in the Garden Valley area; and Planning Services recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and
  - 2) Deny the appeal, thereby upholding the approval of Special Use Permit S09-0015 by the Planning Commission on May 13, 2010 based on the Findings and subject to the Conditions of Approval listed in Attachment 1. (Supervisory District IV) (Est. Time: 1 Hr.)

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

- 1) Close the public hearing;
- 2) Conceptually approve staff recommendations as follows:
  - a) Conceptually adopt the Mitigated Negative Declaration; and
  - b) Conceptually denied the appeal, thereby upholding the approval of Special Use Permit S09-0015 by the Planning Commission on May 13, 2010 based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
- 3) Direct staff to include the following conditions within Attachment 1 which are to be correctly worded by staff:
  - a) SBA will pay \$10,000 to a road association; and
  - b) Sound studies will be taken in up to ten neighbors' homes subject to the neighbor inviting them in;
- 4) Set the final vote on Consent Calendar for June 29, 2010.

Yes: 4 - Nutting, Sweeney, Briggs and Santiago

Absent: 1 - Knight

## CAO REPORTS

## ITEMS TO/FROM SUPERVISORS

ADJOURNED AT 7:35 P.M.

**CLOSED SESSION**

33. [10-0652](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Chief Administrative Officer.  
**Continued to June 29, 2010.**
34. [10-0651](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Serrano Claim for CFD Tax Refund. Number of potential cases: (1).  
**No Action Reported.**
35. [10-0150](#) 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.**
36. [10-0665](#) Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator**:  
County Negotiator: Chief Administrative Officer.  
Employee Appointment: Chief Probation Officer.  
**No Action Reported.**

**At the recommendation of County Counsel and by a 4 - 0 vote, with Supervisor Knight absent, the following closed session item was added to the Agenda.**

37. **10-0716** Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):  
Title: BlueGO Tansit Company Financial Issues  
Number of potential cases: (1)
- Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code section 54956.9(b)  
**No Action Reported.**