



# County of El Dorado

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## MEETING AGENDA 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, May 18, 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) 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.

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

**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.

**OPEN FORUM**

**BUDGET UPDATE**

**PRESENTATIONS**

1. [10-0449](#) Human Services Department, on behalf of the El Dorado County Commission on Aging (COA), recommending the Board consider the following:
  - 1) Adopt a proclamation designating May, 2010 as Older Americans Month in El Dorado County;
  - 2) Present certificate to the nominees, noting their primary contribution to the community;
  - 3) Announce the 2010 Senior of the Year; and
  - 4) Present the perpetual trophy to the nominee selected by the COA to receive this honor.
  
2. [10-0467](#) Health Services Department recommending the Board proclaim May 16-22, 2010 as "Emergency Medical Services Week" in the County of El Dorado.
  
3. [10-0514](#) Presentation by David Ashby, Executive Director, New Morning Youth and Family Services

**CONSENT CALENDAR**

4. [10-0513](#) Approval of Board of Supervisors Meeting Minutes from the Special Meeting of Monday, May 10, 2010 and the Regular Meeting of Tuesday, May 11, 2010.
  
5. [10-0461](#) Auditor Controller recommending the Board consider the following:
  - 1) Receive and file the report on "Comparison of Actual Tax Proceeds to Adopted Appropriations Limit." the schedule of Prop 4 Compliance for FY 2008-2009 Actual Revenues, the schedule of Prop 4 Compliance for FY 2009-2010 Adopted Revenues; and
  - 2) Set a public hearing for June 8, 2010 at 9:00 a.m. for the discussion and adoption of the Appropriations Limit for Fiscal Year 2010-2011.
  
6. [10-0498](#) Chief Administrative Office recommending the Board authorize the Chair to sign Memorandum of Understanding with the Highway 50 Association to provide funding assistance for the Wagon Train event to be held June 5, 2010 through June 13, 2010.

**FUNDING:** County Promotions

7. [10-0460](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
  - 1) Award Bid # 10-760-056 for the purchase of 1 Rubber Tracked Carrier Dump Truck to the sole qualified bidder, Crawler Carrier Sales, LLC., of Lake Oswego, Oregon; and
  - 2) Authorize the Purchasing Agent to issue a purchase order to Crawler Carrier Sales LLC., of Lake Oswego, Oregon in the amount of \$96,000.00 plus applicable sales or use taxes and fees following Board approval.

**FUNDING:** Grant funding from the Off-Highway Motor Vehicle Recreation (OHMVR) Division of the State Department of Parks and Recreation with matching funds from the Off-Highway Vehicle (OHV) Special Revenue fund.

8. [10-0505](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board consider the following:
- 1) Authorize the Purchasing Agent to extend bid #09-615-076 with Office Depot and LD Products for office supplies and toner cartridges for up to one additional year; and
  - 2) Authorize the Purchasing Agent to increase existing blanket purchase orders to Office Depot and LD Products on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

**FUNDING:** General Fund and non-General Fund

9. [10-0474](#) Chief Administrative Office, Office of Economic Development, recommending the Board consider the reappointment and the appointment of community members to a one-year term on the Economic Development Advisory Committee (EDAC), as follows:
- 1) Reappoint William T. Abraham, District I member, Jim Brunello, District II member, Maryann Argyres, District III member, Roberta Long, District IV member, and Michael Ward, District V member, Gordon Helm, At-large member, Dale Van Dam, At-large member, Charles Downs, At-large member, and Mark Nava, At-large member for one year terms beginning May 19, 2010 and expiring May 18, 2011;
  - 2) Appoint Alexandria Shilin, At-large member and Eric Driever, At-large member for one year terms beginning May 19, 2010 and expiring May 18, 2011; and
  - 3) Extend appreciation to Thalelia Georgiades for her past year of service on the Economic Development Advisory Committee.

10. [10-0409](#) County Counsel recommending the Board adopt a resolution authorizing the El Dorado Union High School District to issue and sell, on its own behalf, up to \$25,000,000 of general obligation bonds which were authorized by the voters of the District on June 3, 2008.

11. [09-0959](#) District Attorney recommending the Board authorize the Chair to sign Amended Equitable Sharing Agreement and Certification Report for Federal Asset Forfeiture with the Department of Justice and the Treasury for a one year term, July 1, 2009 through June 30, 2010, to receive and share federal asset forfeitures to be used for law enforcement purposes. (9/15/09, Item #13)

12. [10-0475](#) District Attorney requesting the Board authorize the Chair to sign the budget transfer establishing revenue and appropriations for use of the 2008 JAG grant funding. (4/5 vote required)

**FUNDING:** Justice Assistance Grant Program

13. [10-0468](#) Human Resources, Risk Management Division, recommending the Board consider the following:
- 1) Approve Amendment No. 4 to Prescription Benefit Services Agreement 196-S0811 between Caremark, L.L.C. and County of El Dorado to include an enhanced prescription drug utilization management program, effective July 1, 2010; and
  - 2) Authorize the Human Resources Director to execute the amendment and necessary attachments and forms to implement the utilization management prescription program.

**FUNDING:** Risk Management Internal Service Fund

14. [10-0455](#) Department of Human Services recommending the Board consider the following:
- 1) Approve the 2010-2011 Update to the 2009-2012 El Dorado County (Planning and Service Area 29) Area Plan for Senior Services; and
  - 2) Authorize the Chair to sign a Transmittal Letter for submittal of said Plan Update to the California Department of Aging.

**FUNDING:** N/A

15. [10-0405](#) Department of Human Services recommending the Board authorize the Chair to sign Agreement for Services 012-S1111 with Remi Vista, Inc. in the amount of \$315,360 for the provision of services necessary to operate the Transitional Housing Program-Plus for the Department of Human Services during the term of July 1, 2010 through June 30, 2011.

**FUNDING:** Funding source is 100% State General Fund Allocation

16. [10-0445](#) Health Services Department, Mental Health Division (MHD), recommending the Board authorize the Health Services Director to sign and submit the Fiscal Year 2010/11 Projects for Assistance in Transition from Homelessness (PATH) grant application to the Adult and Older Adult Program Policy Unit of the California Department of Mental Health (DMH) to provide funding in the amount of \$36,651.

**FUNDING:** Federal funding made available through State DMH

17. [10-0459](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment 2 to ongoing Agreement for Services 478-S0411 with CompuTrust Software Corporation for the conversion of the current system used by the Public Guardian Office to a web-based application and for the customization of the system to include a caseload management module for Adult Protective Services.

**FUNDING:** Federal, State, General Fund and Non-General County Match in varying percentages for each program as detailed under Fiscal Impact.

18. [10-0443](#) Sheriff's Department recommending the Board authorize the Sheriff to sign Agreement 09-204-816 and applicable certifications with the State of California, Department of Boating and Waterways in the amount of \$30,000 for the purchase of miscellaneous equipment for the Boating unit.

**FUNDING:** State of California Boating and Waterways Equipment Grant

19. [10-0489](#) Sheriff's Department recommending the Board authorize the Sheriff to sign the Boating Safety and Enforcement Financial Aid Program Contract with California Department of Boating and Waterways in the amount of \$319,546 for the term July 1, 2010 through June 30, 2011 to provide boating safety and enforcement activities on the County's rivers and lakes.

**FUNDING:** State of California Department of Boating and Waterways.

20. [10-0236](#) Department of Transportation recommending the Board approve the appointment of new advisory committee members to fill vacancies on advisory committees for various zones of benefit in County Service Area Nos. 2 and 9 as outlined in Exhibit A.

21. [10-0478](#) Supervisor Briggs recommends the Board consider closing the Fannon Lake Trust Fund, as follows:
- 1) Approve the closing of the Fannon Lake Trust Fund account 20-514-490, and
  - 2) Authorize the Chair to sign the Budget Transfer that will allow for the transfer of the \$1,477.95 balance to the Mosquito Volunteer Fire Association in support of their ongoing efforts to maintain the Fannon Lake Recreation Area.

22. [10-0458](#) Department of Veteran Affairs, on behalf of the Veterans Affairs Commission recommending the Board approve a Budget Transfer increasing use of fund balance (revenue) and operating transfers out (appropriations) in the Veterans Affairs Commission special revenue fund and increasing operating transfers in (revenue) and special department expense (appropriation) in the Veteran Affairs Department in the amount of \$300 for the purchase of flower wreaths at the El Dorado County Memorial Monument. (4/5 vote required)
23. [10-0464](#) District Attorney recommending the Board consider the following:  
1) Authorize the submission of a grant application to the California Emergency Management Agency for the Victim Witness Assistance Program for Fiscal Year 2010/2011; and  
2) Authorize the Chair to sign the certification pertaining to same.
24. [10-0484](#) Department of Transportation recommending Board approve a revised project list for use of the 2009-2010 Appropriation of Proposition 1B funding for local road maintenance.

**FUNDING:** State Proposition 1B Funds

**DEPARTMENT MATTERS/NOTICED HEARING**

25. [08-0227](#) **Supervisor Sweeney recommending the Board continue this matter off calendar.**

Rescind Resolution Nos. 32-2008 through 43-2008 as adopted on the Board of Supervisors' agenda dated February 26, 2008, Item No. 25 (Legistar file 08-0227). (Refer to Legistar file 09-0348, Item 31, 5/19/09 and Item 21, 8/18/09) (Cont'd 4/27/10, Item 36)

**ADDENDUM**

**Item 26 is hereby amended to read as follows:**

26. [10-0095](#) Chief Administrative Office and County Counsel presenting draft ballot questions relating to the repeal of the County Charter and related measures as directed by the Board on March 15, 2010.
27. [10-0462](#) HEARING - Per the request of Waste Connections Inc. and as required by the Franchise Agreement, conduct a public hearing to consider adoption of a Resolution adjusting the solid waste collection and Material Recovery Facility (MRF) rates for Waste Connections, Inc., dba El Dorado Disposal Service by the Consumer Price Index (CPI) of 2.1% effective July 1, 2010. (Est. Time: 30 min.)
28. [10-0463](#) HEARING - Per the request of Tahoe Truckee Sierra Disposal, Inc. and as outlined in the amended April 4, 1995 Franchise Agreement, conduct a public hearing to consider adoption of Resolution increasing the solid waste collection rates by either 4% or 5% effective July 1, 2010. (Est. Time 20 min.)
29. [10-0518](#) Department of Transportation recommending the Board consider purchase of property at 4461 Business Drive (APN 109-480-21), Shingle Springs, California. Department of Transportation will present a staff evaluation regarding the suitability of the property for County uses, including the permanent location of the West Slope Animal Shelter Facility.

**FUNDING:** Tobacco Settlement Special Revenue Funds



**12:00 P.M. - INFORMATIONAL LUNCHEON**

El Dorado County and Georgetown Divide Resource Conservation Districts hosting an informational luncheon meeting with the Board of Supervisors at the Main Library Meeting Room.

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

30. [10-0388](#) HEARING - Consider the recommendation of the Planning Commission on Rezone Z09-0002/Planned Development PD09-0002/Parcel Map P09-0003/Golden Foothills Condominiums on property identified by APN 117-060-46, consisting of 3.79 acres, in the El Dorado Hills area, submitted by Bahram Morid; and recommending the Board take the following actions:
- 1) Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301(k) of the CEQA Guidelines;
  - 2) Approve Z09-0002 rezoning APN 117-060-46 from Research & Development-Design Control (R&D-DC) to Research & Development-Planned Development (R&D-PD) based on the Findings listed in Attachment 1;
  - 3) Approve Planned Development PD09-0002 adopting the Development Plan as the official Development Plan based on the Findings and subject to the Conditions of Approval listed in Attachment 1;
  - 4) Approve Parcel Map P09-0003 based on the Findings and subject to the Conditions of Approval listed in Attachment 1; and
  - 5) Adopt Ordinance for said rezone. (Supervisory District II)
31. [10-0392](#) HEARING - Consider the recommendation of the Planning Commission on Williamson Act Contract WAC09-0001 on property identified by APNs 088-020-72, 088-020-79, 088-020-81, and 088-020-82, consisting of 307.51 acres, in the Garden Valley area, submitted by Roy and Marilyn Rutz; and recommending the Board take the following actions:
- 1) Certify that the project is Categorically Exempt from CEQA pursuant to Section 15317;
  - 2) Approve and certify the Notice of Non-renewal of Williamson Act Contract for APN 088-020-82 (10.65 acres);
  - 3) Approve Williamson Act Contract WAC09-0001 to include APNs 088-020-72, 088-020-79, and 088-020-81 (consisting of 296.86 acres) based on the Findings listed in Attachment 1; and
  - 4) Adopt Resolution for said Williamson Act Contract. (Supervisory District IV)

**CAO REPORTS****ITEMS TO/FROM SUPERVISORS****ADJOURNMENT****CLOSED SESSION**

32. 10-0146 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.
33. 10-0515 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Chief Administrative Officer.
34. 10-0510 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):  
Title: Yubacon, Inc. v. El Dorado County Department of Transportation, Arbitration Case # A-0016-07; Yubacon, Inc. v. El Dorado Irrigation District, et al., El Dorado County Superior Court Case #PC20070379.
35. 10-0512 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):  
Title: Serrano Claim for CFD Tax Refund  
Number of potential cases: (1)
36. 10-0511 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):  
Number of potential cases: ( 1 )

37. 10-0520 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):  
Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe. Civil Action No. S-01-1520 x-ref: (Meyers Landfill Site)
38. 10-0521 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b):  
Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c):  
Number of potential cases: ( 2 )  
Title: Legal Issues Concerning Caremark Amendment

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**

**Special Meeting - Monday, May 24, 2010 9:00 a.m. - 5:00 p.m.  
Citygate Associates, LLC - Fire and Emergency Services Study for El Dorado LAFCO**

**Special Meeting - Monday, June 7, 2010 at 9:00 a.m. – 5:00 p.m.  
Budget Workshop**

**Special Meeting - Wednesday, June 9, 2010 at 9:00 a.m. – 5:00 p.m.  
Budget Workshop**

**Special Meeting - Thursday, June 10, 2010 at 9:00 a.m. - 5:00 p.m.  
Budget Workshop**

**June 17, 2010 11:50 a.m.  
Opening of the County Fair & Presentation of Resolution**