



County of El Dorado

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MEETING AGENDA

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, June 2, 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.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.

PRESENTATIONS

1. [09-0729](#) **PRESENTATION** of Certificates of Recognition by Supervisor Briggs to Kira Akers, Heather Wilson, Micaela Brewer, Kate Carruth, Natalie Bresnahan, Allyson Olson, Sara Wroblewski and Kylie Smith for receiving their Junior Bronze Awards in Girl Scout Troop 1480 in Cameron Park.
2. [09-0720](#) **PRESENTATION** by Supervisor Nutting of a Certificate of Recognition to Lucas Feil for achieving the rank of Eagle Scout, Troop 460, in the Boy Scouts of America.
3. [09-0721](#) **PRESENTATION** by Supervisor Nutting of a Certificate of Recognition to Giampiero Sahragard-Monfared for achieving the rank of Eagle Scout, Troop 460, in the Boy Scouts of America.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

4. [09-0736](#) Approval of Board of Supervisors Minutes for the Special Meeting of Monday, May 11, 2009, the Regular Meeting of Tuesday, May 19, 2009 and the Special Meeting of Tuesday, May 26, 2009.
5. [09-0722](#) Chief Administrative Officer recommending the Board receive and file the Fiscal Year 2009-2010 Proposed Budget and Work Plan for El Dorado County, noting budget workshops will begin the week of June 8, 2009.

6. [09-0717](#) County Counsel recommending the Board indicate that it will not authorize the issuance of Tax and Revenue Anticipation Notes ("TRANS") on behalf of the school districts, thus freeing them to issue TRANS in their own names.
7. [09-0716](#) County Counsel recommending the Board authorize staff to enter into negotiations for purchase of property identified as APN 070-261-82 located on the north side of Highway 50, between Ponderosa Road and Cameron Park Drive.
8. [09-0636](#) District Attorney recommending the Chairman be authorized to sign a Grant Application to be submitted to California Emergency Management Agency, Law Enforcement and Victim Services Division (CalEMA 2-101) for the Fiscal Year 2009-2010 Recovery Act -VOCA Stimulus funding in the amount of \$22,719 for the period July 1, 2009 through June 30, 2010 to be used to enhance the existing Victim Witness Assistance program.

FUNDING: Grant.
9. [09-0666](#) Environmental Management Department recommending the Board receive and file the South Fork American River Annual Report for the County of El Dorado for the year ended December 31, 2008.

FUNDING: None.
10. [09-0377](#) Environmental Management Department recommending the Board approve and authorize the Chairman to sign the proposed El Dorado County Solid Waste Advisory Committee (EDSWAC) By-Laws.
11. [09-0633](#) Environmental Management Department recommending the Board authorize the Chairman to sign Amendment 1 to Agreement 052-A-06/07-BOS with 21st Century Environmental Management, Inc., a wholly owned subsidiary of PSC, increasing compensation by \$120,000 to \$240,000 for a term through March 21, 2010 to provide hazardous waste processing, transport and disposal for said Department.

FUNDING: Non-General Fund/CSA 10, Household Hazardous Waste FY 08/09 and 09/10 budgets.
12. [09-0595](#) Environmental Management Department recommending adoption of Resolution transferring the imprest change fund for the Henningsen Lotus Park operations from the former General Services Department to Environmental Management in the amount of \$100; and recommending the Board authorize the Auditor-Controller to issue a check in the amount \$20 to account for the fund shortfall.
Resolution 112-2009
FUNDING: Henningsen Lotus Park trust fund.

13. [09-0619](#) Human Services Department recommending the Board authorize the Purchasing Agent to execute Agreement for Services 129-S0911 with Central Valley Foster Care, Inc. and retroactive Agreement for Services 578-S0911 with New Millennium Contemporary Management dba New Millennium Foster Family Agency retroactive to October 1, 2008 each in the amount of \$100,000 for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis.
- FUNDING:** Federal and State Social Services Allocation with required County Share of Cost met primarily with realignment resources.
14. [09-0598](#) Human Services Department recommending the Chairman be authorized to sign a Vendor Agreement with Del Oro Caregiver Resource Center (DCRC) in an estimated amount of \$20,000 for the term July 1, 2009 through June 30, 2010 to enable the Senior Day Care Program to receive reimbursement for respite services; and, authorize the Director, or successor, of said Department to sign subsequent amendments thereto, contingent upon County Counsel and Risk Management approval, that do not affect the term or the dollar amount.
- FUNDING:** State Grant Funds.
15. [09-0604](#) Human Services Department recommending Chairman be authorized to sign Contract for Services 794-O0910 with New Morning Youth & Family Services to enable this local service provider to continue to participate in the State Medi-Cal Administrative Activities (MAA) Program, effective July 1, 2009 and shall continue until terminated.
- FUNDING:** Federal Medicaid Funds.
16. [09-0599](#) Human Services Department recommending adoption of Resolution authorizing the Chairman to execute Contract 09-86018 with the California Department of Health Care Services in an amount up to \$4,500,000 for the period July 1, 2009 through June 30, 2012 to enable El Dorado County to claim federal revenues for allowable Medi-Cal Administrative Activities (MAA); and further authorizing the Director, or his/her successor, of said Department to execute further documents relating to said contract, including amendments thereto contingent upon approval by County Counsel and Risk Management that do not affect the dollar amount or the term.
- Resolution 113-2009**
FUNDING: Federal Medicaid Funds.

17. [09-0645](#) Human Services Department recommending Chairman be authorized to sign the El Dorado County Community Services Block Grant (CSBG) Recovery Act Local Plan submitted to the California Department of Community Services and Development on May 11, 2009 as required to enable the County to receive an allocation of federal (CSBG) Stimulus funding in an estimated amount of \$175,375 for (CSBG) activities during an expected period of July 1, 2009 through September 30, 2010; and recommending the Acting Director's signature be ratified on the Recovery Act Local Plan for same.

FUNDING: Expected Federal (CSBG) American Recovery and Reinvestment Act Funds.

18. [09-0656](#) Information Technologies Department requesting the Board approve the updated Computer and Network Usage Guides and incorporate them into Board Policy A-19.

19. [09-0532](#) Probation Department recommending Chairman be authorized to sign Agreement 781-S0911 with the County of Solano for the space-available rate of \$3,900 per ward per month for the term July 1, 2009 through June 30, 2010 to provide Court-ordered commitments for juvenile court wards on an "as requested" basis at the Fouts Springs Youth Facility for said Department.

FUNDING: Funding for this agreement is included in Probation's proposed budget for FY 2009/10.

20. [09-0663](#) Sheriff's Department recommending adoption of Resolution approving the revised Disposition Schedule for the Sheriff's Office.

21. [09-0660](#) Sheriff's Department recommending the Board find that an independent contractor can more economically and feasibly perform work in accordance with Section 3.13.030 of the Purchasing Ordinance; and, recommending Chairman be authorized to sign Agreement 804-S0911 with William J. Gilles, M.D. of Placerville, CA for the period August 1, 2009 for selected pathology and related services for the Sheriff's Coroner Divisions in Placerville and South Lake Tahoe for the period covering August 1, 2009 through July 31, 2012 in an amount not to exceed \$423,000.

FUNDING: General Fund.

22. [09-0521](#) Transportation Department requesting authorization to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Sawmill 2 Bike Path and Erosion Control Project JN95165, affecting portions of the following subject parcels: APN 033-020-12, George L. Carrere, Trustee of the Lampson Trust of July 17, 1996; APN 033-090-07, Blair P. R. Henry, Trustee of the B. P. R. Henry Living Revocable Trust; APN 033-090-12, Cass B. Amacker, Sr. and Virginia H. Amacker; APN 033-090-13, Vera M. Silberstein, Conservatee % Betty Bianchi, Conservator; APN 033-090-16, Cass Amacker, Sr. and Virginia Amacker; APN 033-090-17, Kevin Chapman and Carol Chapman, Trustees of the Chapman Revocable 1991 Trust; APN 033-160-03, James L. Kerver and Melanie L. Kerver and John K. and Dorothy J. Kerver; APN 033-160-04, Kevin Lawson; APN 033-160-05, Robert Allen Child and Georgina L. Child; APN 033-160-06, Edna M. Richardson, Deceased, in care of Rene Richardson, Executrix; APN 033-160-07, Ronald Henry Aaron and Mozelle Aaron, Trustees for the Aaron Family Trust of 3/29/95 and George Sassoon R. Aaron and Cynthia Roslyn Codron; APN 033-160-08, Larry D. Barker and Sally Irene Tinch; APN 033-160-09, Derek P. Tarpey and Vicki J. Tarpey; APN 033-160-10, Henry G. Loeffler and Sharon A. Speck, Trustees for the Henry Loeffler Revocable Trust November 2, 2004; APN 033-180-04, Thomas Andrew Yant; APN 033-180-06, Hal Cole, Jr. and Frances Cole; APN 033-180-33, Timothy G. Stephens; APN 033-180-34, Keith Buckingham and Shelley A. Buckingham and Wendy Buckingham; APN 033-180-35, Tony Guarnero; and APN 033-180-36, Thomas A. Yant.

FUNDING: California Tahoe Conservancy Grant.

23. [09-0643](#) Treasurer-Tax Collector recommending Chairman be authorized to sign Amendment I to Perpetual Agreement for Services 049-S0810 with Loomis, Fargo & Co. increasing the not to exceed amount to \$9,000 per annum, inclusive of all expenses, to provide continued armored car services for said Department.

FUNDING: General Fund.

24. [09-0626](#) Treasurer-Tax Collector recommending the Chairman be authorized to sign Amendment I to Agreement for Services 474-S0810 with Diebold, Incorporated increasing compensation amount by \$5,715 to \$6,729 and extending the term five years through June 30, 2014 to provide vault equipment and alarm maintenance.

FUNDING: General Fund.

25. [09-0708](#) Supervisor Briggs recommending waiver of temporary event vendor permit fees for affected vendors participating in the Gold Country Herb Faire in September 2009.

26. [09-0714](#) Supervisor Nutting requesting the Board approve an additional year extension for Building Permit Nos. 170180, 170358 and 170298 for Fred Thompson on property located in the Somerset area.
27. [09-0651](#) Chief Administrative Office, Procurement and Contracts Division, 1) recommending findings be made that it is more economical and feasible to contract out for road material hauling services in accordance with County Ordinance 3.13, Section 3.13.030; 2) award Bid 09-961-104 to Blain Stumpf Trucking, Shingle Springs, CA in an amount not to exceed \$170,000 for a one (1) year term; 3) Terminate Agreement 892-S0811 with Johal Enterprises due to non-compliance with the insurance requirements of said Agreement; and 4) authorize the Purchasing Agent to execute an agreement for services for same subject to County Counsel and Risk Management review and approval.

FUNDING: Road Fund.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

ADDENDUM

Agenda Item No. 28 has been amended, as follows:

28. [09-0340](#) Environmental Management Department recommending the Board hold a public hearing to set direction regarding options to fund a Rate Setting Methodology Study and future County Solid Waste Planning, as follows:
- 1) Adopt a Resolution increasing the Solid Waste Franchise Fees by 1.5% to fund a Rate Setting Methodology Study and future County Solid Waste Management Planning;
 - 2) Direct Environmental Management to appropriate \$50,000 annually over the next two fiscal years to assist with funding of the Solid Waste Management Plan and Standardized Rate Setting Methodology;
 - 3) Approve the proposed conceptual solid waste working committee membership and project timeline;
 - 4) Direct Environmental Management to continue work on countywide solid waste management planning pursuant to the direction given concerning the funding mechanism options; and
 - 5) Direct the Department to continue to provide periodic updates and performance measurements to the Board as necessary.

ADDENDUM

Department requests the continuance of Item No. 29 to June 9, 2009.

29. [09-0728](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign Budget Transfer adjusting the Division's revenues and appropriations to be consistent with year end projections for Fiscal Year 2008-2009. (4/5 vote required)
30. [09-0629](#) Human Resources Department recommending adoption of Resolution amending the Compensation Administration Resolution, No. 227-84, Section 206 of El Dorado County, effective upon adoption of Resolution.
31. [09-0064](#) Chief Administrative Office recommending the Board provide clarification regarding the allocation of Title III funds as directed at the February 10, 2009 Board meeting.

32. [09-0415](#) Chief Administrative Office recommending the Board discuss Supplemental Funding to Fire Districts (Aid to Fire) and take the following actions:
- 1) Adopt Resolution 111-2009 terminating Supplemental Funding for Fire Districts, making findings to support that termination, and providing for an additional appropriation of \$335,537 in Fiscal Year 2009-2010;
 - 2) Authorize staff to work with Local Agency Formation Commission (LAFCO) to initiate a request for qualifications for a Fire Service Consultant and prepare a Memorandum of Understanding with LAFCO for the administration of a Fire Service Consultant Agreement; and
 - 3) Bring Fire Service Consultant findings and recommendations back to the Board prior to the Fiscal Year 2010/2011 budget.

FUNDING: General Fund.

33. [09-0152](#) Clerk of the Board of Supervisors requesting the Board approve the proposed District V Board of Supervisors Fiscal Year 2009/2010 Budget. (Cont'd 5/19/09, Item 4)
34. [09-0657](#) Clerk of the Board of Supervisors recommending the Board receive a report pertaining the Board of Supervisors Policies and Procedures; and recommending the Board provide direction to staff to update identified policies and procedures and compile manual for same. (Refer to File 09-0152, Cont'd 5/19/09, Item 36)
35. [09-0733](#) Supervisor Nutting recommending adoption of a Proclamation acknowledging the 60th Annual Highway 50 Association Wagon Train from June 6, 2009 through June 14, 2009.
36. [09-0727](#) Supervisor Sweeney requesting a discussion of the activities and structure of the Health Plan Advisory Committee.
37. [09-0735](#) Supervisors Nutting and Santiago recommending the Board make an amendment to Ordinance 4675 reducing the Board of Supervisors salaries by 5 percent.
38. [09-0737](#) Supervisor Nutting requesting a state of emergency be declared for all State of California National Forests.

ADDENDUM

Department requests the continuance of Item No. 39 off calendar.

39. [09-0506](#) Supervisor Santiago requesting the Board approve and authorize the Chairman to sign a Memorandum of Understanding with the City of South Lake Tahoe for cooperative construction of improvements for Lakeview Commons Project. (Cont'd 5/19/09, Item 37)

2:00 P.M. - TIME ALLOCATION

40. [09-0538](#) Hearing to consider adoption of Resolution amending the 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program and Revised TIM Fee Rates.
Resolution 114-2009
41. [09-0664](#) Hearing to consider a request submitted by Marion E. Long appealing the conditions of approval imposed by the Planning Commission for Special Use Permit S07-0020/Pacific House Auto Repair on property, identified by APN 009-140-19, consisting of 4.19 acres, in the Pacific House area; and Planning Services recommending the Board take the following actions:
(1) Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301(d) of the CEQA Guidelines;
(2) Deny the appeal and uphold the conditional approval of Special Use Permit S07-0020 by the Planning Commission on April 23, 2009, based on the findings and subject to the conditions listed in Attachment 1; and
(3) Deny the requested appeal fee waiver submitted by the applicant at time of appeal filing. (Supervisorial District II)

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

CLOSED SESSION

42. [09-0718](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 070-261-82. The person or persons with whom the negotiator may negotiate: Detmold Limited Partners, represented by Cherie L. Raffety. Instructions to negotiator will concern both price and term of payment. Louis B. Green, County Counsel, Peter Maurer, Principal Planner, and Pete Feild, Right-of-Way Program Manager, will be the negotiators on behalf of El Dorado County.
43. [09-0726](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation**: Significant exposure to litigation. One (1) potential case. Title: El Dorado Trail Improvement Project.
44. [09-0724](#) Pursuant to Government Code Section 54957, **Public Employee Appointment**: Title: Director of Human Resources.
45. [09-0688](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation**: Title: Director of Development Services.
46. [09-0679](#) 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 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 Sheriff's Association representing employees in the Law Enforcement unit.

ADDENDUM

Agenda Items No. 47 and 48 have been added, as follows:

CLOSED SESSION

47. [09-0650](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation**: Title: County Counsel. (Cont'd 5/19/09, Item 43)
48. [09-0644](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation**: Conference with Legal Counsel: Title: Industrial Disability Retirement Application - Davis v. County of El Dorado, Office of Administrative Hearings No. 2008090727. (Cont'd 5/19/09, Item 46)
Resolution 115-2009

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, June 8, 2009 – 9:00 a.m - Budget Workshop – Overview and General Government

Wednesday, June 10, 2009 – 9:00 a.m. - Budget Workshop – Health and Human Services

Thursday, June 11, 2009 – 9:00 a.m. - Budget Workshop – Law and Justice

Monday, June 15, 2009 – 9:00 a.m. - Budget Workshop - Land Use and Development

Wednesday, June 17, 2009 – 9:00 a.m. - Budget Workshop - Continued Presentations, if needed

Thursday, June 18, 2009 – 9:00 a.m. - Budget Workshop - Continued Discussion, if needed. Close Budget Workshop.

Tuesday, June 23, 2009 – 9:00 a.m. - Adopt Proposed Fiscal Year 2009/2010 Budget

Monday, June 22, 2009, 9:00 a.m. - General Plan/5 Year Review and Update (Continued from May 4, 2009)

Monday, July 27, 2009, 9:00 a.m. – Special Meeting to discuss Tax Increments