



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, July 28, 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.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [09-1005](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, July 21, 2009.
2. [09-0905](#) Air Quality Management District (AQMD) recommending Chairman be authorized to sign Amendment 1 to Funding Agreement 008-DMV-08/09-BOS with Meeks Bay Fire Protection District (FPD) extending the term through December 31, 2009.

FUNDING: AQMD Special Revenue Fund.

3. [09-0961](#) Chief Administrative Office recommending Budget Transfer 29183 to correct Fiscal Year 2008-2009 appropriations for Risk Management Charges to the Treasurer-Tax Collector and Child Support Revenue Recovery Division. (4/5 vote required)

FUNDING: Fees for revenue recovery.

4. [09-0919](#) Chief Administrative Office recommending the Board receive and file a status report on recommendations made by the Grand Jury in its 2006-2007 Final Report, 2007-2008 Final Report Part 1, 2007-2008 Final Report Part 2, and 2007-2008 Final Report Part 3.

5. [09-0945](#) Chief Administrative Office, Procurement and Contracts Division, recommending the following pertaining to Paul Funk, dba Pro Line Cleaning:
- 1) Find that it is more economical and feasible to contract out for custodial services for the Human Services and Child Support Services offices located at 3047 and 3057 Briw Road in accordance with County Ordinance 3.13.030; and
 - 2) Authorize the Chairman to execute Amendment II to Agreement #045-S0810 with Paul Funk dba Pro Line Cleaning extending the term for one additional year and increasing compensation by \$41,640 to an amount not to exceed \$121,640 for the three year period through July 18, 2010.

FUNDING: Funding sources for the Department of Human Services are 85% Federal/State via Social Services allocations with a 15% County match (met primarily with realignment resources). Funding sources for the Department of Child Support Services are 66% Federal and 33% State with no County match.

6. [08-1343](#) County Counsel recommending the Chairman be authorized to sign Amendment 1 to Agreement with Science Applications International Corporation (SAIC) extending the term through December 31, 2009, specifically allowing for the subcontracting of rare plant surveys.
7. [09-0996](#) District Attorney recommending the Board approve Budget Transfer increasing the Department's budgeted revenues and appropriations for both the Environmental Program and Real Estate Fraud program for Fiscal Year 2008/2009. (4/5 vote required)

FUNDING: Special Revenue Accounts.

8. [09-0873](#) Health Services Department recommending Chairman be authorized to sign Addendum 1 to Agreement 09-0007060-01M with Netsmart Public Health, Inc., in the amount of \$23,904 for the term April 1, 2009 through March 31, 2010, to provide software maintenance for the Insight software product used by the Public Health Division, noting this addendum provides for a named County contract administrator.

FUNDING: Realignment.

9. [09-0422](#) Health Services Department recommending adoption of Resolution authorizing the Emergency Medical Services (EMS) Agency to charge a "Trauma Center Designation Fee" in connection with any application for a trauma designation, thereby superseding Resolution 189-2007; and recommending Chairman be authorized to sign Memorandum of Understanding 801-PHD1008 with Marshall Medical Center for a two-year term to designate Marshall Medical Center as a Level III Trauma Center.

Resolution 177-2009

10. Health Services Department, Mental Health Division, recommending Chairman be authorized to sign non-financial Memorandum of Understanding 834-M0810 with Rescue Union School District for a term effective upon execution through June 30, 2012 to address the provision of mandated school-based mental health services.

11. [09-0602](#) Human Services Department recommending Chairman be authorized to sign Amendment III to Agreement for Services 542-S0811 with Lilliput Children's Services increasing compensation amount by \$162,000 to an amount not to exceed \$486,000 extending the term through June 30, 2010 to provide continued Kinship Support Services Program (KSSP) services.

FUNDING: KSSP is 100% funded by a State Allocation.

12. [09-0939](#) Human Resources Department, Risk Management Division, recommending the Board approve a Budget Transfer 29180 increasing revenues and appropriations in the Human Resources Department, Risk Management division budget by \$500,000 to cover Fiscal Year 2008-2009 medical and pharmaceutical claims costs. (4/5 vote required)

FUNDING: Risk Management Special Revenue Fund.

13. [09-0924](#) Human Services recommending the Board, as the In-Home Supportive Services Public Authority (IHSS PA) Governing Board, take the following actions relative to the IHSS Advisory Committee:

- 1) Acknowledge and accept the resignation of Betsy Moore, Community Representative; and
- 2) Reappoint Dorrie Carlisle and Carol Keates as Community Representatives, reappoint Alexandra Ivanovsky and Darryl Nelson as Provider Representatives and reappoint Roger Lanzini as a Consumer Representative to serve on the In-Home Supportive Services Advisory Committee for two year terms through January 1, 2011, in accordance with the In-Home Supportive Services Advisory Committee By-laws.

FUNDING: Federal and State In-Home Supportive Services Public Authority Allocation.

14. [09-0925](#) Human Services Department recommending the Chairman be authorized to sign Contract R970535-03 with Golden Sierra Job Training Agency in the amount of \$36,000 for the term July 1, 2008 through December 31, 2009, for provision of Workforce Investment Act job training activities to dislocated residential construction workers by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and authorize the Director of Human Services, or successor, to execute subsequent documents relating to said contract, including any amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term and required fiscal and programmatic reports.

FUNDING: Federal Workforce Investment Act - Governor Authorized Discretionary 15 percent funds.

15. [08-0673](#) Probation Department advising the Board of a perpetual Agreement 356-S0811 with American Red Cross, Sacramento Sierra Chapter, in an amount not to exceed \$5,000 annually for CPR / First Aid Training, course and instructor materials, and rental fees, on an as-requested basis.

FUNDING: General Fund.

16. [09-0917](#) Transportation Department recommending adoption of Resolution ratifying the signature of the Director of Transportation or his designee executing a grant application and assurances with the United States Department of Transportation, Federal Aviation Administration (FAA) for funding in the amount of \$172,000 for remediation of a hazardous condition at the Georgetown Airport.

FUNDING: FAA and Georgetown Airport Enterprise Fund.

Resolution 178-2009

17. [09-0509](#) Transportation Department recommending the Board take the following actions pertaining to the Christmas Valley Phase 2A Erosion Control Project (95159):
- 1) Adopt and approve the Plans and Contract Documents, and authorize the Chairman to sign the Plans;
 - 2) Authorize advertisement for construction bids; and,
 - 3) Authorize the Utilization of County Right of Way in the project area for temporary contractor staging and materials storage to facilitate construction of the project.

FUNDING: United States Forest Service.

18. [09-0926](#) Treasurer-Tax Collector recommending Chairman be authorized to sign retroactive Amendment I to Agreement for Services 277-S0511 with Bank of America increasing the compensation amount by \$76,800 to \$460,800 and extending the term one through May 12, 2010 to provide Government Banking Services.

FUNDING: General Fund.

END CONSENT CALENDAR

DEPARTMENT MATTERS

19. [09-0064](#) Chief Administrative Office providing clarification of new Request for Proposal options for Title III funding as previously directed by the Board on June 2, 2009.
20. [09-0992](#) Chief Administrative Office recommending the Board discuss Proposition 13, Tax Rate Areas (TRA), Assembly Bill 8 (AB8), Annexations, and Propositions 90, 110, and 60; and requesting the Board provide direction on the following:
- 1) Should the County pursue a master tax agreement with El Dorado Irrigation District, the Community Service Districts, the Fire Districts and all other entities involved, or continue to handle annexations on a case by case basis?
 - 2) Should the County implement an Ordinance to adopt Proposition 90? (Refer to File 09-0549, 5/5/09)
21. [09-0786](#) Health Services Department updating the Board on fiscal and operational status of said Department; and recommending adoption of Resolution approving a deviation from retention points for the purpose of retaining employees with bilingual skills in the classification of Program Assistant in said Department.
- Resolution 179-2009**
22. [09-0995](#) Supervisor Knight requesting the Board consider credit for payment of all building permit fees paid by Rudy and Jackie Rosen on property at 2069 Chateau Montelana, El Dorado Hills, and to allow the County District Attorney's office to continue to pursue restitution from the contractor for fraudulently written checks passed to the County.

2:00 P.M. - TIME ALLOCATION

23. [09-0906](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z07-0033/Planned Development PD07-0020/Tentative Map TM07-1448 on property identified by APN 331-420-12, consisting of 24.3 acres, in the El Dorado area, submitted by Michael, Robin, and Joshua McCann; and recommending the Board take the following actions:
- 1) Adopt the Mitigated Negative Declaration based on the initial study prepared by staff;
 - 2) Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures listed in Attachment 1;
 - 3) Approve Z07-0033 rezoning APN 331-420-12 from Planned Agricultural 20-Acre (PA-20) to One-Family Residential-Planned Development (R1-PD) and Open Space-Planned Development (OS-PD), based on the findings listed in Attachment 1;
 - 4) Approve Planned Development PD07-0020 adopting the Development Plan as the official Development Plan based on the findings and subject to the conditions of approval listed in Attachment 1;
 - 5) Approve Tentative Map TM07-1448 based on the findings and subject to the conditions of approval listed in Attachment 1;
 - 6) Approve the request for design waiver to reduce the sidewalks from six feet to four feet wide;
 - 7) Deny the following design waivers since appropriate findings required in Section 16.40.010 cannot be found to exist: a) to allow Lots 17, 18, 20, 21, 48, 50, 51 and 52 to have less than the required lot widths; and b) to allow flag-shaped lots on Lots 17, 18 and 51; and
 - 8) Adopt Ordinance for said rezone. (Supervisorial District III)

DEPARTMENT MATTERS:

24. [09-1006](#) Chief Administrative Office recommending the Board: 1) find that it is more economical and feasible to engage an independent contractor for the provision of television production services in accordance with Ordinance 3.13.030; and 2) authorize the Chairman to execute an agreement with Todd Stanley doing business as Todd Stanley Productions for the production of "Experience El Dorado," subject to approval by County Counsel and Risk Management. (General Fund)

FUNDING: Hotel and Motel Tax (HMT).

25. [09-1012](#) Chief Administrative Office recommending the Board approve the allocation of \$600,000 from the promotions account to be awarded to organizations to carry out activities for the promotion of tourism, entertainment and business and leisure travel in the County of El Dorado.

FUNDING: Hotel and Motel Tax (HMT).

26. [09-1016](#) Chief Administrative Office recommending the Board take the following actions:
- 1) Authorize the relocation of approximately 19 employees in the Human Services Department from the current leased facilities at 971 and 981 Silver Dollar, South Lake Tahoe to the El Dorado Center in South Lake Tahoe and the reassignment of approximately 33 positions (27 filled and 6 vacant) in the Human Services Department from South Lake Tahoe to Placerville;
 - 2) Authorize the Facility Engineering Division of the Department of Transportation on behalf of the Human Services Department to issue letters of intent to the landlord to terminate the leases at 971 and 981 Silver Dollar, South Lake Tahoe effective September 30, 2009; and
 - 3) Authorize the Chief Administrative Officer to execute an interim agreement, if necessary, with the Judicial Council of California, Administrative Office of the Courts, for the use of space in the El Dorado Center that is currently designated for the Courts, to allow for space modifications and occupancy of said space by County pending the completion of an equity exchange agreement currently in process.

FUNDING: Federal, State, Realignment and ACO Funds .

27. [09-1009](#) Public Defender recommending the Board approve Budget Transfer in the amount of \$54,894 from contingency to cover budget overage in Fiscal Year 2008-2009 retroactively to June 30, 2009. (4/5 vote required)

FUNDING: Department 15 - Contingency.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

28. [09-0904](#) 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 Sheriff's Association representing employees in the Law Enforcement unit.
29. [09-0980](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 069-101-86. The person or persons with whom the negotiator may negotiate is Mary L. Johnston, a single woman. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
30. [09-0981](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 069-340-01. The person or persons with whom the negotiator may negotiate are Paul V. Richardson and Patricia E. Richardson, Co-Trustees of the Richardson Living Trust dated March 5, 2006. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
31. [09-0982](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 069-340-02. The person or persons with whom the negotiator may negotiate are Ardys Beatrice Forster, As Trustee and Norre L. Prebel 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; Darci A. Iseger and Dogleas Vaughan, as Co-Trustees of 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. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.

32. [09-0983](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-340-04. The person or persons with whom the negotiator may negotiate are Stephen S. Kramer and Kaye S. Kramer, As Trustees of the Stephen S. Kramer and Kaye S. Kramer Trust Agreement Dated March 23, 1998. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
33. [09-0984](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-101-28. The person or persons with whom the negotiator may negotiate are Joan M. Nash Surviving Joint Tenant and J.M. Nash Revocable Trust. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
34. [09-0985](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-101-31. The person or persons with whom the negotiator may negotiate is Jessie E. Church, Trustee of the Jessie E. Church Living Trust Dated 11-16-99. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
35. [09-0986](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-101-60. The person or persons with whom the negotiator may negotiate are Randy Peace and Norma Peace, Husband Wife, as Joint Tenants. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
36. [09-0987](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-101-81. The person or persons with whom the negotiator may negotiate are Randall J. Siron and Nancy Lee Siron, Trustees of the 2008 Randall J. Siron and Nancy Lee Siron Revocable Trust Dated August 4, 2008. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.

37. [09-0988](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-241-14. The person or persons with whom the negotiator may negotiate are Mark K. Freeman and Christine Freeman, Husband and Wife as Joint Tenants as to an undivided 2/3 interest and Mark Freeman and Christine Freeman, Husband And Wife as Joint Tenants, as to an undivided 1/3 interest. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.
38. [09-0989](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 069-241-15. The person or persons with whom the negotiator may negotiate are Cynthia A. Sanchez and Louis A. Sanchez Wife and Husband as Joint Tenants. Instructions to negotiator will concern price and terms of payment. Pete Feild will be the negotiator on behalf of the County of El Dorado.

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, August 24, 2009, 9:00 a.m. – Special Meeting to discuss Proposed reductions for Fiscal Year 2009-2010 Budget.

Thursday, September 17, 2009, 9:00 a.m. – Open Budget Hearings.

Monday, September 21, 2009 through Friday, September 25, 2009, 9:00 a.m. – Budget Hearings

Tuesday, September 29, 2009 , 9:00 a.m. - Adoption of Fiscal Year 2009-2010 Budget.