



# County of El Dorado

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## Minutes - Final Board of Supervisors

*Rusty Dupray, Chairman, District I*  
*Ron Briggs, First Vice Chairman, District IV*  
*Norma Santiago, Second Vice Chairman, District V*  
*Helen K. Baumann, District II*  
*James R. Sweeney, District III*

*William E. Schultz, Acting Clerk of the Board of Supervisors*  
*Gayle Erbe-Hamlin, Chief Administrative Officer Louis B.*  
*Green, County Counsel*

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Tuesday, September 30, 2008

8:00 AM

Board of Supervisor 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.co.el-dorado.ca.us](http://www.co.el-dorado.ca.us) subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that large amounts of 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**

**Present:** 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

**9:00 A.M. - RECONVENE TO OPEN SESSION AND CLOSED SESSION REPORTS**

**Present:** 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

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.

Approval of the Consent Calendar

**A motion made by Supervisor Briggs, seconded by Supervisor Santiago to adopt the Agenda approve the Consent Calendar with the following exceptions: Items 2, 11, and 13 pulled from Consent Calendar for separate action; and Item 28 continued to October 7, 2008.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**OPEN FORUM**

**BUDGET UPDATE**

**CONSENT CALENDAR**

- 1. [08-1483](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Thursday, September 18, 2008 and the Regular Meeting of Tuesday, September 23, 2008.

**RECOMMENDED ACTION:** Approve.

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

- 2. [08-1370](#) Public Health Department advising the Board of current perpetual agreements for services with no stated term and recommending Board authorize continuation of same; and Purchasing Agent be authorized to establish blanket purchase orders to process associated payments for Fiscal Year 2008-2009.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Various funding sources.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

3. [08-1416](#) Public Health Department recommending the Board receive and file the Freedom of Information Act reports for special taxes for County Service Areas 3 and 7, specific to El Dorado County ambulance services for Fiscal Year 2007-2008; said reports include the following:  
(1) A statement outlining Government Codes §50075.1(a), (b), (c) and (d) indicating the specific purpose of the special tax, requirement of proceeds being applied pursuant to subdivision (a), creation of an account into which the proceeds are deposited, and an annual report pursuant to section 50075.3 which details revenue and expenditure data based on El Dorado County FAMIS accounting system for each tax year.  
**RECOMMENDED ACTION:** Approve.

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

4. [08-1434](#) Human Services Department recommending Chairman be authorized to sign Amendment 1 to Memorandum of Understanding (MOU) 001-DHS-M0811-STPUD with South Lake Tahoe Public Utility District to increase compensation paid to said Department for providing applicant eligibility screening services for District's Helping Hands Outreach (H2O) Program.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** South Tahoe Public Utility H2O Funds.

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

5. [08-1442](#) Mental Health Department recommending Chairman be authorized to sign retroactive Agreement 271-O0911 (7223-09-058) with the County of Sacramento in the amount of \$100,000 for the term of July 1, 2008 through June 30, 2009 to provide acute inpatient psychiatric treatment for individuals referred by the County of Sacramento Department of Health and Human Services.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Sacramento County.

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

- 6. [08-1443](#) Mental Health Department recommending Chairman be authorized to sign Agreement 095-S0911 with the Department of Veterans Affairs in the amount of \$150,000 for the term of October 1, 2008 through September 30, 2009 to provide acute inpatient psychiatric treatment for veterans referred by the Department of Veterans Affairs.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** U.S. Department of Veterans Affairs.

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

- 7. [08-1445](#) Mental Health Department recommending Resolution **266-2008** authorizing the Chairman to sign Agreement 245-S0911 (27044) with the State of California Department of Rehabilitation in the amount of \$161,613 for the term of July 1, 2008 to June 30, 2011 to provide mental health and case coordination services in the South Lake Tahoe area to clients receiving services from both of these public agencies, and authorizing the Director of said Department to approve Agreement modifications, contingent upon approval of County Counsel and Risk Management, that do not affect the dollar amount or the term, and sign programmatic and financial reports as required by the state for compliance with California Department of Rehabilitation statutes and regulations.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** State of California, Department of Rehabilitation.

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

- 8. [08-1404](#) Transportation Department recommending Chairman be authorized to sign Road Improvement Agreement 07-1523 with Celtic Properties for road and drainage improvements for the Rite Aid at Cameron Ranch Project.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Developer Funds

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

9. [08-1346](#) Transportation Department recommending Amendment I to the Master Equipment Rental Agreement AGMT 07-1618 with Holt of California increasing contract amount by \$210,000 to \$300,000 for the term February 26, 2008 through February 28, 2011 for as-requested equipment rental for said Department.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Road Fund.

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

10. [08-1268](#) Transportation Department recommending Chairman be authorized to sign License Agreement CTC-20080724 El Dorado with the California Tahoe Conservancy for the Angora 3 Erosion Control Project (JN 95160) for access to a Conservancy-owned parcel.  
**RECOMMENDED ACTION:** Approve.

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

11. [08-1388](#) Transportation Department recommending the following pertaining to the US Highway 50 High Occupancy Vehicle (HOV) Lanes Phase 1 Project from El Dorado Hills to Bass Lake Grade, Contract 53110:

(1) Adopt and approve the plans and contract documents and authorize the Chairman to sign the plans for said project;

(2) Authorize advertisement for construction bids;

(3) Authorize the Director of said Department to make minor changes, and to issue addenda, as necessary, during the advertisement process;

(4) Authorize the utilization of County-owned property in the project area for temporary contractor staging, materials storage and field offices to facilitate construction of the project; and

(5) Authorize Director of said Department to approve temporary road closures and detours to accommodate construction staging.

**RECOMMENDED ACTION:** Approve.

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

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

12. [08-1488](#) Supervisor Santiago and Transportation Department recommending conceptual approval regarding the transfer of BlueGO OnCall transit services in unincorporated El Dorado County within the Lake Tahoe Basin, noting staff to return to the Board with a transfer agreement and any other documents necessary for said transfer.  
**RECOMMENDED ACTION:** Approve.  
**This matter was Approved on the consent calendar**
13. [08-1487](#) Supervisor Santiago and Transportation Department recommending Resolution **265-2008** authorizing the South Tahoe Area Transit Authority to implement BlueGO Service and Fare Modifications effective Sunday, November 23, 2008.  
**RECOMMENDED ACTION:** Approve.  
**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to adopt Resolution 265-2008 with revisions to paragraph 5 as presented this date.**  
**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago
14. [08-1421](#) Environmental Management/Air Quality Management District (AQMD) recommending Chairman be authorized to sign the First Amendment to Agreement No. 019-A-07/08-BOS (439-S-0811) with Dongell, Lawrence, Finney, LLP increasing the compensation by \$80,000 to an amount "not to exceed" \$160,000 and extending the term for one year term through September 30, 2009 to provide specialty research and advisory services regarding Naturally Occurring Asbestos.  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** General Fund  
**This matter was Approved on the consent calendar**
15. [08-1436](#) Recorder-Clerk-Registrar of Voters recommending Chairman be authorized to sign Amendment III to perpetual Memorandum of Understanding 384-MO610 with the Department of Justice in the amount of \$2,956.66 for Fiscal Year 2008-2009 for the Electronic Recording Delivery System for the Recorder-Clerk's office.  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Recorder-Clerk Special Revenue ERDS 7728306.  
**This matter was Approved on the consent calendar**

16. [08-1464](#) Information Technologies Department recommending Chairman be authorized to sign the Channel Service Agreement Order Form and State and Local Government Customer Agreement 229-S0911 with Avaya, Inc. in the amount of \$98,000 per year for a term of four years to provide telecommunications equipment maintenance county wide.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

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

17. [08-1474](#) Chief Administrative Office recommending Chairman be authorized to sign Amendment I to Agreement 1036-S0811 with Eric Schlueter, Esq., to change the business structure to Eric Schlueter Inc.  
**RECOMMENDED ACTION:** Approve.

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

18. [08-1472](#) Chief Administrative Office recommending Chairman be authorized to sign Amendment IV to Agreement 343-S0610 with e-Civis, Inc. in the amount of \$11,652 for the term November 1, 2008 through October 31, 2009 for continuation of the grant locator system.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Department of Transportation.

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

19. [08-1475](#) Chief Administrative Office, Procurement and Contracts Division, recommending the following pertaining to Western States Contracting Alliance:
- (1) Authorize Purchasing Agent to utilize the Western States Contracting Alliance (WSCA) for acquisition of computing equipment, printers, network hardware, related peripherals, maintenance and software;
  - (2) Authorize Purchasing Agent to include any other authorized vendors of computer hardware and software contracted under WSCA as a result of formal competitive solicitations; and
  - (3) Authorize Purchasing Agent to execute purchase orders on an "as-requested" basis with WSCA authorized contractors following Board approval through any authorized date as defined in the awarded contracts.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** (General Fund/Non-General Fund).

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

20. [08-1489](#) Supervisor Baumann recommending Dr. Jason Eberhart-Phillips be appointed to serve as a member on the First 5 El Dorado Children and Families Commission representing the County Health Office, to replace Gayle Erbe-Hamlin, Chief Administrative Officer.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

**END CONSENT CALENDAR**



**DEPARTMENT MATTERS**

21. [08-1428](#) Public Health Department providing a report on the transition of family planning and related services for individuals less than 18 years of age and recommending the following:
- (1) Extension of transition period for family planning and related services provided by said Department for individuals less than 18 years of age through December 31, 2008; and
  - (2) Continue to appropriately assist individuals in identifying alternative providers in the community for such services.

**FUNDING:** Realignment fund.

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

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

**Noes:** 1 - Briggs

**Absent:** 1 - Dupray

22. [08-1396](#) Transportation Department recommending Chairman be authorized to sign retroactive Amendment I to Aviation Refueler Lease Agreement 601-L0811 (AGMT 08-1787) with EPIC Aviation, LLC dba Air BP Aviation Services increasing compensation by \$6,896.24 to an amount not to exceed \$34,148.24 and changing the term from December 16, 2007 through February 28, 2011 and to specify separate not-to-exceed amounts for the monthly rental payments and other changes including licenses, registrations, fees and taxes amending other articles of the contract to conform to current contract standards for the lease of the aircraft refueling truck at the Placerville Airport.

**FUNDING:** Placerville Airport Enterprise Fund.

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

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

**Absent:** 1 - Dupray

23. [08-1414](#) Human Resources Department, Risk Management Division, recommending the Chairman be authorized to sign Agreement 177-S0910 with Vision Service Plan (VSP) in an amount not to exceed \$570,000 for the term July 1, 2008 through June 30, 2011 for provision of vision benefits to County employees. (Risk Management Internal Service Fund)

**This matter was added to Consent Calendar and approved.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

24. [08-1505](#) Adoption of Resolution **270-2008** adopting the Fiscal Year 2008-2009 Budget.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 270-2008.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

25. [08-1504](#) Adoption of Resolution **269-2008** adopting Fiscal Year 2008-2009 Budget for El Dorado County In-Home Supportive Services Public Authority.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 269-2008.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

26. [08-1502](#) Adoption of Resolution **268-2008** adopting Fiscal Year 2008-2009 Budget for the Public Housing Authority.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 268-2008.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

27. [08-1501](#) Adoption of Resolution **267-2008** adopting Fiscal Year 2008-2009 Budget for Air Quality Management District.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 267-2008.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

28. [08-1506](#) Human Resources Department recommending adoption of Resolution **271-2008** amending Authorized Personnel Allocation Resolution implementing changes resulting from the Fiscal Year 2008-2009 Budget process and incorporating amendments previously approved by the Board of Supervisors.(Cont'd 9/30/08, Item 28)
- This matter was continued to October 7, 2008 upon adoption of the Agenda.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

29. [08-1423](#) Hearing to consider expenditure of the anticipated State Fiscal Year 2007/2008 Supplemental Law Enforcement Services Fund (SLESF) allocation, including estimated interest; and recommending approval of a request for expenditure of anticipated SLESF funds.

**FUNDING:** State Supplemental Law Enforcement Services Fund.

**Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to approve this matter.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

- 30.** [08-1465](#) Supervisor Santiago presenting proclamation proclaiming the month of October 2008 as "Disability Awareness Month" to the Tahoe Area Coordinating Council for the Disabled.

**A motion was made by Supervisor Santiago, seconded by Supervisor Briggs to adopt the proclamation.**

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

**Absent:** 1 - Dupray

**10:00 - TIME ALLOCATION**

- 31.** [08-0642](#) Chief Administrative Office recommending the Board receive a status report from the Permit Process Ad Hoc Committee. (Cont'd 9/23/08, Item 33)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to direct the Chief Administrative Officer to move forward with the following recommendations: (1) Make Item 17 as Item 1 on the list of recommendations provided this date; (2) Prepare recommended actions for the Board on specific items that cannot otherwise be implemented without further action by the Board; (3) Provide a report showing what the department is implementing of their own volition in cooperation with the Chief Administrative Officer, including cost of implementation, party or parties responsible for implementation, and a timeline for same; and (4) Set a date and time to hold a Special Meeting with the Board, Planning Commission and County Counsel to discuss the California Environmental Quality Act (CEQA) process.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**2:00 - TIME ALLOCATION**

32. [08-1417](#) Hearing to consider the following pertaining to 37.28 acres (APN 087-121-01) in the Michigan Bar Subdivision in the Latrobe area; Applicant: David and Kimberly Cort: (District II)
- (1) Approve General Plan Amendment (A07-0008) changing the land use designation for said APN from High Density Residential (HDR) to Rural Residential (RR) in the Latrobe Rural Center and re-designate that portion Rural Region;
- (2) Approve Rezone (Z07-0022) rezoning a portion of parcel from Estate Residential Ten-acre (RE-10) designated as HDR to One Family residential (R1) and rezone portion of parcel from Residential Agricultural 40-acre (RA-40) to Estate Residential Ten-acre (RE-10);
- (3) Approve Parcel Map (P07-0023) creating 4 parcels ranging in size from 5.43 to 10 acres, removing conditions Nos. 13 and 27; and
- (4) Adopt Ordinance 4789 for said rezone.

**Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Briggs to adopt the mitigated negative declaration based on the initial study by staff; adopt the mitigation monitoring program in accordance with California Environmental Quality Act (CEQA) guidelines; approve General Plan Amendment A07-0008 changing the land use designation for a portion of subject parcel from High Density Residential (HDR) to Rural Residential (RR) in the Latrobe Rural Center and redesignating that area within the Rural Region; adopt Ordinance 4789 approving rezone Z07-0022 rezoning a portion of parcel from Estate Residential Ten-acre (RE-10) designated as HDR to One Family residential (R1) and rezoning a portion of the parcel from Residential Agricultural 40-acre (RA-40) to Estate Residential Ten-acre (RE-10); and approve Parcel Map P07-0023 creating 4 parcels ranging in size from 5.43 to 10 acres, and removing conditions 13 and 27 based on findings and subject to conditions as modified listed in Attachment 1.**

33. [08-1418](#) Development Services Department, Planning Services Division, recommending Resolution **264-2008** approving the General Plan amendments considered by the Board during the September 2008 "General Plan Window."

**A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to adopt Resolution 264-2008.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

34. [08-1364](#) Adoption of County Zoning Ordinance **4790** incorporating a section pertaining to Lot Line Adjustments. (Introduced 9/23/08, Item 34, Cont'd 9/30/08, Item 34)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to continue this matter to October 7, 2008.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

**CLOSED SESSION**

- 35. [08-1161](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: U.S.A. v. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520-MCE GGH (ED CA).  
**No action reported.**
  
- 36. [08-1495](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources.  
Employee Organization: Coalition including El Dorado County Employees Association Local No. 1, General, Professional, Supervisory Bargaining Units; Operating Engineers Local No. 3 Trades & Crafts Bargaining Unit; El Dorado County Managers' Association; El Dorado County Criminal Attorney Association.  
**No action reported.**
  
- 37. [08-1508](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**  
Title: Chief Administrative Officer.  
**No action reported.**

**ADDENDUM**

**CLOSED SESSION**

- 38. [08-1523](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**  
Significant Exposure to Litigation: Title: Discussion of Rare Plant Issues.  
**No action reported.**

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