



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

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Gayle Erbe-Hamlin, Chief Administrative Officer *Louis B.*
Green, County Counsel

Tuesday, October 28, 2008

8:00 AM

Board of Supervisor 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.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

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 was made by Supervisor Santiago, seconded by Supervisor Baumann, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 1, 23 and 36 continued to November 4, 2008.

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

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [08-1652](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, October 21, 2008.

RECOMMENDED ACTION: Approve.

This matter was continued to November 4, 2008 upon adoption of the Agenda.

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

2. [08-1525](#) Health Services Department recommending Chairman be authorized to sign retroactive Amendment II to Agreement 532-PHD0606 (229-S0711) with the El Dorado County Community Health Center increasing the not-to-exceed amount by \$10,000 to \$225,000 and extending the term through October 31, 2009 to provide continued information technologies project management services for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Agency Health Research Quality (AHRQ) grant.

This matter was Approved on the consent calendar

3. [08-1587](#) Human Services Department recommending Chairman be authorized to sign application and nonstandard Agreement 213-S0910 with TransUnion LLC in the amount of \$1,000 for credit reporting services for the County's Housing Rehabilitation, First Time Homebuyer and Economic Development loan programs.
RECOMMENDED ACTION: Approve.

FUNDING: State grant funds.

This matter was Approved on the consent calendar

4. [08-1582](#) Human Services Department recommending adoption of Resolution **293-2006** authorizing the Chairman to sign retroactive Contract No. 08C-1708 with the California Department of Community Services and Development (CSD) in the amount of \$55,927 for the provision of Department of Energy (DOE) Weatherization Assistance Program services to eligible residents of El Dorado and Alpine Counties during the term July 1, 2008 through June 30, 2009; and authorizing the Director of said Department to execute all documents relating to the Contract, including amendments thereto, contingent upon approval by County Counsel and Risk Management that do not affect the maximum dollar amount or the term and any subsequent required fiscal and programmatic reports.
RECOMMENDED ACTION: Approve.

FUNDING: Federal Grant Funds

This matter was Approved on the consent calendar

5. [08-1583](#) Human Services Department recommending adoption of Resolution **295-2008** authorizing the Chairman to sign Amendment 1 to Contract No. 08B-5458 with the California Department of Community Services and Development, increasing the maximum grant amount by \$645 to \$623,996, for the term January 1, 2008 through December 31, 2008 for the provision of Low-Income Home Energy Assistance Program (LIHEAP) services to eligible residents of El Dorado and Alpine Counties; and further authorizing the Director of said Department to continue to administer Contract No. 08B-5458 as amended and execute subsequent documents relating to the Contract, including amendments thereto, contingent upon approval of County Counsel and Risk Management, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports.
RECOMMENDED ACTION: Approve.

FUNDING: Federal Grant Funding.

This matter was Approved on the consent calendar

6. [08-1553](#) District Attorney recommending a Special Revenue account be established for the purpose of providing funding to the Lake Tahoe Unified School District for the 2008 Drug Store Project; and recommending approval of Budget Transfer for same. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: Special Revenue Account.
This matter was Approved on the consent calendar
7. [08-1573](#) District Attorney recommending continuation of retroactive Agreement 01-098-01 with the State of California, Department of Justice, for a twelve month period commencing March 1, 2008, to authorize the Purchasing Agent to establish blanket purchase orders for the process of payments for same.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.
This matter was Approved on the consent calendar
8. **08-1571** District Attorney recommending continuation of perpetual Agreement 317-S0111 with Constellation Integration Services, Inc. dba Constellation Justice Systems for the DAMION Case Management System.
RECOMMENDED ACTION: Approve.

FUNDING: General.
This matter was Approved on the consent calendar
9. [08-1567](#) Environmental Management Department recommending adoption of Resolution **292-2008** authorizing the Director of Environmental Management, or her designee, to execute and submit an application and all necessary documentation to the State of California Environmental Protection Agency, California Integrated Waste Management Board for the Tire-Derived Product Grant Program 7th Cycle Fiscal Year 2008/2009.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

10. [08-1554](#) Agriculture Department recommending adoption of Resolution **294-2008** authorizing said Department to submit grant applications for various local, State and Federal Agriculture and Weights & Measures funding programs, and other grant funding opportunities that become available; and authorizing the Agricultural Commissioner, Sealer of Weights & Measures, or Chief Administrative Officer, to sign all necessary documents required to submit grant applications.

RECOMMENDED ACTION: Approve.

This matter was Adopted on the consent calendar

11. [08-1572](#) Sheriff's Department recommending Chairman be authorized to sign retroactive Memorandum of Understanding 290-S0911 with Placer County for the purpose of providing Sexual Assault Response in Placer County at Sutter Auburn Faith Hospital or Sutter Roseville Medical Center for El Dorado County victims when there is no El Dorado County Forensic Examiner available.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

12. [08-1277](#) Transportation Department recommending Chairman be authorized to sign the Reimbursable Services Amendment I to Agreement for Services AGMT 06-1019 with the California Highway Patrol for Traffic Control and Traffic Enforcement Services.

RECOMMENDED ACTION: Approve.

FUNDING: Traffic Impact Mitigation Fee Program and State and Federal Capital Improvement Program project funding.

This matter was Approved on the consent calendar

13. [08-1569](#) Development Services Department, Planning Services Division, recommending the Board certify that the Notice of Non-Renewal for Agricultural Preserve No. 245/Karen Feathers (APN 325-050-16) has been submitted and is consistent with Board of Supervisors' Policy C-12.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [08-1558](#) Human Resources Department, Risk Management Division, recommending Chairman be authorized to sign Amendment I to Agreement for Services 289-S0611 with Gregory B. Bragg and Associates, Inc. increasing compensation by \$790,200 to \$1,522,200 and extending the term three additional years for the provision of investigative, administrative, and claims adjustment services related to workers' compensation claims.

RECOMMENDED ACTION: Approve.

FUNDING: Funding is available within Human Resources, Risk Management Division budget.

This matter was Approved on the consent calendar

15. [08-1575](#) Human Resources Department, Risk Management Division, recommending the Chairman be authorized to sign Amendment to Memorandum of Understanding (MOU) with the California State Association of Counties (CSAC) Excess Insurance Authority (EIA) for participation in the CSAC EIA property insurance program.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

16. [08-1568](#) Human Resources Department recommending a revision be made to the Air Quality Specialist I/II and Senior Air Quality Specialist classification specifications.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

17. [08-1641](#) Supervisor Santiago recommending Development Services Department, Building Services Division, be directed to continue a \$1,000 allocation deposit for Jim and Kristie Matteoni for APN 015-314-27, EL-08-0-11.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

18. [08-1639](#) Supervisor Santiago recommending Joyce Blackstone be reappointed to serve as a member on the Tahoe Resource Conservation District for a term to expire January 2012.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

19. [08-1633](#) Supervisor Santiago, on behalf of the El Dorado County Early Care and Education Planning Council, recommending Myra Lowder be appointed to serve as the Designee Representative for District III for a term to expire January 2011; and recommending the Board accept the resignations of Mark Romagnolo, Public Agency Representative, District V and Elisa Herrera, Consumer Representative, District IV.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

DEPARTMENT MATTERS

20. [08-1560](#) Health Services Department recommending Chairman be authorized to sign retroactive Amendment I to Agreement 780-PHD0608 with Marshall Medical Center amending the compensation and extending the term through December 31, 2009 to provide necessary services to assist Marshall Medical Center in meeting the objectives and scope of work of the grant.

FUNDING: Agency for Healthcare Research and Quality (AHRQ)

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

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

21. [08-1586](#) Presentation to the Board by Alex Ivanovsky, Chairman of the In-Home Supportive Services Advisory Committee, of the Fiscal Year 2007-08 In-Home Supportive Services Public Authority Annual Report.

No formal action action taken.

22. [08-0956](#) Mental Health Department recommending Chairman be authorized to sign Amendment I to Contract 072-S0911 with Summitview Child Treatment Center, Inc. amending the Provisional Rates for Fiscal Year 2008/2009 subject to County Counsel and Risk Management approval. (Cont'd 10/21/08, Item 30)

FUNDING: Medi-Cal, EPSDT and Realignment.

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

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

23. [08-1476](#) Chief Administrative Office and Information Technology Department recommending the Board of Supervisors adopt a website policy. (Cont'd 10/21/08, Item 16)

This matter was continued to November 4, 2008 upon adoption of the Agenda.

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

24. [08-1415](#) Chief Administrative Office, on behalf of Facilities & Fleet Services Department, Department of Human Services, Mental Health Department, Public Health Department and the Department of Transportation, recommending the Auditor-Controller be authorized to make cash advances from the General Fund to various funds within those departments to prevent negative cash balances:

- 1) Accumulative Capital Outlay (ACO) Fund 13-200
- 2) Community Services Fund 11-107
- 3) El Dorado County IHSS Public Authority Fund 12-175
- 4) El Dorado County Public Housing Authority Fund 12-176
- 5) Mental Health Special Revenue Fund 11-110-001
- 6) Public Health Special Revenue Fund 11-109
- 7) Airport Capital Improvement Fund 31-414
- 8) Erosion Control Fund 11-101
- 9) South Lake Tahoe Transit Fund 31-405
- 10) Road Fund 11-103

Advanced funds will be reimbursed with interest as determined by the Auditor-Controller. (Cont'd 9/16/08, Item 33)

FUNDING: General Fund advances to be reimbursed from various non-General fund sources in each department.

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

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

25. [08-1565](#) Supervisor Briggs recommending the Board approve a refund to Mr. Ray Sherwood in the amount of \$4,515 from the Vehicle Abatement Fund. (Cont'd 10/21/08, Item 19)

No action taken

26. [08-1566](#) Information Technologies recommending Chairman be authorized to sign Exhibit A-2 of California Integrated Information Network (CALNET II), Master Service Agreements for Authorization to Order Under State Contract, with AT&T for the purchase of telecommunications services.

FUNDING: General Fund and Non-General Fund.

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

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

10:00 A.M. - TIME ALLOCATION

27. [08-1564](#) **PRESENTATION** by Deb Jensen, Executive Director, and Mary Carrera, Marketing Director of the El Dorado Arts Council on the success of the June 2008, 3rd Annual Coloma Blues Live Festival.
- No action required.**

12:00 NOON - TIME ALLOCATION

28. [08-1638](#) Presentation of Proclamation to The Honorable Jerald "Jerry" M. Lasarow, El Dorado County Court Judge, Honoring his Retirement and 30-Years of Public Service.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to adopt the Proclamation.

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

2:00 P.M. - TIME ALLOCATION

29. [08-1539](#) Hearing to consider the following pertaining to 5.11 acres (APN 109-480-21) in the Shingle Springs area (District II); Applicant Barnett Lot 1, LLC, (Agents: David Cohen and Marcus Rabwin):
- (1) Approve Rezone (Z08-0007) from Industrial-Design Control (I-DC) to Industrial-Planned Development (I-PD);
 - (2) Approve Development Plan (PD 08-0006) consisting of two phases: Phase I - Development of the front approximately one-half of the parcel with an industrial/warehouse building totaling 50,607 square feet and associated utility rooms, access ways, parking areas, trash enclosure areas, and landscaping. Phase II - Development of the rear portion of the property with an attached industrial/warehouse building totaling 45,755 square feet, an open storage yard, and associated improvements;
 - (3) Approve Parcel Map (P08-0010) subdividing the property into 21 lots; and
 - (4) Adopt Ordinance **4798** for said rezone.

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to 1) Adopt the negative declaration based on the initial study prepared by staff; 2) Approve Z08-0007/PD08-0006, adopting the preliminary development plan as the official development plan, and rezoning Assessor's Parcel Number 109-480-21 from Industrial-Design Control (I-DC) to Industrial-Planned Development (I-PD); 3) Approve P08-0010, based on the findings proposed by staff, subject to the conditions stated; and 4) Adopt Ordinance 4798 for said rezone.

Yes: 4 - Dupray, Baumann, Sweeney and Briggs

Absent: 1 - Santiago

30. [08-1546](#) Hearing to consider the following pertaining to 9.52 acres (APN 121-280-03) in the El Dorado Hills area (District II); Applicant Clarksville Professional Business Park, LLC:
- (1) Approve Rezone (Z07-0028) from One-Acre residential (R1A) to Commercial-Planned Development (C-PD);
 - (2) Approve Planned Development (PD07-0027) and Tentative Parcel Map (P07-0030) to allow construction of 10 commercial buildings totaling 98,992 square feet, ranging in size from 5,100 to 44,992 square feet, each building being located on a separate parcel; and creating 10 parcels ranging in size from 0.37 to 2.26 acres with a design waiver to limit the sidewalk improvements to one side of Road 1; and
 - (3) Adopt Ordinance **4799** for said rezone.

After hearing public testimony, a motion was made by Supervisor Baumann, seconded by Supervisor Sweeney, to 1) Adopt the mitigated negative declaration based on the initial study reviewed by staff; 2) Adopt the mitigation monitoring program in accordance with CEQA guidelines, Section 15074(d); 3) Approve Z07-0028 rezoning Assessor's Parcel Number 121-280-03 from One-Acre Residential (R1A) to Commercial-Planned Development (C-PD); 4) Approve Planned Development application PD07-0027 and Tentative Parcel Map application P07-0030, adopting the Development Plan as the official Development Plan, Approve the Design Waiver to limit the sidewalk improvements to one side of Road 1; and 5) Adopt Ordinance 4799 for said rezone.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

31. [08-1600](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Operating Engineers Local No. 3, Trades & Crafts (TC) Bargaining Unit

No action reported.
32. [08-1601](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources
Employee Organization: El Dorado County Managers' Association, (MA) Bargaining Unit. (Cont'd 10/21/08, Item 27)

No action reported.
33. [08-1649](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: El Dorado County Employees Association Local No. 1, General, Professional, Supervisory Bargaining Units.

No action reported.
34. [08-1650](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: El Dorado County Employees Association Local No. 1, General, Professional, Supervisory Bargaining Units; Operating Engineers Local No. 3, Trades and Crafts Bargaining Unit; El Dorado County Manager's Association; El Dorado County Criminal Attorney Association.

No action reported.

ADDENDUM**DEPARTMENT MATTERS:**

35. [08-1609](#) General Services Director recommending adoption of Resolution **298-2008** amending the Authorized Personnel Allocation Resolution; and authorizing Human Resources Department to implement a reduction in force for the class titles being eliminated in the General Services Department.
- A motion was made by Supervisor Dupray, seconded by Supervisor Baumann, to adopt Resolution 298-2008.**

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

36. [08-1617](#) Chief Administrative Office recommending the Board receive and file the notice of intent to provide two years of additional service credit benefits to specified classifications; and provide public notice in accordance with Public Employees Retirement System (PERS) requirements.
- This matter was continued to November 4, 2008 upon approval of the Agenda.**

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

2:00 P.M. - TIME ALLOCATION

37. [08-1643](#) Environmental Management Department providing a status report on the West Slope Material Recovery Facility as directed from the Board on August 18, 2008. (Refer File 08-1293, Special Meeting 8/18/2008)
- No formal action required.**

CLOSED SESSION:

38. [08-1653](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** 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).
- 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

Original Minutes of the Regular Meeting of the Board of Supervisors on October 28, 2008, attached hereto and approved by the Board of Supervisors on November 4, 2008.

APPROVED:

Rusty Dupray, Chairman
November 4, 2008

ATTEST:

Suzanne Allen de Sanchez, Clerk of the Board

By _____
Deputy Clerk, November 4, 2008