



County of El Dorado

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Minutes - Final 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, March 3, 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.co.el-dorado.ca.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

Present: 5 - Supervisor Knight, Supervisor Sweeney, Supervisor Nutting, 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.

10:00 A.M. - TIME ALLOCATION

1. [09-0263](#) Supervisor Briggs recommending the Board receive a presentation by Al Hamilton and Diana Steele, Senior Legal Attorneys, providing information on the Senior Legal Program and the Elder Protection Unit.

No formal action required.

OPEN FORUM

BUDGET UPDATE

Approval of the Consent Calendar

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to Approve the Consent Calendar with the following exceptions: Items 23, 30, 31, 33, 34 and 35 were amended to the consent calendar, Item 16 was continued to March 10, 2009 and Item 24 was continued to April 21, 2009.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

CONSENT CALENDAR

2. [09-0281](#) Approval of Board of Supervisors Conformed Agenda (Minutes) for the Special Meeting of Monday, February 23, 2009 and the Regular Meeting of Tuesday, February 24, 2009.

This matter was Approved on the consent calendar

3. [09-0259](#) Auditor-Controller recommending the Board consider the following:
- 1) Receive and file the Report of Special Tax delinquencies for Community Facilities District No. 2005-1 (CFD 2005-1 Blackstone); and
 - 2) Adopt a Resolution authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 2005-1 Bond Indenture.

FUNDING: N/A

Resolution 047-2009 was adopted upon approval of the consent calendar.

4. [09-0225](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board receive and file the first and second quarterly reports of procurement activity for the periods ending September 30, 2008 and December 31, 2008 respectively for FY 08/09.
- This matter was Approved on the consent calendar**
5. [09-0166](#) Chief Administrative Office, Procurement and Contracts Division, requesting the Board consider recommendations regarding the purchase of a 3-Axle Heavy Hauler Tractor, as follows:

- 1) Award Bid 09-760-074 to the low qualified bidder, Riverview International Trucks of West Sacramento, CA; and
- 2) Authorize the Purchasing Agent to issue a purchase order in the amount of \$114,580.54.

FUNDING: Grant Funding from the Sacramento Metropolitan Air Quality Management District's, Sacramento Emergency Clean Air & Transportation (SECAT) Program in the amount of \$50,358.00 with remaining funding, \$64,222.54 coming from the Department of Transportation's Road Fund (Non-General Fund).

This matter was Approved on the consent calendar

6. [09-0275](#) Clerk of the Board of Supervisors requesting the Board accept the invitation from the El Dorado County and Georgetown Divide Resource Conservation Districts and therefore confirm their attendance at the Annual Board of Supervisors Luncheon/Workshop on May 19, 2009 at the El Dorado County Library in Placerville.

This matter was Approved on the consent calendar

7. [09-0110](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment I to Agreement for Services 810-S0811 (709-PHD0308) with Family Connections El Dorado, Inc., amending Article 2.1 - Notice to Parties, and Article 2.2 Administrator to reflect staffing changes; amending Articles 3.2, 3.3 and 3.4 to reflect State of California Drug Medi-Cal rates and increase the Provisional Amount of the Agreement from \$25,111 to \$31,154; and replacing Exhibit B Standardized Rate Structure with an amended Exhibit B, Standardized Service Definitions.

FUNDING: El Dorado County Alcohol and Drug Program receives State and Federal funding for this Alcohol and Other Drug Counseling Services program.

This matter was Approved on the consent calendar

8. [09-0116](#) Health Services Department recommending the Board authorize the Chairman to sign Amendment I to Agreement for Services 819-S0811 (708-PHD0308) with EDCA Lifeskills, amending Article 2.1 - Notice to Parties, and Article 2.2 Administrator to reflect staffing changes; amending Articles 3.2, 3.3 and 3.4 to reflect State of California Drug Medi-Cal rates and increase the Provisional Amount of the Agreement from \$118,162 to \$129,181; and replacing Exhibit B Standardized Rate Structure with an amended Exhibit B, Standardized Service Definitions.

FUNDING: El Dorado County Alcohol and Drug Program receives State and Federal funding for this Alcohol and Other Drug Counseling Services program.

This matter was Approved on the consent calendar

9. **09-0176** Health Services Department recommending the Board authorize the Chairman to sign Amendment III to Agreement for Services No. 120-PHD0006 with Medical Priority Consultants, Inc., adding the name "dba Priority Dispatch Corporation."

FUNDING: CSA No. 3 and CSA No. 7 provide funding for this contract.

This matter was Approved on the consent calendar

10. [09-0208](#) Health Services Department recommending the Board authorize the Chairman to sign Notice of Grant Award for the second year of the Agreement with the California Department of Alcohol and Drug Programs for the Safe and Drug Free Schools and Communities grant, also known as Las Decisiones Seguras, "Safe Choices" grant.

FUNDING: Safe and Drug Free School and Community grant.

This matter was Approved on the consent calendar

11. [09-0253](#)

Health Services Department requesting the Board consider the following:

1) Authorize the Chairman to sign Agreement No. 822-PHD0209 with Dean Kelaita, M.D. for Interim Health Officer services for a period of not more than 10 months, for a not-to-exceed amount of \$40,000;

2) Appoint Dean Kelaita, M.D. to serve as the Interim Public Health Officer/Local Registrar for Vital Statistics in accordance with Agreement No. 822-PHD0209 approved by the Board; and

3) Find it in the best interest of the County to waive the requirements of Health & Safety Code § 24001 pertaining to an individual's eligibility for appointment as a County officer.

FUNDING: Public Health Realignment Fund.

This matter was Approved on the consent calendar

12. [09-0209](#)

Human Services Department recommending the Board approve a Budget Transfer Request to establish a FY 2008/09 budget with appropriations in the amount of \$454,822 offset by corresponding revenues within the Special Revenue Fund 11-107-014 (Index Code 531253) for a new State Department of Housing and Community Development HOME Investment Partnerships Program Grant No. 08-HOME-4701 for provision of First-Time Homebuyer Loans following execution of the Standard Agreement with a term ending 4/30/2011. (4/5 vote required)

FUNDING: State HOME Investment Partnerships Program grant funds.

This matter was Approved on the consent calendar

13. [09-0137](#) Human Services Department requesting the Board consider recommendations regarding the 25 unit affordable for sale housing project located in Diamond Springs, as follows:
- 1) Approve a Budget Transfer Request establishing appropriations in the amount of \$130,000 offset by a corresponding amount from the fund balance within the revolving loan Special Revenue Fund 11-107-001; and
- 2) Adopt a Resolution approving a loan of said funds at 1% simple interest per annum to El Dorado County Habitat for Humanity, Inc. for predevelopment expenses associated with a 25 unit affordable for sale housing project located in Diamond Springs and authorizing the Director or Assistant Director of Human Services to sign the Loan Agreement and Promissory Note contingent upon approval by County Counsel and Risk Management. (4/5 vote required)
- FUNDING:** Revolving loan fund within Department of Human Services funds.
- Resolution 048-2009 was adopted upon approval of the consent calendar.**
14. [09-0193](#) Human Resources Department recommending the Board approve an amendment to the County's Hybrid Entity organizational structure to include the Human Resources Department, as required by the Health Insurance Portability and Accountability Act.
- This matter was Approved on the consent calendar**
15. [09-0196](#) Human Resources Department recommending the Board approve the revision to the Supervising Hazardous Materials Specialist classification specification.
- This matter was Approved on the consent calendar**
16. [09-0146](#) Human Resources Department, Risk Management Division, recommending the Board authorize the Human Resources Director or designee, be authorized to sign all necessary documents to secure continued insurance coverage provided by California State Association of Counties (CSAC) Excess Insurance Authority (EIA) and coordinate payment through the Auditor-Controller when insurance premiums are due.
- This matter was continued to March 10, 2009 upon approval of the Consent Calendar.**

17. [09-0226](#) Human Resources Department, Risk Management Division, recommending the Board approve the appointment of Ron Grassi, El Dorado County Assistant CAO, to serve as the Alternate Member to the California State Association of Counties, Excess Insurance Authority.

This matter was Approved on the consent calendar

18. [09-0148](#) Sheriff Department recommending the Board authorize the Chairman and the Sheriff to sign the FY2009 Financial and Operating Plan for Controlled Substance Operations and Cooperative Patrol with the US Department of Agriculture, USFS, for the period covering October 1, 2008 through September 30, 2009.

FUNDING: NA - Reimbursement Agreement.

This matter was Approved on the consent calendar

19. [09-0041](#) Department of Transportation recommending the Board authorize the Chairman to sign Notice of Completion with Doug Veerkamp General Engineering, Inc. for the Cameron Park Drive, Country Club Drive, Palmer Drive Intersection Improvements Project (JN 72364) on Cameron Park Drive and Country Club Drive and Cameron Park Drive and Palmer Drive in the Cameron Park area.

FUNDING: This project was funded with 2004 General Plan Traffic Impact Mitigation fees. The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar

BOARD OF SUPERVISORS - CONSENT

20. [09-0276](#) Supervisor Briggs recommending the Board adopt a Proclamation recognizing March 7, 2009 as California Arbor Day in El Dorado County.

This matter was Approved on the consent calendar

21. [09-0244](#) Supervisor Santiago recommending the Board approve the appointment of Ernie Klindt to the Mental Health, South Lake Tahoe, Commission.

This matter was Approved on the consent calendar

22. [09-0273](#) Supervisor Santiago requesting the Board adopt a Resolution acknowledging Highway Use for Special Event, The 18th Annual America's Most Beautiful Bike Ride, Lake Tahoe, June 7, 2009.

Resolution 049-2009 was adopted upon approval of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

23. [09-0107](#) Department of Transportation recommending the Board approve the Sacramento Area Council of Governments and Sacramento Metropolitan Air Quality Management District Sacramento Emergency Clean Air Transportation Program Agreement VET 08-0048, revised and dated 1/9/09, to provide funding for replacement of a 1990 Peterbilt heavy equipment hauler.

FUNDING: Grant funding/Road Fund.

This matter was amended to and approved upon adoption of the consent calendar.

2:00 P.M. - HEARINGS

24. [09-0156](#) Hearing to consider Planning Commission's recommendation that the Board take the following actions on General Plan Amendment A08-0001/Ordinance OR08-0001/Mixed Use Development:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
 - 2) Conceptually approve a Resolution amending General Plan (A08-0001) policies 2.1.1.3, 2.1.2.5, 2.2.1.2, and 2.2.1.3 Table 2-2 Land Use Densities and Residential Population Ranges, as shown in Attachment 2, based on the findings contained in Attachment 1, and continue to the March 31, 2009 meeting for final adoption of Resolution for General Plan window; and
 - 3) Approve OR08-0001 amending Zoning Ordinance Chapter 17.32 as shown in Attachments 3, 4 and 5 and adding section 17.14.220 as shown in Attachment 6, based on the findings contained in Attachment 1.

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Nutting to continue this matter to April 21, 2009.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

25. [08-0832](#) Development Services Department recommending the Board approve the INRMP Request for Proposals. (Cont. from 02/24/09 #50)

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, approve Request for Proposals as presented by Supervisor Knight and Supervisor Sweeney.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

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

26. [09-0205](#) 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) (Cont. from 2/24/09 #54)
No Action Reported
27. [09-0254](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Director of Environmental Management
No Action Reported
28. [09-0260](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Director of Child Support Services
No Action Reported
29. [09-0266](#) 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 Employee 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; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; Deputy Sheriff Association; El Dorado County Law Enforcement Managers Association.
No Action Reported

ADDENDUM**DEPARTMENT MATTERS:**

30. [09-0194](#) Supervisor Nutting recommending the following:
1) Adoption of Resolution rescinding Resolution 042-2009, adopted February 24, 2009 regarding Pioneer Fire District Fees; and
2) Direct staff to return on March 17, 2009 with new resolution establishing the correct fees based on the 2008-2012 Capital Improvement Project, which was found consistent with the County General Plan by the Planning Commission on September 11, 2008.
- Resolution 050-2009 was adopted upon approval of the consent calendar.**
31. [09-0278](#) Chief Administrative Office, Procurement and Contracts Division, recommending 1) award of Bid 09-070-051 for the purchase of new fleet vehicles to Hansel Ford of Santa Rosa, CA in the amount of \$383,391.44 (bid vehicle A), Albany Ford of Albany, CA (bid vehicle M) in the amount of \$81,853.45, and Harrold Ford of Sacramento, CA (bid vehicle B) in the amount of \$83,221.15 including sales tax and tire tax for the Sheriff's Department and the Department of Transportation; and authorize the Purchasing Agent to issue additional purchase orders on a "as needed" basis during the awarded period if funding is available within the requesting Department's budget.

FUNDING: General Services Fleet Management Internal Service Fund.

This matter was Approved on the consent calendar

32. [09-0044](#) General Services Department update for the West Slope Animal Services construction project.
- A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows:**
- 1) Direct staff to maintain the Animal Control Shelter funds in the Capital Improvement Budget;**
 - 2) Direct staff to get the project ready to bid;**
 - 3) Authorize staff to revise the proposal to assure the total project costs do not exceed 6 million dollars;**
 - 4) Authorize staff to extend the lease on the current location on Placerville Drive for up to three years; and**
 - 5) Return to the Board when the funds are available to have them released.**

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

33. [09-0247](#) Transportation Department recommending Chairman be authorized to sign:
- 1.) First Amendment to Transfer Agreement with South Tahoe Area Transit Authority (STATA) regarding the Operation and Funding of Bluego Oncall Demand Responsive Transit Services;
 - 2.) Resolution authorizing the department to file Claims for 2008/2009 Transportation Development Act (TDA), Local Transportation Funds (LTF) and State Transit Assistance (STA) funds for operation of the South Lake Tahoe Transit Program;
 - 3.) Claims to the Tahoe Regional Planning Agency (TRPA) for LTF in the amount of \$270,638.00 and STA in the amount of \$142,630.00; and
 - 4.) Budget Transfer amending appropriations and revenue.

FUNDING: TDA, FTA, and Prop 1B

This matter was approved subject to minor modifications by the CAO and County Counsel regarding the actual claim amounts and Resolution 051-2009 was adopted upon approval of the consent calendar.

34. [09-0287](#) Supervisor Nutting recommending Resolution permitting Pyro Spectaculars, Inc. to conduct a pyrotechnic display on Saturday, March 21, 2009 on private property, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by fire control authorities.

Resolution 052-2009 was adopted upon approval of consent calendar.

35. [09-0279](#) Registrar of Voters is recommending the Board give direction concerning the upcoming Statewide Special Election to be held on May 19, 2009. Approval of the following proposals is recommended:

1) Consolidate polling places as permitted by Elections Code 12241; and

2) Creating Vote by Mail precincts as specified in Elections Code 3005.

This matter was Approved on the consent calendar

36. [08-1706](#) Chief Administrative Office recommending the Board adopt a Resolution directing a Mandatory Temporary Layoff of certain classifications in specified departments.

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, to adopt Resolution 053-2009 as amended.

Yes: 5 - Knight, Sweeney, Nutting, Briggs and Santiago

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, March 9, 2009 – 9:00 a.m.

- Special Meeting of the Board of Supervisors
- General Plan/Part 1 - Implementation Measures.

Monday, March 9, 2009 - 1:30 p.m.

- Special Meeting of the Board of Supervisors
- General Plan/Part 2 - Biological Resource Issues.

Monday, March 16, 2009 - 11:00 a.m.

- Special Meeting of the Board of Supervisors
- Future planning for Solid Waste Management in El Dorado County.

Monday, March 23, 2009

- Special Meeting of the Board of Supervisors
- General Plan/Agriculture Issues.

Monday, March 30, 2009

- Special Meeting of the Board of Supervisors
- Aid to Fire.

Monday, May 4, 2009

- Special Meeting of the Board of Supervisors
- General Plan/Economic Development.

Monday, May 18, 2009

- Special Meeting of the Board of Supervisors
- General Plan/5 Year Review and Update.

Monday, June 22, 2009

- Special Meeting of the Board of Supervisors
- General Plan/Other Topics.