



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

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, August 25, 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 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 Nutting and Supervisor Briggs

Absent: 2 - Supervisor Knight and Supervisor Santiago

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

Present: 5 - Supervisor Knight, Supervisor Sweeney, Supervisor Nutting, Supervisor Briggs and Supervisor Santiago

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 5, 19, and 25 were pulled from the Consent Calendar and Items 29, 35, 40, and 47 were added to the Consent Calendar.

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

OPEN FORUM

PUBLIC COMMENT

B. Johnson RE: Apple Hill Growers Association will be open the next two weekends. Gold Bud peaches and Bill's apples were given out at the meeting. Blueberries have been ripe for over a month. Barsotti Juice company sells juice all over the State. Larsen Museum is a nice place to visit and it is free. There are also train rides, hay rides, 2 fudge factories, Honey Bear offers pig roasts.

PRESENTATION

1. [09-1108](#)

PRESENTATION of Proclamation designating September 2009 as Prostate Cancer Awareness Month in the County of El Dorado.

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

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

BUDGET UPDATE

CONSENT CALENDAR

2. [09-1109](#) Approval of Board of Supervisors Meeting Minutes for the Regular Meeting of Tuesday, August 18, 2009.
- This matter was Approved on the consent calendar.
3. [09-1072](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of property surplus to the needs of the County; and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.
- This matter was Approved on the consent calendar.
4. [09-1094](#) El Dorado Hills Chamber of Commerce is interested in partnering with the County of El Dorado to be considered by California Travel and Tourism for a California Welcome Center at the El Dorado Hills Town Center; and requesting authorization for the Chairman to sign a letter of support for same.
- This matter was Approved on the consent calendar.
5. [08-0101](#) Development Services Department, Planning Services Division, recommending the Board take the following actions to comply with the Court Judgment (Case No. PC20080259) regarding Board action taken on January 29, 2008, approving the appeal on the Planning Commission's approval of Special Use Permit S07-0011/Planned Development Revision PD95-0016-R-3/Kniesel's Auto Collision Center, Inc.:
- (1) Set aside the Board's decision on January 29, 2008, in the matter of Appeal Application S07-0011/PD95-0016-R-3;
 - (2) Rescind or repeal Resolution 113-2008 dated April 22, 2008; and
 - (3) Schedule Appeal Application S07-0011/PD95-0016-R-3 for a noticed re-hearing on September 15, 2009. (Supervisory District IV)

PUBLIC COMMENT

C. Andersen RE: She and her neighbors already struggle with family members who have respiratory issues. They do not want to face the air contamination from the large body shop.

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs, as follows:

- 1) Set aside the Board's decision on January 29, 2008, in the matter of Appeal Application S07-0011/PD95-0016-R-3;**
- 2) Rescind Resolution 113-2008 dated April 22, 2008; and**
- 3) Schedule Appeal Application S07-0011/PD95-0016-R-3 for a noticed re-hearing on September 15, 2009.**

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

6. [09-0525](#) Development Services Department recommending Chairman be authorized to sign an Agreement for Services 824-S0910 with William M. Wright in the amount of \$17,000 for a term of one year to perform as a Hearing Officer with regard to Code Enforcement issues that arise in the County; and adoption of Resolution appointing a Code Enforcement Hearing Officer pursuant to Section 9.02.350.

FUNDING: Code Enforcement Fines.

Resolution 193-2009

Adopted Resolution 193-2009 upon adoption of the consent calendar.

7. [09-1052](#) Health Services Department, Mental Health Division (MHD), recommending Chairman be authorized to sign Agreement 877-S0911 with State Department of Mental Health for the term of July 1, 2008 through June 30, 2009 to address bed purchase and usage in State Hospitals.

FUNDING: Not applicable, as no State Hospital placements occurred during FY 08-09. Should any State Hospital placement be required in FY 09-10, the Division's State Managed Care Allocation and/or Realignment funding would be utilized.

This matter was Approved on the consent calendar.

8. [09-1079](#) Human Services Department recommending the Chairman be authorized to sign retroactive Contract R970535-20 with Golden Sierra Job Training Agency in the amount of \$769,850 for the term February 17, 2009 to June 30, 2011, for provision of American Recovery and Reinvestment Act Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and the Director of Human Services, or successor, be authorized to execute subsequent documents relating to said contract, including amendments thereto, that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management, and any required fiscal and programmatic reports.

FUNDING: Federal American Recovery & Reinvestment Act Workforce Investment Act Allocation from GSJTA

This matter was Approved on the consent calendar.

9. [09-1077](#) Human Services Department recommending the Chairman be authorized to sign retroactive Contract K074139-01 with Golden Sierra Job Training Agency in the amount of \$1,063,112, for the term July 1, 2009 to June 30, 2010, for provision of Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and the Director of Human Services, or successor, be authorized to execute subsequent documents relating to said contract, including amendments thereto, that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management, and any required fiscal and programmatic reports.

FUNDING: Federal Annual Workforce Investment Act Allocation.

This matter was Approved on the consent calendar.

10. [09-1065](#) Human Services Department recommending adoption of Resolution authorizing the Chairman to sign Amendment 1 to Contract 09B-5508 with the California Department of Community Services and Development, increasing the maximum grant amount from \$1,521,911 to \$1,527,054, reflecting an increase of \$5,143, for the term January 1, 2009 through June 30, 2010 for the provision of Low-Income Home Energy Assistance Program services to eligible residents of El Dorado and Alpine Counties; and further authorizing the Director of said Department, or successor, to continue to administer Contract 09B-5508 as amended and execute subsequent documents relating to said Contract, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports.

FUNDING: Federal Low-Income Home Energy Assistance Program Grant Funds.

Resolution 194-2009

Adopted Resolution 194-2009 upon approval of the consent calendar.

11. [09-1078](#) Human Services requesting conceptual approval by the Board for the Public Housing Authority (PHA), as the lead Continuum of Care (CoC) agency, to submit a 2009 Continuum of Care Homeless Assistance Programs Supportive Housing Program competitive grant consolidated application to the U.S. Department of Housing and Urban Development (HUD) in an amount up to \$176,801, which will include a request for a second one-year renewal of funding in the amount of \$13,339 for the County's Homeless Management Information System (HMIS) and eligible community agency funding request(s) received in response to a County Request for Qualifications (RFQ) process.

FUNDING: Federal Continuum of Care Funds.

This matter was Approved on the consent calendar.

12. [09-1064](#) Human Services Department recommending conceptual approval of an amendment to the El Dorado County DOE ARRA Local Plan for provision of U.S. Department of Energy American Recovery and Reinvestment Act (DOE ARRA) Weatherization Assistance Program (WAP) services during the term June 30, 2009 through September 30, 2011, proposing to conduct all home assessment and weatherization services in-house rather than contracting out for them; and authorizing the Director of Human Services to sign and submit said amendment to the California Department of Community Services and Development by the deadline, currently August 31, 2009.

FUNDING: DOE ARRA Funds.

This matter was Approved on the consent calendar.

13. [09-1086](#) Human Resources Department recommending adoption of Resolution approving the successor Memorandum of Understanding (MOU) between the County of El Dorado and Operating Engineers, Local No. 3, representing employees in the Corrections (CR) bargaining unit effective January 1, 2009 through June 30, 2010; and authorize Chairman to sign same.

Resolution 195-2009

Adopted Resolution 195-2009 upon approval of the consent calendar.

14. [09-1073](#) Information Technologies Department recommending Chairman be authorized to sign perpetual Agreement 042-S1010 with Dell Marketing L.P. in an estimated annual cost of \$31,000 for ongoing server maintenance of all existing and future Dell servers owned by the County's Information Technologies Department.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

15. [09-1055](#) Transportation Department recommending Chairman be authorized to sign Cancellation Addendum to the Construction Responsibility and Reimbursement Agreement AGMT 07-1404 with the County of EL Dorado and the El Dorado Irrigation District for the Durock Road and Business Drive Traffic Signal and Intersection Widening Project 73354.
- This matter was Approved on the consent calendar.**
16. [09-1066](#) Transportation Department recommending the following pertaining to the U.S. Highway 50/Weber Creek Bridge Bicycle/Pedestrian Facility Project:
- 1) Certify that:
 - A) The Environmental Impact Report on the U.S. Highway 50/Missouri Flat Road Interchange Project, dated August 2004, and the Supplement to the Environmental Impact Report, dated August 2009, have been completed in compliance with the California Environmental Quality Act;
 - B) The Board has reviewed and considered the information within the Supplement to the Environmental Impact Report prior to approving the Project; and
 - C) The Final Supplement Environmental Impact Report reflects the independent judgment of the Board as adequate to approve the Project.
 - 2) Adopt the Findings of Fact Related to the Certification of the Draft Supplemental to the Environmental Impact Report on the U.S. Highway 50/Missouri Flat Road Interchange Project, the U.S. Highway 50/Weber Creek Bridge Bicycle/Pedestrian Facility Project dated August 2009.
 - 3) Approve the Project as described in this staff report and in the Supplement to the Environmental Impact Report.

FUNDING: Transportation Enhancement Grant funded through the American Recovery and Reinvestment Act.

This matter was Approved on the consent calendar.

17. [09-1087](#) Transportation Department recommending the Board approve the California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division Project Agreements G08-03-06-G01, G08-03-06-D01 and G08-03-06-S01 to provide funding in the amount of \$209,000 for projects on the Rubicon Trail; and authorize the Director of Transportation to execute Agreements and any amendments that do not change the dollar amount of said Agreements.

FUNDING: California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division grant funds and State Highway Off-Highway Vehicle License Fees.

This matter was Approved on the consent calendar.

18. [09-0932](#) Transportation Department recommending Chairman be authorized to sign the Second Amendment to Agreement for Services AGMT 05-855 (408-S0611) with Sycamore Environmental Consultants, Inc. extending the term for six (6) additional months through February 28, 2010, to allow for completion of Task Orders that have already been authorized under this Agreement.

FUNDING: 2004 Traffic Impact Mitigation fees, Grants, Developer Time and Materials Billings and Road Fund

This matter was Approved on the consent calendar.

19. [09-1060](#) Transportation Department recommending the Chairman be authorized to sign Amendment III to Lease Agreement 056-L0511 with The Lawrence Caso and Dianne Caso Revocable Trust to convert the lease to a month to month tenancy effective September 1, 2009 in the amount of \$2,104.75 per month, with an annual increase per the Consumers Price Index for all Urban Consumer (CPI) San Francisco-Oakland-San Jose index or three (3%) percent, whichever amount is lower per the terms of the above referenced Lease Agreement.

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

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

20. [09-0928](#) Transportation Department recommending Chairman be authorized to sign the Notice of Completion with Global Modular, Inc. for the Cameron Park Courthouse Alternative Dispute Resolution (ADR) Modular Building Project 06-48.

FUNDING: This Project was funded with Alternative Dispute Resolution (ADR) Special Revenue Funds and Accumulative Capital Outlay (ACO) funds. There is no net cost to the County General Fund associated with this agenda item.

This matter was Approved on the consent calendar.

21. [09-0944](#) Transportation Department recommending the Chairman be authorized to sign Agreement for Services AGMT 09-52715 with California Pavement Maintenance Company, Inc., in an amount not-to-exceed \$100,000 and extending the term through June 30, 2010, to provide microsurfacing in zones of benefit in County Service Areas No. 2 and No. 9 on an as-requested basis.

FUNDING: Individual zone benefit assessments or special taxes.

This matter was Approved on the consent calendar.

22. [09-0673](#) Transportation Department recommending Chairman be authorized to sign Road Improvement Agreement AGMT 08-1655 with Interra-Vision (Cameron Park), LLC for funding and completion of improvements for the Cameron Park Walgreens Project.

FUNDING: Developer funds.

This matter was Approved on the consent calendar.

23. [09-0237](#) Sheriff's Department recommending the Board approve and authorize the Chairman to sign a Budget Transfer 2010005 adding \$41,334 to the Sheriff's budget for the Fiscal Year 2009 Off-Highway Motor Vehicle Recreation project from California State Parks for law enforcement of the Rubicon Trail, and authorize the Sheriff to sign the Grant Project Agreement. (4/5's vote required)

FUNDING: Off Highway Vehicle Grant.

Approved Budget Transfer 2010005 upon approval of the consent calendar.

24. [09-1082](#) Supervisors Knight and Nutting recommending a presentation be scheduled to discuss transportation, transit and other issues affecting El Dorado Hills on Monday, October 5, 2009 at 6:00 p.m. located at the El Dorado Hills Community Services District (CSD) Pavilion meeting room and will include the following topics:
- 1) Department of Transportation (DOT) Capital Improvement Plan for El Dorado Hills area (Informational only);
 - 2) US 50/Corridor Mobility Partnership (Informational only);
 - 3) Truck Traffic Management Plan (Information only);
 - 4) US 50/Silva Valley Interchange, DOT will request direction from the Board; and
 - 5) Capital Southeast Connector Joint Powers Authority (JPA), DOT will request direction from the Board.

This matter was Approved on the consent calendar.

25. [09-1118](#)**Supervisor Nutting recommending adoption of a Resolution for a Concealed Weapons Carry License
Resolution 196-2009***PUBLIC COMMENT*

R. Charney RE: Author of resolution in response to changes by the Sheriff regarding the CCW renewal process.

D. Dillinger RE: Co-author of resolution.

K. Greenwood RE: read his letter to the Board (see attachment)

E. Applegan RE: She was denied a CCW license during her violent divorce.

G. Alger RE: There will be less Deputies due to budget reductions. So now is not the time to not allow licenses.

G. Gorence RE: His job requires him to go out after dark with valuable equipment that make him a target.

S. Bradley RE: Served in the military but currently cannot qualify for a CCW license.

R. Tripp Burbeck RE: Would like the Board of Supervisors to pass the resolution so that the Sheriff will approve more licenses.

S. Paredes RE: Need to give rights to the citizens.

F. Stephens RE: Has had a CCW license in two other jurisdictions but was told that it was very difficult to get a CCA license in El Dorado County.

J. Magart RE: When he had a CCW license he was able to successfully defend himself two times.

J. Pete RE: The educational information that one receives when they are issued the CCW License is very good.

R. Boyland RE: This matter should not be brought to the Board of Supervisors at the last minutes nor should changes be made during the hearing.

R. Ruts RE: The El Dorado County CCW license current policy goes far beyond the State laws and is offense.

M. Kane RE: In favor of the resolution and suggests that the resolution should be an aid to the Sheriff in determining what is good cause.

L. Hennick RE: Urges the Board to adopt the resolution.

B. Johnston RE: Support the people of El Dorado County.

R. Charney RE: Current application states that personal defense is not a reason for a CCW license.

A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to adopt Resolution 196-2009 as amended. (see Attachment 7)

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

END CONSENT CALENDAR**NOTICED HEARING**

26. [09-0866](#) Hearing to consider adoption of Resolution approving submittal of an Economic Development Block Grant Enterprise Fund Program application for up to \$300,000, under the Fiscal Year 2009-10 Notice of Funding Availability, to the California Department of Housing and Community Development to continue to provide the Microenterprise Assistance and Business Assistance Programs to enable eligible businesses in the unincorporated area of El Dorado County to receive technical assistance, start up, expansion and/or relocation assistance; committing \$2,000 in budgeted general funds for in-kind staff support; authorizing the Chairman to sign the Statement of Assurances; and if awarded, authorizing the Director of Human Services, or successor, to execute the grant agreement and subsequent amendments thereto that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management, and to sign other grant-related documents.

FUNDING: Federal EDBG Grant Funds.

Resolution 197-2009

NO PUBLIC COMMENT

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt Resolution 197-2009.

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

27. [09-0851](#) Hearing to consider adoption of Proposed Amendments to Rule 517 - Notice to Comply; and recommending the Board make findings of Authority, Necessity, Clarity, Consistency, Nonduplication and Reference, as required by Health and Safety Code (HSC), Sections 40703 and 40727.

FUNDING: Not Applicable.

NO PUBLIC COMMENT

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

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

DEPARTMENT MATTERS

28. [09-1091](#) Probation Department is respectfully providing proper notice to the El Dorado County Board of Supervisors and the Honorable Suzanne N. Kingsbury of resources needed to meet Probation mandates as set forth in Section 1203.74 of the Penal Code.

NO PUBLIC COMMENT

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

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

29. [09-1090](#) Human Services Department recommending adoption of Resolution amending the Department's Authorized Personnel Allocation, deleting two (2.0 FTE) Care Management Counselor I/II (CMC I/II) positions.
FUNDING: Community Based Services Program State General Fund.
Resolution 198-2009

NO PUBLIC COMMENT

Adopted Resolution 198-2009 upon approval of the consent calendar.

30. [09-0910](#) Adoption of Ordinance **4826** amending County Ordinance Code Chapter 5.56 for Vacation Home Rentals in the Lake Tahoe Basin. (Introduced 8/18/09, Item 19)

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, to adopt Ordinance 4826.

Yes: 4 - Knight, Sweeney, Briggs and Santiago

Noes: 1 - Nutting

31. [09-0714](#) Development Services Department recommending the Board approve an additional two-year extension for Building Permit Nos. 170180, 170358 and 170298 for Fred Thompson on property located in the Somerset area; and recommending introduction of Ordinance amending the El Dorado County Building Code and the El Dorado County Grading Ordinance to grant a two-year extension on building and commercial grading permits that were active on May 30, 2009, and were issued for the construction of new "primary use" buildings on properties in El Dorado County; and further recommending second reading and final adoption of this Ordinance be scheduled for Tuesday, September 15, 2009. (Refer 6/2/09, Item 26)

FUNDING: No net funding required. Potential loss of permit renewal and reactivation fee revenues.

Ordinance 4827

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, as follows:

- 1) Waive reading, read Ordinance 4827 by title only; and
- 2) Set adoption of Ordinance 4827 for September 15, 2009.

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

32. [09-0942](#) Health Services Department, Mental Health Division, recommending Chairman be authorized to sign retroactive Agreement 844-S0911 with Crestwood Behavioral Health, Inc. in the amount of \$480,000 for the term of July 1, 2009 through June 30, 2010 to provide a long-term, 24-hour special treatment program for mentally ill adults on an "as requested" basis for said Department.

FUNDING: Funding is provided by Medi-Cal, State Managed Care, and Realignment.

NO PUBLIC COMMENT

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

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

33. [09-0677](#) Transportation Department recommending the following pertaining to the 2009 Asphalt Concrete Overlay of Malcolm Dixon Road, Contract PW 09-30417:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after bid opening scheduled for August 10, 2009; and,
- 2) Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

FUNDING: American Recovery and Reinvestment Act of 2009-Regional Surface Transportation Program

NO PUBLIC COMMENT

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, as follows:

- 1) Award the Construction Contract to Granite Construction Company, Inc. who submitted the third lowest bid of \$243,105.75;
- 2) Find the lowest bidder, Vintage Paving Company, Inc and the second lowest bidder, A Teichert & Son Inc., non-responsive since neither acknowledged Addendum No. 1 in their proposals; and
- 2) Authorize the Chairman to sign the contract.

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

34. [09-1037](#) Transportation Department recommending the following pertaining to the 2009 Asphalt Concrete Overlay of Lotus Road, Contract PW 09-30416
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after bid opening scheduled for August 17, 2009; and
 - 2) Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

FUNDING: American Recovery and Reinvestment Act of 2009-Regional Surface Transportation Program

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, as follows:

- 1) Award the Construction Contract to A. Teichert & Son, dba Teichert Construction who submitted the lowest, responsive, responsible bid of \$1,203,195.20; and
- 2) Authorize the Chairman to sign the contract.

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

35. [09-1056](#) Transportation Department recommending adoption of Resolution supporting the Department of Transportation's Grant Application for American Recovery and Reinvestment Act Transportation Investment Generating Economic Recovery funding for the US 50 High Occupancy Vehicle Lanes Extension Project, Phases 2A and 2B.

FUNDING: American Recovery and Reinvestment Act of 2009 Transportation Investment Generating Economic Recovery.

Resolution 199-2009

NO PUBLIC COMMENT

Adopted Resolution 199-2009 upon approval of the consent calendar.

36. [09-0509](#) Transportation Department recommending the following pertaining to the Christmas Valley Phase 2A Erosion Control Project (JN 95159):
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be recommend by the Department at the August 25, 2009 Board Meeting; and
 - 2) Authorize the Chairman to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

FUNDING: United States Forest Service Funds.

NO PUBLIC COMMENT

A motion was made by Supervisor Santiago, seconded by Supervisor Knight, as follows:

- 1) Award the Construction Contract to White Rock Construction, Inc. who submitted the lowest, responsive, responsible bid of \$487,449.50; and
- 2) Authorize the Chairman to sign the contract.

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

37. [08-0832](#) Development Services Department recommending the Board select Sierra Ecosystems Associates as the consultant to prepare the first phase of the Integrated Natural Resources Management Plan (INRMP), and direct staff to work with Purchasing and County Counsel to return with the contract. (Refer 3/3/09, Item 25)

FUNDING: County General Fund.

PUBLIC COMMENT

R. Boyland RE: Supports the continuation of item. Integrated Natural Resources is very controversial.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows:

- 1) Continue this matter to September 22, 2009; and
- 2) Direct staff to post all of the requests for proposals on the County web site.

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

38. [09-1051](#) Supervisor Sweeney and Library Director recommending the Board conceptually approve a proposal for the El Dorado County Historical Railroad Park to be located on the Sacramento Placerville Transportation Corridor (SPTC) in the town of El Dorado, and requesting the following:
- 1) Authorize the relocation of the recently recovered rail from the Missouri Flat site to the El Dorado site;
 - 2) Authorize the relocation of other railroad accessories to the El Dorado site as appropriate; and
 - 3) Direct the Department of Transportation (DOT) and Museum staff to work together on the development of the El Dorado Historical Railroad Park site plan and determine the best use of already allocated funding.

FUNDING: Accumulative Capital Outlay Fund.

PUBLIC COMMENT

M. Leal RE: Read letter of support

M. Korey RE: Capital Outlay Fund. Still funds in DOT.

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

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

39. [09-1115](#) Supervisor Sweeney requesting the Board authorize the Clerk of the Board to advertise and accept applications for a Community Advisory Committee to provide input and community solutions on land use matters in the Diamond Springs-El Dorado Community.

PUBLIC COMMENT

R. Boyland RE: Elected Design Review Board.

A. Marinaccio RE: The Community has had many opportunities to give input. Board of Supervisors should not delegate their authority to another entity.

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to direct staff to bring forward a Resolution to create the Community Advisory Committee as a nine member committee. Members must be residents within the Diamond Springs / El Dorado Community Region. Applications are to be submitted no later than September 15, 2009. Selected members will be appointed by the Board on September 29, 2009.

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

40. [08-1297](#) Supervisor Santiago requesting the Board acknowledge the successful award of the Economic Development Administration Technical Assistance Program Project No. 07-06-06399 in the amount of \$60,000, and authorize the Chief Administrative Officer to release the matching funds in the amount of \$20,000 as approved on September 23, 2008 for the Economic Prosperity Plan in the Lake Tahoe Basin. (Refer 9/23/08, Item 21)

This matter was Approved on the consent calendar.

2:00 P.M. - TIME ALLOCATION

41. [09-1039](#) Hearing to consider a revision to Certificate of Compliance COC88-0127-R on property identified by APN 331-020-46, consisting of 4.37 acres, in the El Dorado area, submitted by Farrell Ventures, LLC; and recommending the Board take the following actions:
- (1) Certify that the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;
 - (2) Authorize the Building Official to final Building Permit 171396 pending approval from all other departments, final inspection, and bonding or completion of required road improvements; and
 - (3) Issue a revised Conditional Certificate of Compliance for APN 331-020-46, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2. (Supervisory District III)

PUBLIC COMMENT

M. Acosta RE: Some neighbors are not part of the agreement and they own businesses.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows:

- 1) Certify that the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;**
- 2) Authorize the Building Official to final Building Permit 171396 pending approval from all other departments, final inspection, and bonding or completion of required road improvements;**
- 3) Issue a revised Conditional Certificate of Compliance for APN 331-020-46, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2; and**
- 4) Direct staff to return to the Board on September 22, 2009 with the final agreement before issuing the certificate of occupancy.**

Yes: 4 - Knight, Sweeney, Nutting and Santiago

Absent: 1 - Briggs

42. [08-1648](#) Presentation and Update by the Lake Tahoe Chamber of Commerce on the "Geo Tourism" Program.

PUBLIC COMMENT

B. Smart RE: Genetic Center is good for tourism. Historic spots in the County are fabulous.

S. Taylor RE: Very exciting idea. This is what she has been talking about for so long.

This matter was Received and Filed.

2:30 P.M. - TIME ALLOCATION

43. [08-0395](#) Human Services Department providing update on homeless shelter Community Development Block Grant (CDBG) 08-STBG-4982 from the State of California Department of Housing and Community Development, and requesting further Board direction regarding this grant.

FUNDING: Federal Community Development Block Grant funds.

PUBLIC COMMENT

A. Edwards RE: President of United Outreach. Huge advantage having Perks Court. Special Use Permit. Begin small and grow. Until now has been inhibited in securing funds with out a place to operate.

R. Mahaer RE: Giving up the money from the State and settling with a much too small a place.

D. Van Der Kamp RE: Makes sense that the Board is ready to begin a homeless shelter. Be flexible to help those who need our help. Mothers with children.

L. Brent Bumb RE: Supports the motion.

J. Ware RE: Construction activities at the intersection will be a multimillion dollar multi agency operation. They will stage at another area to leave this area for the shelter.

M. Sporell RE: Good to start small and build. That is how he started the Food Bank.

J. Rocoy RE: What does the statement "parameters previously determined by the Board" mean?

L. Ingles RE: Need to have flexibility as to the needs of the shelter.

N. Mengy RE: Principle of El Dorado High School.

A. Durst RE: Disservice to give up the grant funds.

J.A. Lamore RE: Encourages the Board to support this project.

D. Gibbons RE: Has worked with homeless. What will be done to accommodate the rest of the homeless during the winter?

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, as follows:

- 1) Cease grant implementation activities;**
- 2) Return Standard Agreement #08-STBG-4982 to the State of California Department of Housing and Community Development, advising that El Dorado County declines to accept this grant due to site challenges and concerns related to ongoing financing necessary to maintain the program given the current economic environment;**
- 3) Direct staff to work with United Outreach or similar community organization, for the use of the County owned facility at Perks Court; and**
- 4) Develop and return to the Board with a lease that includes a use limitation agreement with United Outreach before October 1, 2009.**

Yes: 4 - Knight, Sweeney, Nutting and Santiago

Absent: 1 - Briggs

CAO REPORTS**ITEMS TO/FROM SUPERVISORS**

CLOSED SESSION

44. [09-0968](#) 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 and Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriff Association representing employees in the Law Enforcement Unit.
No Action Reported.
45. [09-1111](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Kathleen Pastula v. County of El Dorado, et al., U.S. District Court, Eastern District of California, Case No. 2:09-CV-01574-FCD-EFB.
No Action Reported.

ADDENDUM**10:00 A.M. - TIME ALLOCATION**

46. [09-1122](#) Supervisor Briggs requesting adoption of Resolution opposing the State of California proposed closure of the Historic Marshall State Gold Discovery Park in Coloma.

Resolution 200-2009*PUBLIC COMMENT*

L. Fortress RE: Gold Discovery Park Association. Non-Profit agency. 100% of funds collected go directly to the park. Ruth Coleman of State Parks put Coloma Park on the "hit list". 70,000 4th grade children visit the park each year. Destination of many people whose lives have been changed by events at Coloma.

M. Judd RE: The children who visit the park while studying California's history. Many travel from all over the world to see where gold was discovered.

L. Brent Bumb RE: Important economically for the County to keep the park open.

R. Murphy RE: World Gold Panning Championship was held at the park.

B. Smart RE: Supports keeping Coloma open. We need to remember that it is part of a bigger picture.

M. Cory RE: Importance of the park. Economic Development. History within the park.

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, as follows:

- 1) Direct staff to incorporate the amendments to the Resolution as discussed;**
- 2) Adopt Resolution 200-2009 as amended; and**
- 3) Authorize the Chairman to sign the Resolution.**

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

DEPARTMENT MATTERS

47. [09-1125](#) Environmental Management Department recommending adoption of Resolution authorizing the Director of said Department, or her designee, to submit the Solid Waste Disposal and Codisposal Site Cleanup Program Grant Application, Fiscal Year 2009/2010, to the State of California for financial assistance related to the Meyers Landfill cleanup project.

FUNDING: State of California Solid Waste Disposal Site Cleanup Trust Fund.

Resolution 201-2009

Adopted Resolution 201-2009 upon approval of the consent calendar.

ADJOURNED AT 4:20 P.M.