



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
[www.edcgov.us/bos](http://www.edcgov.us/bos)

## Minutes

### Board of Supervisors

*Ray Nutting, Chair, District II*  
*John R. Knight, First Vice Chair, District I*  
*Ron Briggs, Second Vice Chair, District IV*  
*James R. Sweeney, District III*  
*Norma Santiago, District V*

*Suzanne Allen de Sanchez, Clerk of the Board of Supervisors*  
*Terri Daly, Chief Administrative Officer*    *Louis B. Green, County Counsel*

---

Tuesday, August 23, 2011

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) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. 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](http://www.edcgov.us) subject to staff's ability to post the documents before the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

#### **8:02 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

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

#### **9:08 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

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

Pastor Lukas gave the Invocation.  
Supervisor Knight led the Pledge of Allegiance.

#### **ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR**

Approval of the Consent Calendar

**A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to adopt the Agenda and approve the Consent Calendar with the following exception: Item 16 was pulled from the Consent Calendar.**

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

Board Members, staff and members of the public may request an item be pulled from the Consent Calendar for discussion. Items requested to be removed from the Consent Calendar shall be removed from Consent Calendar and heard by the Board. The Board will make any necessary additions, deletions, or corrections to the Agenda, determine matters to be added to or removed from the Consent Calendar, and with one motion adopt the Agenda and approve the Consent Calendar.

#### **OPEN FORUM**

##### **PUBLIC COMMENT**

**B. Schultz RE: 9/11 National Moment of Remembrance - September 11, 2011 at 1:00 P.M. EDT.**

**T. Hardy RE: Public Records Request.**

**BUDGET UPDATE**

The County Administrative Officer reported that she continues to be vigilant with budget issues.

**CONSENT CALENDAR**

1. [11-0966](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes for the Regular Meeting of Tuesday, August 16, 2011.  
**This matter was Approved on the consent calendar.**
2. [11-0417](#) Acting as the Air Quality Management District Board of Directors:  
  
Authorize the Chair to sign Amendment I to Agreement for Services 483-M1111 with the Sacramento Metropolitan Air Quality Management District clarifying the effective date of the Agreement as upon adoption of the Boards of Directors for both air districts.  
  
**FUNDING:** No additional funding required due to amendment. Funding for original agreement remains available in Air District operations budget (Index Code 433100).  
**This matter was Approved on the consent calendar.**
3. [11-0961](#) Auditor Controller recommending the Board adopt **Resolution 150-2011** establishing the 2011-2012 rate of the tax levy for the taxing agencies in the County of El Dorado.  
**Adopted Resolution 150-2011 upon approval of the consent calendar.**
4. [11-0920](#) Chief Administrative Office recommending the Board:  
1) Assign responsibility for the Risk Management function to Kim Kerr, Assistant Chief Administrative Officer, authorizing Ms. Kerr to supervise staff assigned to the function and sign all documents related to the function which would customarily be signed by the Human Resources Director; and  
2) Appoint Ms. Kerr to serve as the Primary Board Member to the California State Association of Counties Excess Insurance Authority (CSAC-EIA), with Janet Parnell, Principal Risk Management Analyst, as the Alternate Member.  
**This matter was Approved on the consent calendar.**
5. [11-0973](#) Chief Administrative Office recommending the Board approve an advance step increase from Step 3 to Step 5 of the salary range for the Chief Probation Officer effective August 27, 2011 (Pay Period 19).  
**This matter was Approved on the consent calendar.**

6. [11-0951](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign a budget transfer related to year end close issues. (4/5 vote required) (Refer 8/16/11, Item 2)

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

7. [09-1098](#) Chief Administrative Office, Procurement and Contracts recommending the Board authorize the Chair to sign Amendment II to Agreement for Services 216-S0911 with Legalese Attorney Services, Inc. extending the term for one additional year period through September 15, 2012 and expanding the scope of work to provide for court filing services as well as to provide service of process on an "as requested" basis for Departments County-wide.

**FUNDING:** Funding is available within each requesting department's professional services budgets.

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

8. [11-0931](#) 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.**

9. [11-0963](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board;
- 1) Make findings that it is more economical and feasible to contract out the services in accordance with County Ordinance, Chapter 3.13;
  - 2) Approve perpetual Agreement 074-S1210 with Iron Mountain Information Management, Inc. of Sacramento, California for records and media storage and related services; and
  - 3) Authorize the Chair to execute agreement for same for an estimated not to exceed amount of \$15,000 annually.

**FUNDING:** General Fund and Non-General Fund.

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

10. [11-0945](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:  
1) Approve non-standard warranty, limitations and release language for Taser International, Inc. for the purchase of Taser stun guns and related products; and  
2) Authorize the Purchasing Agent to issue purchase orders referencing said terms.  
**This matter was Approved on the consent calendar.**
11. [11-0902](#) Elections Department recommending the Board:  
1) Ratify the submission of the Federal Voting Assistance Program (FVAP) Electronic Absentee Systems for Elections (EASE) grant application on behalf of 13 California counties in the amount of \$1,831,665 to provide electronic ballot access for military and overseas citizens; and  
2) Authorize the Registrar of Voters to sign allocation/agreement documents related to this grant when received.  
**This matter was Approved on the consent calendar.**
12. [11-0905](#) Department of Human Services recommending the Board:  
1) Approve the 2011 AARP Foundation Host Agency Agreement as a boilerplate agreement to allow continued placement of the AARP Foundation's Senior Community Services Employment Program (SCSEP) participants in work experience opportunities within the Department of Human Services (DHS); and  
2) Authorize the Director or Assistant Director of Human Services or any Department Program Manager II to sign the 2011 AARP Foundation Host Agency Agreement, including any future amendments thereto, contingent upon approval by County Counsel and Risk Management.  
  
**FUNDING:** AARP Foundation -100% Federal Funding.  
**This matter was Approved on the consent calendar.**
13. [11-0910](#) Health Services Department recommending the Board approve and authorize the Chair to sign Agreement 054-105-P-R2011 (112-90063-36-311) with First 5 El Dorado Children and Families Commission in the amount of \$335,000 for the term July 1, 2011 through June 30, 2012, to provide access to medical and dental care for children ages 0-5 years.  
  
**FUNDING:** First 5 El Dorado Children and Families Commission.  
**This matter was Approved on the consent calendar.**

14. [11-0073](#)

Health Services Department recommending the Board authorize the Chair to sign the following:

- 1) Agreement 017-111-P-E2011 with California Tahoe Emergency Services Operations Authority (CAL TAHOE) for the term September 1, 2011 through August 31, 2016 for ambulance services in County Service Area (CSA) 3, subject to minor modification approved by Chief Administrative Officer and County Counsel. The estimated cost for contracted services in Year 1 (September 1, 2011 through August 31, 2012) is \$1,998,000;
- 2) Amendment VI to current Agreement 689-PHD1207 with CAL TAHOE, extending the term through October 31, 2011 unless superseded by Agreement 017-111-P-E2011 (above), and prorating compensation for up to two (2) additional months per the existing Agreement; and
- 3) Amendment II to Agreement 346-S0711 with North Tahoe Fire Protection District (NTFPD), extending the term through October 31, 2011 unless superseded by a new Agreement with NTFPD and prorating compensation for up to two (2) additional months per the existing Agreement. (Refer 5/3/11, Item 26)

**FUNDING:** County Service Area 3 - Benefit Assessment (South Shore Area), Special Tax (West Shore Area), and fee for ambulance services.

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

15. [11-0919](#)

Health Services Department, Mental Health Division, recommending the Board approve and authorize the Chair to sign Amendment I to Agreement 153-MHD0609 (038-S1011) with Blue Cross of California, acting as third party administrator for County Medical Services Program (CMSP), extending the term through December 31, 2011, to provide reimbursement to the County for CMSP eligible patients receiving treatment in the Psychiatric Health Facility (PHF).

**FUNDING:** Fee for Service.

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

16. [11-0486](#) Health Services Department, Mental Health Division, recommending the Board approve and authorize implementation of the following:
- 1) Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) and Workforce Education and Training (WET) FY 2011-12 plan updates.
  - 2) Mental Health Services Act (MHSA) Capital Facilities and Technology Needs (CFTN) initial plan.

**FUNDING:** State Mental Health Services Act (MHSA) Funds.

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

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

17. [11-0903](#) Sheriff's Office recommending the Board authorize the Chair to execute the Fiscal Year 2010/11 Equitable Sharing Agreement and Certification.

**FUNDING:** Equitable Sharing (Asset Seizure).

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

18. [11-0868](#) Department of Transportation recommending the Board authorize the Chair to sign the County of El Dorado Airport Ground Lease for Portable Hangars No. 11-53178 for Hangar Space No. H-1 with Leonard Miller, DBA Aero Marine Ltd., in an amount of \$943 per year for ten years with additional two ten-year lease options, located at the Placerville Airport. (4/5 vote required)

**FUNDING:** Placerville Airport Enterprise Fund - Fee Revenue.

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

19. [11-0845](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment II to Lease Agreement No. 252-L0911 with Wilkinson Revocable Trust in the amount of \$1,200 per month for three additional one year periods exercising Options One, Two and Three of said Lease for the storage unit/overflow parking spaces for the Department of Human Services located at 3047 Briw Road in Placerville.

**FUNDING:** 85% Federal/State Allocations and 15% County match from the General Fund and Realignment Funds.

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

20.     [11-0842](#)     Department of Transportation recommending the Board authorize the Chair to sign retroactive Facility Use Agreement No. 208-O1111 with the El Dorado County Fire Protection District at no charge to the County for the term March 1, 2010 through February 28, 2013 for use of Station 22 by the Sheriff's Department Search and Rescue, located on Fort Jim Road in Placerville.

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

21.     [11-0746](#)     Department of Transportation recommending the Board:  
1) Authorize the Chair to sign the Temporary Construction Easement Acquisition Agreement and the Certificate of Acceptance for the related documents from Lindsay and Carol Gong-Newell, Trustees of the Newell Family Trust Dated February 26, 2006, for Assessor's Parcel Number 035-133-09; and  
2) Authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Christmas Valley Phase 2C Erosion Control Project (JN 95190).

**FUNDING:** Tahoe Regional Planning Agency Mitigation Funds and California Tahoe Conservancy Grant Funds.

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

22.     [11-0736](#)     Department of Transportation recommending the Board:  
1) Authorize the Chair to sign the Temporary Construction Easement Acquisition Agreement and the Certificate of Acceptance for the related documents from Emily A. Bowman and Fenn V. Barkley III, for Assessor's Parcel Number 035-132-10; and  
2) Authorize the Director of Transportation or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Christmas Valley Phase 2C Erosion Control Project (JN 95190).

**FUNDING:** Tahoe Regional Planning Agency Mitigation Funds and California Tahoe Conservancy Grant Funds.

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



23. [11-0010](#) Department of Transportation recommending the Board authorize the Chair to sign the Notice of Acceptance with Security and Asset Management, LP dba Sonitrol of Sacramento for the Access Control/CCTV/Intrusion Alarm System for the Human Services/Child Support Services/Health Services Departments Placerville and South Lake Tahoe Project, Contract No. PW 10-30566, CIP No. 90400.

**FUNDING:** California Department of Child Support Services, State Realignment Funds and Tobacco Settlement Funds, and Accumulated Capital Outlay Funds. The requested Board action has no associated fiscal impact.

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

24. [11-0813](#) Department of Transportation recommending the Board authorize the Chair to sign the Notice of Acceptance with California Pavement Maintenance Company, Inc. for the Crack Repair and Slurry Seal West Hangar and Apron Area, Remark Runway Blast Pads and Construct Runway Exit Taxiway B Project (AIP No. 3-06-0188-13; CIP No. 93123) at the Placerville Airport.

**FUNDING:** This Project was funded by a Federal Aviation Administration (FAA) Grant with 5% matching funds from the Placerville Airport Enterprise Fund. The requested Board action has no associated fiscal impact.

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

25. [10-1275](#) Department of Transportation recommending the Board:
- 1) Make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and that the ongoing aggregate of the work performed under this Agreement is not sufficient to warrant the addition of permanent or extra-help staff; and
  - 2) Authorize the Chair to sign Agreement for Services AGMT 10-53071 (123-S1211) with Nichols Consulting Engineers, Chtd. in the amount not to exceed \$150,000 for a term of two (2) years to provide specific environmental services for erosion control and water quality projects in the Tahoe Basin in conjunction with the Environmental Improvement Program.

**FUNDING:** United States Forest Service Grant Funds.

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

26. [11-0774](#) Department of Transportation recommending the Board consider the following pertaining to the White Rock Road Widening and Signalization Project (JN 72372):
- 1) Approve and authorize the Chair to sign the "Reimbursement Agreement for the Advancement of Funds for the Construction of the White Rock Road / Post Street Intersection Signalization between the County and the Developer";
  - 2) Approve and authorize the Chair to sign Contract Change Order No. 5 with Granite Construction Company in an estimated amount of \$158,300 to construct a new traffic signal system at the intersection of White Rock Road and Post Street, and in doing so, find that it is in the public's best interest to waive competitive bidding for the work described therein; and
  - 3) Approve and authorize the Chair to sign a Budget Transfer increasing the revenue and expenditures for the proposed Contract Change Order.

**FUNDING:** State and Local Partnership Program Grant Funds, Developer Advance.

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

27. [11-0353](#) Treasurer-Tax Collector recommending the Board discontinue the Treasury Oversight Committee pursuant to changes in Section 27131 of the California Government Code.

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

28. [11-0399](#) Treasurer-Tax Collector recommending the Board authorize the Chief Administrative Officer to sign a letter delegating to Nationwide Retirement Solutions (NRS) the Deferred Compensation 457 Plan "Unforeseen Emergency" review and approval process. (Cont'd 6/28/11, Item 58)

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

29. [11-0403](#) Treasurer-Tax Collector recommending the Board approve adding Percent-based Contributions to the Nationwide Retirement Solutions Deferred Compensation Plan. (Cont'd 6/28/11, Item 57)

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

30. [11-0978](#) Supervisor Nutting recommending the Board authorize the Chair to sign a letter of support of Referendum to Overturn ABx1 29 (Chapter 8, Statutes of 2011, First Extraordinary Session), a law which requires the State to establish an annual \$150 fee for each building located in areas where the state pays for fire services.

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

31. [11-0975](#) Supervisor Briggs recommending the Board consider the following:  
1) Adopt **Resolution 149-2011**, permitting Pyro Spectaculars, Inc., on behalf of the Cold Springs Golf and Country Club, to conduct a pyrotechnic display at the Cold Springs Golf and Country Club on Saturday, September 24, 2011, as part of the Country Club's 50th Anniversary Celebration, contingent upon full compliance of all conditions, requirements and/or restrictions deemed necessary by fire control, public safety and the County of El Dorado; and,  
2) Authorize the Chair to sign a letter to the El Dorado County Fire Protection District Assistant Chief approving same.

**Adopted Resolution 149-2011 upon approval of the consent calendar.**

32. [11-0957](#) Supervisor Santiago recommending the Board approve and authorize the Chair to sign a Letter of Support for the submittal of the Gold Country Broadband Consortium application requesting financial support from the California Public Utilities Commission California Advanced Services Fund by the Sierra Economic Development Corporation to serve as the Regional Consortium for the Rural and Urban Regional Broadband Consortia Grant program.

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

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS/NOTICED HEARING**

33.     [11-0311](#)     Department of Transportation recommending the following pertaining to the Contract Overlay - North Upper Truckee Road (2 Miles) Project, Contract No. PW 11-30581/CIP No. 72178:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 12, 2011;
  - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
  - 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project. (Est. Time: 5 Min.)

**FUNDING:** State Proposition 1B.

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

- 1) Award the Construction Contract to Qualcon Contractors, Inc. who submitted the lowest responsive, responsible bid of \$744,237.80;
- 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
- 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project.

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

34. [11-0748](#)

Department of Transportation recommending the following pertaining to the Contract Overlay - Newtown Road (5 miles) Project, Contract No. PW 11-30589/CIP No. 72184:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 5, 2011;
- 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
- 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project. (Est. Time: 5 Min.) (Cont'd 8/16/11, Item 17)

**FUNDING:** State Proposition 1B and Regional Surface Transportation Program (RSTP) exchange funds from the El Dorado County Transportation Commission (EDCTC).

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

- 1) Award the Construction Contract to Granite Construction Company who submitted the lowest responsive, responsible bid of \$840,840.00;**
- 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and**
- 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project.**

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

35. [11-0760](#)

Department of Transportation recommending the following pertaining to the El Dorado Trail Culvert Replacement Project, Contract No. PW 11-30587, Project No. 99565:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 18, 2011;
- 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
- 3) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project. (Est. Time: 5 Min.)

**FUNDING:** Rural Regional Surface Transportation Program Exchange funds from the El Dorado County Transportation Commission.

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

- 1) Find the bid from Sierra Valley Construction, Inc. non-responsive because it failed to submit its Proposal attached to the Contract Documents package;
- 2) Award the Construction Contract to Cimarron, Inc. who submitted the lowest responsive, responsible bid of \$268,926.00; and
- 3) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management.

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

36. [11-0468](#)

Clerk of the Board of Supervisors recommending the Board consider options for revisions to the Board Assistant compensation structure and provide direction to staff regarding implementation of same. (Est. Time: 30 min.) (Cont'd 8/2/11, Item 28)

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

- 1) Approve Scenario 2 creating a \$221, 275 District budget effective upon approval of the FY 2011/2012 adopted budget; and
- 2) Direct staff to return with the policy decisions needed to implement Scenario 2 allowing each Supervisor the discretion to spend their District funds and report out quarterly.

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

37. [11-0965](#) Supervisor Knight recommending the Board adopt a proclamation proclaiming the Month of September 2011 as "Wine and Wine Grape Month" in El Dorado County in recognition of the great accomplishments of our Home and Commercial Wine Makers and Wine Grape Growers. (Est. Time: 10 Min.)
- A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to adopt this matter.**

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

38. [11-0268](#) HEARING: Surveyor recommending the Board consider the introduction (First Reading) of an Ordinance Amending the Existing Supervisorial District Boundaries to those Shown on the Map entitled "Official Map, Supervisorial District Boundaries, adopted September 2011." (Est. Time: 10 Min.) (Cont'd 8/8/11, Item 1)

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

- 1) Read title, waived reading of Ordinance 4964 in its entirety;**
- 2) Approved introduction of Ordinance 4964; and**
- 3) Set adoption (second reading) of Ordinance 4964 for September 13, 2011.**

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Noes:** 1 - Santiago

#### [11-0270](#)

#### CAO REPORTS

The County Administrative Officer reported that the Parks and Recreation Commission has scheduled a Special Night Meeting on September 15, 2011 from 5:30 p.m. to 7:00 p.m. in the Board of Supervisors Meeting Room. (See Attachment 19A - Press Release - Parks & Rec Commission Meeting)

#### [11-0280](#)

#### ITEMS TO/FROM SUPERVISORS

##### TO/FROM SUPERVISORS

Supervisor Sweeney reported that the Forest Service has submitted documents detailing the County's responsibilities regarding the County maintained roads. County Counsel is working with District III to place an item on the agenda for the County to respond to the Forest Service.

Supervisor Briggs reported that the Sacramento Bee had an article which discussed changes in the new State fire prevention fee. (Attachment 16A)

Supervisor Santiago reported that she attended the 15th Annual Environmental Summit last Tuesday. She also had the opportunity to tour the fabulous new high school buildings.

Supervisor Nutting reported out regarding the State fire prevention fee. (Attachment 16B)

**CLOSED SESSION**

39.     11-0985     Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Abel v. County of El Dorado. (Est. Time: 5 Min.)  
**No Action Reported.**
40.     11-0977     Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1). (Est. Time: 10 Min.)  
**The Board by unanimous vote authorized the filing of a validation action on the Serrano settlement to validate the retroactive aspect of the action. In addition, the Board authorized the use of Kronick, Moskovitz, Tiedemann & Girard under an existing contract. William T. Chisum will be the lead litigation attorney; at the rate of \$250 per hour in an amount not to exceed \$20,000 for a non-contested validation action. The Board further waived the provision which stated that they would not use County Counsel due to a conflict of interest since the conflict no longer exists. County Counsel will supervise the litigation.**
41.     11-0983     Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Chili Bar River Access Park Ownership Issues. (Est. Time: 5 Min.)  
**No Action Reported.**
42.     11-0976     Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: West Valley LLC. Number of potential cases: (1).  
**No Action Reported.**
43.     11-0899     Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources and/or designee.  
Employee Organization: El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 15 Min.)  
**No Action Reported.**



44.     11-0982     Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Director of Human Resources. (Est. Time: 30 Min.)  
**No Action Reported.**
45.     11-0943     Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Director of Child Support Services. (Est. Time: 20 min.) (Cont'd 8/16/11, Item 31)  
**No Action Reported.**

**ADJOURNED AT 3:00 P.M.**