



County of El Dorado

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Minutes

Board of Supervisors

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

Terri Daly, Acting Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Louis B. Green, County Counsel

Tuesday, October 16, 2012

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.

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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 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. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

9:18 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Mark Cowles from the Highway Bible Church provided the invocation. Supervisor Briggs led the Pledge of Allegiance.

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to adopt the Agenda and approve the Consent Calendar with the following changes: Items 7 and 26 were pulled from the consent calendar and acted upon separately; Item 50 was added to the consent calendar; Item 27 was continued to Tuesday, October 23, 2012, and Item 37 was continued to Tuesday, October 30, 2012.

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

12-0003

OPEN FORUM

PUBLIC COMMENT

C. Barla RE: Medical Marijuana.

K. Pranza RE: Medical Marijuana.

M. Bergland RE: Medical Marijuana.

K. Parra RE: Regulations for Smoke Shop.

K. Duran RE: Problems with Child Protective Services (CPS).

A. Colehagen RE: Medical Marijuana.

[12-0009](#) **BUDGET UPDATE**

None.

CONSENT CALENDAR

1. [12-0002](#) Acting Clerk of the Board recommending the Board approve the Meeting Minutes from the Special Meeting on Monday, September 17, 2012, the Special Meeting on Monday, September 24, 2012, and the Regular Meeting on Tuesday, September 25, 2012.

This matter was Approved on the consent calendar.

2. [11-1429](#) Acting as the Board of Directors for the Air Quality Management District:

Air Quality Management District recommending the Board:

- 1) Allocate \$100,000 in AB 2766 grant funds for the river shuttle project to an alternate contractor;
- 2) Authorize the Chair to sign funding agreement for said project pending approval of the Air Pollution Control Officer, County Counsel and Risk Management; and
- 3) Authorize the Air Quality Management District to use remaining AB 2766 grant funds of \$36,805 to purchase and retain ownership of a van and trailer (fixed assets) for the river shuttle project.

FUNDING: California Department of Motor Vehicles AB 2766 Subvention Funds.

This matter was Approved on the consent calendar.

3. [12-1259](#) Chief Administrative Office recommending the Board receive and file a status report on the recommendations made by the Grand Jury in its 2006-07, 2007-08, 2008-09, and 2011-12 final reports.

This matter was Approved on the consent calendar.

4. [12-1181](#) Chief Administrative Office recommending the Board approve the authorization of Discharge of Responsibility for the collection of infraction, misdemeanor and felony debts listed on the Discharge of Accountability Report submitted by the Superior Court.

This matter was Approved on the consent calendar.

5. [12-1254](#) Chief Administrative Office, Facilities Management Division, recommending the Board:
- 1) Make findings that it is more economical and feasible to contract out in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance;
 - 2) Authorize the Purchasing Agent to execute Agreement for Services No.110-S1311 with Johnson Controls of Roseville, California, for the preventative maintenance for the newly installed hot water boilers at the Placerville Jail in an amount not to exceed \$8,002 for a five year term; and
 - 3) Authorize the Purchasing Agent to execute any subsequent amendments to said agreement upon County Counsel and Risk Management review and approval.

FUNDING: Funding is available within the Facilities Maintenance budget - General Fund.

This matter was Approved on the consent calendar.

6. [12-1233](#) Chief Administrative Office, Procurement and Contracts Division on behalf of the Information Technologies Department, recommending the Board approve the following:
- 1) Award Bid No.13-204-012 for the purchase of Computers: Desktops, Laptops, Monitors and Related Items to the low qualified bidder, EDC Systems of Lafayette, CA;
 - 2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$125,000 for a four (4) month award period following Board approval; and
 - 3) Authorize the Purchasing Agent to increase a blanket purchase order on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: General Fund and non General Fund.

This matter was Approved on the consent calendar.

7. [12-1242](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of Museum artifacts and other Museum property and recommending the Board declare the items as surplus to the needs of the County 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.

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

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

8. [12-1174](#) Development Services Department submitting the revised comment letter on the Draft Environmental Impact Report for the Mather Airport Master Plan for ratification of the Chair's signature. (Refer 9/18/2012, Item 16)

This matter was Approved on the consent calendar.

9. [12-1132](#) District Attorney recommending the Board consider the following:
- 1) Adopt Resolution **143-2012** authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Automobile Insurance Fraud Program for Fiscal Year 2012/13 in the amount of \$275,000; and
 - 2) Adopt Resolution **144-2012** authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Worker's Compensation Insurance Fraud Program for Fiscal Year 2012/13 in the amount of \$257,247.

FUNDING: California Department of Insurance.

Resolutions 143-2012 and 144-2012 were adopted upon approval of the consent calendar.

10. [12-1250](#) Health and Human Services Agency, Community Services Division, recommending the Board approve the establishment of Policies and Procedures for the El Dorado County Commission on Aging, which acts as an Advisory Council to the Board of Supervisors and the Area Agency on Aging.

FUNDING: State and Federal Grant Funds, Participant Donations, and General Fund.

This matter was Approved on the consent calendar.

- 11. [11-1448](#) Health and Human Services Agency, Community Services Division, recommending the Board:
 - 1) Authorize the Chair to sign Modification 4 to Contract K282473-02 with Golden Sierra Job Training Agency to amend the term for Workforce Investment Act Adult and Dislocated Worker services to July 1, 2011 through May 31, 2013, with no change in the total contract amount of \$1,082,416; and
 - 2) Authorize the Director of the Health and Human Services Agency, or successor, or the Chief Assistant Director of the Health and Human Services Agency, or successor, to execute subsequent documents relating to said contract, including one or more amendments thereto that do not change the total contract amount or the term, contingent upon approval by County Counsel and Risk Management, and any required fiscal and programmatic reports. (Refer 8/21/12, Item 7)

FUNDING: 100% Federal Annual Workforce Investment Act Funding.
This matter was Approved on the consent calendar.

- 12. [12-1247](#) Health and Human Services Agency, Community Services Division, recommending the Board:
 - 1) Authorize the Chair to sign retroactive Contract No. K386295-01 with Golden Sierra Job Training Agency 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 in the initial amount of \$345,905 for the term July 1, 2012 to May 31, 2014; and
 - 2) Authorize the Director of the Health and Human Services Agency, or successor, or the Chief Assistant Director of the Health and Human Services Agency, or successor, to execute subsequent documents relating to said contract, including one or more amendments thereto, contingent upon approval by County Counsel and Risk Management, that collectively increase the total contract amount up to \$1,039,367 as a result of receiving additional funding from Golden Sierra Job Training Agency, and do not change the term or other amendments thereto that do not alter the total projected maximum dollar amount or term, and to sign any required fiscal or programmatic reports.

FUNDING: Federal Workforce Investment Act Allocation.
This matter was Approved on the consent calendar.

13. [12-1210](#) Health and Human Services Agency, Community Services Division, recommending the Board authorize the Chair to sign Agreement for Services No. 574-S1211 with Los Rios Community College District, Northeastern California Small Business Development Center (SBDC), for the provision of services to individuals and businesses under the County Business/ Microenterprise Assistance Program, Microenterprise Technical Assistance Program, funded by the California State Department of Housing and Community Development (HCD) Community Development Block Grant (CDBG) Economic Development Allocation, 09-EDEF-6547, in the not-to-exceed amount of \$84,370, for a term to become effective upon final execution by both parties hereto and shall expire March 13, 2013.

FUNDING: Federal Community Development Block Grant.

This matter was Approved on the consent calendar.

14. [07-1372](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize month-to-month occupancy of leased office space located at 670 Placerville Drive in Placerville effective November 1, 2012 and continued payment in the amount of \$24,727.19 per month in accordance with section 27 of Lease Agreement 055-L0811 with Golden Plaza I, LLC.

FUNDING: Medi-Cal clinical funding, EPSDT reimbursements, Utilization Review funding, MHSA administration and clinical services allocations, Medi-Cal administrative reimbursements and realignment/fund balance dollars.

This matter was Approved on the consent calendar.

15. [12-0727](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 583-S1211 with Denise Thompson (dba The Denise Thompson Home) for the provision of residential treatment services for adults with serious mental illness, amending Article I "Scope of Services" to add language to ensure ongoing consistency with the El Dorado County Mental Health Services Act Plan regarding Full Service Partnership services. There is no change to the existing term of June 26, 2012 through June 30, 2013 and no change to the current not-to-exceed compensation amount of \$375,000. (Refer 6/26/12, Item 18)

FUNDING: Mental Health Services Act.

This matter was Approved on the consent calendar.

16. [12-0975](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Agreement for Services 118-F1310 with Blue Cross of California, acting as fiscal intermediary for County Medical Services Program, to reimburse the County for the provision of mental health services to clients eligible for CMSP sponsored "Path2Health" insurance, with a term to be effective upon execution and with no end term (perpetual).

FUNDING: County Medical Services Program (CMSP) and Path2Health, a low-income health program sponsored by CMSP.

This matter was Approved on the consent calendar.

17. [12-1251](#) Health and Human Services Agency, Public Health Division, recommending the Board approve a grant application to the University of California, Davis for a Model eHealth Communities Implementation Support Supplemental Grant on behalf of Access El Dorado and ratify the signature of the Director on the application. As required by Board Policy A-6, the Health and Human Services Agency Public Health Division submitted a letter noting that the application cannot be considered binding until ratified by the Board of Supervisors.

FUNDING: University of California, Davis, Model eHealth Communities Grant.

This matter was Approved on the consent calendar.

18. [09-0576](#) Health and Human Services Agency, Public Health Division recommending the Board authorize the Chair to sign retroactive Amendment II to Agreement 811-S0811 (713-PHD0308) with Tahoe Youth and Family Services, Inc., for the provision of alcohol and drug counseling services during the term July 1, 2008 through June 30, 2009, modifying Cost Report language, with no change to term or the not-to-exceed amount of \$113,000. (Refer 5/19/09, Item 14)

FUNDING: State and Federal funding via the California Department of Alcohol and Drug Programs.

This matter was Approved on the consent calendar.

19. [09-0232](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign retroactive Amendment II to Agreement No. 825-S0811 with Progress House, Inc. for the provision of alcohol and drug counseling services during the term July 1, 2008 through June 30, 2009 modifying Cost Report language with no change to term or not-to-exceed amount of \$657,865. (Refer 3/10/09, Item 9)

FUNDING: State and Federal funding via the California Department of Alcohol and Drug Programs.

This matter was Approved on the consent calendar.

20. [12-1165](#) Probation Department recommending the Board receive and file the annual Juvenile Justice Crime Prevention Act (JJCPA) Progress Report for El Dorado County's Community Alliance to Reduce Truancy (CART) Program for Fiscal Year 2011/2012.

FUNDING: JJCPA.

This matter was Approved on the consent calendar.

21. [12-1095](#) Probation Department and Human Resources recommending the Board adopt Resolution **141-2012** to update the salary range for Assistant Superintendent - Institutions classification (formerly Assistant Superintendent of Juvenile Hall).

Resolution 141-2012 was adopted upon approval of the consent calendar.

22. [12-0383](#) Probation Department recommending the Board authorize the Chair to sign Amendment IV to Agreement No. 125-S1210 with Madeira Group International (MGI) allowing the Probation Department to receive services on an as-requested basis and increasing the maximum obligation of the contract from \$240,317 to \$270,317 to provide detailed professional pre-employment background investigations for candidates for employment with the Sheriff's Office and Probation Department; and the term of the contract shall remain the same, August 4, 2011 through August 3, 2014. (Refer 8/7/12, Item 7)

FUNDING: General Fund.

This matter was Approved on the consent calendar.

23. [12-1170](#) Sheriff's Office recommending the Board authorize the Chair to sign retroactive Memorandum of Agreement No. 093-M1310 between the Lake Tahoe Community College District and the El Dorado County Sheriff's South Lake Tahoe Jail to provide education services for Culinary Arts program instruction to Jail inmates retroactive to June 1, 2012 through June 29, 2018, the end of the academic year.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

24. [12-1173](#) Sheriff's Office recommending the Board consider the following:
1) Authorize the Chair to sign Budget Transfer No. 2013016 increasing revenue and appropriations by \$36,661 for the Fiscal Year 2012 Off-Highway Motor Vehicle Recreation project from State Department of Parks and Recreation for law enforcement services on the Rubicon Trail; and
2) Authorize the Sheriff to sign the Grant Project Agreement No. G11-03-07-L01 (206-F1311). (4/5's vote required)

FUNDING: Off-Highway Vehicle (OHV) Funds and Vehicle In-Lieu Fees to offset 25% County match.

This matter was Approved on the consent calendar.

25. [12-1241](#) Surveyor's Office recommending the Board adopt Resolution **146-2012** of Vacation for Abandonment of Easement (AOE) No. 2012-009 summarily vacating the Public Utility Easements (PUE) on Lot 25 of "Village I, Lots F, G, and H, Serrano", recorded at Book I, of Subdivisions at Page 104, being described as the two five feet (5') easements adjacent to both sidelines of Lot 25. Parcel is identified as Assessor's Parcel Number (APN) 123-230-25. AOE was requested by Dennis TY Treadaway and Sharon Treadaway.

Resolution 146-2012 was adopted upon approval of the consent calendar.

26. [12-1090](#) Department of Transportation recommending the Board adopt a Resolution **151-2012** authorizing the County to contribute up to \$1,200,000 in Highway Users Tax funds to the City of Placerville for the Western Placerville Interchange Phase 1A project. (4/5 vote required)
- A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, as follows:**
- 1) **Adopted Resolution 151-2012; and**
 - 2) **Directed staff to add language to the Funding Agreement with the City of Placerville, with the intent of the language to be that in February of 2013 the Supervisors from Districts 2 and 3 will serve as the subcommittee for the County, to meet with the subcommittee from the City of Placerville to discuss the link between Ray Lawyer Drive and Highway 49.**
- Yes:** 4 - Knight, Nutting, Sweeney and Santiago
- Recused:** 1 - Briggs
27. [12-1115](#) Department of Transportation recommending the Board direct the Auditor-Controller to:
- 1) Process a journal entry transferring residual funds from the 2004 General Plan (GP) El Dorado Hills (EDH) Traffic Impact Mitigation (TIM) West Valley Prepayment account to the 2004 GP EDH TIM account; and
 - 2) Close the 2004 GP EDH TIM West Valley Prepayment account after the transfer is processed. (Cont'd. 9/25/12, Item 28)
- This matter was continued to Tuesday, October 23, 2012 upon approval of the consent calendar.**
28. [12-0724](#) 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 to be performed under this Agreement that are not expressly identified in County job classifications, and that the ongoing aggregate of work to be performed under this Agreement is not sufficient to warrant the addition of permanent staff; and
 - 2) Authorize the Chair to sign Agreement for Services No. 069-S1311 (12-53490) with Youngdahl Consulting Group, Inc. to provide on-call geotechnical and geological engineering support services in support of various Capital Improvement Program projects in an amount not to exceed \$300,000, which shall become effective upon execution and shall expire three years thereafter or upon completion of issued Task Orders or Work Orders, whichever is later.
- FUNDING:** Highway Bridge Program, Regional Surface Transportation Program and various Capital Improvement Program (CIP) funding sources that fund the Department's CIP projects.
- This matter was Approved on the consent calendar.**

29. [12-1089](#) Department of Transportation recommending the Board authorize the Chair to sign the County of El Dorado Airport Ground Lease for Portable Hangars No.12-53533 for Hangar Space No. H-36 with Clyde Creel and Richard Johnston in an amount of \$1,373 per year for ten years with two additional 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.

30. [12-1190](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificate of Acceptance for the related documents from Serrano Associates, LLC, for Assessor's Parcel Number 121-120-22; and
 - 2) Authorize the Interim Director of Transportation or her 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 U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

31. [12-1188](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificate of Acceptance for the related documents from Serrano Associates, LLC, for Assessor's Parcel Number 121-160-03; and
 - 2) Authorize the Interim Director of Transportation or her 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 U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

32. [12-1189](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and Certificates of Acceptance for the related documents from Serrano Associates, LLC, for Assessor's Parcel Number 122-590-01; and
 - 2) Authorize the Interim Director of Transportation or her 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 U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

33. [12-1191](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and Certificate of Acceptance for the related documents from Ruminson Grado Ventures LLC, for Assessor's Parcel Number 122-720-06; and
 - 2) Authorize the Interim Director of Transportation or her 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 U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

34. [12-1232](#) Department of Transportation recommending the Board authorize the Chair to sign the Freeway Maintenance Agreement with the State of California Department of Transportation which defines the maintenance responsibilities pertaining to the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP No. 71328.

FUNDING: Road Fund.

This matter was Approved on the consent calendar.

35. [12-1229](#) Department of Transportation recommending the Board authorize the Chair to sign the Utility Agreement No. 234-C1375 (03-UT-2550.3L) with AT&T in the estimated amount of \$62,848.33 for the relocation of facilities for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

36. [12-1230](#) Department of Transportation recommending the Board authorize the Chair to sign Utility Agreement No. 235-C1399 (03-UT-2550.5L) with El Dorado Irrigation District in the estimated amount of \$230,518 for the relocation of facilities for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was Approved on the consent calendar.

37. [12-1231](#) Department of Transportation recommending the Board authorize the Chair to sign Utility Agreement No. 236-C1399 (03-UT-2550-3L) with Pacific Gas & Electric in the estimated amount of \$2,140,991 for the relocation of facilities for the U.S. 50/Silva Valley Parkway Interchange - Phase 1 Project.

FUNDING: El Dorado Hills Traffic Impact Mitigation Fees - Silva Valley Interchange Set Aside Fund.

This matter was continued to Tuesday, October 30, 2012 upon approval of the consent calendar.

38. [12-1209](#) Treasurer-Tax Collector recommending the Board adopt Resolution **145-2012** to opt out of the option to sell tax-defaulted nonresidential commercial property after three years.

Resolution 145-2012 was adopted upon approval of the consent calendar.

39. [12-1281](#) Supervisor Briggs recommending the Board approve ratification of the Chair's signature on six Proclamations presented to the founding members of Court Appointed Special Advocate (CASA) El Dorado in recognition of their dedication to the establishment of CASA El Dorado, a program that has provided twenty years of advocacy and services to the abused and neglected children in the community.

This matter was Approved on the consent calendar.

40. [12-1297](#) Supervisor Briggs recommending the Board authorize the Chair to sign a letter in support of the "Gerle Range and Meadow Restoration Project" proposal to be submitted by the Georgetown Divide Resource Conservation District to the Sierra Nevada Conservancy for consideration to receive Proposition 84 Grant Program funding.
- This matter was Approved on the consent calendar.**
41. [12-1299](#) Supervisor Briggs recommending the Board authorize the Chair to sign a letter in support of the "Future Farmers of America Agricultural Leadership Program" proposal, to be submitted by the El Dorado County Resource Conservation District to the Sierra Nevada Conservancy for consideration to receive Proposition 84 Grant Program funding.
- This matter was Approved on the consent calendar.**
42. [08-1241](#) Supervisor Santiago recommending the Board waive the \$20 per square foot fee for the required 500 square feet of matching commercial floor area for Bob Dogs Pizza in Meyers.
- This matter was Approved on the consent calendar.**
43. [12-1269](#) Supervisor Santiago recommending the Board adopt Resolution **142-2012** to Name an Unnamed Natural Peak in the Tahoe Basin "Gold Star Peak" in Honor of Lake Tahoe's Fallen Soldiers.
- Resolution 142-2012 was adopted upon approval of the consent calendar.**

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

44. [12-1287](#) Hearing to consider adoption of Resolution **150-2012** approving the issuance by the California Statewide Communities Development Authority (CSCDA) of tax exempt revenue notes for the benefit of California Shock Trauma Air Rescue (CALSTAR). (Tax Equity and Fiscal Responsibility Act (TEFRA)). (Est. Time: 15 Min.)
- A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to adopt Resolution 150-2012.**
- Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

45. [12-0224](#) Hearing to consider rescinding all actions the Board took on April 3, 2012 on Creekside Plaza (Rezone Z10-0009/Planned Development PD10-0005/Parcel Map P10-0012), on property identified by APNs 327-211-14, 327-211-16, and 327-211-25, consisting of 4.1 acres, in the Placerville area, submitted by Grado Equities VII, LLC; and Development Services and County Counsel recommending the Board take the following actions without prejudice:
- 1) Adopt Resolution **149-2012** rescinding actions taken by the Board on April 3, 2012, agenda item 19, approving Creekside Plaza project (Rezone Z10-0009/Planned Development PD10-0005/Parcel Map P10-0012); and
 - 2) Consider the Introduction (First Reading) of Ordinance **4985** rescinding Ordinance 4977 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD). (Supervisory District 3) (Refer, 4/3/12, Item 19) (Est. Time 20 Min.)

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

- 1) **Adopt Resolution 149-2012; and**
- 2) **Approve the Introduction of Ordinance 4985 rescinding Ordinance 4977, waived reading and read by title only; and**
- 3) **Set adoption (Second Reading) of said Ordinance for Tuesday, October 23, 2012.**

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

46. [11-1238](#) Acting Clerk of the Board recommending the Board appoint one (1) member and one (1) alternate member to the 2013 California State Association of Counties (CSAC) Board of Directors, for terms to expire November 2013. (Est. Time: 5 Min.)

A motion was made by Supervisor Knight, seconded by Supervisor Nutting, to reappoint Supervisor Santiago as the Member, and Supervisor Knight to serve as the Alternate Member for the 2013 California State Association of Counties (CSAC) Board of Directors. Noting: This matter will be coming back before the Board in January of 2013.

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

47. [12-1248](#) District Attorney's Office and the Department of Child Support Services, recommending the Board adopt Resolution **147-2012** designating the Revenue Recovery Division of the Department of Child Support Services to collect restitution for victims of crime and pursuant to Penal Code 1203.1(l) authorize the Revenue Recovery Division to collect an administrative fee to cover costs of collection in the amount of 15% of the total amount ordered to be paid. (Est. Time 15 Min.)

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

- 1) Adopt Resolution 147-2012, in concept;
- 2) Direct staff, if necessary, to pursue legislation in support of the District Attorney's ability to help victims of crime to collect monies that are owed at the end of probation; and
- 3) Direct staff to negotiate with the courts to develop and expand the current enhanced Revenue and Recovery Memorandum of Understanding (MOU).

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

48. [12-1243](#) Probation Department recommending the Board adopt Resolution **148-2012** amending Authorized Personnel Allocation Resolution 62-2012 as follows:
- 1) Add three (3) Full Time Equivalent Deputy Probation Officer I/II - Institution at the Juvenile Treatment Center, South Lake Tahoe;
 - 2) Add three (3) Full Time Equivalent Deputy Probation Officer I/II - Institution at Juvenile Hall, Placerville;
 - 3) Add one (1) Full Time Equivalent Supervising Deputy Probation Officer I/II - Institution at the Juvenile Treatment Center, South Lake Tahoe; and
 - 4) Add one (1) Full Time Equivalent Supervising Deputy Probation Officer I/II - Institution at Juvenile Hall, Placerville. (Est. Time 15 Min.)

FUNDING: Probation Operating Budget.

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to adopt Resolution 148-2012.

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

49. [12-1290](#) Supervisor Sweeney recommending the Board consider the following:
- 1) Re-examine the voting authority under the Joint Exercise of Powers Agreement for the Elk Grove-Rancho Cordova-El Dorado Connector Authority (Whiterock Connector JPA) with regard to the powers of said authority to use eminent domain powers to levy against funds of the County of El Dorado, and to levy against private properties in the County of El Dorado;
 - 2) Direct that summaries of financial activities of this Whiterock Connector JPA, since the inception thereof, be provided to this Board; and
 - 3) Direct the Chief Administrative Officer, County Counsel, and Department of Transportation to return to the Board on or before November 6, 2012 with a report and identified options for the Board. (Est. Time: 30 Min.)

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

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

50. [12-1206](#) Supervisor Sweeney and the El Dorado County Office of Education recommending the Board make the appointments and re-appointments to the 2012/2013 El Dorado County Youth Commission. (Cont'd 9/25/12, Item 32)

This matter was Approved on the consent calendar.

51. [12-0474](#) Supervisors Briggs and Sweeney recommending the Board direct the Chief Administrative Officer to serve as the central point of collection for comments developed in response to the United States Forest Service's Proposed Action as part of the supplement to the 2008 Eldorado National Forest Public Wheeled Motorized Travel Management Environmental Impact Statement relating to the 42 route segments in the Eldorado National Forest that were closed to motor vehicle travel per Court Order in the case of Center for Sierra Nevada Conservation v. U.S. Forest Service (E.D. Cal. No. 2:09-CV-02523-LKK-JFM). (Refer 4/17/12, Item 41) (Est. Time: 15 Min.)

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

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

[12-0006](#)

CAO REPORTS

The Chief Administrative Officer reported to the Board that there were additional costs to the contract with Erickson Air Crane for services provided on the Rubicon Trail.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

None.

ADJOURNMENT

CLOSED SESSION

52. 12-0640 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Title: Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported.
53. 12-1296 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Number of potential cases: (1). (Est. Time: 10 Min.)
On a unanimous vote of the Board, County Counsel was authorized to join the class action lawsuit filed by the Howard Jarvis Taxpayers Association, et al., vs. the Department of Forestry, et al., challenging the State Fire Fees that were imposed. In addition, County Counsel was authorized to sign a retainer agreement with the Howard Jarvis Taxpayers Association, if necessary; and the Auditor-Controller was authorized to pay the fire fees on the various properties the County owns so that they can be used as a basis for that lawsuit.
54. 12-1141 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Deputy Sheriffs' Association of El Dorado County v. County of El Dorado and Sheriff John D'Agostini, in his official capacity, El Dorado County Superior Court Case #PC20120543. (Est. Time: 20 Min.)
The Board on a unanimous vote authorized County Counsel to defend this matter.
55. 12-1301 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Bruce and Claudia Wade v. County of El Dorado, American River Conservancy, et al., El Dorado County Superior Court Case No. PC 20120264 (Est. Time: 10 Min.)
No Action Reported.
56. 12-1175 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
57. 12-1260 Pursuant to Government Code Section 54957: **Public Employment -** Title: Clerk of the Board of Supervisors. (Est. Time 10 min.)
No Action Reported.

58. 12-0835

Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as follows:

- 1) APN 121-160-03, 121-120-22, 122-590-01 Serrano Assoc. LLC, a Delaware Limited Liability Company. The person or persons with whom the negotiator may negotiate is Kirk Bone;
- 2) APN 122-720-03, 121-280-01, 118-170-01 El Dorado Hills Investors, Ltd., a California Limited Partnership. The person or persons with whom the negotiator may negotiate is Anthony Mansour;
- 3) APN 121-280-12, 118-170-04 Huddinge Partners, a Nevada Limited Partnership. The person or persons with whom the negotiator may negotiate is Bradley Rotter;
- 4) APN 122-720-07, 118-170-02 Vilma Bricolla as to an Undivided 4% and Robert Steven Hardy, Trustee of the Hardy Community Property Trust U/A Dated 02/01/99 as to an Undivided 96% interest. The person or persons with whom the negotiator may negotiate is Robert Steven Hardy;
- 5) APN 122-720-06 Ruminson Grado Ventures LLC, a California Limited Liability Company. The person or persons with whom the negotiator may negotiate is Leonard Grado;
- 6) APN 122-720-05 Presbytery of Sacramento, a California non-profit corporation. The person or persons with whom the negotiator may negotiate are Jung Ryu or Patricia Strand;
- 7) APN 122-720-09 (approx. 50+ acres H50 North) EDH 52, a California General Partnership. The person or persons with whom the negotiator may negotiate is Robert Holderness, Esq.; and
- 8) APN 122-720-09 (approx. 6.26 acres, south of H50) Douglas Grant Line Assoc. Ltd., a Limited Partnership as to an undivided 45.6% interest; and Sacramento Realty Investors - El Dorado Ltd., a Limited Partnership as to an undivided 45.6% interest, and Sacramento Realty Investors - Clarksville, Ltd., a Limited Partnership as to an undivided 8.8% interest. The person or persons with whom the negotiator may negotiate is Robert M. Matz.

Instructions to negotiator will concern price and term of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Est. Time: 20 Min.)

No Action Reported.

NEW BUSINESS

The following matter came to the Board's attention by County Counsel, Lou Green, and by a unanimous vote of the Board was added to the Agenda as Item No. 59 on Closed Session calendar.

CLOSED SESSION

59. 11-0707 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Tanya Hunt v. County of El Dorado, et al., U.S. District Court, Eastern District of California, Case No. 2:10-CV-01367-FCD-KJM.
- The Board on a unanimous vote, authorized a waiver of costs in this matter in return for a dismissal of the case with prejudice without payment of any money by the County.