



County of El Dorado

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

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, August 28, 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: 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Briggs

9:04 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor John Lukas from the Calvary Chapel of the Foothills provided the Invocation.

Supervisor Santiago led the Pledge of Allegiance.

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting, to adopt the Agenda and approve the Consent Calendar with the following changes: Item 2 was continued to September 11, 2012, Item 16 was continued to September 4, 2012 and Item 37 was added to the Consent calendar.

Yes: 4 - Knight, Nutting, Sweeney and Santiago

Absent: 1 - Briggs

12-0003

OPEN FORUM

PUBLIC COMMENT

M. DeBord RE: Expressed appreciation and gratitude for assistance with three mountain lions in the community.

S. Poindexter RE: Resolution for "Welcome Home Slow Ride."

M. Lane RE: Sierra Cascade Dialog Sessions.

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

None.

CONSENT CALENDAR

1. [12-0002](#) Acting Clerk of the Board recommending the Board approve the meeting minutes from the Regular Meeting on Tuesday, August 7, 2012, Special Meeting on Monday, August 20, 2012, and the Regular Meeting on Tuesday, August 21, 2012.

 This matter was Approved on the consent calendar.

2. [12-1090](#) Chief Administrative Office requesting the Board:
 1) Authorize a \$2,000,000 loan out of the Department of Transportation (DOT) Road Fund to the City of Placerville to advance the initial outlay for the Western Placerville Interchange Phase 1A improvements contingent upon an agreement between the County and City that ensures repayment and minimizes the County's risk on the project;
 2) Authorize the Chief Administrative Office to work with County Counsel, the County Auditor and other departments on the appropriate loan agreement and safeguards; and
 3) Authorize the Chair to sign the loan agreement once completed, contingent upon County Counsel review and approval.

 This matter was continued to September 11, 2012 upon approval of the consent calendar.

3. [12-1010](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property 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. [12-1082](#) Chief Administrative Office recommending the Board appoint Sara Ramsay to serve as a member on the Trails Advisory Committee for a term to expire January 1, 2016.

 This matter was Approved on the consent calendar.

5. [12-1064](#) District Attorney recommending the Board receive and file the Seventh Annual Report on Real Estate Fraud for Fiscal Year 2011/2012.

 FUNDING: Real Estate Fraud Prosecution Trust.

 This matter was Approved on the consent calendar.

6. [12-1063](#) District Attorney recommending the Board authorize the Chair to sign the Fiscal Year 2011/2012 Equitable Sharing Agreement and Certification Report for Federal Asset Forfeiture with the United States Department of Justice.

FUNDING: Equitable Sharing (Asset Forfeitures.)

This matter was Approved on the consent calendar.

7. [12-1039](#) Elections Department recommending the Board adopt Resolution **122-2012** consolidating local jurisdiction elections with the upcoming November 6, 2012 election.

Resolution 122-2012 was adopted upon approval of the consent calendar.

8. [12-1050](#) Health and Human Services Agency, Mental Health Division, recommending the Board:
- 1) Ratify the signature of the Health and Human Services Agency Director on the Substance Abuse and Mental Health Services Administration, Center for Mental Health Services Community Mental Health Services Block Grant (MHBG) Program application for Fiscal Year 2012/2013, in the amount of \$153,724, to address the needs of Mental Health Services clients in the County of El Dorado; and
 - 2) Authorize the Health and Human Services Agency Director to sign the subsequent allocation documents upon award of the grant.

FUNDING: California Department of State Hospitals.

This matter was Approved on the consent calendar.

9. [11-0559](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign retroactive Amendment I to Agreement No. 001-M1210 (049-162-P-R2011) with El Dorado Union High School District, extending the term through June 30, 2013 and increasing the not-to-exceed amount of the Agreement to \$60,000. This Agreement provides funding for the County to provide on-site Public Health Nurse services as part of the program commonly known as "Healthy Start."

FUNDING: Incoming funding from El Dorado Union High School District (EDUHSD).

This matter was Approved on the consent calendar.

10. [10-1202](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Amendment No. A02 to Agreement No. 228-162C-P-R2010 (10-95256) with the California Department of Public Health, reducing the total not-to-exceed amount from \$42,090 to \$41,418, with no change to the original term of July 1, 2010 through June 30, 2013.

FUNDING: California Department of Public Health-Office of AIDS.

This matter was Approved on the consent calendar.

11. [10-0803](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Amendment II to Agreement for Services 653-PHD0707 with California Shock/Trauma Air Rescue, d.b.a. CALSTAR, for the provision of emergency medical air ambulance advanced life support services in the County of El Dorado extending the term to February 28, 2013. There is no funding associated with this Agreement.

FUNDING: Not applicable to Agreement as CALSTAR directly invoices clients on a fee-for-service basis.

This matter was Approved on the consent calendar.

12. [11-0384](#) Human Resources recommending the Board consider adoption (Second Reading) of County Ordinance **4979**, an Amendment to the Contract Between the Board of Supervisors of the County of El Dorado and the Board of Administration of the California Public Employees' Retirement System, as follows: "To provide Section 20475 (Different Level of Benefits), Section 21362 (2% at 50 Full formula), and Section 20037 (Three-Year Final Compensation) are applicable to local safety members entering membership for the first time in the safety classification after the effective date of this amendment to contract;" and "Section 20475 (Different Level of Benefits), Section 21353 (2% at 60 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract." (Cont'd 8/14/12, Item 8)

This matter was Approved on the consent calendar.

13. [12-0840](#) Human Resources and Department of Transportation recommending the Board adopt Resolution **121-2012** approving changes to the job specification and the salary range for Deputy Director of Maintenance and Operations.

FUNDING: Road Fund.

Resolution 121-2012 was adopted upon approval of the consent calendar.

14. [12-1065](#) Information Technologies Department, Records Management Division, recommending the Board adopt Resolution **119-2012** approving Records Disposition Schedule's for the Department of Transportation.

Resolution 119-2012 was adopted upon approval of the consent calendar.

15. [12-1042](#) Sheriff's Office recommending the Board authorize the Chair to sign the Fiscal Year 2011/2012 Equitable Sharing Agreement and Certification Report for Federal Asset Forfeiture with the United States Department of Justice.

FUNDING: Equitable Sharing (Asset Forfeiture).

This matter was Approved on the consent calendar.

16. [12-1043](#) Sheriff's Office recommending the Board authorize the Chair to sign Revocable License Agreement No. 576-O1210 with DST Realty of California, Inc. to allow the Sheriff's Office to utilize a 58,000 square foot building located at 5272 Robert J. Matthews Parkway in El Dorado Hills on an as-needed basis for training purposes, with the owner waiving all rental and occupancy fees. (Cont'd 8/28/12, Item 16)

This matter was continued to September 4, 2012 upon approval of the consent calendar.

17. [12-0580](#) Department of Transportation recommending the Board authorize the Chair to sign Grant Agreement CTA-11014 with the California Tahoe Conservancy to provide \$85,000 in Right-of-Way Acquisition funding for the Sawmill 2B Bike Path and Erosion Control Project (CIP No. 95192).

FUNDING: California Tahoe Conservancy.

This matter was Approved on the consent calendar.

18. [12-0972](#) Department of Transportation recommending the Board adopt Resolution **120-2012** sanctioning the closures of Main Street and South Street in Georgetown between Highway 193 and Harkness Street. Additionally, road barricades will be located at the intersections of Main Street/Placer Street, Main Street/Orleans Street and Main Street/School Street between 10:00 a.m. and 4:00 p.m. on Saturday, September 8, 2012, for the "Pride of the Mountains Car Show," subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."

Resolution 120-2012 was adopted upon approval of the consent calendar.

19. [09-0673](#) Department of Transportation recommending the following pertaining to the Walgreens at Cameron Park Drive Project:
- 1) Accept the constructed improvements at the intersection of Cameron Park Drive and Palmer Drive as complete;
 - 2) Reduce Performance Bond No. 1034222 from \$172,908.96 to \$17,290.90 to guarantee against defective work, labor done or defective materials furnished and released after one year if no claims are made; and
 - 3) Hold Laborers and Materialmens Bond No. 1034222 in the amount of \$172,908.96 to guarantee payment to persons furnishing labor, materials or equipment and released in six months, if no claims are filed.

FUNDING: Developer, Interra-Vision (Cameron Park), LLC.

This matter was Approved on the consent calendar.

20. [12-0698](#) Department of Transportation recommending the Board:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Tara D. Chapman, An Unmarried Woman and Seth A. Frank, An Unmarried Man, as Joint Tenants, for Assessor's Parcel Number 035-131-03; 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 Christmas Valley Phase 2C Erosion Control Project, CIP No. 95190.

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

This matter was Approved on the consent calendar.

21. [12-0782](#) Department of Transportation recommending the Board authorize the Chair to sign the County of El Dorado Airport Ground Lease for Portable Hangars No. 12-53498 for Hangar Space No. SP-05 with Piland Electric, Inc. in an amount of \$636 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.

22. [12-1048](#) Department of Transportation recommending the Board:
1) Approve the Appraisal Cost Reimbursement Agreement boilerplate, subject to minor modifications by County Counsel's office; and
2) Authorize the Interim Director of Transportation or her designee to execute said Agreement as necessary for the Right of Way acquisition process.

FUNDING: Various Capital Improvement Program (CIP) and Environmental Improvement Program (EIP) funding sources that fund the Department's CIP and EIP projects.

This matter was Approved on the consent calendar.

23. [12-1040](#) Treasurer/Tax Collector recommending the Board consider adoption (Second Reading) Ordinance **4980** amending a prior Ordinance 4136 Sections 3.34.010 to 3.34.030 of Chapter 3.34 of Title 3 of the El Dorado County Ordinance Code. The proposed ordinance would amend the prior Ordinance No. 4136 to provide minor technical changes as follows: update legal reference, correct a typo and provide additional clarity as to what the "parties of interest" charge is for and how the charge will be applied. (Cont'd 8/21/12, Item 20)

This matter was Approved on the consent calendar.

24. [12-1058](#) Supervisor Knight recommending the Board adopt a Proclamation declaring the month of September 2012 as "Prostate Cancer Awareness Month."

This matter was Approved on the consent calendar.

25. [12-1080](#) Supervisors Knight and Sweeney recommending the Board authorize the Chair to sign a letter in support of moving forward with the purchase of the site for the new Placerville Area Courthouse.

This matter was Approved on the consent calendar.

26. [12-1086](#) Supervisor Sweeney requesting the Board accept his resignation from the Iowa Hill Joint Advisory Committee (IHJAC), and recommending the Board appoint Supervisor Briggs to the Committee. Supervisor Briggs has agreed to accept this appointment.
Clarification - This will be a temporary appointment until the new Board of Supervisors is seated in January of 2013.
This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

27. [12-0787](#) Supervisor Santiago recommending the Board receive and file an update on the Meyers Community Plan, Meyers Community Advisory Council, and the Sustainable Communities Grant. (Est. Time: 10 Min.)
PUBLIC COMMENT
None.
Received and Filed.

10:00 A.M. TIME ALLOCATION

28. 12-1056 Chief Administrative Office recommending the Board:
1) Receive and file the Initial Draft Response to the 2011/2012 Grand Jury Final Report; and
2) Provide direction regarding any changes to include with the Final Draft Response. (Est. Time: 15 Min.)
PUBLIC COMMENT
None.
A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to receive and file the Initial Draft Response to the 2011/2012 Grand Jury Final Report.
Yes: 4 - Knight, Nutting, Sweeney and Santiago
Absent: 1 - Briggs

2:00 P.M. - TIME ALLOCATION

29. [12-1023](#) Department of Transportation recommending the Board receive information and provide direction regarding the Traffic Impact Mitigation Fee Program and the Capital Improvement Program. (Est. Time: 1 Hr.)

PUBLIC COMMENT

*M. Lane
H. Batsel
L. Price*

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

- 1) Approve and accept the staff report and programmatic schedule;**
- 2) Direct staff to provide the Board within the next two to three weeks a new list of the Traffic Impact Mitigation (TIM) Fee Projects and a map that correlates to those projects; and**
- 3) Direct staff to make the list available to the public at the same time.**

Yes: 4 - Knight, Nutting, Sweeney and Santiago

Absent: 1 - Briggs

3:30 P.M. - TIME ALLOCATION

- 30. [12-0965](#) Presentation from YGreene Energy Fund regarding the Property Assessed Clean Energy (PACE) program. (Refer 8/7/12, Item 15) (Est. Time: 30 Min.)

No formal action taken. Staff direction derived from comments of the Board members during the discussion this date.

[12-0006](#)

CAO REPORTS

The Assistant Chief Administrative Officer updated the Board regarding print shop services. In addition, she reported that the Assessor's website contains links to information regarding the State Fire Fee.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

Supervisor Sweeney reported that the State Parks Off Highway Vehicle (OHV) Commission will be visiting El Dorado County on September 14, 2012 and will be holding their Board meeting in the Board of Supervisors' Meeting Room on September 15, 2012.

Supervisor Nutting reported that he and Supervisor Sweeney attended the Congressional hearings regarding the management of the U.S. Forest Service.

Supervisor Santiago reported that the Tahoe Regional Planning Agency (TRPA) Governing Board met a major milestone. They are in the process of taking public comment on the Regional Plan Update, with the Final Draft to be completed in October.

[12-1112](#)

THE BOARD OF SUPERVISORS ADJOURNED THE MEETING IN MEMORY OF JOSHUA DAVID RUFF.

ADJOURNED AT 4:50 P.M.

CLOSED SESSION

31. 12-0808 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Center for Sierra Nevada Conservation, et al., v. County of El Dorado, et al. - El Dorado County Superior Court Case No. PC20080336. (Refer, 6/26/12, Item 53) (Est. Time: 15 Min.)
No Action Reported.
32. 12-0891 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Deputy Sheriff's Association Grievance re Change in Assignments. Number of potential cases: (1). (Refer 7/24/12, Item 23) (Est. Time: 15 Min.)
No Action Reported.
33. 12-1096 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.
34. 12-0994 Pursuant to Government Code Section 54957: **Public Employee Appointment:** Title: County Counsel. (Refer 8/21/12, Item 25) (Est. Time: 60 Min.)
The Board by a vote of 4-0, with Supervisor Briggs being absent, appointed Ed Knapp as County Counsel at step 5 of the salary range, effective December 8, 2012 to fill out the remaining term of retiring County Counsel Lou Green.
35. 12-1087 Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee Organization: Operating Engineers Local No. 3 representing employees in the Trades & Crafts unit. (Est. Time: 15 Min.)
No Action Reported.
36. 11-1156 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** This body will hold a closed session to give instructions to its negotiator regarding the real property described as a portion of APN 325-300-02. The person or persons with whom the negotiator may negotiate are John Briggs and/or Brian Briggs. Instructions to negotiator will concern both price and term of payment. Sandy Sandoval, Grubb & Ellis Commercial Real Estate, and Randy Pesses will be the negotiators on behalf of El Dorado County. (Refer 10-4-11, Item 28) (Est. Time: 15 Min.)
No Action Reported.

ADDENDUM**DEPARTMENT MATTERS:**

37. [12-1103](#) Supervisor Knight recommending the Board consider the following:
- 1) Direct the Chief Administrative Officer to work with Development Services and other departments as necessary to expedite the issuance of any permits needed to improve the wheelchair and handicap access to the home of Judith and Tod Pickett, 4698 Pavonia Court in Cameron Park; and
 - 2) Direct the Chief Administrative Officer to work with County staff and other agencies as needed to waive any and all fees within their respective authority.

This matter was Approved on the consent calendar.