



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, May 8, 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.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

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.

8:01 A.M. - CALLED TO ORDER AND RECESS TO CLOSED SESSIONS

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

9:13 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION

REPORTS

Present: 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Briggs

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Klatt provided the invocation.
Jedediah Rockwell Power 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.

Yes: 4 - Knight, Nutting, Sweeney and Santiago

Absent: 1 - Briggs

12-0003

OPEN FORUM

PUBLIC COMMENT

R. Rawers: RE: CGI Communications.

K. Sherrod: RE: Runnymede Drive.

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 of Tuesday, May 1, 2012.
This matter was Approved on the consent calendar.

2. [12-0515](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
 - 1) Make findings that it is more economical and feasible to contract out Auctioneering services in accordance with County Ordinance, Section 3.13.130 for sale and disposal of County personal property declared surplus by the Board of Supervisors; and
 - 2) Authorize the Purchasing Agent to execute Agreement No. 553-S1211 for a five (5) year term with Bar None Enterprises, Inc. of Sacramento, California upon County Counsel and Risk Management review and approval.**This matter was Approved on the consent calendar.**

3. [12-0137](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt a **Resolution 050-2012** authorizing the Chair to sign Amendment 1 to Agreement 11C-1807 with the California Department of Community Services and Development, extending the term to June 30, 2013, with no change in the total dollar amount of \$39,418, for the provision of Department of Energy Weatherization Assistance Program services to eligible residents of El Dorado and Alpine counties; and further authorizing the Agency Director, or successor, or the Chief Assistant Director, or successor, to continue to administer Agreement 11C-1807 as amended and execute subsequent documents relating to said Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the total dollar amount or the term, and any subsequent required fiscal and programmatic reports.

FUNDING: 100% Federal DOE Grant Funds.
Resolution 050-2012 was adopted upon approval of the consent calendar.

4. [12-0547](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the appointment of Jenny Jandoc to the position of Mental Health Clinical Nurse at Step 5 of the salary schedule.

FUNDING: Medi-Cal and Realignment.
This matter was Approved on the consent calendar.

5. [11-1157](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign the following Amendments to Alcohol and Drug Program Agreements for Alcohol and Drug Counseling service contracts, increasing the not-to-exceed amounts with no change to the term of the Agreements:
- 1) Family Connections, Amendment 4 to Agreement 053-110-P-E2010 (003-S1110) increasing the current not-to-exceed amount of \$109,867 to \$129,867; and
 - 2) Progress House, Inc., Amendment 3 to Agreement 097-110-P-E2010 (001-S1110) increasing the not-to-exceed amount of \$308,957 to \$356,957.

FUNDING: State Department of Alcohol and Drug Program (ADP) Negotiated Net Amount (NNA) Agreement.

This matter was Approved on the consent calendar.

6. [12-0509](#) Health and Human Services Agency, Social Services and Community Services Divisions, recommending the Board authorize the Chair to sign a Budget Transfer transferring \$116,963 of revenue from the Tobacco Settlement fund to the Accumulated Capital Outlay fund for building improvements and equipment purchases at 2900 Fairlane Court.

FUNDING: Tobacco Settlement Funding.

This matter was Approved on the consent calendar.

7. [12-0441](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports to commence the acquisition process for the Bassi Road at Granite Creek - Bridge Replacement Project, CIP No. 77128, affecting portions of the following subject parcels:
- 1) APN 105-09-011, Rand A. Beveridge, Successor Trustee for J.H. Beveridge Trust of 3/12/90, as amended and restated;
 - 2) APN 105-150-29, Rand A. Beveridge, Successor Trustee for J.H. Beveridge Trust of 3/12/90, as amended and restated;
 - 3) APN 006-370-13, Kent Morgan, Trustee for the K. Morgan Revocable Trust of 3/8/2002; and
 - 4) APN 006-370-16, River Rock Ranch GP, Nicola Holmes, Sole Remaining Partner.

FUNDING: Highway Bridge Program Grant Funds.

This matter was Approved on the consent calendar.

8. [12-0440](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports to commence the acquisition process for the Alder Drive at EID Canal - Bridge Replacement Project, CIP No. 77123, affecting portions of the following subject parcels:
- 1) APN 076-132-15, David K. Hutchison and Lana M. Hutchison, Co-Trustees of the David K. and Lana M. Hutchison 2009 Revocable Trust;
 - 2) APN 076-133-12, Barbara Finley, Trustee of the Barbara Finley 2008 Living Revocable Trust;
 - 3) APN 076-133-17, James H. Goodhew and Melva T. Goodhew;
 - 4) APN 076-134-06, Randal J. Long and Debbie Ann Long;
 - 5) APN 076-134-07, Ted A. Morris and Debbie D. Morris;
 - 6) APN 076-230-24, Kuldip Singh and Satkamaljit Birk; and
 - 7) APN 076-230-25, Janice A. Frogner.

FUNDING: Highway Bridge Program Grant Funds.

This matter was Approved on the consent calendar.

9. [12-0444](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports to commence the acquisition process for the Blair Road at EID Canal - Bridge Replacement Project, CIP No. 77119, affecting portions of APN 101-030-13, Mary H. Nugent, Successor Trustee of the A & J Harris Survivor Trust of 4/11/96, Pamela Harris, Successor Trustee of the B & I Harris Family Trust of 7/24/95 and Mary H. Nugent.

FUNDING: Highway Bridge Program Grant Funds.

This matter was Approved on the consent calendar.

10. [12-0445](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports to commence the acquisition process for the Hazel Valley Road at EID Canal - Bridge Replacement Project, CIP No. 77125, affecting portions of APN 009-060-29, Nina Poole, Successor Trustee and Betty Poole, Successor Trustee for the F Poole Trust of 01/17/1995.

FUNDING: Highway Bridge Program Grant Funds.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

Supervisor Briggs arrived.

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

DEPARTMENT MATTERS

11. [12-0508](#) Environmental Management Department recommending the Board provide direction as to whether the County should enter into the competitive bid process for collection and disposal of municipal solid waste and recyclable materials generated by residential, commercial and industrial customers within all Franchise Areas in the County, with the exception of South Lake Tahoe, or enter into Franchise negotiations with the current Franchisees (El Dorado Disposal, Sierra Disposal, Tahoe Truckee Sierra Disposal, Amador Disposal, and American River Disposal). (Est. Time: 30 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to provide direction to staff to engage in good faith negotiations for the purpose of entering into new Franchise Agreements with the existing Franchisees; however, should the County not come to agreeable terms with any of its current Franchisees, the County should consider a formal competitive bid process.

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

12. [11-1020](#) Supervisor Knight recommending the Board consider the following:
1) Should the Board direct staff to start the process of revising and updating the County's sign regulations; and, if so,
2) Should the Board direct staff to prepare a temporary moratorium to preclude new applications for off-site advertising signs (billboards) while the County prepares and analyzes the new sign regulations. (Est. Time: 30 Min.)

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

- 1) Direct staff to begin the process of revising and updating the County's sign regulations; and
2) Direct staff to prepare an ordinance establishing a moratorium on off-site pole signs along U.S. Highway 50 and State Highway 49.**

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

13. [09-0506](#) Supervisor Santiago recommending the Board receive a review of project history, and an update on current status with the City of South Lake Tahoe; and requesting input and possible action regarding next steps for the future of the 56-acre project also known as Lakeview Commons at the South Lake Tahoe-El Dorado County Recreational Area. (Refer 1/26/10, Item 21) (Est. Time: 30 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Knight to appoint Supervisors Sweeney and Santiago to form the El Dorado Beach Ad Hoc Committee to review the lease document and come back to the Board with recommendations for County Counsel.

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

A motion was made by Supervisor Sweeney, seconded by Supervisor Nutting that the dedication plaque for this site bear the names of the people of El Dorado County, not the Board of Supervisors.

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

10:00 A.M. - TIME ALLOCATION

14. [12-0562](#) Supervisor Briggs recommending the Board approve a Certificate of Commendation to honor Jedediah Rockwell Power of Boy Scout Troop 658, acknowledging the hard work and commitment necessary to attain the rank of Eagle Scout. (Est. Time: 15 Min.)

No formal action was taken; however, Jedediah Rockwell Power was presented with the Certificate of Commendation from Supervisor Briggs.

15. [11-1324](#) Department of Transportation recommending the Board approve the following projects for inclusion in the Department's 2012 Capital Improvement Program: reference projects 1, 5, 7, 8, and 16-21 in the attached presentation. (Refer 4/17/12, Item 33) (Est. Time: 30 Min.)

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney to approve the following projects for inclusion in the Department's 2012 Capital Improvement Program: Projects: 1, 5, 7, 8, and 16 through 21 as outlined in Attachment 11-1324.4A.10.

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

[12-0006](#)

CAO REPORTS

The Chief Administrative Officer reported on Emergency purchases for the period March 29, 2012 through May 31, 2012 in the total amount of \$1667.98.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

None.

ADJOURNED AT 11:45 A.M.

CLOSED SESSION

16. 12-0570 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.
17. 12-0569 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Pereira v. El Dorado County, et al., U.S. District Court Case #S:12-CV-00252-WBS-JFM. (Est. Time: 20 Min.)
No Action Reported.
18. 12-0571 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: Claim of Ken Sherrod. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
19. 12-0572 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as 4130 Product Drive (APN 109-401-01). The person or persons with whom the negotiator may negotiate Greg Redman with Grubb and Ellis. Instructions to negotiator will concern both price and term of payment. Russ Fackrell will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)
No Action Reported.
20. 12-0573 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Chief Administrative Officer. (Est. Time: 15 Min.)
No Action Reported.

21. 12-0568

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.

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: 45 Min.)

No Action Reported.