



County of El Dorado

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MEETING AGENDA 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, December 20, 2011

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

The published agenda is hereby amended with the following changes: Item 28 has been added to the Consent Calendar and Item 29 has been added to Department Matters.

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 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. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

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

BUDGET UPDATE

CONSENT CALENDAR

1. [11-1428](#) Clerk of the Board of Supervisors recommending the Board approve the meeting minutes for the Special Meeting of Monday, December 12, 2011 and the Regular Meeting of Tuesday, December 13, 2011.

2. [11-1419](#) Auditor-Controller recommending the Board:
 - 1) Adopt a Resolution accepting the Annual Reports for Community Facilities District 1992-1, 2000-1, 2001-1, 2005-1 and 2005-2
 - 2) Receive and file the reports

3. [11-1381](#) Chief Administrative Office recommending the Board authorize Kim Kerr, Assistant Chief Administrative Officer to sign perpetual Professional Services Agreement 234-S1211 with Employee Benefits Specialists beginning May 9, 2011 with an estimated annual cost of \$65,500 subject to County Counsel's approval.

FUNDING: Internal Service Fund

4. [11-1386](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
 - 1) Award Bid # 12-070-021 for the purchase of one Toyota 4Runner Limited V6 4x4 to the sole qualified bidder, Cardinale Way Toyota of South Lake Tahoe, CA;
 - 2) Authorize the Purchasing Agent to issue a purchase order in the amount of \$43,304.95 for a one time purchase following Board approval; and
 - 3) Authorize the Sheriff's Department to enter into a reimbursement agreement (MOU) with SLEDNET to recoup the difference in the grant amount of \$40,700.00 and the purchase price of \$43,304.95 for a balance of \$2,604.95 to be paid by SLEDNET.

FUNDING: California Methamphetamine Multi-Jurisdictional Enforcement Task Force Grant (CaMMET)

5. [11-1434](#) Human Resources and Chief Administrative Office recommending the Board adopt a Resolution designating the job classification of CAO Administrative Technician, created by adoption of Resolution 130-2011 on July 26, 2011, as exempt within the meaning of the Fair Labor Standards Act (FLSA).

FUNDING: No Change to Net County Cost

6. [11-1369](#) Health and Human Services Agency recommending the Board authorize the Chair to sign Community Mentor Agreement S11-00243T for Graduate Nursing Students with The Regents of the University of California, a California Constitutional Corporation, on behalf of its University of California Davis Health System to provide a field experience component for graduate nursing student trainees. The term of the Agreement is August 1, 2011 through July 31, 2012 and there is no remuneration associated with the agreement.

FUNDING: Not applicable.

7. [11-1359](#) Health and Human Services Agency (HHS) recommending the Board authorize the Chair to sign Agreement for Services 516-S1111 with Sierra Foothills AIDS Foundation, in the amount of \$124,708.12 for the term March 1, 2011 through December 31, 2011, to provide medical case management services for individuals and families living with AIDS in the County of El Dorado.

FUNDING: Federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act grant funding administered by Sacramento County.

8. [11-1201](#) Health and Human Services Agency, Public Health Division, recommending the Board approve a grant application to the Health Resources and Services Administration for their Rural Health Care Services Outreach Program grant.

FUNDING: Health Resources and Services Administration (HRSA) grant.

9. [11-1377](#) Health and Human Services Agency, Department of Human Services, recommending an amendment to the By-Laws that govern the El Dorado County Commission on Aging (COA) which acts as an Advisory Council to the Board of Supervisors and the Area Agency on Aging. This amendment reorders and groups existing sections within the By-Laws, makes revisions for clarification and allows officers of the Commission to serve an unlimited number of terms.

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

10. [11-1378](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign retroactive Memorandum of Understanding 048-162A-M-R2011 with the El Dorado County Office of Education as the Administrative Unit of the El Dorado County Special Education Local Plan Area "SELPA" and the Lake Tahoe Unified School District as the Lake Tahoe Unified SELPA, (jointly referred to herein as the "SELPAS"), for the term July 1, 2011 through June 30, 2012 to set forth the responsibilities of each agency in providing mental health services to students with disabilities in accordance with the student's Individualized Education Plan (IEP).

FUNDING: Medi-Cal/Early and Periodic Screening, Diagnosis and Treatment (EPSDT), Healthy Families, State funding per AB 100, and compensation from SELPAS.

11. [11-1396](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Amendment V.1 to Agreement 10-NNA10 (035-162-P-R2010) with the State of California, Department of Alcohol and Drug Programs reducing the total not-to-exceed amount from \$3,144,735 to \$2,965,122 to reflect the transition of funding for various programs from State General Fund to County Realignment 2011, with no change to the original term of July 1, 2010 through June 30, 2013.

FUNDING: California Department of Alcohol and Drug Programs

12. [11-1382](#) Sheriff, on behalf of the Cal-ID Remote Access Network Board, recommending the Board;
- 1) Approve a Budget Transfer authorizing the transfer of \$14,000 in penalty assessment funds collected in FY 2009/10 and FY 2010/11 from the Temporary Courthouse Construction Fund to the Automated Fingerprint Identification Fund pursuant to Resolution 392-91; and
 - 2) Authorize the purchase of an Automated Fingerprint Identification System, a replacement Livescan machine for the El Dorado County Office of Education and a RECON Facial Recognition System totaling \$43,500. (4/5 vote required)

FUNDING: Penalty Assessment Revenue.

13. [11-1385](#) Sheriff, on behalf of the Cal-ID Remote Access Network Board, recommending the Board authorize the Chair to sign a Budget Transfer authorizing the transfer of \$258,000 from the Fingerprint Identification Trust Fund to the Sheriff's operating budget to cover expenditures relative to the purchase of equipment that will be used to assist in the identification of individuals suspected of a crime and to offset personnel costs currently covered by the General Fund resulting in a decrease in Net County Cost of \$50,000 and a corresponding increase in General Fund Contingency. (4/5 vote required)

FUNDING: Vehicle License Fee Revenue

14. [11-1402](#) Sheriff's Office recommending the Board adopt a Resolution for the 2010 El Dorado County Multi-Jurisdictional Hazard Mitigation Plan for the purpose of increasing safety for citizens of the County during natural hazard events, while reducing the risk of loss of life and property.

Fiscal Impact/Change to Net County Cost: None.

15. [10-0962](#) Department of Transportation recommending the Board adopt Resolution accepting the 0.2 mile section of Boulder Mountain Drive into the County of El Dorado Maintained Mileage System.

16. [11-1278](#) Department of Transportation recommending the Board authorize the Chair to sign Amendment III to Lease Agreement 046-L9611 with Briw Office Investors in the amount of \$33,050.36 per month commencing January 1, 2012 and ending December 31, 2013 exercising the second and third options for two additional one-year terms for the Health and Human Services Agency located at 3057 Briw Road, Suite A, in Placerville. The monthly cost for 29,819 square feet is \$1.11 per square foot.

FUNDING: State and Federal funds with County match met primarily from Realignment funds.

17. [11-1268](#) Department of Transportation recommending the Board authorize the Chair to sign Lease 279-L1211 with Raymond C. and Patricia J. Presgrave in the amount of \$4,806 per month for a one-year term commencing on January 1, 2012 and ending on December 31, 2012 with the option for one additional one-year term for the Public Defender's Office located at 630 Main Street in Placerville. The monthly cost for 5,340 square feet is \$0.90 per square foot.

FUNDING: General Fund.

18. [11-1162](#) Department of Transportation recommending the Board authorize the Chair to sign the following County of El Dorado Airport Ground Lease for Portable Hangars:
- 1) No. 11-53317 for Hangar Space No. SP-20 with Doug and Mary Jo Walter in an amount of \$636 per year for ten years with two additional ten-year lease options;
 - 2) No. 11-53318 for Hangar Space No. SP-22 with S. Dennis Holland in an amount of \$636 per year for ten years with two additional ten-year lease options;
 - 3) No. 11-53320 for Hangar Space No. SP-06 with David M. and Marina Ramacciotti in an amount of \$636 per year for ten years with two additional ten-year lease options; and
 - 4) No. 11-53341 for Hangar Space No. SP-21 with Corydon G. Edgecomb in an amount of \$636 per year for ten years with two additional ten-year lease options, all four hangars are located at the Placerville Airport. (4/5 vote required per Ordinance Code §3.08.021)

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

19. [11-1179](#) Department of Transportation recommending the Board consider the following:
- 1) Approve the termination of the County of El Dorado Airport Land Use Agreement for Hangars Lease No. 396-L0711 dated September 25, 2007 with Jim Lang for Hangar Space No. H-30 and the County of El Dorado Airport Ground Lease For Portable Hangars No. AGMT 09-52862 dated April 13, 2010 with Steven C. Lesak for Hangar Space No. TP-20; and
 - 2) Authorize the Chair to sign the County of El Dorado Airport Ground Lease for Portable Hangars No. 11-53315 for Hangar Space No. H-30 with James Foerster in an amount of \$817 per year for ten years with two additional ten-year lease options and the County of El Dorado Airport Ground Lease for Portable Hangars No. 11-53340 for Hangar Space No. TP-20 with Donald R. Bates in an amount of \$720 per year for ten years with two additional ten-year lease options, located at the Placerville Airport. (4/5 vote required per Ordinance Code §3.08.021)

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

20. [11-1439](#) Supervisor Sweeney and the Auditor-Controller recommending the Board direct County Counsel to prepare a report defining what methodologies would be required to allow the County and the various bargaining units to enter into negotiations to lower the retirement benefit vesting rates in future years for current County employees and any legalities that might be obstacles thereto.

21. [11-1440](#) Supervisor Briggs recommending Board direct County Counsel, in consultation with the CAO, Risk Management, and County Auditor-Controller, to develop a County Policy that will allow for the consideration of requests to "Name or Designate" a County owned building or facility in recognition of an individual, family, business, or entity, and that this Policy shall include, but not be limited to, a defined procedure to process such requests that provides for:
- 1) The review by the appropriate county departments,
 - 2) The determination of associated cost(s) as well as identified funding source(s),
 - 3) A process to insure that the funds to cover identified costs are transferred or deposited into the correct County account,
 - 4) The ability and process for the County to remove a previously approved "Name or Designation" under defined conditions.

Supervisor Briggs additionally recommending that Board direct Counsel to return to the Board with a draft of such Policy on January 10, 2012.

22. [11-1411](#) Supervisor Santiago recommending Board approve the appointment of Kevin Brown and Tanya Walker to the El Dorado County Child Abuse Prevention Council and receive resignations from Wendy David, Suzy McLoed and Dee Cutter and approve Supervisor Santiago's signature on the required paperwork as the Board liaison representative.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

10:00 A.M. - TIME ALLOCATION

23. [11-1370](#) Supervisor Nutting recommending the Board receive a presentation by Karen Owen recognizing El Dorado County's Ag in the Classroom and its latest accomplishments in serving the community. (Est. Time: 10 Min.)

24. [11-1216](#) County Counsel recommending the Board consider the following:
- 1) Adopt an ordinance extending the moratorium, adopted by the Board by **Ordinance 4968**, on the outdoor cultivation of medical marijuana in the unincorporated areas of El Dorado County for ten months and 15 days;
 - 2) Adopt an ordinance extending the moratorium, adopted by the Board by **Ordinance 4969**, on the establishment of new medical marijuana distribution facilities, including all "dispensaries," "cooperatives" and "collectives" for a period of ten months and 15 days; and
 - 3) Direct staff to develop, with the community advisory group, zoning and other appropriate permanent regulations governing the cultivation of medical marijuana and medical marijuana distribution facilities, and return to the Planning Commission and Board of Supervisors for consideration. (Est. Time: 1 Hr.) (Item 37, 11/15/11)

2:00 P.M. - TIME ALLOCATION

25. [11-1445](#) Chief Administrative Office recommending the Board:
- 1) Approve in concept a proposed organizational strategy for the Human Resources, Risk Management and Labor Relations function;
 - 2) Adopt a Resolution establishing job classifications, salary ranges and bargaining unit designation for the positions of Human Resources Manager and Risk Manager; and
 - 3) Adopt a Resolution amending the Authorized Personnel Allocation for the Human Resources Department adding 1.0 FTE Human Resources Manager and 1.0 FTE Risk Manager.

Funding: General Fund and Risk Management Internal Service Fund

26. [11-1438](#) Chief Administrative Office recommending the Board:
- 1) Approve the creation of a centralized Finance and Administrative unit within the Chief Administrative Office that will provide finance and administrative support for the following functions; Human Resources, Risk Management, Information Technologies, Chief Administrative Office, Facilities, Public Defender, Indigent Defense and Surveyor; and
 - 2) Adopt a Personnel Resolution amending Resolution 106-2011 deleting an Office Assistant (vacant), Fiscal Technician (filled) and Clerical Operations Manager (filled) in Human Resources and a Fiscal Assistant (filled) in Information Technologies and add a Fiscal Administrative Manager, Sr. Department Analyst, Department Analyst, Accountant, Fiscal Assistant and Office Assistant in the Chief Administrative Office.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

DECEMBER MEETINGS:

- California Rural Home Mortgage Finance Authority - 2/3 - (Meets with RCRC)
- California State Association Of Counties – 5/1 -
(<http://www.csac.counties.org/default.asp?id=38>)
- Golden Sierra Job Training Agency – 5/4 – (<http://www.goldensierrawib.com/>)
- Regional Council Of Rural Counties – 2/3 (<http://www.rcrcnet.org>)
- Sierra Nevada Conservancy Board – 4/3
(<http://www.sierranevadaconservancy.ca.gov/news/board-meetings>)

MONTHLY MEETINGS:

- Cemetery Advisory Committee - 1 -
(http://www.co.el-dorado.ca.us/Government/Cemetery/Advisory_Committee.aspx)
- Chamber Of Commerce - County - 2/3 - (www.eldoradocounty.org)
- Chamber Of Commerce - South Lake Tahoe - 5/2 - (www.tahoechamber.org)
- Community Action Council – 2 &4&5
- El Dorado Water and Power Authority - Full Board -
(<http://www.edcgov.us/waterandpower/meetings.html>)
- Golden Sierra Job Training Agency - 5/4 - (www.goldensierrawib.com)
- Local Agency Formation Commission - LAFCO - 3&4 /2 - (www.edlafco.us)
- Mental Health Commission – 4 -
(www.co.el-dorado.ca.us/MentalHealth/Mental_Health_Commission_Meetings.aspx)
- Sierra Economic Development Corporation – 5/1 - (www.sedcorp.biz)
- Sierra Planning Organization – 5/1 -
(<http://www.sedcorp.biz/content/partners-affiliated-organizations>)
- Tahoe Conservancy – 5/2 - (www.tahoecons.ca.gov)
- Tahoe Paradise Resort Improvement District – 5
- Tahoe Regional Planning Agency – 5/2 - (www.trpa.org)
- Tahoe Transportation District – 5/2 - (www.tahoetransportation.org)
- Transit Authority – 1&2&3&4 - (www.eldoradotransit.org)
- Transportation Commission – 1&2&3&4 - (www.edctc.org)
- Water Agency – 2&3&4 - (<http://www.co.el-dorado.ca.us/Water/meetings.html>)

Note: The numbers after the commissions' names are the Supervisorial District of the representative and alternate. For example: 5/2 shows the District 5 Supervisor is the representative and District 2 is the alternate. There are a few commissions which have multiple representatives and these have been separated by "&". For example: 3&4/2 shows that Districts 3 & 4 are representatives and District 2 is the alternate.

ADJOURNMENT

CLOSED SESSION

- 27. 11-1442 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Lahontan Water Board Administrative Hearing Re: NPDES Permit. Number of potential cases: (1) (Est. Time: 10 Min.)

ADDENDUM

The published agenda is hereby amended with the following changes: Item 28 has been added to the Consent Calendar and Item 29 has been added to Department Matters.

CONSENT CALENDAR

- 28. [11-1443](#) County Counsel recommending the Board of Supervisors approve the attached contract for legal services with Abigail L. Roseman and authorize the Chair to sign the Agreement.

DEPARTMENT MATTERS

- 29. [10-1235](#) Chief Administrative Office recommending the Board continue the discussion regarding the West Slope Animal Shelter to January 31, 2012.

Funding: Tobacco Settlement Funds.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 15, Wednesday at 1:00 P.M. (day after Tuesday meeting) and Tuesday at 7:00 A.M. (One week after previous Tuesday Meeting)
South Lake Tahoe - Charter Cable 21, Daily - Time varies

ANNOUNCEMENTS

**The Board of Supervisors' next regularly scheduled meeting will be on
Tuesday, January 10, 2012**

OTHER ANNOUNCEMENTS

**Congressman McClintock's Office Hours
Human Resources Conference Room
Third Tuesday of each month
10:00 a.m. - Noon**