



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

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, November 1, 2011

8:00 AM

Board of Supervisors Meeting Room

Vision Statement

"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

Public Testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Except with the consent of the Board, individuals shall be allowed to speak to an item only once. Upon completion of public comment the matter shall be returned to the Board for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Board for a point of clarification or question by the Board. Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in the foyer of Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' website at www.edcgov.us 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 RECESSED TO CLOSED SESSIONS

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Dr. Dale Wallerstein from Temple Kol Shalom gave the invocation.
Supervisor Sweeney 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 Knight, to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 3, 6, 8, and 11 were pulled from the consent calendar.

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

11-1291 PUBLIC COMMENT

NO PUBLIC COMMENT

BUDGET UPDATE

None

CONSENT CALENDAR

1. [11-1235](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Special Meeting of Monday, October 24, 2011 and the Regular Meeting of Tuesday, October 25, 2011.
This matter was Approved on the consent calendar.

2. [11-1226](#) Chief Administrative Office recommending the Board consider the following:
 - 1) Adopt **Resolution 177-2011** amending the bargaining unit for the Air Pollution Control Officer position from UM to UD, and
 - 2) Adopt the amended job specifications for the Director of Environmental Management and Deputy Director of Environmental Management, deleting responsibilities for the Air Quality Management District.**Adopted Resolution 177-2011 upon approval of the consent calendar.**

3. [11-1247](#) County Counsel recommending the Board authorize the Chair to sign the Second Amendment to Joint Exercise of Powers Agreement creating the South Lake Tahoe Recreation Facilities Joint Power Authority.
PUBLIC COMMENT
J. Harn
A motion was made by Supervisor Briggs, seconded by Supervisor Santiago, as follows:
 - 1) Approve this matter; and
 - 2) Direct staff to draft a letter to the South Lake Tahoe Recreation Facilities Joint Power Authority stating that any change or bond to refinance to meet their needs, must come before the Board of Supervisors.**Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago**

4. [11-1166](#) District Attorney recommending the Board authorize the Chair to sign a budget transfer establishing budget and appropriations for grant funds in the amount of \$32,000 from the El Dorado Community Foundation. (4/5 vote required)
This matter was Approved on the consent calendar.

5. [11-1168](#) District Attorney recommending the Board adopt **Resolution 178-2011** establishing an imprest cash fund in the amount of \$300 for the Victim Witness program.
Adopted Resolution 178-2011 upon approval of the consent calendar.

6. [11-1160](#)

Development Services Department, Planning Services Division, recommending the Board consider a continued request submitted by Christopher and Elaine Debeau (Agent: Kathye Russell) appealing Condition No. 8 imposed on Parcel Map P11-0002/Debeau when approved by the Zoning Administrator on September 21, 2011. The property is identified by APN 110-460-55, consisting of 3.24 acres, in the north El Dorado Hills area; and Planning Services is recommending the Board take the following actions:

- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
- 2) Approve the appeal, thereby removing Condition No. 8 from the approval of Parcel Map P11-0002 by the Zoning Administrator on September 21, 2011 based on the Findings and subject to the Conditions of Approval listed in Attachment 1 revised 10/27/11 (11-1160 2A); and
- 3) Approve the following Design Waivers as the required Findings have been made as listed in Attachment 1 revised 10/27/11 (11-1160 2A):
 - (a) Allow a reduction from a 28-foot to an 18-foot road surface width for the proposed access roads; and
 - (b) Allow a dead-end road to exceed 1,320 feet and to serve more than 24 existing or potential parcels. (Supervisory District 1) (Est. Time: 45 Min.) (Cont. 10/25/11, Item 14)

NO PUBLIC COMMENT

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

- 1) Adopt the Negative Declaration;**
- 2) Grant the appeal, thereby removing Condition No. 8 from the approval of Parcel Map P11-0002 by the Zoning Administrator on September 21, 2011 based on the Findings and subject to the Conditions of Approval listed in Attachment 1 revised October 27, 2011(11-1160 2A); and**
- 3) Approve the Design Waivers.**

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

7. [11-1017](#) Health Services Department recommending the Board authorize the Chair to sign funding Agreement 228-138-P-R2011 (EPO 11-10) with the California Department of Public Health for the following Public Health Preparedness grant programs:
- 1) Public Health Emergency Preparedness (PHEP) Centers for Disease Control (CDC) Base Allocation in the amount of \$192,467 for the term August 10, 2011 through August 9, 2012;
 - 2) Cities Readiness Initiative (CRI) Funds in the amount of \$67,926 for the term August 10, 2011 through August 9, 2012;
 - 3) Hospital Preparedness Program (HPP) Allocation in the amount of \$190,255 for the term July 1, 2011 through June 30, 2012; and
 - 4) State General Fund Pandemic Influenza (Pan Flu) Allocation in the amount of \$66,117 for the term July 1, 2011 through June 30, 2012. (Refer 9/27/11, Item 15)

FUNDING: Federal and State funding managed by the California Department of Public Health.

This matter was Approved on the consent calendar.

8. [11-1119](#) Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign the following amendments to MHPA Agreements to provide outreach and support services primarily for Latino individuals in South Lake Tahoe and on the Western Slope:
- 1) Family Connections El Dorado, Inc. - Amendment II to Agreement 053-169-M-E2010 (020-S1111), modifying the personnel line item amounts, while remaining within the not-to-exceed amount of the Agreement for FY 2010-11;
 - 2) Family Connections El Dorado, Inc. - Amendment I to Agreement 053-169-M-E2011 (030-S1211), allowing limited variation between personnel line item amounts, without increasing the total not-to-exceed amount;
 - 3) South Lake Tahoe Family Resource Center - Amendment II to Agreement 227-169-M-E2010 (061-S1111), modifying the personnel line item amounts, while remaining within the not-to-exceed amount of the Agreement for FY 2010-11; and
 - 4) South Lake Tahoe Family Resource Center - Amendment I to Agreement 227-169-M-E2011 (045-S1211), allowing limited variation between personnel line item amounts, without increasing the total not-to-exceed amount.

FUNDING: State Mental Health Services Act (MHPA).

NO PUBLIC COMMENT

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

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

9. [11-1167](#) Probation Department recommending the Board authorize the Chair to sign Agreement No.166-S1110 with New Morning Youth and Family Services in an amount not to exceed a total of \$90,000 for a term of one year to provide on-site counseling services and support to wards at Juvenile Hall in Placerville.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

10. [11-0308](#) Department of Transportation recommending the Board consider the following:
- 1) Make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and 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. 11-53166 (504-S1111) with Dowling Associates, Inc. in an amount not to exceed \$300,000 for a three year term to provide on-call traffic engineering and transportation planning services in support of Developer and Capital Improvement Program Projects and generally in support of the Department.

FUNDING: Developer Funds, 2004 General Plan Traffic Impact Mitigation Fees, Grant Funds.

This matter was Approved on the consent calendar.

11. [11-0914](#) Department of Transportation recommending the Board adopt **Resolution 179-2011** setting a mailed ballot election on March 6, 2012, a measure to establish a special tax for the purpose of providing road improvement and maintenance services and drainage facility maintenance services in the Many Oaks Lane Road Zone of Benefit No. 98132 within County Service Area No. 9 to replace the existing benefit assessment.

FUNDING: County Service Area No. 9.

NO PUBLIC COMMENT

A motion was made by Supervisor Briggs, seconded by Supervisor Knight, to adopt Resolution 179-2011.

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

12. [11-1062](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the County of El Dorado Lease No. 212-L1211 with John J. Power and Anne Marie Power in the amount of \$6,000 to commence on December 1, 2011 and terminate on March 31, 2012 with the option for one additional month for temporary housing of the snow removal crew; and
 - 2) Authorize the Director of Transportation to execute the one-month extension, if needed. The temporary housing is located at 420 Deer Avenue in Tahoma and the monthly cost for 1,364 square feet is \$1.10 per square foot.

FUNDING: Road Fund.

This matter was Approved on the consent calendar.

13. [11-1063](#) Department of Transportation recommending the Board adopt **Resolution 180-2011** to claim an allocation of \$106,755 of the El Dorado Hills Community Services District's Capital Improvement Project funds for the SMUD Trail, CIP Project No. 97005.

FUNDING: El Dorado Hills Community Services District's Capital Improvement Project Fund, Resolution No. 2011-10.

Adopt Resolution 180-2011 upon approval of the consent calendar.

14. [11-1249](#) Auditor-Controller recommending the Board consider the following:
- 1) Authorize the Auditor-Controller and the Chief Administrative Officer to negotiate contracts with Kronick, Moskovitz, Tiedemann & Girard (bond and disclosure counsel), Stone & Youngberg (underwriter), NBS Government Finance Group (special tax consultant), and Governmental Financial Strategies, Inc. (pricing consultant);
 - 2) Authorize the Chief Administrative Officer to execute contracts with each of these firms after the contracts have been reviewed by County Counsel and Risk Management; and
 - 3) Authorize the Chief Administrative Officer and Auditor-Controller to work with the Treasurer-Tax Collector, Assessor, and County Counsel to prepare a preliminary offering statement and take other necessary steps to refund the CFD 1992-1 (Serrano) Mello Roos Bonds as soon as practical.

FUNDING: CFD 1992-1 (Serrano).

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

15. [11-1238](#) Clerk of the Board of Supervisors recommending the Board appoint one (1) member and one (1) alternate member to the 2012 California State Association of Counties (CSAC) Board of Directors, for terms to expire November 2012. (Est. Time: 5 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to reappoint Supervisor Santiago as the Representative and Supervisor Knight as the Alternate to the California State Association of Counties Board of Directors for terms ending in November 2012.

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

16. [11-1232](#) Supervisors Briggs and Santiago recommending the Board consider the following:
- 1) Authorize the Chair to sign a letter to the California State Governor, The Honorable Jerry Brown, requesting the California Department of Transportation (Caltrans) participate in the National Pollutant Discharge Elimination System (NPDES) process; and,
 - 2) Authorize the Chair to sign a joint letter from the County of Placer, County of El Dorado and the City of South Lake Tahoe to the Lahontan Regional Water Quality Control Board to request that Lahontan extend any consideration regarding the NPDES permit process until after January 2012. (Cont'd 10/25/11, Item 21) (Est. Time: 20 Min.)

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

- 1) Authorize the Chair to sign the letter to the California State Governor upon final revision by Supervisors Briggs and Santiago; and
- 2) Authorize the Chair to sign the joint letter to the Lahontan Regional Water Quality Control Board.

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

10: 00 A.M. - TIME ALLOCATION

17. [11-1159](#) Supervisor Knight recommending the Board consider the following:
- 1) Receive a presentation by Envision Rx Options, a pharmacy benefits manager with offices in El Dorado Hills; and
 - 2) Consider joining in a public-private partnership with the County and Envision Pharmaceutical Services to offer a free discount prescription drug program to local residents without insurance. (Est. Time: 10 Min.)

A motion was made by Supervisor Knight, seconded by Supervisor Sweeney, to direct staff to work with Envision Pharmaceutical Services to develop a turn-key program for El Dorado County.

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

2:00 P.M. - TIME ALLOCATION

18. [11-1024](#) Chief Administrative Office recommending the Board consider the following:
- 1) Approve the creation of an integrated Health and Human Services Agency by combining the Health Services and Human Services Departments;
 - 2) Adopt **Resolution 181-2011** enacting the new proposed Agency effective pay period 24 (November 5, 2011); and
 - 3) Appoint Daniel Nielson as Director, Health and Human Services Agency effective pay period 24 (November 5, 2011). (Cont'd 8/30/2011, Item 4) (Est. Time: 30 Min.)

FUNDING: Department programs are funded by various Federal, State and grant funds, Realignment funds and General Funds.

NO PUBLIC COMMENT

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

- 1) Approve the creation of an integrated Health and Human Services Agency;
- 2) Adopt Resolution 181-2011; and
- 3) Appoint Daniel Nielson as Director, Health and Human Services Agency effective pay period 24 (November 5, 2011).

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

19. [11-1244](#) Chief Administrative Office recommending the Board consider the following:
- 1) Receive and file a presentation on Economic Development; and
 - 2) Provide direction on next steps. (Est. Time: 30 Min.)

NO PUBLIC COMMENT

Received and Filed.

20. [11-1243](#)

Chief Administrative Office recommending the Board consider the following:

- 1) Receive and file presentation on Parks and Recreation; and,
- 2) Direct the Chief Administrative Office to return with a plan for Park and Recreation Commission's recommendations for additional projects. (Est. Time: 30 Min.)

PUBLIC COMMENT

M. Cahill

M. Lane

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

- 1) Receive and file the presentation; and
- 2) Direct staff to return with funding sources for the following:
 - a) Henningsen-Lotus Park Slurry Seal and Striping, cost \$50,000;
 - b) Chili Bar Master Plan, cost \$60,000;
 - c) Bass Lake Discussion with CSD, cost \$15,000;
 - d) South Lake Tahoe Playground Equipment, cost \$ 3,375;
 - e) South Lake Tahoe Master Plan, cost \$50,000; and
 - f) Pollock Pines Park Brush Clearing, cost to be determined.

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

[11-0270](#)**CAO REPORTS**

California Prison Industry Authority (CalPIA) inmate crews completed the installation of 36 new polished granite grave markers at the Mormon Island Relocation Cemetery on Wednesday, October 19, 2011 paid for by the County of El Dorado and private donations.

[11-0280](#)**ITEMS TO/FROM SUPERVISORS**

Supervisor Knight reported that he has been working with Terri Daly on a possible project with Colliers International Facilities Management who currently manages all of the CalPERS facilities. He also discussed the proposed 2012 Board of Supervisors meeting calendar.

Supervisor Briggs thanked County Counsel for their work and advice on the County's involvement with STATA. County Counsel noted that Trish Beck deserved this thanks for all of her work.

Supervisor Santiago reported that the CSAC Board of Directors had a preliminary discussion on a ballot measure regarding a guarantee from the State to no longer reduce their County funding.

Supervisor Nutting discussed SMUD and Pollock Pines.

CLOSED SESSION

21. 11-1229 **Pursuant to Government Code Section 54957: Public Employee Appointment:** Title: Air Pollution Control Officer. (Est. Time: 10 Min.)
By unanimous vote, the Board appointed Dave Johnston as the Air Pollution Control Officer at Step 3 of the salary range effective November 21, 2011.
22. 11-1246 **Pursuant to Government Code Section 54957: Public Employee Performance Evaluation:** Title: Director of Human Services. (Est. Time: 30 Min.)
No Action Reported.
23. 11-1255 **Conference with Legal Counsel - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b):** Title: Legal Issues Relating to Rare Plants. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.

ADJOURNED AT 4:37 P.M.