



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, July 24, 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.

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

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

9:15 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 Briggs, seconded by Supervisor Nutting, to adopt the Agenda and approve the Consent Calendar with the following changes: Item 2 was pulled from the Consent Calendar and acted upon separately; Items 5 and 9 were pulled and heard together; and Item 11 was continued two weeks to Tuesday, August 7, 2012.

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

12-0003

OPEN FORUM

None.

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, July 17, 2012.
This matter was Approved on the consent calendar.

2. [12-0816](#) Chief Administrative Office recommending the Board adopt a policy delegating authority to the Chief Administrative Officer or designee to execute non-financial Memoranda of Understanding (MOU's).
A motion was made by Supervisor Sweeney, seconded by Supervisor Knight to continue this matter to Tuesday, August 7, 2012.
Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

3. [09-0882](#) Chief Administrative Office, Office of Economic Development, recommending the Board authorize the Chair to sign Contract Modification No. 6 to Contract K178658-03 with Golden Sierra Workforce Investment Board to modify the budget for the Vital Assets grant upon approval by County Counsel and Risk Management. (Refer 6/26/12, Item 6)

FUNDING: Grant Funding.
This matter was Approved on the consent calendar.

4. [12-0817](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board of Supervisors adopt Resolution **102-2012** superseding Resolution 106-93, revising limits for delegation of authority to execute change orders to public works contracts.
Resolution 102-2012 was adopted upon approval of the consent calendar.

5. [12-0397](#) Chief Administrative Office recommending the Board authorize the Department to enter into negotiations with the owners of the following parcels: APN 329-343-02; APN 329-341-04; APN 109-420-23; and APN 109-480-03 for possible purchase of one of the properties for purposes of an Animal Shelter facility. (Refer 4/17/12, Item 8)

FUNDING: Tobacco Settlement Funds.
A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to approve this matter.
Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

6. [11-0521](#) Environmental Management Department recommending the Board:
1) Accept the construction of a new Pump Station Building and aeration systems for two Effluent Storage Tanks at the Union Mine Wastewater Treatment Plant as substantially complete; and
2) Authorize the Chair to execute and record the Notice of Completion with Syblon Reid (Agreement No. 007E-PW-10/11-BOS) and said Notice to be filed with the Recorder-Clerk. (Refer 7/19/11, Item 7)
- FUNDING:** Budgeted County Service Area (CSA) No. 10 Funding.
- This matter was Approved on the consent calendar.**
7. [11-0387](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment I to nonfinancial perpetual Agreement No. 381-127-M-N2010 (No. 606-M1210) for telemedicine equipment in the Placerville Mental Health offices; and Amendment I to nonfinancial perpetual Agreement No. 381-127a-M-N2010 (No. 607-M1210) with the Regents of the University of California for telemedicine equipment in the South Lake Tahoe Mental Health Offices. (Refer 5/3/11, Item 6)
- FUNDING:** Funding is provided by State Proposition 1D, passed by voters in 2006.
- This matter was Approved on the consent calendar.**
8. [11-1396](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign amendments to Agreement No. 029-F1111 (10-NNA09) with the State of California, Department of Alcohol and Drug Programs for the provision of alcohol and drug counseling services through the County Alcohol and Drug Program as follows:
1) V.2 for Fiscal Year 2011-12 to 10-NNA09, amends four (4) Exhibits A for Drug Medi-Cal Direct Contract Providers E.D.C.A. Lifeskills, New Morning Youth and Family Services, Progress House, and Tahoe Youth and Family Services, thereby removing the reference to State General Fund and replacing with language stating Drug Medi-Cal is now funded by Local Realignment; and
2) 10-NNA09 for Fiscal Year 2012-13, incorporates Drug Medi-Cal funds of \$417,568 thereby increasing the total amount of the three (3) year agreement to \$3,382,690, and assigns the contract 10-NNA09 to the California Department of Health Care Services. (Refer 12/20/11, Item 11)
- FUNDING:** 2012 Realignment, Federal Block Grant.
- This matter was Approved on the consent calendar.**

9. [12-0841](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign a Budget Transfer decreasing Tobacco Settlement funds, increasing operating transfers, and increasing fixed assets by \$22,500 to the Accumulated Capital Outlay fund for additional security system equipment at 3368 Lake Tahoe Blvd. (4/5's vote required.)

FUNDING: Tobacco Settlement Funding.

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

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

10. [12-0722](#) Library Director recommending the Board authorize the Chair to sign grant funding Contract No. 060-01311 with First 5 El Dorado in the amount of \$212,500, retroactive to July 1, 2012, through June 30, 2013, to provide funding for early literacy programs and services for children 0-5 years old at the library branches and other sites throughout the county.

FUNDING: First 5 Grant.

This matter was Approved on the consent calendar.

11. [12-0839](#) Probation Department recommending the Board authorize the Chair to sign Agreement No. 453-S1211 with CHI Monitoring, LLC., for rental of electronic and alcohol monitoring equipment and related services; this agreement will not exceed \$75,000 for a three year term of July 24, 2012 through July 23, 2015.

FUNDING: AB 109 and General Fund.

This matter was continued two weeks to Tuesday, August 7, 2012 upon approval of the consent calendar.

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

12. [12-0846](#) Sheriff's Office recommending the Board authorize the Chair to sign retroactive Amendment II to Agreement No. 380-S1010 with Kronos Incorporated, the successor in rights of Principal Decision Systems International (PDSI) for the software license quotation, Telestaff license and annual service agreement for the term of April 27, 2012 through April 26, 2017 with a total estimated cost for the term of \$88,190.44.

FUNDING: Sheriff's Office Operating Budget - Index Code 241140.

This matter was Approved on the consent calendar.

13. [12-0680](#) Department of Transportation recommending the Board:
- 1) Authorize the Chair to sign Agreement for Road Zone Maintenance Services No. PW12-30653 (No. 650-S1211) with Doug Veerkamp General Engineering, Inc. in an amount of \$99,670 for a term of sixty working days from the date of the Notice to Proceed to provide fog seal and single chip seal application services in the Ryan Ranch Road Zone of Benefit No. 98102 located in the El Dorado Hills area of County Service Area No. 9;
 - 2) Authorize the Interim Director of Transportation to sign the Notice of Acceptance upon completion of the work; and
 - 3) Authorize the Clerk of the Board to release the Payment and Performance Bonds No. 105768971 to the Surety upon notification from the Department of Transportation.

FUNDING: Ryan Ranch Road Zone of Benefit special taxes.

This matter was Approved on the consent calendar.

14. [12-0849](#) Department of Transportation recommending the Board authorize the Chair to sign a Budget Transfer for fiscal year 2011/2012 increasing appropriations and revenues in the Georgetown Airport CIP Enterprise Fund by \$2,780 and the Placerville Airport Operations Enterprise Fund by \$30,000. (4/5 vote required)

FUNDING: Georgetown Airport - Federal Aviation Administration (FAA) funds, Placerville Airport - fuel sales.

This matter was Approved on the consent calendar.

15. [12-0936](#) Supervisor Knight recommending the Board approve a Certificate of Appreciation for Louise Gresham upon her retirement after 7 years of outstanding and exemplary service to the Treasurer/Tax Collector Department and the citizens of El Dorado County.

This matter was Approved on the consent calendar.

16. [12-0931](#) Supervisor Santiago recommending Gordon Helm be appointed to serve as the El Dorado County Private Sector representative on the Sierra Economic Development Corporation Board of Directors for a term to expire January 1, 2015.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

17. [12-0719](#) Chief Administrative Office and Library recommending the Board:
- 1) Receive presentation regarding status of library system funding; and
 - 2) Adopt Resolution **099-2012** placing a measure on the November 6, 2012 ballot to:
 - a) Cease collection of existing library special taxes and benefit assessments in County Service Area No. 10; and
 - b) Establish a uniform library special tax for County Service Area No. 10 and its zones of benefit to maintain and enhance the library system. (Est. Time: 15 Min.)

A motion was made by Supervisor Knight, seconded by Supervisor Briggs, to adopt Resolution 099-2012.

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

2:00 P.M. - TIME ALLOCATION

18. [12-0852](#) Hearing to consider a request submitted by Lori Parlin appealing the approval of Special Use Permit Revision S07-0011-R/Planned Development Revision PD95-0016-R-4/Kniesel Auto Collision Center removing Condition 8 requiring curb, gutter, and sidewalk on Crosswood Drive by the Planning Commission on June 14, 2012 on property, identified by APN 070-280-64, consisting of 3 acres, in the Shingle Springs area; and Planning Services recommending the Board take the following actions:
- 1) Find the project revision is covered by the scope of the previous Negative Declaration and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary; and
 - 2) Deny the appeal, thereby upholding the approval of Special Use Permit Revision S07-0011-R/Planned Development Revision PD95-0016-R-4 by the Planning Commission on June 14, 2012 based on the Findings and subject to the Conditions of Approval listed in Attachment 1. (Supervisory District 4) (Est. Time: 1 Hr.)

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

- 1) Find the project revision is covered by the scope of the previous Negative Declaration and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary;
- 2) Deny the appeal, thereby upholding the approval of the Special Use Permit Revision S07-0011/Planned Development Revision PD95-0016-R-4 by the Planning Commission on June 14, 2012, with the removal of Condition No. 8; and
- 3) Amend General Plan Finding 2.1 in Attachment 1 as follows: The request to remove the condition to construct the sidewalk is consistent with the General Plan Policies 2.5.2.1 TC4i and TC5b because: a) The proposed sidewalk does not lead to a school, park, or other high pedestrian use areas; b) The sidewalk is not anticipated to connect to any other place in the future; and c) This is an existing legal lot, not a commercial subdivision. Concerns the neighbors have expressed about the pedestrian safety are adequately addressed with the addition of additional signage to ensure that few cars as possible utilize the private road of Crosswood Drive.

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

3:00 P.M. - TIME ALLOCATION

19. [12-0475](#) Chief Administrative Office recommending the Board provide comment and direction on the Roadway Network Map and Traffic Analysis Zone Map (Attachments 3A & 3B) for use in updating the El Dorado County Travel Demand Model. (Refer 6/26/12, Item 46) (Est. Time: 30 Min.)

No formal action taken. Staff direction derived from comments of Board Members during the discussion this date, noting staff advised that this matter would come back to the Board in October 2012.

20. [12-0267](#) Chief Administrative Office providing the Board with an update on the Land Use Policy Programmatic Update. (Refer 6/26/12, Item 47) (Est. Time: 30 min.)

FUNDING: General Fund.

No formal action taken, however, staff advised that this matter would come back to the Board on Monday, August 20, 2012.

[12-0006](#)**CAO REPORTS**

The Chief Administrative Officer reported that in May 2012 the Department of Transportation notified the Board that said Department requested revisions to the Latrobe Road Connector Study from the developer and their consultants and received a final draft document on June 20, 2012; staff is now preparing the staff report for an update to the Board in August on same.

[12-0005](#)**ITEMS TO/FROM SUPERVISORS**

Supervisor Nutting reported on two subjects: 1) Permits with regard to NPDES; and 2) Mt. Butte catching fire from the recent lightning storm.

Supervisor Santiago reported that the South Lake Tahoe Basin was smoky due to a brush fire in Gardnerville, NV.

ADJOURNED AT 5:05 P.M.

CLOSED SESSION

21. 12-0939 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: In Re Robert Scott Reid and Michelle M. Reid, U.S. Bankruptcy Court, Eastern District of California, Case No. 10-24351. (Est. Time: 10 Min.)
No Action Reported.
22. 11-0662 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: In re: South Tahoe Area Transit Authority Debtor, and related adversary proceedings, United States Bankruptcy Court for the District of Nevada, Case No. 10-53666. (Est. Time: As Needed)
No Action Reported.
23. 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). (Est. Time: 15 Min.)
No Action Reported.
24. 12-0938 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as:
APN 109-420-23 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Doug Granade, or agent;
APN 109-405-10 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Ramesh Pitamber, or agent;
APN 109-480-03 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Doug Granade, or agent;
APN 329-343-02 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Henry Thomason, or agent;
APN 329-280-03 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Patricia Harrington, or agent; and
APN 329-341-04 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): the Patton Group, or agent.
Instructions to negotiator will concern both price and term of payment. Russ Fackrell and Brent Collins will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)
No Action Reported.

ADDENDUM

25. 12-0961 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Appeal of Reduction in Force of Renee Finelli. Number of potential cases: (1). (Est. Time: 10 Min.)
- By a unanimous vote, the Board approved a Settlement with Renee Finelli for Appeal in Reduction in Force. Under the Agreement, Ms. Finelli will remain an employee of the County until she retires on November 30, 2012.**