



County of El Dorado

330 Fair Lane, Building A
Placerville, California
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www.edcgov.us/bos

MEETING AGENDA

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

Suzanne Allen de Sanchez, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, April 17, 2012

8:00 AM

Board of Supervisors Meeting Room

ADDENDUM

Item Nos. 41 and 42 are hereby added to Department Matters.

Item No. 43 is hereby added to the Closed Session Calendar

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.

8:00 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. [12-0002](#) Clerk of the Board of Supervisors recommending the Board approve the meeting minutes from the Regular Meeting of Tuesday, April 10, 2012; and approve an amendment to Item 18 on Tuesday, April 3, 2012.
2. [12-0410](#) Auditor-Controller recommending the Board authorize the Auditor-Controller to disburse excess proceeds from a Sale of Tax Defaulted Property for the following Assessor's Parcel Numbers (APN) based on section 4675 of the Revenue and Taxation Code:
 - 1) APN 038-101-17 Julie Shular, sold for \$20,492.02 more than the amount required to satisfy delinquent taxes & costs of the sale.
 - 2) APN 500-123-68 Franchise Tax, sold for \$409.05 more than the amount required to satisfy delinquent taxes & costs of the sale.
 - 3) APN 526-314-03 Jon Stevens, sold for \$1,680.69 more than the amount required to satisfy delinquent taxes & costs of the sale.
3. [12-0411](#) Auditor-Controller recommending the Board authorize the Auditor-Controller to remove the fixed assets listed on the attached schedule from the County's fixed asset records.
4. [12-0412](#) Auditor-Controller recommending the Board authorize the transfer of \$3,000 from the FY10/11 County Cash Overage Fund to the General fund per Government Code section 29380.
5. [12-0025](#) Clerk of the Board of Supervisors recommending the Board consider the following regarding public communication to the Board of Supervisors:
 - 1) Adopt Policy H-1 Communications to the Board from a Member of the Public replacing the current Policy H-1; and
 - 2) Adopt Policy H-2 Communications from a Member of the Public for the Public Record.

6. [11-0344](#) Clerk of the Board recommending the Board adopt a Resolution permitting J&M Displays West to conduct a pyrotechnic display on Saturday, May 12, 2012, on private property, contingent upon full compliance of necessary requirements, insurance, contracts and permits as deemed necessary by fire control authorities.
7. [12-0455](#) Chief Administrative Office recommending the Board approve the attached budget transfer moving \$4,342,195 in General Funds to an Environmental Management special revenue fund to cover ongoing costs related to the Meyers Landfill Closure (4/5 vote required) .

FUNDING: General Fund.

ADDENDUM

Item No. 8 is hereby amended.

CONSENT CALENDAR

8. [12-0397](#) Chief Administrative Office recommending the Board:
1) Authorize the Department to enter into negotiations with the owners of the following properties: 4101 Wild Chaparral, 6642 Merchandise Way and 6440 Capital Avenue for possible purchase of one of the properties for purposes of an Animal Shelter facility.

FUNDING: Tobacco Settlement Funds.

9. [12-0461](#) Chief Administrative Officer recommending the Board authorize the advanced step placement for Brent Collins for the position of Principal Administrative Analyst at Step 5 of the salary schedule for a limited term position to provide project management services for the West Slope Animal Shelter.

FUNDING: Tobacco Settlement Funds / Accumulated Capital Outlay Funds.

10. [11-1256](#) Environmental Management Department recommending the Board authorize the Chair to sign the Third Amendment to Agreement No. 025-A-09/10-BOS (443-S1011) with Bryan A. Stirrat and Associates, amending the compensation for services in the amount of \$231,940 for a total contract amount of \$1,397,910 related to the Meyers Landfill Cap Closure project. (Refer 11-15-11, Item 6)

FUNDING: Non General Fund Insurance.

11. [11-1397](#) Environmental Management Department recommending the Board authorize the Chair to sign the Fourth Amendment to Agreement No. 017-A-09/10-BOS with Geosyntec Consulting Inc., amending the term and compensation for services to be effective April 1, 2012 in the amount of \$76,821.00 for a total contract amount of \$782,373.02 related to the Meyers Landfill Cap Closure project. (Refer 12-13-11, Item 6)

FUNDING: Non General Fund Insurance.

12. [11-1399](#) Environmental Management Department recommending the Board authorize the Director of said department to sign Change Order Nos. 33, 34, 35, Amendment 1 to Change Order 13, Amendment 2 to Change Order 14, and Amendment 1 to Change Order 32 with Sukut Construction for a combined increase in the amount of \$1,160,000 for the total not to exceed amount of \$8,314,832.84 to be effective April 17, 2012 for additional work required due to the extensive number of issues, errors and omissions with the Final (100%) Remedial Design provided to the County by the U.S. Forest Service for the construction of the Cap System, French Drain and Landfill Gas Emission Control System Operable Unit 1 at the Meyers Landfill (Public Works Contract No. 013-PW-09/10-BOS) and in doing so, find that it is in the public interest to waive competitive bidding for the work described therein. (Refer 12-13-11, Item 20)

FUNDING: General Fund Contingency Appropriation/Non General Fund Insurance.

13. [11-0682](#) Human Resources Department recommending the Board authorize the Chair to sign the El Dorado County Deputy Sheriffs' Association (DSA) Letter of Understanding Amending the Agreement between the County of El Dorado and DSA Memorandum of Understanding under the term of June 28, 2011 through December 31, 2013. (Refer 6-28-11, Item 28)

14. [12-0407](#) Human Resources - Risk Management recommending the Board appoint Randall Rafoth, Risk Manager, to serve as the Primary Board Member to the California State Association of Counties Excess Insurance Authority (CSAC-EIA), with Kim Kerr, Assistant Chief Administrative Officer, as the Alternate Member.

15. [12-0394](#) Acting as the Governing Board of the El Dorado County Public Housing Authority:

Public Housing Authority recommending the Board authorize the Executive Director of said Authority to execute and submit an application and accompanying certifications for a \$59,902 grant for Calendar Year 2013 Family Self-Sufficiency Coordinator Funding and an updated Code of Conduct to the Department of Housing and Urban Development.

FUNDING: Federal.

16. [11-1264](#) Health and Human Services Agency recommending the Board authorize the Chair to sign Amendment II to Agreement 439-S1110 with Maxim Healthcare Services, Inc., extending the term for an additional year through April 30, 2013 and increasing the not-to-exceed amount from \$242,000 to \$380,000, to provide temporary personnel to supplement the Psychiatric Health Facility, Crisis Residential Treatment facility and/or Psychiatric Emergency Services staffing on an "as requested" basis. (Refer 11/8/11, Item 10)

FUNDING: Medi-Cal, Realignment, other counties, County Medical Services Program (CMSP) and private insurance.

17. [12-0408](#) Probation Department is recommending the Board receive and file the annual re-application to the State of California Department of Corrections and Rehabilitation (CDCR) for continued funding of the Community Alliance to Reduce Truancy (CART) program through the Juvenile Justice Crime Prevention Act (JJCPA).

FUNDING: Juvenile Justice Crime Prevention Act (JJCPA).

18. [12-0292](#) Surveyor recommending the Board adopt Resolution of Vacation , (Abandonment of Easement (AOE) No. 2012-002), affecting Lot 141 of Village H El Dorado Hills Unit 3, recorded at Book H , Page 129 of Subdivision Maps. Action would summarily vacate the public utility and drainage easements along the five feet (5') adjacent to each side lot line and the ten feet (10') adjacent to the rear lot line. Parcel is located on Assessor's Parcel Number 123-110-04. AOE was requested by Philip K. Paw and Saksono Indrawati.
19. [12-0195](#) Department of Transportation recommending the Board:
1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and Certificate of Acceptance for the related documents from Robin Lea Peck, A Married Man and Kathleen Marie Peck, His Spouse, for Assessor's Parcel Number 098-160-28; 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 Pleasant Valley Road at Oak Hill Road Intersection Improvements Project, CIP No. 73358.

FUNDING: Highway Safety Improvement Program Grant Funds.

20. [12-0281](#) Department of Transportation recommending the Board authorize the Chair to sign the Second Amendment to Agreement for Services No. AGMT 09-52627 with Pattison & Associates, Inc., increasing the not-to-exceed amount by \$25,000 to a total of \$83,000 and extending the expiration date of the Agreement from April 20, 2012 to the later of April 20, 2013 or the completion of all issued Task Orders to continue to provide appraisal services for various Capital Improvement Program and Environmental Improvement Program projects.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program and various other Capital Improvement Program (CIP) and Environmental Improvement Program (EIP) funding sources that fund the Department's CIP and EIP projects.

21. [12-0392](#) Department of Transportation recommending the Board adopt a Resolution sanctioning the closures of North Canyon Road from Carson Road to just north of 2881 North Canyon Road, Fruitridge Road from North Canyon Road to Hassler Road, Hassler Road from Fruitridge Road to 500 feet north of Fruitridge Road on Saturday, April 28, 2012, between 8:15 a.m. and 9:45 a.m. for the "Apple Hill Blossom Trail Run" Event, subject to conditions set forth in Resolution No. 110-79 and conditions set forth in the "Application for Road Closure."
- FUNDING:** N/A.
22. [12-0456](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing National Volunteer Week April 15-21, 2012 and acknowledging the contributions of the Hospice and Palliative Care volunteers in our community.
23. [12-0464](#) Supervisor Knight recommending the Board adopt a Proclamation honoring INALLIANCE in recognition of 60 years of service to the community.
24. [10-0209](#) Supervisor Sweeney recommending the Board approve and accept the Highway Easement Deed tendered to the County by the Federal Highway Administration dated March 9, 2011. (Refer 9-13-11, Item 31)
25. [12-0470](#) Supervisor Santiago recommending the Board adopt a Resolution recognizing traffic impediments and restrictions during the 17th Annual Lake Tahoe Marathon, September 27th - September 30th, 2012.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

26. [12-0326](#) Chief Administrative Office recommending the Board appoint one member of the public to the South Tahoe Redevelopment Successor Agency Oversight Board. (Est. Time: 10 Min.) (Cont'd 3/20/12, Item 14)
27. [12-0473](#) Chief Administrative Office recommending the Board receive and file a report on the status of emergency water heater replacement at Placerville jail. (Est. Time: 15 Min.) (Refer 4/10/12, Item 25)
28. [12-0439](#) Human Resources Department recommending the Board conceptually approve a proposal for changes to Extra Help Personnel usage. (Est. Time: 30 Min.)

FUNDING: Variable by Department.

29. [12-0368](#) HEARING: Development Services Department, Planning Services Division, returning with Findings and Conditions of Approval based on the Board's conceptual action taken on March 27, 2012 granting, in part, an appeal submitted by John David Pereira for Special Use Permit S11-0004/Sunset Lane Off-Premise Advertising Sign on property identified by APN 090-430-09, consisting of 1.22 acres, in the Shingle Springs area; and Planning Services recommending the Board take the following actions:
- 1) Find that the Negative Declaration, as proposed and amended, is adequate and reflects the independent judgment of the Board;
 - 2) Grant appeal S11-0004-A-3, in part, by approving S11-0004 with a reduction of the sign size to 480 square feet based on the Findings and subject to the Conditions of Approval listed in Attachment 1 (Legistar 12-0368.2A); and
 - 3) Grant the applicant's request for a fee waiver. (Supervisory District 4) (Est. Time: 15 Min.) (Refer 3/27/12, Item 22)

10:00 A.M. - TIME ALLOCATION

30. [11-0198](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing the month of May as "National Bike Month" and encouraging everyone to join the "Great Bike Ride" on the Forni Road to Missouri Flat section of the El Dorado Trail on Tuesday, May 1, 2012. (Est. Time: 10 Min.)

31. [12-0139](#) Environmental Management Department reporting to the County of El Dorado Board of Supervisors and seeking direction regarding the potential formation of a solid waste West Slope Joint Powers Authority.

2:00 P.M. - TIME ALLOCATION

32. [10-1235](#) Chief Administrative Office recommending the Board receive information and provide direction to staff related to options for the West Slope Animal Shelter project. (Est. Time: 1 Hr.) (Cont'd 3/20/12, Item 19)

FUNDING: Tobacco Settlement Funds.

33. [11-1324](#) Department of Transportation returning with answers to questions posed by the Board from the Proposed 2012 Capital Improvement Programs Workshop on March 26, 2012. (Est. Time: 30 Min.)

CAO REPORTS

ITEMS TO/FROM SUPERVISORS*APRIL MEETINGS:*

- *High Sierra Resource Conservation & Development Council - 2*

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

34. 12-0443 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: United States of America (USA) v. El Dorado County and City of South Lake Tahoe, Civil Action No. S-0101520 x-ref: (Meyers Landfill Site) (Est. Time: 20 Min.)
35. 12-0463 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 No. S:12-CV-00252-WBS-JFM. (Est. Time: 20 Min.)
36. 12-0462 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Charles Sutton and Patricia Sutton v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20120130. (Est. Time: 10 Min.)
37. 12-0466 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Interim Director of Transportation. (Est. Time: 30 Min.)
38. 12-0468 Pursuant to Government Code Section 54957: **Public Employee Appointment**. Title: Clerk of the Board of Supervisors. (Est. Time: 15 Min.)
39. 12-0467 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 109-401-10). The person or persons with whom the negotiator may negotiate Greg Redman with Grubb and Ellis. Instructions to negotiator will concern price and term of payment. Russ Fackrell will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

40. 12-0469 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as Assessor Parcel Numbers 109-240-08, 109-030-33 and 109-030-34. The person or persons with whom the negotiator may negotiate is Gary Jenkins. Instructions to negotiator will concern price and term of payment. Russ Fackrell will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

ADDENDUM

Item Nos. 41 and 42 are hereby added to Department Matters.

DEPARTMENT MATTERS

41. [12-0474](#) Supervisors Nutting and Briggs recommending the Board consider approval of a formal public statement regarding the case of *Center for Sierra Nevada Conservation v. U.S. Forest Service* (E.D. Cal No. S-09-2523) and the request to the U.S. District Court to consider the closure of 42 roads in the Eldorado National Forest. (Est. Time: 15 Min.)
42. [12-0478](#) Chief Administrative Officer recommending that the Board delegate authority to authorize and execute a design contract in excess of \$60,318 for the upgrade/replacement of the operations console and related equipment at the Placerville Jail, the contract subject to approval of County Counsel. (Est. Time: 20 Min.)

Item No. 43 is hereby added to the Closed Session Calendar

CLOSED SESSION

43. 12-0477 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. (Est. Time: 15 Min.)

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

Special Meeting - Monday, June 4, 2012 - Budget Workshop

OTHER ANNOUNCEMENTS

Congressman McClintock's Office Hours

Human Resources Conference Room

Third Tuesday of each month

10:00 a.m. - Noon