



# County of El Dorado

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## 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*

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Tuesday, October 4, 2011

8:00 AM

Board of Supervisors Meeting Room

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#### 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](http://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

#### **9:09 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

#### **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

Pastor Dave Cooke from the Cold Springs Community Church provided 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 Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 11 and 12 were pulled from the Consent Calendar and acted upon separately; Item 4 was continued to Tuesday, October 11, 2011, and Item 20 was continued to Tuesday, October 18, 2011.

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

#### **OPEN FORUM**

##### **PUBLIC COMMENT**

D. Bielfiore RE: Safe access to farm goods.

P. Chelseth RE: Signatures for a food sovereignty ordinance.

#### **BUDGET UPDATE**

NONE

**CONSENT CALENDAR**

1. [11-1123](#) Clerk of the Board of Supervisors recommending the Board approve the Special Meeting Minutes for Monday, September 26, 2011 and the Regular Meeting Minutes for Tuesday, September 27, 2011.  
**This matter was Approved on the consent calendar.**
  
2. [11-1096](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of property surplus to the needs of the County and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.  
**This matter was Approved on the consent calendar.**
  
3. [11-1049](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
  - 1) Award Bid No. 12-680-008 for the purchase of Ammunition to the low qualified bidders, San Diego Police Equipment of San Diego, CA in the amount of \$92,155 and Adamson Police Products of Hayward, CA in the amount of \$9,860 plus applicable sales tax;
  - 2) Authorize the Purchasing Agent to issue two (2) blanket purchase orders to the same two bidders in the total amount of \$102,015 for a twelve (12) month award period following Board approval; and
  - 3) Authorize the Purchasing Agent to increase the blanket purchase orders on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budgets.**FUNDING:** General Fund.  
**This matter was Approved on the consent calendar.**

4. [11-1095](#) Chief Administrative Office, Risk Management Division, recommending the Board:
- 1) Approve the Health Plan Published Rates effective January 1, 2012 through December 31, 2012, charged to employees effective 2012 Pay Period 2;
  - 2) Approve the increase in the health vendor rates and projected funding;
  - 3) Implement Medco's Preferred Generic Guideline and Preferred Drug Step Therapy (PDST) programs; and
  - 4) Authorize Kim Kerr, Assistant Chief Administrative Officer, or designee to sign health carrier contracts subject to County Counsel's approval.

**FUNDING:** Internal Service Fund - Risk Management Health Fund.

**This matter was continued to Tuesday, October 11, 2011 upon approval of the Consent Calendar.**

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

5. [11-1069](#) Development Services Department, Planning Services Division, submitting for approval final map (TM01-1378-F-5) for Serrano Village K6, Unit 2 creating 74 residential lots, four landscape lots, and one private road lot on 41.7 acres on property identified by APNs 123-350-01, 123-350-02, 123-350-03, 123-350-04, 123-350-05, 123-350-06 and 123-360-06, located approximately 0.5 mile northwest along Greenview Drive from its southeasterly intersection with Serrano Parkway within the Serrano Development, in the El Dorado Hills area; and recommending the Board take the following actions:
- 1) Approve the Final Map (TM01-1378-F-5) for Serrano Village K6, Unit 2;
  - 2) Authorize the Chair to sign the Agreement to Make Subdivision Improvements with Serrano Associates, LLC and Standard Pacific Corp.; and
  - 3) Authorize the Chair to sign Agreements for Conditions for Acceptance of Drainage Easements and Conditions for Acceptance of Roads with Serrano Associates, LLC and Standard Pacific Corp. (Supervisory District 1)

**This matter was Approved on the consent calendar.**

6. [11-1070](#) Department of Human Services recommending the Board authorize the Chair to sign non-financial Memorandum of Understanding 143-M1211 with the California Human Development Corporation for the continued operation of an integrated and expanded One Stop Career Center Delivery System during the term October 1, 2011 through September 30, 2014.

**This matter was Approved on the consent calendar.**

7. [11-1111](#) Department of Human Services recommending the Board authorize the Chair to sign Amendment I to Agreement for Services 224-S1110 with A Balanced Life: Individual, Family and Child Therapy, Inc., doing business as A Balanced Life, Inc., increasing the compensation by \$50,000 to a not-to-exceed amount of \$108,505 based on projected need for services through the end of the three-year contract term of November 2, 2010 through November 1, 2013 to continue to provide therapeutic counseling services, classes and/or training programs for clients of the Department on an "as requested" basis.
- FUNDING:** 85% Federal/State Social Services Allocation with 15% County match met primarily with realignment resources.
- This matter was Approved on the consent calendar.**
8. [11-1083](#) Recorder-Clerk recommending the Board authorize the Chair to sign Amendment VI to the Memorandum of Understanding (AGR-384 -M0610) with the California Department of Justice (DOJ) in the amount of \$1,287.50 for the Fiscal Year 2011/2012 for continued Electronic Recording Delivery System (ERDS) services.
- FUNDING:** Recorder/Clerk Special Revenue ERDS 7728306.
- This matter was Approved on the consent calendar.**
9. [11-0319](#) Department of Transportation recommending the Board ratify the Director of Transportation's signature on the Irrevocable Directive of Draw Proceeds for Victory Engineers Inc. related to the Ice House Road Bridges - Maintenance Project, Contract No. PW 09-30469, CIP No. 77121.
- FUNDING:** Highway Bridge Program and El Dorado-Sacramento Municipal Utility District Cooperation Agreement Fund (Index 8803311).
- This matter was Approved on the consent calendar.**
10. [11-0872](#) Department of Transportation recommending the Board authorize the Chair to sign License Agreement CTC -2011-07-21-El Dorado County with the California Tahoe Conservancy for the Echo View 2 Erosion Control Project (CIP No. 95169) for a term of three years upon execution, for access to California Tahoe Conservancy-owned parcels.
- This matter was Approved on the consent calendar.**

11. [10-1235](#) Department of Transportation (DOT) recommending the Board take the following actions related to the West Slope Animal Shelter Project:
- 1) Receive and file the Project Status Update and Budget Summary for the West Slope Animal Shelter;
  - 2) Receive and file **Faster Track** Phase 1 and Phase 2 revised Microsoft Project schedules; and
  - 3) Adopt the California Environmental Quality Act (CEQA) Addendum to the 2006 Mitigated Negative Declaration (MND). (Refer 6/21/11, Item 21)

The Addendum to the 2006 MND action is based on the following findings:

- A) The CEQA document on file with the Clerk of the Board and on Department of Transportation (DOT) website <http://www.edcgov.us/Government/DOT/CEQA.aspx> was prepared pursuant to Public Resources Code Sections 21000 et seq., and the CEQA Guidelines.
- B) There is no substantial evidence that the Project will have a significant effect on the environment.
- C) The Addendum to the 2006 MND for the West Slope Animal Shelter Project reflects the lead agency's independent judgment and analysis.

*PUBLIC COMMENT*

*C. Welty  
B. Lee  
S. Taylor  
C. McCaslin*

**A motion was made by Supervisor Santiago, seconded by Supervisor Knight to approve this matter with the following changes:**

- 1) Remove the wording, "Faster Track" in the received and filed portion of Item Number 2 of the recommendations; and
- 2) Include as an option that the site grading be done at the same time that the road grading is being done.

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

12. [11-1034](#) Acting as the Governing Board of the El Dorado County In-Home Supportive Services Public Authority:

Chief Administrative Office, Procurement and Contracts Division, recommending the Board:

- 1) Award RFP 11-918-060 for the provision of consultation and advice on employer-employee relations to the El Dorado County In-Home Supportive Services Public Authority (IHSS PA) on an as-needed basis to Renne Sloan Holtzman Sakai, LLP of San Francisco, California; and
- (2) Authorize the Chair to execute an agreement for same for a three year term with a not to exceed amount of \$50,000.00 upon County Counsel and Risk Management review and approval.

**FUNDING:** 82.5% In-Home Supportive Services Public Authority Funds with 17.5% required County match met with Social Services realignment funds.

**A motion was made by Supervisor Briggs, and seconded by Supervisor Knight to approve this matter.**

#### **END CONSENT CALENDAR**

#### **DEPARTMENT MATTERS/NOTICED HEARING**

13. [11-1046](#) Acting as the Governing Board of the El Dorado County Public Housing Authority:

HEARING - Public Housing Authority recommending the Governing Board, adopt a Public Housing Authority Resolution to approve an amendment to Chapters 4 and 11 of the Public Housing Authority Administrative Plan for the Section 8 Housing Choice Voucher (HCV) Program to update interim and annual reexamination processes, raise the income threshold that triggers a recalculation of rental assistance, and amend local waitlist preferences to improve the program administrative efficiency. (Est. Time: 5 Min.)

**A motion was made by Supervisor Briggs, seconded by Supervisor Knight to adopt Public Housing Authority Resolution 166-2011.**

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

14. [11-1090](#) Chief Administrative Office, on behalf of the Grand Jurors Association, recommending the Board consider revisions to Board of Supervisors Policy B-10 relative to the publication of the annual Grand Jury Final Report and Responses. (Refer 9/14/10, Item 29, File No. 10-0759) (Est. Time: 5 Min.)

**FUNDING:** General Fund.

*PUBLIC COMMENT*

*C. MacLean*

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight to adopt Board of Supervisors Policy B-10 as amended.**

15. [11-1057](#) Supervisor Nutting recommending the Board review and provide direction regarding the Memorandum of Agreement among California, USDI Bureau of Land Management, the U.S. Forest Service, Pacific Southwest Region and the California State Association of Counties and Regional Council of Rural Counties. (Cont'd 9/27/11, Item 38) (Est. Time: 10 Min.)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to support the Memorandum of Agreement (MOA), with the direction that the County of El Dorado not be signatory to the Association on the MOA.**

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

#### **10:00 A.M. - TIME ALLOCATION**

16. [11-1138](#) Supervisor Nutting recommending the Board adopt a proclamation recognizing October 5, 2011, as Walk to School Day. (Est. Time 5 Min.)

**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to adopt the Proclamation.**

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

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

#### **CAO REPORTS**

**The Chief Administrative Officer provided an update to the Board of Supervisors regarding the Community Alliance to Reduce Truancy (CART) Program.**



11-0280

**ITEMS TO/FROM SUPERVISORS**

Supervisor Santiago reported that she will provide a written report to the Board next week with regard to the latest California State Association of Counties (CSAC) meeting.

Supervisor Nutting reported that the Regional Council of Rural Counties met in South Lake Tahoe.

**ADJOURNED AT 11:10 A.M.**

**CLOSED SESSION**

17. 11-1127 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real properties described as follows:
- 1) APN 033-090-12. The person or persons with whom the negotiator may negotiate are Cass B. Amacker, SR. and Virginia H. Amacker, Husband and Wife, as Joint tenants;
  - 2) APN 033-090-13. The person or persons with whom the negotiator may negotiate are Betty Ann Bianchi and Robert W. Bianchi, Trustees of the Vera Silberstein Conservator's Trust;
  - 3) APN 033-090-16. The person or persons with whom the negotiator may negotiate are Cass B. Amacker SR. and Virginia H. Amacker, His Wife As Joint Tenants;
  - 4) APN 033-180-04. The person or persons with whom the negotiator may negotiate is Thomas Andrew Yant, An Unmarried Man;
  - 5) APN 033-180-035. The person or persons with whom the negotiator may negotiate is the designated agent of Wells Fargo Bank; and
  - 6) APN 033-180-36. The person or persons with whom the negotiator may negotiate is Thomas A. Yant, An Unmarried Man as His Sole and Separate Property. Instructions to negotiator will concern price and term of payment. Julie Duchscherer will be the negotiator on behalf of El Dorado County. (Est. Time: 5 Min.)

**No Action Reported.**

18. 11-1126 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as APN 033-332-18. The person or persons with whom the negotiator may negotiate are Henry W. Heinzerling and Maureen E. Heinzerling, Trustees of The Heinzerling Family Trust U/D/T March 15, 2007. Instructions to negotiator will concern price and term of payment Julie Duchscherer will be the negotiator on behalf of El Dorado County. (Est. Time: 5 Min.)

**No Action Reported.**

19. 11-1136 Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources to provide negotiations update for the following bargaining units:  
Employee Organization: Operating Engineers, Local No. 3, representing employees in the Probation and Corrections Bargaining Units; Deputy County Counsel Association representing employees in Deputy County Counsel Bargaining Unit; El Dorado County Criminal Attorneys' Association representing employees in the Criminal Attorneys' Bargaining Unit; El Dorado County Managers' Association representing employees in the Managers' Association Bargaining Unit; El Dorado County Law Enforcement Managers' Association representing employees in the Law Enforcement Managers' Association. (Est. Time: 30 Min.)  
**No Action Reported.**
20. 11-1118 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): United States of America (USA) v. El Dorado County and City of South Lake Tahoe. Civil Action No. S-01-1520 x-ref: (Meyers Landfill Site) (Est. Time: 30 Min.)  
**This matter was continued to Tuesday, October 18, 2011 upon approval of the Consent Calendar.**  
**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago
21. 11-1133 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. (Est. Time: 60 Min.)  
**No action reported.**
22. 11-1132 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. Number of potential cases: (1). (Est. Time: 60 Min.)  
**No action reported.**
23. 11-1130 Pursuant to Government Code Section 54957: **Public Employee Appointment:** Title: Interim Agriculture Commissioner / Sealer of Weight and Measures. (Est. Time: 30 Min.)  
**By unanimous vote, the Board appointed Charlene Carveth as the Acting Agricultural Commissioner/Sealer of Weights and Measures, temporarily setting her at Step 1 of the salary range, effective October 10, 2011.**

24. 11-1131 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Clerk of the Board of Supervisors. (Est. Time: 20 Min.)  
**No Action Reported.**
25. 11-1144 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**: Title: Director of Human Services. (Est. Time: 30 Min.)  
**No Action Reported.**

### ADDENDUM

26. 11-1150 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b): Legal Issues Relating to Rare Plants  
Number of potential cases: (1)  
**No Action Reported.**
27. 11-1153 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**:  
Title: Chief Administrative Officer  
**No Action Reported.**

### ADDENDUM NO. 2

28. 11-1156 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: This body will hold a closed session to give instructions to its negotiator regarding the real property described as a portion of APN 325-300-02. The person or persons with whom the negotiator may negotiate John Briggs and/or Brian Briggs. Instructions to negotiator will concern both price and term of payment. Sandy Sandoval, Grubb & Ellis Commercial Real Estate, and Louis B. Green, County Counsel, will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)  
**No Action Reported.**