



County of El Dorado

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Placerville, California
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www.edcgov.us/bos

MEETING AGENDA

Board of Supervisors

Ron Briggs, Chair, District IV
Norma Santiago, First Vice Chair, District V
Ray Nutting, Second Vice Chair, District II
Ron Mikulaco, District I
Brian K. Veerkamp, District III

James S. Mitrison, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Edward Knapp, County Counsel

Tuesday, June 18, 2013

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.

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>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us.

Public Testimony will be received on each agenda item listed under Department Matters 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' Meeting Agenda webpage 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 THE AGENDA AND APPROVAL OF CONSENT CALENDAR

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

OPEN FORUM

CAO UPDATE

CONSENT CALENDAR PART 1

1. [13-0720](#) Supervisor Veerkamp recommending the Board take the following actions:
 - 1) Adopt Resolution **075-2013** authorizing Pyro Spectaculars, Inc. to conduct a pyrotechnic display for the annual "4th of July Celebration" on Thursday, July 4, 2013 at the Placerville Speedway located at the El Dorado County Fairgrounds; and
 - 2) Authorize the Chair to sign a letter to the Fire Marshall approving same.

CONSENT CALENDAR PART 2

2. [13-0007](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes from the Regular Meeting of Tuesday, June 11, 2013.
3. [13-0453](#) Chief Administrative Office recommending the Board authorize the Chair to sign a Budget Transfer transferring \$509,646 from the Retiree Health Fund to the Health Fund per Board direction on April 23, 2013. (4/5 vote required)
4. [13-0641](#) Chief Administrative Office recommending the Board authorize the Chair to sign a comment letter to be sent to the U.S. Fish and Wildlife Service, Division of Policy and Directives Management on the proposed listing of the Sierra Nevada yellow-legged frog, and the proposed designation of critical habitat for said species. (Refer 6/4/13, Item 33)
5. [13-0616](#) Chief Administrative Office, Procurement and Contracts Division on behalf of Human Resources, recommending the Board consider the following:
 - 1) Make findings that it is more feasible and economical to engage an outside consultant to provide all professional legal services as a third party for the purpose of advising and assisting the County Civil Service Commission, acting as counsel for the Commission, during hearings of appeals of discipline actions, complaints of unlawful personnel discrimination and other personnel matters pursuant to Board Resolutions or Memoranda of Understandings; and
 - 2) Authorize the Chair to sign Agreement No. 573-S1311 with Liebert, Cassidy, Whitmore, in an amount not to exceed \$20,000 for a one (1) year term to provide professional legal advice on an "as requested" basis for the Civil Service Commission.

6. [12-0857](#) Chief Administrative Office, Procurement and Contracts Division, on behalf of Human Resources recommending the Board consider the following:
- 1) Make findings that it is more feasible and economical to engage an outside consultant for the provision of professional employment and labor relations legal services, representation and litigation services, and training on various employment relations subjects in accordance with Ordinance 3.13.040; and
 - 2) Authorize the Chair to sign Amendment II to Agreement No. 302-S1210 with Liebert, Cassidy, Whitmore, extending the term for one (1) additional year and increasing the compensation by \$40,000. The total term of the agreement will now be April 25, 2012 through June 30, 2014, with a total not to exceed amount of \$70,000.

FUNDING: General Fund.

7. [13-0712](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare two duty weapons as surplus and approve the sale of the weapons to retiring District Attorney Investigator, Bill Dillard.

8. [13-0615](#) Community Development Agency, Administration and Finance Division, recommending the Board authorize the Chair to sign Contract Change Order No. 2 with A-1 American Fence, Inc. in an estimated amount of \$53,323 to provide payment for additional work on the gates, controls, and fence on the Habitat/Security Fence and Gates Project at the Placerville Airport, AIP NO. 3-06-0188-14, CIP No. 93124.

FUNDING: Federal Aviation Administration Airport Improvement Grant and Accumulated Capital Outlay Fund.

9. [13-0638](#) Community Development Agency, Administration and Finance Division, recommending the Board authorize the Chair to execute Agreement for Services No. 539-O1311 with EPIC Aviation, LLC of Salem, OR in the amount of \$2,260,000 with a term of March 20, 2013 through March 19, 2018, for the supply of aviation fuel and related services for the Placerville and Georgetown Airports, subject to review and approval and minor revisions by Risk Management.

FUNDING: Airport Enterprise Fund.

10. [13-0599](#) Community Development Agency, Transportation Division, recommending the following pertaining to the Pleasant Valley Road at Oak Hill Road Intersection Improvements Project, Contract No. PW 10-30506, CIP No. 73358, P&C No. 065-C1475:
- 1) Approve plans and contract documents and authorize the Chair to sign the plans; and
 - 2) Authorize advertisement for construction bids, subject to County Counsel and Risk Management review and approval.
- FUNDING:** Highway Safety Improvement Program, 2004 General Plan Traffic Impact Mitigation Fees, and Regional Surface Transportation Program Rural Exchange Funds.
11. [13-0360](#) Community Development Agency, Transportation Division, recommending the following pertaining to the Boulder Mountain Erosion Control Project, Contract No. PW 13-30675, CIP No. 95153, P&C No. 054-C1499:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for May 31, 2013;
 - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
 - 3) Authorize the Acting Director, Community Development Agency to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 5 Min.) (Refer 5/14/13, Item 12)
- FUNDING:** United States Forest Service Grant
12. [13-0503](#) Community Development Agency, Transportation Division, recommending the Board adopt Resolution **076-2013** regarding site improvement grant funding from the California Tahoe Conservancy related to the Tahoe Basin Environmental Improvement Program stating that the County supports the assurances of the Programs; the County agrees to implement the Project in a manner consistent with the Programs' objectives; the County agrees to manage and maintain the project over its twenty year life; and, the County supports the request to the Conservancy for funding the proposed work in the Tahoe Basin.
- FUNDING:** California Tahoe Conservancy.

13. [13-0513](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Cass B. Amacker Sr. and Virginia H. Amacker, Husband and Wife, as Joint Tenants, for Assessor's Parcel Number 033-090-12;
 - 2) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Cass B. Amacker Sr. and Virginia H. Amacker, His Wife as Joint Tenants, for Assessor's Parcel Number 033-090-16; and
 - 3) Authorize the Transportation Division Director or designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Sawmill 2B Bike and Erosion Control Project, CIP No. 95192.

FUNDING: California Tahoe Conservancy (CTC) Acquisition Grant and Tahoe Regional Planning Agency (TRPA) Air Quality Mitigation Funds.

14. [13-0522](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance for the related documents from Anthony Todd Hall and Judith Joann Davis, Husband and Wife as Joint Tenants, for Assessor's Parcel Number 325-110-23; and
 - 2) Authorize the Transportation Division Director or his designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, for the Green Valley Road at Weber Creek - Bridge Replacement Project, CIP No. 77114.

FUNDING: Highway Bridge Program Grant Funds and Regional Surface Transportation Program Rural Exchange Funds.

15. [13-0659](#) County Counsel recommending the Board authorize the Chair to sign Amendment I to Agreement No. 242-S1211 for legal services with Brady and Vinding to amend time calculated in one-tenth (.10) hour segments and contract administrator to be County Counsel, or successor. This Amendment I to be effective July 1, 2013.

16. [11-0602](#) Health and Human Services Agency, Community Services Division, recommending the Board authorize the Chair to sign Amendment II to Facility Use Agreement 744-L0711 with the Mother Lode Lions Club to lease space located at 4701 Missouri Flat Road, Diamond Springs for the Senior Nutrition Program. Amendment II extends the term of the lease an additional two years to June 30, 2015 and increases the compensation by \$40,947.12 for a total not-to-exceed amount of \$154,493.28.

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

18. [13-0679](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Director to sign a letter of support for New Morning Youth and Family Services' grant application to the California Mental Health Services Authority for a Small and Frontier County Mental Health Community Dialogue grant.

FUNDING: This letter of support has no financial implication to the County.

19. [13-0637](#) Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign retroactive Amendment I to Agreement for Services 628-S1210 with Dignity Health Medical Foundation for the provision of inpatient mental health services and medical care for a term of February 22, 2012 through June 30, 2015 with a maximum annual obligation of \$200,000; and
 - 2) Authorize the Purchasing Agent to execute further documents relating to the above noted Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

FUNDING: Federal and State funding.

20. [13-0668](#) Acting as the Governing Body of the El Dorado County In-Home Supportive Services Public Authority:
Health and Human Services Agency, Community Services Division, recommending the Board consider the following:
1) Authorize the Chair to execute Agreement for Services 518-S1311 with Liebert Cassidy Whitmore in the not-to-exceed amount of \$100,000 for the term of three years from the date of execution by both parties for the provision of labor relations and negotiation services for the In-Home Supportive Services Public Authority on an "as requested" basis; and
2) Authorize the Interim Director of the Health and Human Services Agency to sign a letter terminating Agreement for Services 286-S1211 for same services with Renne Sloan Holtzman Sakai, LLP with said termination of services to be effective June 25, 2013.

FUNDING: 85% Federal/State In-Home Supportive Services Allocation with 15% required County General Fund Match.

21. [10-0985](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to execute Amendment II to perpetual Agreement for Services 151-S1111 with KYJO Enterprises, Inc. for the continued provision of emergency shelter care and/or foster care placement services on an "as requested" basis during the term that commenced on October 4, 2010, increasing the annual maximum compensation by \$150,000 for a total annual not-to-exceed of amount of \$250,000, and making other updates to standard terms and conditions.

FUNDING: Funded with a blend of Federal and State funds (85%) with County share of cost or required match (15%) met primarily with realignment resources.

22. [11-0882](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to execute Amendment I to perpetual Agreement for Services 091-S1211 with Guiding Our Youth for the continued provision of emergency shelter care and/or foster care placement services on an "as requested" basis during the term that commenced on August 23, 2011, increasing the annual maximum compensation by \$200,000 for a total annual not-to-exceed of amount of \$300,000, and making updates to standard terms and conditions.

FUNDING: Funded with a blend of Federal and State funds (85%) with County share of cost or required match (15%) met primarily with realignment resources.

23. [13-0663](#) Sheriff's Office recommending the Board authorize the Chair to sign the perpetual Memorandum of Understanding with the United States Immigration and Customs Enforcement Homeland Security Investigations, SAC San Francisco (ICE SAC San Francisco) for reimbursement of certain expenses incurred by the County of El Dorado as participants of joint operations/task forces with a federal agency participating in the Treasury Forfeiture Fund for an annual amount of approximately \$75,000.

FUNDING: Reimbursement from United States Immigrations and Customs Enforcement (ICE SAC San Francisco).

24. [13-0665](#) Sheriff's Office recommending the Board authorize the Chair to sign the perpetual Memorandum of Understanding with the Sacramento County Sheriff's Department for use of their Business Systems applications, programs, software or network for law enforcement purposes for an annual licensing cost of \$4,000.

FUNDING: First year license fee cost will be from FY 2012 Homeland Security Grant funds, and following years from Sheriff's Office operating budgets.

25. [13-0603](#) Board of Supervisors to adopt Resolutions **082-2013** (Attachment 2B) and **083-2013** (Attachment 2C) by El Dorado County Superior Court altering court employees' retirement contribution rate under County/Court Public Employee Retirement System (PERS) Contract.

26. [13-0610](#) Community Development Agency, Transportation Division, recommending the Board consider the following:
- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that it is more economical and feasible to engage an independent contractor for on-call application of Type II/Latex Modified Slurry seal over chip seal surfaces on various County roads; and
 - 2) Authorize the Chair to sign Agreement for Services No. 606-S1311 with Intermountain Slurry Seal, Inc. in the amount of \$225,000 for a term of six months, subject to review and approval and minor modification by County Counsel and Risk Management.

FUNDING: Road Fund.

END CONSENT CALENDAR

10:00 A.M. - TIME ALLOCATION PART 1

27. [13-0553](#) Agriculture Department recommending the Board receive a presentation by the El Dorado Farm Trails Association on promoting and showcasing the preservation of small farms and ranches in El Dorado County.
(Est. Time: 30 Min.)

DEPARTMENT MATTERS PART 1

28. [13-0518](#) Community Development Agency, Administration and Finance Division, recommending the Board adopt Resolution **077-2013** confirming the annual benefit assessments for the 2013/2014 tax year for the Zones of Benefit within County Service Area No. 2, noting this is a continuation of benefit assessments with no increase over current levels.

FUNDING: Benefit Assessments.

29. [13-0519](#) Community Development Agency, Administration and Finance Division recommending the Board adopt Resolution **078-2013** confirming the annual benefit assessment for the 2013/2014 tax year for mosquito abatement and snow removal services within County Service Area No. 3, noting this is a continuation of benefit assessments with no increase over current levels.

FUNDING: Benefit Assessments.

30. [13-0520](#) Community Development Agency, Administration and Finance Division recommending the Board adopt Resolution **079-2013** confirming the annual benefit assessment for the 2013/2014 tax year for Zones of Benefit within County Service Area No. 9, noting this is a continuation of benefit assessments with no increase over current levels.

FUNDING: Benefit Assessments.

31. [13-0545](#) Community Development Agency, Administration and Finance Division, recommending the Board consider the following:
1) Adopt Resolution **080-2013** confirming the Waste Management Fees for the 2013/2014 fiscal year for County Service Area No.10, noting this is a continuation of existing fees with no increase over current levels;
and
2) Adopt Resolution **081-2013** establishing an appeal process for County Service Area No.10 Waste Management fees.

FUNDING: Benefit Assessments.

DEPARTMENT MATTERS 2

32. [13-0082](#) Community Development Agency, Transportation Division recommending the Board adopt the Division's proposed 2013 Capital Improvement Program.
33. [13-0409](#) Community Development Agency, Transportation Division, recommending the following pertaining to the Latrobe Road North of Ryan Ranch Road Project, Contract No. PW 09-30467, CIP No. 73359, P and C No. 015-C1499:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for May 30, 2013;
 - 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
 - 3) Authorize the Acting Director, Community Development Agency to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 5 Min.) (Refer 4/23/13, Item 21)

FUNDING: High Risk Rural Road and Regional Surface Transportation Program.

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION

34. 11-1362 **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. Number of potential cases: (1). (Est. Time: 15 Min.)
35. 11-1363 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2): Title: West Valley, LLC: Silva Valley Parkway Interchange Project. Number of potential cases: (1). (Est. Time: 15 Min.)
36. 13-0667 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Potential Federal and State Administrative action(s) and/or Litigation arising from charges filed against a Supervisor. (Est. Time: 15 Min.)
37. 13-0515 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: In the Matters of Nicholas G. and Felix G., Superior Court Case #SDP20120027 and SDP20120028. Number of potential cases: (1). (Est. Time: 15 Min.)

ADDENDUM**CONSENT CALENDAR PART 2**

17. [11-1263](#) Health and Human Services Agency, Mental Health Division, recommending the Board:
- 1) Authorize the Chair to sign Amendment 4 to Agreement for Services 011-S1111 with Crestwood Behavioral Health, Inc., to provide long-term 24-hour special treatment programs for adults with serious mental disorders, and access to psychiatric health facility services on an "as requested" basis, extending the end term from June 30, 2013 to December 31, 2016 and increasing the not-to-exceed amount by \$2,306,000 to \$3,781,000, with a maximum obligation of \$735,000 per year during Fiscal Years 2013/2014, 2014/2015 and 2015/2016; and
 - 2) Authorize the Purchasing Agent to execute further documents relating to the above noted Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, which do not affect the maximum dollar amount or term of the Agreement.

FUNDING: Federal and State funding.

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 online) 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)

BOARD OF SUPERVISORS' ANNOUNCEMENTS

Budget Workshop
June 24, 2013 - 9:00 a.m.

Special Meeting
June 27, 2013 - 9:00 a.m.

Tuesday, July 2, 2013
No Board of Supervisors Meeting

Tuesday, July 9, 2013
No Board of Supervisors Meeting