



# 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*

*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, March 13, 2012

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.

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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](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.

**8:00 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS**

**Present:** 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Briggs

**Absent:** 1 - Supervisor Santiago

**9:00 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

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

Pastor Craig Klatt from Camino Adventist Church 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.

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Absent:** 1 - Santiago

12-0003            **OPEN FORUM**

**NONE**

12-0009            **BUDGET UPDATE**

**NONE**

**CONSENT CALENDAR**

1. [12-0002](#) Clerk of the Board of Supervisors recommending the Board approve the meeting minutes from the Regular Meeting of Tuesday, March 6, 2012.  
**This matter was Approved on the consent calendar.**
  
2. [12-0287](#) Auditor-Controller and Chief Administrative Office advising the Board of the current perpetual agreement and recommending the Board approve the continuation of the agreement between El Dorado County and Hinderliter, deLlamas & Associates providing services for the monitoring, report preparation and data analysis relating to current sales tax disbursements. The annual cost is approximately \$4,000 per year.  
**This matter was Approved on the consent calendar.**
  
3. [12-0279](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
  - 1) Approve Agreement for Services 416-S1211 with Viking Shred of Sacramento for the destruction of confidential documents, e-waste, and other media for departments located on the West Slope; and
  - 2) Authorize the Chair to execute same for a three year term in an amount not to exceed \$100,000.  
**FUNDING:** General Fund and Non-General Fund.  
**This matter was Approved on the consent calendar.**
  
4. [12-0282](#) Chief Administrative Office recommending the following pertaining to the El Dorado Hills Branch Library Carpet Removal and Installation Project (No. 90052):
  - 1) Make findings that the “continuing contract exception” to competitive bidding applies; and
  - 2) Authorize the Chair to sign Agreement for Construction Services PW 11-30618 (276-C1266) with Capital Commercial Flooring, Inc. in an amount not to exceed \$149,800 to remove and install moisture barrier and new carpet at the El Dorado Hills Branch Library.  
**FUNDING:** Settlement Agreements between County and original Contractor, and between County and Architectural oversight firm.  
**This matter was Approved on the consent calendar.**

5. [11-1243](#) Chief Administrative Office recommending the Board approve a budget transfer increasing use of fund balance by \$33,728.97, moving \$40,000 in Accumulative Capital Outlay revenue from Facilities Capital Projects to Parks projects, decreasing General Fund contingency by \$110,000 and increasing the Parks budget by \$183,728.97 for parks projects approved on November 1, 2011. (4/5 vote required) (Refer 11/1/11, Item 20)

**FUNDING:** Accumulative Capital Outlay Fund (\$40,000), General Fund Contingency (\$110,000), Henningson Lotus Park Fees (\$25,000), Quimby Fees (\$4,007), CSA No. 3 Park Administration Fees (\$3,267), CSA No. 9 Pollock Pines/Camino Rec (\$1,454).

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

6. [12-0268](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board;
- 1) Award Bid 12-863-036 for the purchase of Fleet tires to the low qualified bidders, Sierra Nevada Tire and Wheel of Placerville, CA for Goodyear tires and miscellaneous tires (Category "A" and "F") and U.S. Tire Sales and Service of Sacramento, CA for Firestone tires, Bridgestone tires, Michelin tires, and Cooper tires (Category "B", "C", "D", and "E");
  - 2) Authorize the Purchasing Agent to issue blanket purchase orders totaling \$115,000 for a one-year term 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 budget.

**FUNDING:** Fleet Operations Fund.

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

7. [09-0599](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt **Resolution 026-2012** authorizing the Chair to sign Amendment 1 to Agreement 09-86018, and the accompanying Contractor Certification Clauses CCC 307, with the California Department of Health Care Services, increasing the maximum agreement amount by \$3,000,000 from \$4,500,000 to \$7,500,000, and extending the term to June 30, 2014 to enable El Dorado County to continue to claim federal revenues for allowable Medi-Cal Administrative Activities (MAA). The resolution further authorizes the Agency Director, or successor, or the Chief Assistant Director, or successor, to continue to administer Agreement 09-86018 as amended and execute subsequent documents relating to said Agreement, including amendments thereto, contingent upon County Counsel and Risk Management approval, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports. (Refer 6/2/09, Item 16)

**FUNDING:** Federal Medicaid Funds.

**Adopted Resolution 026-2012 upon approval of the consent calendar.**

8. [11-0529](#) Health and Human Services Agency, Community Services Division, recommending the Board adopt **Resolution 027-2012** authorizing the Chair to sign Amendment 1 to Agreement AP-1112-29 with the California Department of Aging, increasing the maximum grant amount by \$7,323 from \$933,849 to \$941,172, with no change to the term, for the provision of senior services during FY 2011-12. The resolution further authorizes the El Dorado County Area Agency on Aging Director, or successor, to continue to administer Agreement AP-1112-29 as amended and execute subsequent documents relating to said Agreement, including amendments thereto, contingent upon approval by County Counsel and Risk Management, that do not affect the dollar amount or the term, and any subsequent required fiscal and programmatic reports. (Refer 6/14/11, Item 16)

**FUNDING:** Federal and State Grant Funding.

**Adopted Resolution 027-2012 upon approval of the consent calendar.**

9. [12-0294](#) Health and Human Services Agency, Mental Health Division recommending the Board authorize the Chair to sign a letter of withdrawal addressed to the California Regional Mental Health System Coalition Joint Powers Authority (JPA), and each of the members thereof, in accordance with the Agreement between the County of El Dorado and the JPA.

**FUNDING:** Medi-Cal, Early and Periodic Screening, Diagnosis and Treatment (EPSDT), Realignment and MSHA.

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

10. [12-0194](#) Library Director recommending approval of attached budget transfer increasing revenues and appropriations by \$5,000 for carpet replacement at the Pollock Pines Library as a result of a donation received from the Friends of the Library. (4/5 vote required)

**FUNDING:** Donations.

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

11. [11-1406](#) Department of Transportation recommending the Board authorize the Chair to sign Grant of Easements Agreement No. 11-53356 and Certificates of Acceptance with the California Tahoe Conservancy for the Sawmill 2B Bike Path and Erosion Control Project (PW 11-30593, CIP 95192) for access to California Tahoe Conservancy owned parcels related to the Project.

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

12. [12-0043](#) Department of Transportation recommending the Board authorize the Chair to sign License Agreement CTC-2012\_0117\_El Dorado County with the California Tahoe Conservancy for the Sawmill 2B Bike Path and Erosion Control Project (PW 11-30593, CIP 95192) for access to California Tahoe Conservancy owned parcel (Assessor's Parcel Number 033-100-15).

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

13. [11-0005](#) Department of Transportation recommending the following pertaining to the Wentworth Springs Road at Gerle Creek - Bridge Replacement Project, Contract No. PW 11-30573, CIP No. 77118:
- 1) Adopt and approve the plans and contract documents and authorize the Chair to sign the plans;
  - 2) Authorize advertisement for construction bids; and
  - 3) Adopt **Resolution 028-2012** authorizing the Interim Director of Transportation to determine the precise dates of and order the temporary closure of Wentworth Springs Road for the periods of time necessary for construction of the Project.

**FUNDING:** Highway Bridge Program.

**Adopted Resolution 028-2012 upon approval of the consent calendar.**

14. [09-0870](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Agreement for Services No. AGMT 08-52541 (019-S1011) with Seevers Jordan Ziegenmeyer, increasing the not-to-exceed amount by \$100,000 to a total of \$200,000 and extending the expiration date of the Agreement from July 20, 2012 to the later of June 30, 2013 or the completion of all issued Task Orders to continue to provide real property appraisal services for various Capital Improvement Program projects. (Refer 7/21/09, Item 15)

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

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

15. [11-1271](#) The Treasurer-Tax Collector recommending the Board approve the El Dorado County Investment Policy with two deletions and one addition as follows, pursuant to California Government Code Section §27133:

1) Delete the second sentence in the "Reporting" section ("The County Oversight Committee shall cause an annual audit to occur pursuant to Government Code §53686(a).")

2) Delete the last section of the Investment Policy titled "Treasury Policy Oversight Committee".

Per Agenda File #11-0353 approved 8/23/11 (Item# 27), the Treasury Oversight Committee was discontinued along with the mandated annual audit saving the County between \$3,000 to \$5,000 in annual audit costs.

3) Add to the Investments section item "n) CDARS (Certificate of Deposit Account Registry Service)" as authorized in California Code Section §53635.8 was added as an investment type.

**Fiscal Impact/Change to Net County Cost:** None.

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

16. [11-1183](#) Supervisor Knight recommending the Board adopt **Resolution 029-2012** in support of grant application for National Infrastructure Investments under the 2012 Full-Year Continuing Appropriations Act (Transportation Infrastructure Generating Economic Recovery - TIGER IV) for the El Dorado County Government and Justice Center Multi-Modal Access Project. (Refer 10/25/11, Item 8)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to adopt Resolution 029-2012.**

**Yes:** 3 - Knight, Nutting and Sweeney

**Recused:** 1 - Briggs

**Absent:** 1 - Santiago

17. [12-0324](#) Supervisor Briggs recommending the Board authorize Chair to sign a Proclamation in recognition of Debra Herr for her thirteen years of dedicated service as a member of the First 5 El Dorado Children and Families Commission.

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

**END CONSENT CALENDAR**

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

18. [12-0289](#) Department of Transportation recommending the Board take the following actions related to the El Dorado County Parks and Trails Master Plan Project (SCH# 2012012003):
- 1) Adopt the California Environmental Quality Act Mitigated Negative Declaration; and
  - 2) Adopt the Parks and Trails Master Plan.

**FUNDING:** Accumulative Capital Outlay funds.

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

- 1) **Adopt the California Environmental Quality Act Mitigated Negative Declaration; and**
- 2) **Intent to adopt the Parks and Trails Master Plan with the changes noted during the meeting; and**
- 3) **Direct Staff to return in two weeks on March 27, 2012 with the final Parks and Trails Master Plan.**

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Absent:** 1 - Santiago

**2:00 P.M. - TIME ALLOCATION**

19. [12-0283](#) Hearing to consider the recommendation of the Planning Commission on Rezone Z04-0016/Village P on property identified by APN 122-720-09, consisting of 57.78 acres, in the El Dorado Hills area, submitted by EDH 52 Partners; and recommending the Board take the following actions:
- 1) Adopt the Negative Declaration based on the Initial Study prepared by staff;
  - 2) Approve Z04-0016 rezoning the northern 51.45-acre portion of APN 122-720-09 from One-Family Residential (R1) to Commercial-Planned Development (C-PD) based on the Findings listed in Attachment 1; and
  - 3) Adopt **Ordinance 4975** for said rezone. (Supervisorial District 1)

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

- 1) **Adopt the Negative Declaration;**
- 2) **Approve Rezone Z04-0016; and**
- 3) **Adopt Ordinance 4975.**

**Yes:** 4 - Knight, Nutting, Sweeney and Briggs

**Absent:** 1 - Santiago

12-0006**CAO REPORTS**

Chief Administrative Officer, Terri Daly, reported out regarding budget appropriation for criminal grand jury charges. (See legislative file Attachment 6A)

12-0005**ITEMS TO/FROM SUPERVISORS**

Supervisor Nutting reported that he and Supervisor Sweeney attended a Congressional Hearing along with Randy Moore, USDA Forest Service, Region 5 Forester.

**CLOSED SESSION**

20. 12-0332 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:** Title: Interim Director of Information Technologies. (Est. Time: 30 Min)  
**No Action Reported.**
21. 12-0333 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**  
Title: Interim Director of Transportation (Est. 45 min)  
**No Action Reported.**

22. 12-0334 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as follows:
- 1) APN 121-180-16 Sukhbir Singh Bullar and Paramjit Kaur Bhullar, Husband and Wife as Joint Tenants. The person or persons with whom the negotiator may negotiate are Sukhbir Singh Bhullar and Paramjit Kaur Bhullar;
  - 2) APN 121-180-08 Micnan, LLC, a Delaware Limited Liability Company. The person or persons with whom the negotiator may negotiate is Mike Tooley; and
  - 3) APN 120-690-08 Peter L. Navarra and Leslie Towns Navarra, as Co-Trustees of the Navarra Family Trust Dated January 17, 2007, as to an undivided 85.58% interest; and Andrew Peter Navarra, an Unmarried Man, as to an undivided 4.80% interest; and John Towns Navarra, an Unmarried Man, as to an undivided 4.80% interest; and Margaret McNulty Navarra, an Unmarried Woman, as to an undivided 4.80% interest; and Kathleen Elizabeth Navarra, an Unmarried Woman, as to an undivided 0.02% interest. The person or persons with whom the negotiator may negotiate is Peter L. Navarra. Instructions to negotiator will concern price and terms of payment. Julie Duchscherer will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

**No Action Reported.**

23. 12-0335 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 #PC20120130. (Est. Time: 15 Min.)

**The Board on a 4-0 vote with Supervisor Santiago absent, authorized defense of the matter.**

**ADJOURNED AT 2:06 P.M.**