



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

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, August 14, 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.

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. - CALLED TO ORDER AND RECESSED TO CLOSED SESSIONS

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

Absent: 1 - Supervisor Santiago

9:16 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Craig Klatt from Camino Adventist 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 Briggs, to adopt the Agenda and approve the Consent Calendar with the following change: Item No. 8 was continued to Tuesday, August 28, 2012.

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

12-0003

OPEN FORUM

PUBLIC COMMENT

K. Greenwood RE: 1) Staff Sgt. Sky Mote; 2) Sign on Highway 50 at 42.19 Mile Post.

E. Weber RE: Mental Health Clinic in Shingle Springs.

[12-0009](#)

BUDGET UPDATE

None.

County Auditor J. Harn reported that he has sent the Board a letter regarding cash advantages for Pioneer Fire District.

CONSENT CALENDAR

1. [12-0002](#) Acting Clerk of the Board recommending the Board approve the meeting minutes from the Regular Meeting on Tuesday, August 14, 2012.
This matter was Approved on the consent calendar.

2. [12-1014](#) Auditor-Controller recommending the Board adopt Resolution **114-2012** establishing the Fiscal Year 2012/13 rate of the tax levy for the taxing agencies in the County of El Dorado.
Resolution 114-2012 was adopted upon approval of the consent calendar.

3. [12-0979](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board authorize the Chair to sign Amendment III to Agreement for Services 280-S1010 with Hangtown Fire Control, Inc. extending the term for one additional one-year period for a term to expire on April 21, 2014 and increasing the not to exceed amount by \$64,682 for a total not to exceed amount of \$125,000 for fire suppression extinguisher purchases and services on an "as requested" basis for departments County-wide.

FUNDING: Funding is available within each requesting department's professional services budgets.
This matter was Approved on the consent calendar.

4. [12-0754](#) Child Support Services Department and the Health and Human Services Agency, recommending the Board authorize the Chair to sign Lease Agreement No. 055-L1311 with Carlton Commercial Properties, LLC, to lease 18,600 square feet of space commencing October 1, 2012 and ending July 31, 2023, and a total maximum obligation for the 10 year, 10 month term of the lease totaling \$3,839,539 to house Child Support Services, Revenue Recovery and a small division of Health and Human Services staff. The total costs during Fiscal Year 2012/13 will not exceed \$220,800 (\$1.32 per square foot).

FUNDING: State and Federal funding.

This matter was Approved on the consent calendar.

5. [12-0942](#) Fair Manager recommending the Board authorize the Chair to sign the 2012 El Dorado County Fair Budget in the amount of \$1,089,611 as previously approved by the El Dorado County Fair Board of Directors at their December 5, 2011 meeting and also by the California Department of Food and Agriculture (CDFA), Division of Fairs and Expositions.

FUNDING: No county funds are included in the Fair Association budget.

This matter was Approved on the consent calendar.

6. [12-0934](#) Health and Human Services Agency, Public Health Division, recommending the Board:
- 1) Authorize the Chair to sign three Agreements for the provision of alcohol and drug treatment service for the term July 1, 2012 through June 30, 2013:
 - a) Agreement No. 047-S1310 with New Morning Youth and Family Services, Inc., with a not-to-exceed amount of \$75,157 for the term of the Agreement;
 - b) Agreement No. 021-S1311 with Progress House, Inc., with a not-to-exceed amount of \$832,292 for the term of the Agreement; and
 - c) Agreement No. 024-S1311 with Tahoe Youth and Family Services, Inc., with a not-to-exceed amount of \$85,233 for the term of the Agreement.
 - 2) Authorize the Purchasing Agent to execute further documents relating to the above noted Agreements, including amendments thereto, contingent upon approval by County Counsel and Risk Management that do not affect the maximum dollar amount or the term.
 - 3) Authorize the Chair to sign Amendment V to Agreement No. 003-S1110 (No. 053-110-P-E2010) with Family Connections of El Dorado, Inc., reducing funding for Federal Fiscal Year 2011-12 by \$20,000 and increasing funding for Federal Fiscal Year 2010-11 by \$20,000, with no change to term or not-to-exceed amount of the Agreement, to correct Amendment IV; and Amendment IV to Agreement No. 001-S1110 (No. 097-110-P-E2010) with Progress House, Inc., reducing funding for Federal Fiscal Year 2011-12 by \$48,000 and increasing funding for Federal Fiscal Year 2010-11 by \$48,000, with no change to term or not-to-exceed amount of the Agreement, to correct Amendment III.

FUNDING: Federal Block Grant - Substance Abuse Prevention and Treatment (SAPT) via the State Department of Alcohol and Drug Programs and Department of Health Care Services; 2012 Realignment (includes AB 109 Program, Drug Court Programs, and Medi-Cal.)

This matter was Approved on the consent calendar.

7. [12-0941](#) Health and Human Services Agency recommending the Board authorize continuation of the Agency's current perpetual contracts and memoranda of understanding for Fiscal Year 2012-13 as listed on Attachment A and further detailed on Attachment B, in accordance with Section 4.5 of Board Policy C-17, "Procurement," which requires departments to "obtain authorization from the Board of Supervisors, initially and on an annual basis, to utilize any contract that does not have a stated term" for a variety of services.

FUNDING: The majority of the perpetual contracts are primarily funded with Federal and State funds or grants with County share of cost or required match met with realignment or other non-General Fund resources.

This matter was Approved on the consent calendar.

8. [11-0384](#) Human Resources recommending the Board consider adoption of County Ordinance **4979**, an Amendment to the Contract Between the Board of Supervisors of the County of El Dorado and the Board of Administration of the California Public Employees' Retirement System, as follows: "To provide Section 20475 (Different Level of Benefits), Section 21362 (2% at 50 Full formula), and Section 20037 (Three-Year Final Compensation) are applicable to local safety members entering membership for the first time in the safety classification after the effective date of this amendment to contract;" and "Section 20475 (Different Level of Benefits), Section 21353 (2% at 60 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract." (Cont'd 8/7/12, Item 16)

This matter was continued to Tuesday, August 28, 2012 upon approval of the consent calendar.

9. [12-0917](#) Surveyor's Office recommending the Board adopt Resolution **110-2012** of Vacation for Abandonment of Easement (AOE) No. 2012-04 summarily vacating a portion of the Public Utility Easements (PUE) on Lot 411 of "Bar-J-Ranch, Unit No. 6", recorded at Book G, of Subdivisions at Page 137, being described as the rear ten foot (10') of Lot 411 and the side five feet (5') running along both sides of Lot 411, excepting the 50 feet portion on either side adjacent to the road right-of-way for Covello Circle. Parcel is identified as Assessor's Parcel Number (APN) 119-072-07. AOE was requested by Timothy J. and Bela Kriner.

Resolution 110-2012 was adopted upon approval of the consent calendar.

10. [12-0918](#) Surveyor's Office recommending the Board adopt Resolution **111-2012** of Vacation for Abandonment of Easement (AOE) No. 2012-05 summarily vacating a portion of the Public Utility Easements (PUE) on Lot 1 of "Cameron Park North, Unit No. 4", recorded at Book D, of Subdivisions at Page 36, being described as the two eight foot (8') PUE's running along both sides of Lot 1 excepting the 10 feet portion on either side adjacent to the road right-of-ways. Parcel is identified as Assessor's Parcel Number (APN) 082-381-01. AOE was requested by Victor and Cheryl Matkovich.
- Resolution 111-2012 was adopted upon approval of the consent calendar.**
11. [12-0998](#) Department of Transportation recommending the following pertaining to the Habitat/Security Fence and Gates Project at the Placerville Airport, Contract No. PW 11-30584, CIP No. 93124, AIP No. 3-06-0188-14:
- 1) Adopt and approve the Plans and Contract Documents;
 - 2) Authorize the Board Chair to sign the Plans and Contract Documents; and
 - 3) Authorize advertisement for construction bids.
- FUNDING:** Federal Aviation Administration grant, State Aeronautics Division grant and the Accumulative Capital Outlay Fund.
- This matter was Approved on the consent calendar.**
12. [12-1025](#) Department of Transportation recommending the Board authorize the Chair to sign a Budget Transfer for fiscal year 2011/2012 increasing appropriations and revenues for the Placerville Airport Operations by \$50,000 to allow for the recording of depreciation expense. (4/5 vote required)
- FUNDING:** Placerville Airport Enterprise Fund Retained Earnings.
- This matter was Approved on the consent calendar.**
13. [12-0943](#) Treasurer-Tax Collector's Office recommending the Board adopt Resolution **113-2012** granting approval to sell tax-defaulted properties, noting said sale to be conducted on November 2, 2012.
- Resolution 113-2012 was adopted upon approval of the consent calendar.**
14. [10-0869](#) Supervisor Sweeney recommending the Board appoint Erik Peterson to serve as a member on the Diamond Springs/El Dorado Community Advisory Committee for a term to expire on January 1, 2015.
- This matter was Approved on the consent calendar.**

- 15. [12-1013](#) Supervisor Santiago recommending Board appoint Brian Shinault to serve as the District V Commissioner on the El Dorado County Planning Commission for a term to expire January 1, 2015.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

- 16. [12-0897](#) Agriculture, Weights and Measures recommending the Board receive and file the El Dorado-Alpine Counties 2011 Agricultural Crop and Livestock Report. (Est. Time: 10 Min.)

Received and Filed.

- 17. [12-0870](#) HEARING - Per the request of Waste Connections of California, Inc., dba Amador Disposal Service Inc., consider their request to:
1) Waive the rate adjustment notification deadline as outlined in the First Amendment of Solid Waste Services Agreement, dated July 1, 2012, on a one-time only basis; and
2) Conduct a public hearing to adopt Resolution **112-2012** increasing Amador Disposal Service, Inc.'s solid waste collection rates by the annual CPI of 2.4%, effective October 1, 2012. (Est. Time: 10 Min.)

PUBLIC COMMENT

None.

Hearing no protests, a motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to adopt Resolution 112-2012.

Yes: 4 - Knight, Nutting, Sweeney and Santiago

Noes: 1 - Briggs

18. [12-1019](#) Supervisors Knight and Nutting requesting discussion of the State Fire Prevention Fee as authorized by the Governor and Legislature in Assembly Bill X1 29 in July of 2011. (Est. Time: 30 Min.)

PUBLIC COMMENT

*L. Brent-Bumb
R. Howe
B. Carlson
P. Chelseth*

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to direct County Counsel and the Chief Administrative Office as follows:

1) Reconnoiter existing litigation and report back to the Board individual options that the County may take with regard to other existing litigation; 2) Supervisor Knight to meet with county staff and Supervisor Nutting to move forward with draft letters, distribution of public information through various fire districts, the Chamber of Commerce and the County website; and 4) Report back to the Board for approval of said draft letters on Tuesday, August 21, 2012.

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

10:00 A.M. - TIME ALLOCATION

19. [11-1303](#) Chief Administrative Office recommending the Board receive and file an update from the Human Resources Investment Team and the Department Accountability and Culture Investment Team. (Est. Time: 40 Min.) (Refer 7/31/12, Item 18)

Received and Filed.

2:00 P.M. - TIME ALLOCATION

20. [12-1031](#) Supervisor Sweeney and the Department of Transportation recommending the Board execute a Certificate of Acceptance for the easement granted by the United States Forest Service (USFS) on the Rubicon Trail. (Est. Time 30 Min.)

PUBLIC COMMENT

*K. Hardy
P. Jenkins
B. Smart
S. Morris
J. Arenz
R. Deal*

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve this matter and adopt Resolution 117-2012.

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

[12-0006](#)

CAO REPORTS

None.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

Supervisor Santiago reported on the 16th Annual Lake Tahoe Summit. In addition, she reported that she has a copy of the State of Lake Report for all of the Board Members.

[12-1079](#)

THE BOARD OF SUPERVISORS ADJOURNED THE MEETING IN MEMORY OF MARINE STAFF SGT. SKY R. MOTE IN RECOGNITION OF HIS DEDICATED SERVICE TO PRESERVING THE FREEDOM OF OUR COUNTRY.

ADJOURNED AT 2:30 P.M.

CLOSED SESSION

21. 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.) (Refer 4/17/12, Item 34)
No Action Reported.
22. 12-1032 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a). Title: Mel Dawson, Inc., dba Dawson Oil Company v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20120388. (Est. Time: 15 Min.)
On a unanimous vote, the Board authorized County Counsel to defend this matter.
23. 11-0530 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Terry Simmons, Kelly Laney v. County of El Dorado, et al., U.S. District Court Case No. 2:11-CV-00468. (Est. Time: 15 Min.) (Refer 5/17/11, Item 35)
No Action Reported.
24. 12-0994 Pursuant to Government Code Section 54957: **Public Employee Appointment:** Title: County Counsel. (Est. Time: 45 Min.) (Refer 8/14/12, Item 24)
No Action Reported.
25. 12-0976 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 1 Hr.) (Refer 8/7/12, Item 25)
No Action Reported.
26. 12-1035 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation.** Title: Interim Director of Transportation. (Est. Time: 30 Min.)
No Action Reported.