



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

Terri Daly, Acting Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Louis B. Green, County Counsel

Tuesday, September 4, 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.

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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 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

9:06 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Dave Cooke from Cold Springs Community Church provided the Invocation.
Supervisor Nutting led the Pledge of Allegiance to the Flag.

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 changes: Items 3, 4 and 6 were pulled from the Consent Calendar and acted upon separately.

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

[12-0003](#)

OPEN FORUM

D. Faulkenstien RE: State Fire Fee.

[12-0009](#)

BUDGET UPDATE

None.

CONSENT CALENDAR

- 1. [12-0002](#) Acting Clerk of the Board recommending the Board approve the meeting minutes from the Regular Meeting on Tuesday, August 28, 2012.

This matter was Approved on the consent calendar.

- 2. [11-1401](#) Chief Administrative Office, on behalf of the Human Resources Action Team, recommending the Board:

 - 1) Approve the Fall 2012 Session of the Supervisory Training Academy course retroactive to August 3, 2012; and
 - 2) Authorize associated expenditures estimated at \$3,500 for all four modules, including costs relating to materials, lunch and refreshments, and reimbursement for mileage for training attendees.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

- 3. [12-1006](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board:

 - 1) Award RFP No.12-986-061 to Discovery Office Systems of Sacramento, California for a new copier rental program for a period of five (5) years following Board approval; and
 - 2) Authorize the Purchasing Agent to issue individual blanket purchase orders on an "as needed" basis for the placement of copiers County wide. (Cont'd 8/21/12, Item 2)

FUNDING: General Fund and Non-General Fund.

PUBLIC COMMENT

G. Smith

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to approve this matter.

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

4. [11-0953](#) Chief Administrative Office recommending the Board consider the appointment of members to the Sacramento-Placerville Transportation Corridor Oversight Committee (SPTCOC) with no term of expiration, to be advisory to the Trails Advisory Committee with seven members, three from the Trails Advisory Committee, two representatives of the railroad and two property owners along the corridor as follows:
William Oliver Bella, El Dorado Western Railroad;
Keith Berry, Alternate for El Dorado Western Railroad;
Jim Harville, Placerville Sacramento Valley Railroad, replacing Phillip Rose;
John Hovey, Alternate for Placerville Sacramento Valley Railroad; and
Joy Bowles, Alternate Property Owner. (Cont'd 8/16/11, Item 25)

A motion was made by Supervisor Santiago, seconded by Supervisor Briggs to approve this matter.

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

5. [12-1077](#) Health and Human Services Agency, Community Services Division, recommending the Board conceptually approve the submittal of a 2012 Continuum of Care Homeless Assistance Programs HMIS grant application to the U.S. Department of Housing and Urban Development in an amount up to \$26,678, which will include an application for a one-year renewal and expansion of funding for the Continuum of Care's Homeless Management Information System.

FUNDING: Primarily federal funds with a commitment of funds for required match of \$6,352 from The Center for Violence-Free Relationships.

This matter was Approved on the consent calendar.

6. [12-0094](#) Health and Human Services Agency, Community Services Division, recommending the Board:
- 1) Decline the purchase option specified per Section 12 of Amendment II of the Lesarra Attached Homes Affordable Housing Agreement for 13 deed-restricted units; and
 - 2) Authorize the Director of the Health and Human Services Agency, or successor, to execute a letter to the developer stating the County's decision to decline the purchase option for the specific 13 deed-restricted units indicated in Amendment II of the Lesarra Attached Homes Affordable Housing Agreement, and monitor market rate sales of those specific 13 units to ensure that recapture provisions of the Agreement are enforced.

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to approve this matter.

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

7. [11-0593](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment III to Agreement 454-S1010 with Willow Glen Care Center, increasing the not-to-exceed amount by \$84,000 to \$359,000, for the provision of residential treatment services for mentally disordered adults, with no change to the term ending April 14, 2013.

FUNDING: Medi-Cal and Mental Health Realignment.

This matter was Approved on the consent calendar.

8. [12-1066](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign retroactive Agreement No. 624-S1211 with Star View Adolescent Center, Inc., to provide residential services for minors with serious emotional problems, in the amount of \$204,000, for the term March 15, 2012 through March 14, 2013.

FUNDING: Medi-Cal, Early and Periodic Screening, Diagnosis and Treatment (EPSDT), and Mental Health Realignment based on the eligibility of each youth placed in the facility, and the services provided.

This matter was Approved on the consent calendar.

9. [12-1020](#) Health and Human Services Agency, Public Health Division, recommending the Board:
- 1) Ratify submission of the funding renewal application due to the California Department of Public Health on August 6, 2012;
 - 2) Ratify the Director of Health and Human Services Agency's signature on the letter of intent to apply for the funding;
 - 3) Authorize the Chair to sign retroactive funding Agreement No. 140-F1311 (EPO 12-10) with the California Department of Public Health in the amount of \$505,482, for the term July 1, 2012 through June 30, 2013; and
 - 4) Authorize Lori Walker, Chief Fiscal Officer, or successor to sign Trust Fund Report(s) for FY 2011-12 and for FY 2012-13.

FUNDING: Federal and State funding managed by the California Department of Public Health.

This matter was Approved on the consent calendar.

10. [12-1043](#) Sheriff's Office recommending the Board authorize the Chair to sign Revocable License Agreement No. 576-O1210 with DST Realty of California, Inc. to allow the Sheriff's Office to utilize a 58,000 square foot building located at 5272 Robert J. Matthews Parkway in El Dorado Hills on an as-needed basis for training purposes, with the owner waiving all rental and occupancy fees. (Cont'd 8/28/12, Item 16)

This matter was Approved on the consent calendar.

11. [09-1106](#) Department of Transportation recommending the Board:
- 1) Make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work to be performed under this Amendment that are not expressly identified in County classifications; and
 - 2) Authorize the Chair to sign the First Amendment to Agreement for Services No. 870-S0911 with Sycamore Environmental Consultants, Inc., extending the term of the Agreement from September 14, 2012 to the later of County's recordation of Notices of Acceptance for projects or resolution of all construction claims, if any, associated with the projects.

FUNDING: Highway Bridge Program Funds.

This matter was Approved on the consent calendar.

12. [12-0871](#) Department of Transportation recommending the Board:
- 1) Make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that the ongoing aggregate of work to be performed under this Agreement is not sufficient to warrant the addition of permanent staff; and
 - 2) Authorize the Chair to sign Agreement for Services No. 109-S1311 (12-53495) with The Hanna Group in an amount not to exceed \$1,300,000 to provide construction support services for the U.S. 50 HOV Lanes Phase 0 Project, CIP No. 53124, for a term commencing upon execution of the Agreement to the later of County's recordation of the Notice of Acceptance for the Project or the resolution of all construction claims, if any, associated with the Project, subject to approval by the State of California Department of Transportation.

FUNDING: State Corridor Mobility Improvement Account Funds and Local Funds (Tribe).

This matter was Approved on the consent calendar.

13. [12-0896](#) Supervisor Briggs recommending the Board authorize the Chair to sign a letter to Governor Edmund G. Brown, Jr. to request his veto of SB 411 (Price) Home Care Services Act of 2012. (Refer 7/17/12, Item 32)

This matter was Approved on the consent calendar.

14. [12-1117](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing Childhood Cancer Awareness Month in El Dorado County during the month of September, 2012.

This matter was Approved on the consent calendar.

15. [12-1120](#) Supervisors Knight and Nutting recommending the Board adopt a Proclamation for Welcome Home El Dorado Slow Ride, an event to be held September 15, 2012.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

16. [12-1099](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing September 15, 2012 as the Great Sierra River Clean Up Day.

A motion was made by Supervisor Briggs, seconded by Supervisor Nutting to adopt the proclamation.

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

17. [12-1030](#) Development Services and County Counsel recommending the Board:
1) Adopt Resolution **123-2012** rescinding actions taken by the Board on May 6, 2008 agenda item 26 that approved the Initial Study / Negative Declaration for the Oak Woodlands Management Plan (OWMP); and

2) Consider the Introduction (First Reading) of Ordinance **4982** rescinding Ordinance 4771 removing Chapter 17.73 of the County Code pursuant to the July 10, 2012 Judgment in *Center for Sierra Nevada Conservation v. El Dorado County* issued by Judge Bailey.

PUBLIC COMMENT

V. Zentner

S. Taylor

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

- 1) Adopted Resolution 123-2012;
- 2) Approved introduction of Ordinance 4982, waived reading and read by title only; and
- 3) Set adoption (Second Reading) of said Ordinance for September 11, 2012.

[12-0006](#)

CAO REPORTS

None.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

None.

ADJOURNMENT

CLOSED SESSION

18. 09-1293 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Center for Sierra Nevada Conservation, El Dorado County Taxpayers for Quality Growth and California Oak Foundation v. County of El Dorado, Board of Supervisors of El Dorado County, El Dorado County Superior Court Case No. PC20080336. (Refer 10/13/09, Item 29) (Est. Time: 20 Min.)
No Action Reported.
19. 12-0808 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. (Refer 8/28/12, Item 31) (Est. Time: 15 Min.)
No Action Reported.
20. 12-1121 Convening as the Board of Directors of the Air Quality Management District:

Pursuant to Government Code Section 54956.9(a), **Existing Litigation**. Title: Claim of Steven McKinney v. El Dorado County Air Quality Management District (AQMD) Workers' Compensation Claim Settlement, WCAB No. ADJ8044979. (Est. Time: 10 Min.)
No Action Reported.
21. 12-1096 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Number of potential cases: (1). (Est. Time: 15 Min.) (Refer 8/28/12, Item 33)
No Action Reported.
22. 12-0891 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b). Title: Deputy Sheriff's Association Grievance re Change in Assignments. Number of potential cases: (1). (Refer 8/28/12, Item 32) (Est. Time: 15 Min.)
No Action Reported.
23. 12-1057 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**. Title: Interim Director of Information Technologies. (Refer 8/21/12, Item 24) (Est. Time: 30 Min.)
By a unanimous vote, the Board approved a satisfactory performance evaluation for Kelly Webb, Interim Director of Information Technologies, resulting in a one-step increase from step 2 to step 3 of the salary range.

24. 12-1098 Pursuant to Government Code Section 54957: **Public Employee Appointment.** Title: Interim Director of Human Resources (Est. Time: 15 Min.)

An appointment was not necessary. At the time that Karl Knoblauch was appointed to this position a year ago, Public Employees' Retirement System (PERS) regulations allowed a retired annuitant to work in a position such as this for a year, it has now been extended for two years. The Board approved Mr. Knoblauch to continue in this position.

25. 12-1107 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation.** Title: Director of Human Resources (Est. Time: 20 Min.)

By unanimous vote, the Board approved a satisfactory performance evaluation of Karl Knoblauch, Director of Human Resources, resulting in a one-step increase from step 4 to step 5 of the salary range.

26. 12-1109 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to its negotiator regarding the real property described as APN 325-110-47. The person or persons with whom the negotiator may negotiate are Donald W. Fields and Beverly A. Fields. Instructions to negotiator will concern price and term of payment. Julie Duchscherer will be the negotiator on behalf of El Dorado County. (Est. Time: 10 Min.)

No Action Reported.