



County of El Dorado

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MEETING AGENDA

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*

Tuesday, August 16, 2011

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.

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. - 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 AGENDA AND APPROVAL OF CONSENT CALENDAR

Board Members, staff and members of the public may request an item be pulled from the Consent Calendar for discussion. Items requested to be removed from the Consent Calendar shall be removed from Consent Calendar and heard by the Board. The Board will make any necessary additions, deletions, or corrections to the Agenda, determine matters to be added to or removed from the Consent Calendar, and with one motion adopt the Agenda and approve the Consent Calendar.

OPEN FORUM

BUDGET UPDATE

CONSENT CALENDAR

1. [11-0932](#) Clerk of the Board of Supervisors recommending the Board approve the Meeting Minutes for the Special Meeting of Monday, August 8, 2011 and the Regular Meeting for Tuesday, August 9, 2011.
2. [11-0951](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign a budget transfer related to year end close issues. (4/5 vote required)

3. [11-0934](#) County Counsel recommending the Board:
1) Approve and authorize the Chair to execute the Modification of Promissory Note and Modification of Deed of Trust; and
2) Authorize recordation upon receipt of a signed copy of the Modification of Promissory Note from Cimmaron/Cambridge.
4. [11-0901](#) Department of Child Support Services recommending the Board approve a budget transfer to appropriate \$31,061 from the Department's Performance Incentive Fund for the purchase of fixed assets and other supplies in advance of the adoption of the budget for Fiscal Year 2011-2012.
- FUNDING:** State Child Support Incentive Funds.
5. [11-0656](#) Human Resources Department and District Attorney's Office recommending the Board adopt a Resolution amending Resolution 105-2011 establishing the salary range for the Graduate Legal Assistant - Extra Help classification. (Refer 6/21/11, Item 36)
6. [11-0882](#) Department of Human Services recommending the Board:
1) Approve and authorize the Purchasing Agent to execute Agreement for Services 091-S1211 with Guiding Our Youth, a group home, for the provision of emergency shelter care and/or foster care placement services on an "as requested" basis. The Agreement allows placement by the Department of Human Services and the Probation Department, is effective upon execution, shall continue until terminated and specifies a maximum annual compensation of \$200,000.; and
2) Authorize the Purchasing Agent to execute any subsequent amendments relating to said Agreement, contingent upon approval by County Counsel and Risk Management, that do not affect the scope, compensation or term of said Agreement.
- FUNDING:** Federal and State Social Services funding (55%) with required County Share of Cost (45%) met primarily with realignment resources.

7. [11-0883](#) Department of Human Services recommending the Board:
- 1) Approve and authorize the Purchasing Agent to execute Agreement for Services 115-S1211 with Red Rock Canyon School , a group home in Utah for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis. The Agreement allows placement by the Department of Human Services, is effective upon execution, shall continue until terminated and specifies a maximum annual compensation of \$125,000; and
 - 2) Authorize the Purchasing Agent to execute any subsequent amendments relating to said Agreement, contingent upon approval by County Counsel and Risk Management, that do not affect the scope, compensation or term of said Agreement.

FUNDING: Federal and State Social Services funding (55%) with required County Share of Cost (45%) met primarily with realignment resources.

8. [11-0884](#) Department of Human Services recommending the Board:
- 1) Approve and authorize the Purchasing Agent to execute Amendment I to Agreement for Services 418-S0911 with Mingus Mountain Estate Residential Center, Inc. dba Mingus Mountain Academy , a group home in Arizona for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis. Amendment I to the Agreement incorporates various auditing requirements that are required to be included in contracts with sub-contractors and/or sub-recipients that receive federal funds, amends various terms to conform to current group home/foster care placement agreements, allows placement by the Department of Human Services and the Probation Department, is effective upon execution, shall continue until terminated with no change to the maximum annual compensation of \$250,000; and
 - 2) Authorize the Purchasing Agent to execute any subsequent amendments relating to said Agreement, contingent upon approval by County Counsel and Risk Management, that do not affect the scope, compensation or term of said Agreement.

FUNDING: Federal and State Social Services funding (55%) with required County Share of Cost (45%) met primarily with realignment resources.

9. [11-0840](#) Probation Department recommending the Board designate Daniel Nielson, Director of Human Services Department, *or designee*, as the seventh member of the Community Corrections Partnership (CCP) Executive Committee.

FUNDING: As identified by the State of California budget.

10. [11-0895](#) Sheriff's Office recommending the Board waive County Ordinance 12.64.040, Subsection E, for the purpose of allowing the Sheriff's Office to conduct a collaborative swiftwater training exercise in conjunction with the United States Coast Guard from the east side of Chile Bar Bridge to just below Chile Bar Dam, from August 22nd through August 24th, 2011, during the hours of 8:00 am - 5:00 pm.

11. [11-0925](#) Sheriff's Office recommending the Board:
1) Adopt a Resolution establishing the job classification, job specification, salary range and bargaining unit designation for a Sheriff's Security Officer classification;
2) Adopt a Resolution, amending Personnel Allocation Resolution, deleting 0.5 Sheriff Sergeant Full Time Equivalent (FTE), 5.0 Deputy Sheriff I/II FTEs and adding 11.0 Sheriff's Security Officer FTEs; and
3) Authorize the Chair to sign the Memorandum of Understanding with the El Dorado County Superior Court for Sheriff's Office services provided to the Superior Court during Fiscal Year 2011/12.

FUNDING: Court Security Realignment Funding

12. [11-0809](#) Sheriff's Office recommending the Board:
1) Authorize the Chair to sign a Budget Transfer adding \$38,260 to the Sheriff's budget for the Fiscal Year 2011-2012 Off-Highway Motor Vehicle Recreation project from State Department of Parks & Recreation for law enforcement services on the Rubicon Trail; and
2) Authorize the Sheriff to sign the Grant Project Agreement. (4/5's vote required).

FUNDING: Off-Highway Vehicle (OHV) Funds and Vehicle in-Lieu Fees to offset 25% County match.

13. [11-0294](#) Department of Transportation recommending the Board:
1) Make findings pursuant to Article II, Section 201b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and 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 AGMT #11-53160 with North State Resources, Inc. in an amount not to exceed \$240,000 for a three year term to provide on-call environmental review services in support of Capital Improvement Program Projects and generally in support of the Department.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees, Grant Funds and Developer Funds

14. [11-0598](#) Department of Transportation recommending the Board authorize the Department to proceed with ordering and payment of title reports and certified appraisals to commence the acquisition process for the Diamond Springs Parkway - Phase 1 Project, CIP No. 72334, affecting portions of the following subject parcels: APN 051-250-04, Diana Lynn Hembree; APN 051-250-06, Merrill J. DeBenning; APN 051-250-07, Masonic Homes of California; APN 051-250-08, Thomas Jefferson and Kathryn S. DeBenning; APN 054-341-04, Cheryl L. Tyler; APN 054-342-15, Gloria L. Winstead, Randy Green and Ginger Lich; APN 054-342-20, Charles T. and Sheila A. Sweet; APN 054-342-23, Randy Green, Ginger Lich and Gloria L. Winstead; APN 054-342-36, Randy Green, Ginger Lich, and Gloria L. Winstead; APN 054-351-19, Terry W. and Ellen Ambroff; APN 051-461-37, Piedmont Oak Estates, LLC.; and APN 051-461-54, Piedmont Oak Estates, LLC.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fees.

15. [11-0940](#) Supervisor Nutting recommending the Board ratify a Proclamation to Windwalker Vineyard and Winery, and owners Jim and Alanna Taff in recognition of the prestigious honors they received at the 2011 California State Fair.

16. [11-0954](#) Supervisor Nutting recommending the Board adopt a Resolution recognizing the 4th Saturday of July, in perpetuity, as the "National Day of the Cowboy".

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

17. [11-0748](#) Department of Transportation recommending the following pertaining to the Contract Overlay - Newtown Road (5 miles) Project, Contract No. PW 11-30589/CIP No. 72184:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 5, 2011;
 - 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 Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the funding limits for the Project. (Est. Time: 5 Min.) (Refer 7/19/11, Item 28)
- FUNDING:** State Proposition 1B and Regional Surface Transportation Program (RSTP) exchange funds from the El Dorado County Transportation Commission (EDCTC).
18. [11-0952](#) Department of Transportation recommending the Board acknowledge the work on the Rubicon Trail. Staff to work on the county maintained portion of Wentworth Springs Road near Airport Flats Campground to 14N07 and from 14N07 to Wentworth Springs Campground.
19. [11-0894](#) HEARING - Sheriff's Office recommending the Board consider a budget revision and take the following actions relative to the purchase of essential Fixed Asset items:
- 1) Hold a public hearing to use \$41,809 of Citizens' Option for Public Safety (COPS) County Jail Operation funding to purchase the Fixed Asset items identified in Attachment I which are essential to jail operations.
 - 2) Hold a public hearing to use \$142,255 of COPS Front Line Law Enforcement funding to purchase the Fixed Asset items identified in Attachment II which are essential to front line law enforcement operations.
 - 3) Approve a budget transfer transferring total amount of \$184,064 from the COPS County Jail Operation and COPS Front Line Law Enforcement special revenue funds to the Sheriff's Fiscal Year 2011/12 operating budget. (4/5 vote required)
- FUNDING:** Local Safety and Protection Account (LSPA).

10:00 A.M. - TIME ALLOCATION

20. [11-0699](#) Supervisor Nutting recommending the Board receive a presentation by Dr. Vicki Barber, Superintendent, El Dorado County Office of Education, providing an update to the Board on the state of education in the County of El Dorado. (Est. Time: 30 Min.)
21. [11-0876](#) Chief Administrative Office recommending the Board:
1) Receive and file the Initial Draft Response to the 2010-11 Grand Jury Final Report; and
2) Provide direction regarding any changes to include with the Final Draft Response. (Est. Time: 10 min.)

FUNDING: N/A

11:00 A.M. - TIME ALLOCATION

22. [11-0924](#) Health Services Department recommending the Board take action to designate County Service Area 7 an exclusive operating area, "grandfather" the County as the provider of ambulance transport services under Health and Safety Code section 1797.224, and identify which service components are included in the exclusivity designation. (Refer 7/19/11, File 11-0785, Item 43) (Est. Time: 30 min.)

2:00 P.M. - TIME ALLOCATION

23. [10-1169](#) Department of Transportation recommending the Board to receive information and provide further direction to staff regarding the Sacramento Placerville Transportation Corridor (SPTC). (Cont'd 5/24/11, Item 45) (Est. Time: 45 min.)

FUNDING: NA

24. [11-0892](#) Department of Transportation recommending the Board authorize Supervisor District I and Supervisor District II to negotiate terms for a License Agreement between the Sacramento Placerville Transportation Corridor - Joint Powers Authority (SPTC-JPA) and the Placerville and Sacramento Valley Railroad, Inc. (P&SVRR) for Excursion Rail Operations consistent with the Board's action related to this matter on March 28, 2011. (Est. Time: 45 min.)

Funding: NA

25. [11-0953](#) Department of Transportation recommending the Board;
 1) Create a Sacramento Placerville Transportation Corridor (SPTC) oversight committee made up of the Trails Subcommittee of the Parks and Recreation Commission and members of the various rail and historical park (Depot), and adjacent property owner interests to assume an oversight role for the SPTC Corridor within El Dorado County; and
 2) Direct staff to return with recommendations for appointments of members on October 25, 2011. (Est. Time: 45 min.)

Funding: NA

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

AUGUST MEETINGS:

California Rural Home Mortgage Finance Authority – 2/3 - (Meets with RCRC)
 Golden Sierra Job Training Agency - 5/4 – (<http://www.goldensierrawib.com/>)
 Regional Council Of Rural Counties - 2/3 - (<http://www.rcrcnet.org>)

MONTHLY MEETINGS:

- Cemetery Advisory Committee - 1 -
 (http://www.co.el-dorado.ca.us/Government/Cemetery/Advisory_Committee.aspx)
 - Chamber Of Commerce - County - 2/3 - (www.eldoradocounty.org)
 - Chamber Of Commerce - South Lake Tahoe - 5/2 - (www.tahoechamber.org)
 - Community Action Council – 2 &4&5
 - El Dorado Water and Power Authority - Full Board -
 (<http://www.edcgov.us/waterandpower/meetings.html>)
 - Golden Sierra Job Training Agency - 5/4 - (www.goldensierrawib.com)
 - Local Agency Formation Commission - LAFCO - 3&4 /2 - (www.edlafco.us)
 - Mental Health Commission – 4 -
 (www.co.el-dorado.ca.us/MentalHealth/Mental_Health_Commission_Meetings.aspx)
 - Sierra Economic Development Corporation – 5/1 - (www.sedcorp.biz)
 - Sierra Planning Organization – 5/1 -
 (<http://www.sedcorp.biz/content/partners-affiliated-organizations>)
 - Tahoe Conservancy – 5/2 - (www.tahoecons.ca.gov)
 - Tahoe Paradise Resort Improvement District – 5
 - Tahoe Regional Planning Agency – 5/2 - (www.trpa.org)
 - Tahoe Transportation District – 5/2 - (www.tahoetransportation.org)
 - Transit Authority – 1&2&3&4 - (www.eldoradotransit.org)
 - Transportation Commission – 1&2&3&4 - (www.edctc.org)
 - Water Agency – 2&3&4 - (<http://www.co.el-dorado.ca.us/Water/meetings.html>)

Note: The numbers after the commissions' names are the Supervisorial District of the representative and alternate. For example: 5/2 shows the District 5 Supervisor is the representative and District 2 is the alternate. There are a few commissions which have multiple representatives and these have been separated by "&". For example: 3&4/2 shows that Districts 3 & 4 are representatives and District 2 is the alternate.

ADJOURNMENT

CLOSED SESSION

26. 11-0946 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b):
Title: CSA #7 Ambulance Services Issues
Number of potential cases: (1) (Est. Time: 10 min.)
27. 11-0955 Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a):
Title: M & H Builders, Inc. v. RDCO, Inc., et al. - El Dorado County Superior Court Case No. PC20070019 (Est. Time: 15 min.)
28. 11-0942 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Chief Probation Officer (Est. Time: 20 min.)
29. 11-0941 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Interim Air Pollution Control Officer (Est. Time: 20 min.)
30. 11-0933 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Agricultural Commissioner / Sealer of Weight and Measures (Est. Time: 20 min.)
31. 11-0943 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Director of Child Support Services (Est. Time: 20 min.)
32. 11-0898 Pursuant to Government Code Section 54957.6. **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources and/or designee.
Employee Organization: El Dorado County Employees Association Local No.1 representing employees in the General, Professional, and Supervisory Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts, Probation, and Corrections Bargaining Units; Deputy Sheriffs Association representing employees in the Law Enforcement Unit; El Dorado County Criminal Attorney Association; El Dorado County Deputy County Counsel Association; El Dorado County Managers Association; El Dorado County Law Enforcement Managers Association; and Unrepresented Employees. (Est. Time: 5 min.)

ADDENDUM

Items 33, 34, 35, and 36 are hereby added to Department Matters and Item 37 is hereby added to the 2:00 P.M. - Time Allocation.

DEPARTMENT MATTERS

33. [11-0949](#) Treasurer-Tax Collector's Office is recommending the Board approve the attached Resolution amending the FY 11-12 adopted personnel resolution adding one Treasury Quantitative Specialist to the department's personnel allocation.
34. [11-0948](#) Chief Administrative Office recommending the Board:
1) Receive information regarding the impacts of the Auditor approved methodology for spreading Public Health Division administrative costs to various Public Health programs; and
2) Provide direction to staff on the source of funding for these costs (ie. General Fund, Tobacco Settlement Fund Balance, Public Health Fund Balance).

FUNDING: Various

35. [11-0960](#) Department of Transportation recommending the Board of Supervisors approve the Department of Transportation's (DOT) funding strategy for funding improvements to the southeast quadrant of the El Dorado Hills Boulevard Interchange, the westbound on-ramp of the Ray lawyer Interchange, and the funding of Phase 2A of the HOV lane project.

FUNDING: CMAQ/CMIA

36. [10-0686](#) Department of Transportation recommending the Board authorize the department to use an additional \$45,805.36 in SMUD funds for costs incurred in FY 2010/2011 for the Rubicon Trail Ground Operations Phase 1 project (99429).

FUNDING: El Dorado - Sacramento Municipal Utility District (SMUD) Cooperation Agreement Fund

2:00 P.M. - TIME ALLOCATION

- 37. [11-0959](#) Department of Transportation recommending the Board of Supervisors remand questions regarding the Sacramento Placerville Transportation Corridor (SPTC) to the proposed Sacramento Placerville Transportation Corridor (Corridor) oversight committee for decision/action.

FUNDING: NA

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 on line) 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)
South Lake Tahoe - Charter Cable 21, Daily - Time varies

ANNOUNCEMENTS

Monday, August 22, 2011

Workshop

**Overview of Health Services funding sources, with specific emphasis on realignment
Agricultural Commission and UCCE Extension Joint Meeting**

Tuesday, August 23, 2011

1st Reading Redistricting Ordinance

Tuesday, August 30, 2011

No Board of Supervisors Meeting

Tuesday, September 6, 2011

No Board of Supervisors Meeting

Monday, September 19, 2011 – Tuesday, September 20, 2011

9:00 a.m. – 5:00 p.m.

Budget Hearings

Monday, September 26, 2011

Special Meeting

9:00 a.m. – 11:00 a.m.

**Presentation to the Board of Supervisors by the Community
Corrections Partnership on the Public Safety Realignment Plan for FY 2011/2012**

2:00 p.m. - 5:00 p.m.

Economic Development Advisory Committee - CEQA workshop