



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*

Tuesday, April 10, 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.

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

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

9:15 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

The Board adopted the Agenda and approved the Consent Calendar with the following exception: Item 25 will be trailed until the end of the morning items.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and 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, April 3, 2012.
This matter was Approved on the consent calendar.

2. [12-0352](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign the Certification Statements approving the Children's Medical Services Programs Budget and Work Plan, comprised of Child Health and Disability Prevention Program in the amount of \$414,613, and California Children's Services in the amount of \$522,335 for a combined total of \$936,948 to provide medical services to children from birth to twenty-one (21) years of age who are afflicted with life threatening and/or severe life altering chronic medical conditions.

FUNDING: Annual Federal and State Children's Medical Services allocation, Public Health Realignment Fund match, Social Services Realignment Fund match, and County General Fund match.

This matter was Approved on the consent calendar.

3. [12-0415](#) Health and Human Services Agency, Public Health Division recommending the Board approve and authorize the Chair to sign Agreement 484-S1210 with Progress House, Inc. in an amount not-to-exceed \$175,000 for the term March 1, 2012 through June 30, 2012, for the provision of substance abuse treatment services for those offenders who are eligible for treatment pursuant to Assembly Bill 109.

FUNDING: 2011 Public Safety Realignment.

This matter was Approved on the consent calendar.

4. [11-1438](#) Information Technologies Department recommending the Board adopt **Resolution 037-2012** amending Resolution 106-2011 deleting 1.0 FTE Sr. Department Analyst in the Information Technologies Department effective June 29, 2012.

Adopted Resolution 037-2012 upon approval of the consent calendar.

5. [12-0391](#) Library Director recommending the Board authorize the Chair to sign Budget Transfer increasing revenues and appropriations by \$24,663 for the purchase of library materials as a result of donations received from the community and the Friends of the Library for Fiscal Year 2011-2012. (4/5 vote required)

FUNDING: Donations.

This matter was Approved on the consent calendar.

6. [12-0383](#) Sheriff's Office recommending the Board authorize the Chair to;
- 1) Sign Amendment II to Agreement (125-S1210) with Madeira Group International (MGI) increasing the maximum obligation of the contract from \$60,317 to \$80,317 with no change to the contract term of August 4, 2011 to August 3, 2012; and
 - 2) Amend the Contract Administrator to Captain Marc Adams.

This matter was Approved on the consent calendar.

7. [12-0387](#) Sheriff's Office recommending the Board authorize the Chair to sign Reimbursement Agreement (478-F1211) between the County and the El Dorado County Fire Protection District in an amount not to exceed \$15,000 for staff to attend a River and Flood Water Rescue Course.

This matter was Approved on the consent calendar.

8. [11-0854](#) County Surveyor's Office recommending the Board adopt **Resolution 038-2012** accepting the Irrevocable Offer of Dedication (IOD) from El Dorado County Fire Protection District, a public entity, for road right of way, in fee, and a public utilities easement, located on a portion of Assessor's Parcel Number 070-250-08, which is necessary in order to satisfy a condition of approval for Special Use Permit No. S08-0020.

Adopted Resolution 038-2012 upon approval of the consent calendar.

9. [12-0349](#) Department of Transportation recommending the Board authorize the use of funds from the Accumulated Capital Outlay Fund in the amount of \$96,952 to provide the match requirement for United States Department of Transportation - Federal Aviation Administration grant funding for three Placerville airport projects and two Georgetown airport projects.

FUNDING: Accumulated Capital Outlay (ACO) Fund.

This matter was Approved on the consent calendar.

10. [12-0348](#) Department of Transportation recommending the Board:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Henry W. Heinzerling and Maureen E. Heinzerling, Trustees of the Heinzerling Family Trust U/D/T March 15, 2007 for Assessor's Parcel Number 033-332-18; and
 - 2) Authorize the Interim Director of Transportation or her designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Echo View 2 Erosion Control Project, CIP No. 95169.

FUNDING: Tahoe Regional Planning Agency Water Quality Mitigation Funds.

This matter was Approved on the consent calendar.

11. [12-0346](#) Department of Transportation recommending the Board:
- 1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from Mark Leung for Assessor's Parcel Number 025-433-09; and
 - 2) Authorize the Interim Director of Transportation or her designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Montgomery Estates Area 1B Erosion Control Project, CIP No. 95193.

FUNDING: Tahoe Regional Planning Agency Water Quality Mitigation Funds.

This matter was Approved on the consent calendar.

12. [12-0347](#) Department of Transportation recommending the Board:
1) Authorize the Chair to sign the Easement Acquisition Agreement for Public Purposes and the Certificate of Acceptance for the related documents from William A. Frame and Julie D. Frame, Trustees of the William A. Frame and Julie D. Frame Revocable Trust Dated May 10, 2001 for Assessor's Parcel Number 025-644-08; and
2) Authorize the Interim Director of Transportation or her designee to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Montgomery Estates Area 1B Erosion Control Project, CIP No. 95193.

FUNDING: Tahoe Regional Planning Agency Water Quality Mitigation Funds.

This matter was Approved on the consent calendar.

13. [12-0265](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Advance Funding and Reimbursement Agreement Green Valley Road Improvements with AKT Development Corporation amending Section 6.02 Modification of Fee Programs.

FUNDING: N/A

This matter was Approved on the consent calendar.

14. [08-0705](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Reimbursement Agreement for White Rock Road Widening Project Sta. 63+25 to Sta. 115+25 between the County of El Dorado and the Developer with K. Hovnanian Forecast Homes, Inc. amending Article II Reimbursement.

FUNDING: N/A

This matter was Approved on the consent calendar.

15. [12-0413](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Amended and Restated Road Improvement Agreement White Rock Road Station 100+00 to Station 124+50 with AKT Development Corporation amending Section 5 Security/Financing.

FUNDING: N/A

This matter was Approved on the consent calendar.

16. [08-1058](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Implementation Agreement Regarding Processing of Pre-paid El Dorado Hills TIM Fees (West Valley, LLC) with West Valley, LLC amending Section 2 Effect of Agreement.
- FUNDING:** N/A
- This matter was Approved on the consent calendar.**
17. [12-0414](#) Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Funding, Credit and Reimbursement Agreement Between West Valley, LLC and the County of El Dorado with West Valley, LLC amending Section 10 Traffic Impact Mitigation Fee Increases, Section 20 Insufficiency of Funds/No Acceleration and Section 25 Assignment.
- FUNDING:** N/A
- This matter was Approved on the consent calendar.**
18. [12-0420](#) Department of Transportation recommending the Board authorize the Chair to sign Cooperative Agreement No. 03-0459 (12-53435) with the State of California Department of Transportation for the construction of the U.S. 50 Silva Valley Parkway Interchange Phase 1 Project, CIP No. 71328 pending County Counsel review and approval.
- FUNDING:** 2004 General Plan Silva Valley Interchange Set Aside Account/Developer Advance and Proposition 1B State-Local Partnership Program Funds.
- This matter was Approved on the consent calendar.**
19. [12-0419](#) Department of Transportation recommending the Board authorize the Chair to sign Cooperative Agreement No. 03-0510 (12-53434) with the State of California Department of Transportation for the construction of the U.S. 50 El Dorado Hills Interchange - Phase 2B.1 (AKA HOV Phase 0) Project, CIP No. 53124 pending County Counsel review and approval.
- FUNDING:** State Corridor Mobility Investment Account Funds and Local Transportation Funds.
- This matter was Approved on the consent calendar.**

20. [12-0421](#) Department of Transportation recommending the Board authorize the Chair to sign the Construction Responsibility and Reimbursement Agreement No. AGMT 12-53436 with AT&T in the estimated amount of \$68,513 for the relocation of facilities pertaining to the U.S. 50 El Dorado Hills Interchange - Phase 2B.1 (AKA HOV Phase 0) Project, CIP No. 53124 pending County Counsel review and approval.

FUNDING: State Corridor Mobility Investment Account (CMIA) funds and Local Transportation Funds.

This matter was Approved on the consent calendar.

21. [12-0422](#) Department of Transportation recommending the Board authorize the Chair to sign Construction Responsibility and Reimbursement Agreement No. AGMT 12-53437 with PG&E in the amount of \$12,000 and No. AGMT 12-53438 with PG&E in the amount of \$8,000 for the relocation of facilities pertaining to the U.S. 50 El Dorado Hills Interchange - Phase 2B.1 (AKA HOV Phase 0) Project, CIP No. 53124 pending County Counsel review and approval.

FUNDING: State Corridor Mobility Investment Account (CMIA) Funds and Local Transportation Funds.

This matter was Approved on the consent calendar.

22. [12-0435](#) Supervisor Nutting requesting the Board authorize the Chair to sign a letter of support for Assembly Bill 1506 by Assembly Members Kevin Jeffries and Paul Cook to repeal the State Responsibility Area Fire Prevention Fee (SRA).

This matter was Approved on the consent calendar noting that the letter is to be addressed to the appropriate committee.

23. [12-0429](#) Supervisor Sweeney recommending the Board adopt a proclamation commemorating the dedication of a 17" telescope to The Cameron Park Rotary Community Observatory. The Board of Supervisors will present the proclamation at the dedication ceremony on Tuesday, April 10, 2012, 2pm at the El Dorado Center of Folsom Lake College.

Adopted the Proclamation upon approval of the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

- 24. [12-0372](#) HEARING - Consider adoption of **Ordinance 4976** (Second Reading) amending Sections 3.14.040, 3.14.050, and 3.14.070 of Chapter 3.14 of Title 3 of the El Dorado County Ordinance Code increasing bidding thresholds for public projects as defined in Public Contract Code. (Est. Time: 10 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Ordinance 4976.

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

- 25. [12-0437](#) Sheriff's Office recommending the Board Declare an emergency to purchase and replace critical equipment in the Placerville Jail, authorize the Sheriff's Office to work with the Purchasing Agent and dispense with competitive bidding due to an emergency in accordance with County Ordinance Code Section 3.12.160 to replace two water heaters, and authorize the Chief Administrative Officer to utilize Accumulative Capital Outlay (ACO) funds in an estimated amount of \$350,000 to cover the replacement and installation costs of two water heaters. (Est. Time: 15 Min.)

FUNDING: Accumulative Capital Outlay Funds

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

- 1. Find that the circumstances related to the two water heaters at the Placerville Jail constitute an emergency that will not permit a delay resulting from competitive bidding and that the action of dispensing with competitive bidding requirements is necessary to immediately replace the heaters; and**
- 2. Authorize the Chair of the Board to immediately execute the necessary contracts.**

Yes: 4 - Nutting, Sweeney, Briggs and Santiago

Absent: 1 - Knight

10:00 A.M. - TIME ALLOCATION

26. [11-0363](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing April 15 - 21, 2012, as "Safety Seat Checkup Week" in El Dorado County. The Public Information Officer for the Placerville Area Office of the California Highway Patrol will present information on their safety seat inspections and fittings offered to the public every Tuesday.

A motion was made by Supervisor Knight, seconded by Supervisor Santiago, to adopt this matter.

Noting: The Placerville Office of the California Highway Patrol offers child safety seat fittings and checkups every Tuesday by appointment. Call 530-622-1110 to schedule the appointment.

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

[12-0006](#)**CAO REPORTS**

None

[12-0005](#)**ITEMS TO/FROM SUPERVISORS**

Supervisor Sweeney discussed the need to an ordinance regarding cycling events in El Dorado County to ensure the safety of all and wifi accessibility within County buildings.

Supervisor Nutting discussed the Latrobe Fire District.

2:09 P.M. - RECONVENED AT 6699 CAMPUS DRIVE, PLACERVILLE, CA 95667.

CLOSED SESSION

27. [12-0388](#) Conference with Legal Counsel - **Existing Litigation** pursuant to Government Code Section 54956.9(a): Title: Petition for Review of NPDES Permit (Order No. R6T-2011-0101) issued by Lahontan Regional Water Quality Control Board. (Est. Time: 10 Min.)
- No Action Reported.**
28. [12-0436](#) Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b):
Number of potential cases: (1).
- No Action Reported.**
29. [12-0433](#) Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Clerk of the Board of Supervisors (Est. Time: 20 min.)
- No Action Reported.**

30. 12-0432 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation:**
Title: Chief Administrative Officer (Est. Time: 30 Min.)
No Action Reported.
31. 12-0447 Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Title:
Number of potential cases: (1).
No Action Reported.
32. 12-0465 Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Title:
Number of potential cases: (1).
A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve the addition of an Exception Agenda Item (New Business) to the Closed Session calendar regarding initiation of litigation.
Yes: 4 - Nutting, Sweeney, Briggs and Santiago
Absent: 1 - Knight
- 12-0465 Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(c): Title:
Number of potential cases: (1).
No Action Reported.

ADJOURNED AT 2:55 P.M.