



# County of El Dorado

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## Minutes - Final 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*

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Tuesday, July 31, 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.

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](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

#### **9:04 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS**

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

Supervisor Knight provided the Invocation.  
Supervisor Knight led the Pledge of Allegiance.

#### **ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR**

Approval of the Consent Calendar

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, 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](#) Acting Clerk of the Board recommending the Board approve the meeting minutes from the Special Meetings on Monday, July 16, 2012, Wednesday, July 18, 2012, Thursday, July 19, 2012 at 8:30 a.m., Thursday, July 19, 2012 at 9:00 a.m., and Friday, July 20, 2012, and the Regular Meeting on Tuesday, July 24, 2012.  
**This matter was Approved on the consent calendar.**
  
2. [12-0868](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a weapon as surplus and approve the sale of same to retiring Sheriff Officer Sergeant Sesak.  
**This matter was Approved on the consent calendar.**
  
3. [12-0898](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.  
**This matter was Approved on the consent calendar.**
  
4. [12-0397](#) Chief Administrative Office recommending the Board authorize the Department to enter into negotiations with the owners of the following parcels: APN 109-405-10 and APN 329-280-03 for possible purchase of one of the properties for purposes of an Animal Shelter facility. (Refer 7/24/12, Item 5)  
  
**FUNDING:** Tobacco Settlement Funds.  
**This matter was Approved on the consent calendar.**
  
5. [12-0963](#) District Attorney recommending the Board authorize the Chair to sign a Budget Transfer to increase the department's revenue and appropriations for the investigation and prosecution of crimes relating to real estate fraud, environmental crimes and Proposition 64 cases. (4/5 vote required)  
  
**FUNDING:** Special Revenue Accounts.  
**This matter was Approved on the consent calendar.**

6. [12-0873](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign non-standard funding Agreement No. 623-F1211 (11-73010-000) with the California Department of Mental Health and the California Department of Health Care Services for the term April 1, 2012 through December 31, 2012, with a not-to-exceed amount of \$8,569,359 for the County to provide services for mentally disordered clients who are Medi-Cal beneficiaries.

**FUNDING:** Medi-Cal.

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

7. [12-0591](#) County Counsel recommending the status report on the Management Team (Fish and Wildlife Services, California Department of Fish and Game, and others) efforts to develop a conservation strategy for Gabbro Soils Rare Plants be continued for one week. (Cont'd 5/15/12, Item 22)

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

8. [12-0958](#) Risk Management Division recommending the Board approve the 2012-13 California State Association of Counties - Excess Insurance Authority (CSAC-EIA) Insurance Program participation.

**FUNDING:** Risk Management Internal Service Fund.

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

9. [12-0842](#) Department of Transportation recommending the Board authorize the Chair to sign the Federal Apportionment Exchange/State Match Program Agreement No. X12-5925(113) with the California Department of Transportation allowing direct exchange with the State of \$359,164 in Fiscal Year 2011-2012 cycle Regional Surface Transportation Program Exchange Funds and allowing for the disbursement of \$100,000 in State Match Funds.

**FUNDING:** Regional Surface Transportation Program Funds.

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

10. [12-0930](#) Supervisor Santiago recommending Board adopt Resolution **104-2012** acknowledging traffic restrictions over State Highway Routes 50 and 89 on September 9, 2012, between Stateline through South Lake Tahoe and the county line at Tahoma between the hours of 6:00 a.m. and 12:00 noon for the 10th Annual Tour de Tahoe - Bike Big Blue bicycling event at Lake Tahoe.

**Resolution 104-2012 was adopted upon approval of the consent calendar.**

## END CONSENT CALENDAR

## DEPARTMENT MATTERS/NOTICED HEARING

11. [11-0666](#) HEARING: Health and Human Services Agency, recommending the Board adopt Resolution **103-2012** establishing benefit assessments to be maintained at current fee for emergency medical services in County Service Area No. 3, South Shore Area, for Fiscal Year 2012-13 on improved parcels within the Service Area (except for the Tahoe West Shore Zone of Benefit.) (Est. Time: 5 Min.)

**FUNDING:** County Service Area 3 Benefit Assessments.

**A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to adopt Resolution 103-2012.**

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

**Absent:** 1 - Santiago

12. [12-0855](#) HEARING: Consider the adoption of Resolution **105-2012** establishing delinquent mandatory refuse collection fees as special assessments and providing for collection in the same manner as ad valorem property taxes for South Tahoe Refuse Co., Inc.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to adopt Resolution 105-2012.**

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

**Absent:** 1 - Santiago

13. [12-0138](#) HEARING: Consider a request submitted by Dena Kohutec appealing the Development Services Department Hearing Officer's Administrative Order rescinding the Administrative Citation issued on November 1, 2011 (C #202530/Olmstead) dated December 15, 2011 on property identified by APN 093-200-05, consisting of 0.62 acre, in the Somerset area, Supervisorial District 2. (Cont'd 5/22/12, Item 35) (Est. Time: 30 Min.)

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

- 1) Continue this matter to September 4, 2012; and
- 2) Direct the Board Clerk to send a letter to the parties informing them that action will be taken on this matter when it comes back before the Board for consideration on said date.

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

**Absent:** 1 - Santiago

**A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to rescind the previous motion, rehear Agenda Item No. 13, and to grant the Appellant permission to withdraw the appeal.**

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

**Absent:** 1 - Santiago

14. [12-0733](#) County Counsel recommending the Board consider adoption of Resolution **106-2012** establishing the El Dorado County Federal Coordination Advisory Committee. (Cont'd 6/12/12, Item 31) (Est. Time: 15 Min.)
- A motion was made by Supervisor Nutting, seconded by Supervisor Sweeney, to adopt Resolution 106-2012 with two additional members added to the resolution, one member from the Rafting Industry and one member from the Skiing Industry.**

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

**Absent:** 1 - Santiago

15. [12-0716](#) Supervisor Nutting recommending the Board direct County staff to work with a representative from the Citizen's Coordination Committee, Tim Roffe and himself to produce a policy as follows:
- 1) Specifically addresses County preferences as it relates to the County's plans and policies and Coordination;
  - 2) Determine in what format the Board would like to see this policy; and
  - 3) Approval to move forward. (Cont'd, 6/12/12, Item 32) (Est. Time: 15 Min.)

**A motion was made by Supervisor Nutting, seconded by Supervisor Knight, to continue this matter off calendar.**

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

**Absent:** 1 - Santiago

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

16. [12-0895](#) Presentation by the El Dorado County Economic Development Advisory Committee highlighting "Business Showcase," a brief introduction to one of El Dorado County's unique businesses, FMC Technologies / Schilling Robotics. (Est. Time: 20 Min.)

**Received and Filed.**

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

17. [12-0843](#) Community Corrections Partnership (CCP) is presenting the Public Safety Realignment Implementation Plan for Fiscal Year 2012/2013 to the Board of Supervisors. (Est. Time: 1 Hr.)

**FUNDING:** California State Budget. (Public Safety Realignment.)

*PUBLIC COMMENT*

*C. Ball*

*B. Ball*

**A motion was made by Supervisor Briggs, seconded by Supervisor Nutting, to approve the Public Safety Realignment Implementation Plan for Fiscal Year 2012/2013.**

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

**Absent:** 1 - Santiago

18. [11-1303](#) Chief Administrative Office recommending the Board:
- 1) Receive an update on the activities of the Facilities Investment Team; and
  - 2) Adopt Resolution **107-2012** amending the FY 2012-13 Personnel Allocation Resolution by adding one Sr. Department Analyst and one Administrative Technician to the Chief Administrative Office for support of the Facilities division. (Refer 4/3/12, Item 17) (Est. Time: 15 Min.)

**FUNDING:** General Fund.

*PUBLIC COMMENT*

*None.*

**A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to adopt Resolution 107-2012.**

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

**Absent:** 1 - Santiago

[12-0006](#)

**CAO REPORTS**

The Chief Administrative Officer reported that the Chief Administrative Office is preparing a press release to notify residents in our County that the State of California will be sending out the Fire Prevention Fee Bills soon.

She also reported that Louis B. Green, County Counsel for El Dorado County, will be retiring December 7, 2012.

[12-0005](#)

**ITEMS TO/FROM SUPERVISORS**

Supervisor Sweeney reported that he received a draft copy of the Rubicon Trail Easement, and that he has provided a copy of the Easement to County Counsel and others.

Supervisor Nutting reported that he met with Ken Ivory with the State Legislature in Utah regarding a vote that was taken by the Legislature to give the Federal Government notice that on December 31, 2014 state rights will be imposed regarding the lands within the boundaries of the State of Utah to manage those lands. Some of the discussion pertained to what might happen in California pertaining to state rights, and whether or not we want the State of California to go in that direction.

**ADJOURNED AT 3:20 P.M.**



**CLOSED SESSION**

19. 12-0938 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as:  
APN 109-405-10 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Ramesh Pitamber, or agent; and  
APN 329-280-03 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Patricia Harrington, or agent;  
Instructions to negotiator will concern both price and term of payment. Russ Fackrell and Brent Collins will be the negotiators on behalf of El Dorado County. (Est. Time: 15 Min.)  
**No Action Reported.**
20. 12-0971 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**. Title: Director of Environmental Management. (Est. Time: 30 Min.)  
**This matter was continued to Tuesday, August 7, 2012.**
21. 12-0970 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**. Title: Acting Clerk of the Board of Supervisors. (Est. Time: 45 Min.)  
**No Action Reported.**