



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, August 21, 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

9:03 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Mark Cowles from the Highway Bible Church provided the Invocation. Supervisor Briggs 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 Santiago, to adopt the Agenda and approve the Consent Calendar with the following changes: Item 2 was pulled from the consent calendar and acted upon separately; and, Items 19 and 26 were added to the consent calendar.

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

12-0003

OPEN FORUM

PUBLIC COMMENT

R. Stewart RE: Mather Airport Draft EIR and flight paths.

12-0009**BUDGET UPDATE**

Chief Budget Officer, Laura Schwartz, reported that the County had a zero deficit for Fiscal Year 11/12, and savings were added to the budget. In addition, she reported that the County will be going into Fiscal Year 12/13 with a beginning fund balance of \$26,530,905.

Terri Daly, Chief Administrative Officer, reported that the books were closed on time on Friday, due to the great efforts of all of the employees, managers and department heads.

Joe Harn, County Auditor, reported that the employees should be thanked for their efforts toward closing the books on time and the savings received in Fiscal Year 11/12. He also reported that a great amount of trust has been built between department heads, central administration and the Board of Supervisors.

A motion was made by Supervisor Sweeney, seconded by Supervisor Knight, to request with great pleasure that the Board of Supervisors thank the departments and the employees of the County for the savings that have been received for Fiscal Year 11/12.

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

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. [12-1006](#) 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.

FUNDING: General Fund and Non-General Fund.

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

Motion failed.

Yes: 2 - Knight and Santiago

Noes: 3 - Nutting, Sweeney and Briggs

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs, to continue this matter two weeks to September 4, 2012.

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

3. [12-1027](#) Child Support Services recommending the Board authorize the Chair to sign retroactive Agreement No. 273-M1211 (1025363) with the Administrative Office of the Courts for the term of July 1, 2012 to June 30, 2014 authorizing the Revenue Recovery Division to make financial evaluations for the Superior Court of El Dorado County.

FUNDING: State funding.

This matter was Approved on the consent calendar.

4. [12-0793](#) County Counsel recommending the Board authorize the Chair to sign Amendment I to Agreement No. 621-S1211 for Legal Services with the law firm of Abbott and Kindermann, LLP correcting the term of the Agreement.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

5. [12-0993](#) Acting as the Governing Board of the In-Home Supportive Services Public Authority:
- Health and Human Services Agency, Community Services Division, recommending the Board take the following actions relative to the In-Home Supportive Services (IHSS) Advisory Committee:
- 1) Acknowledge a Consumer Representative vacancy previously filled by Jane Thomas;
 - 2) Accept the resignation of Alexandra Ivanovsky, Provider Representative and Robin Wentland, Consumer Representative; and
 - 3) Reappoint Norman Smith as Consumer Representative for a term to expire January 1, 2014; reappoint Ellen Yevdakimov as a Community Representative for a term to expire January 1, 2014 and appoint Vincent DiVittorio as a Provider Representative to the In-Home Supportive Services Advisory Committee for a term to expire January 1, 2014.

FUNDING: IHSS Public Authority funding is 85 percent Federal/State In-Home Supportive Services Allocation with 15 percent required County General Fund Match. Funding for the IHSS Advisory Committee is 100 percent State funded through the IHSS Allocation.

This matter was Approved on the consent calendar.

6. [09-0895](#) Health and Human Services Agency, Community Services Division, recommending the Board:
- 1) Approve a revised boilerplate Workforce Investment Act (WIA) Program Individual Training Account (ITA) Contract for training services provided by The Regents of the University of California; and
 - 2) Authorize the Director or Chief Assistant Director of the Health and Human Services Agency, or successors, to sign on behalf of the County the revised ITA Contract, including any future amendments thereto, contingent upon County Counsel review and approval, with The Regents of the University of California to enable individual WIA eligible clients to participate in employment training activities provided through The Regents' UC Davis Extension.

FUNDING: 100% Federal Workforce Investment Act Funding.

This matter was Approved on the consent calendar.

7. [11-1448](#) Health and Human Services Agency, Community Services Division, recommending the Board:
- 1) Authorize the Chair to sign Modification 3 to Contract K282473-02 with Golden Sierra Job Training Agency to increase the total contract amount by \$60,230 from \$1,022,186 to \$1,082,416 and extend the term for Youth services to September 30, 2012, for provision of Workforce Investment Act Program job training activities by El Dorado County as Area Partner Consortium Operator of the Golden Sierra Job Training Agency Consortium; and
 - 2) Authorize the Director of Health and Human Services, or successor, or the Chief Assistant Director of Health and Human Services, or successor, to execute subsequent documents relating to said contract, including one or more amendments thereto that do not change the total Contract amount or the term, contingent upon approval by County Counsel and Risk Management, and any required fiscal and programmatic reports.

FUNDING: 100% Federal Annual Workforce Investment Act Funding.

This matter was Approved on the consent calendar.

8. [12-0932](#) Health and Human Services Agency, Mental Health Division, recommending the Board:
- 1) Approve and authorize the Chair to sign Agreement No. 064-S1311 with Family Connections El Dorado, Inc., in the amount of \$90,000 to provide outreach and support services primarily for Latino individuals and families on the Western Slope of the County, and Agreement No. 063-S1311 with South Lake Tahoe Family Resource Center in the amount of \$114,230 to provide outreach and support services primarily for Latino individuals and families in the South Lake Tahoe area of the County. Both Agreements have a retroactive term of July 1, 2012 through June 30, 2013.
 - 2) Authorize the Purchasing Agent to sign subsequent amendments to these Agreements, subject to County Counsel and Risk Management approval, so long as there is no change to the term or not-to-exceed amount of the Agreement(s).

FUNDING: State Mental Health Services Act.

This matter was Approved on the consent calendar.

9. [12-1007](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Agreement No. 019-S1311 with Foothill Indian Education Alliance in the amount of \$105,760 for the term July 1, 2012 to June 30, 2013 to provide cultural specialists from the American Indian community to conduct the Wennem Wadati-A Native Path To Healing program.

FUNDING: State Mental Health Services Act.

This matter was Approved on the consent calendar.

10. [12-0940](#) Health and Human Services Agency, Public Health Division, recommending the Board adopt Resolution **115-2012** authorizing the Chair to sign the Federal Ryan White Comprehensive Acquired Immunodeficiency Syndrome Resources Emergency Act funding agreement with the County of Sacramento Department of Health and Human Services in the amount of \$472,578 for the estimated term dates of July 1, 2012 through June 30, 2015. This agreement will fund direct medical and support care services for persons living with Human Immunodeficiency Virus or Acquired Immunodeficiency Syndrome.

FUNDING: Federal Ryan White Comprehensive Acquired Immunodeficiency Syndrome Resources Emergency Act funds with Sacramento County acting as fiscal agent.

Resolution 115-2012 was adopted upon approval of the consent calendar.

11. [12-0995](#) Health and Human Services Agency, Public Health Division, and the Probation Department recommending the Board authorize the Chair to sign retroactive perpetual nonfinancial Memorandum of Understanding (MOU) No. 027-M1310 with the California Superior Court of El Dorado for the continued provision of Teen Court services. The MOU becomes effective upon execution by the Board, with a start date of July 1, 2012, and no end term.

FUNDING: Substance Abuse Prevention Treatment funding combined with Alcohol Abuse Education and Prevention Penalty Assessments and Controlled Substance Abuse Penalty Fees.

This matter was Approved on the consent calendar.

12. [12-0988](#) Health and Human Services Agency, Social Services Division, recommending the Board authorize the Chair to sign non-financial perpetual Operational Agreement No. 591-S1210 with Live Violence Free (formerly the South Lake Tahoe Women's Center) setting forth the roles of Live Violence Free and the Health and Human Services Agency in providing maximum assistance for crime victims residing on the eastern slope of El Dorado County for a one-year term to commence upon execution of the Agreement and to automatically renew for successive one-year terms, unless terminated.

This matter was Approved on the consent calendar.

13. [12-0978](#) Health and Human Services Agency and Human Resources recommending the Board adopt Resolution **116-2012** to:
- 1) Establish and adopt the job specification, salary range and bargaining unit for an Energy/Weatherization Supervisor classification; and
 - 2) Amend the Authorized Personnel Allocation for the Health and Human Services Agency by adding 1.0 FTE Energy/Weatherization Supervisor and deleting 1.0 vacant FTE Sr. Energy/Weatherization Technician.

FUNDING: 100% Federal LIHEAP and DOE WAP Grant Funding.

Resolution 116-2012 was adopted upon approval of the consent calendar.

14. [12-1017](#) Library Director recommending the Board accept, with gratitude, an in-kind donation of new carpet, including installation costs, valued at approximately \$1,625 from the Cameron Park Friends of the Library for the meeting room at the Cameron Park Library.

This matter was Approved on the consent calendar.

15. [12-0982](#) Probation Department recommending the Board authorize the Chair to sign Agreement No. 112-O1310 with the State of California Department of Corrections & Rehabilitation (CDCR) to establish the content, use, and protection of information needed by CDCR and the County of El Dorado to support the implementation of Public Safety Realignment (AB 109.)

FUNDING: This is a non-financial agreement.

This matter was Approved on the consent calendar.

16. [12-1067](#) Board of Supervisors recommending a Certificate of Appreciation be awarded to Tani Cantil-Sakauye, Chief Justice of California.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARING

17. [12-0920](#) HEARING - Consider introduction (First Reading) of Ordinance **4981** repealing Chapter 3.12 of Title 3 of the El Dorado County Ordinance Code (Procurement); and adding a new Chapter 3.12 of Title 3 to said Code (Procurement) for the revised County Purchasing Ordinance and Procurement Policy; and Board to waive reading, read by title only and continue to September 11, 2012 for adoption of same.

PUBLIC COMMENT

None.

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

- 1) Waive reading of Ordinance 4981, read by title only;**
- 2) Approve the introduction of said Ordinance; and**
- 3) Set final adoption of said Ordinance (Second Reading) for September 11, 2012.**

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

18. [12-1005](#) Chief Administrative Office recommending the Board consider options for the distribution of Title III funds available through the Secure Rural Schools and Community Self-Determination Act. (Est. Time: 20 Min.)

FUNDING: \$158,853.45 for FY 2012-13 and \$116,698.68 fund balance from FY 2011-12.

PUBLIC COMMENT

*R. Krek
C. Dewolf
L. Columbo
P. Dwyer
R. Dwyer
R. Combs
M. Powell
R. Williams, Under-Sheriff*

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

- 1) Fund \$8200 to the Fire Safe Council and the remaining balance to Search and Rescue; and
- 2) Authorize the Chief Administrative Officer to administratively amend the contract with the El Dorado County Fire Safe Council to provide the additional funding.

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

A motion was made by Supervisor Nutting to amend the original motion to fund the Fire Safe Council \$50,000, and the balance of the funding to Search and Rescue.

Motion failed for lack of a second.

19. [10-0804](#) Department of Transportation recommending the Board take the following actions pertaining to the Christmas Valley Phase 2C Erosion Control Project (Contract No. PW 10-30540, CIP No. 95190):
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for August 3, 2012;
 - 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 Interim Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 5 Min.) (Refer 7/17/2012, Item 20)

FUNDING: United States Forest Service and California Tahoe Conservancy Grant Funds.

This matter was Approved on the consent calendar.

20. [12-1040](#) Treasurer/Tax Collector recommending the Board consider the introduction (First Reading) of proposed Ordinance **4980** amending a prior Ordinance 4136 Sections 3.34.010 to 3.34.030 of Chapter 3.34 of Title 3 of the El Dorado County Ordinance Code. The proposed ordinance would amend the prior Ordinance No. 4136 to provide minor technical changes as follows: update legal reference, correct a typo and provide additional clarity as to what the "parties of interest" charge is for and how the charge will be applied. Treasurer/Tax Collector recommending this matter be continued to August 28, 2012 for final adoption.

PUBLIC COMMENT

None.

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

- 1) Waive reading of Ordinance 4980, read by title only;**
- 2) Approve the introduction of said Ordinance; and**
- 3) Set final adoption of said Ordinance (Second Reading) for August 28, 2012.**

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

21. [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.) (Cont'd 8/14/12, Item 18)

PUBLIC COMMENT

*A. Amaro
V. Zentner
L. Brent-Bumb
L. Brown
R. Combs
R. Stewart*

A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney, to authorize the Chair to sign letters as amended with additional key legislatures added to the circulation list on letters. Noting, said letters will be sent to the Howard Jarvis Taxpayers Association and the State Board of Equalization.

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

22. [12-1070](#) Supervisor Santiago and Supervisor Nutting recommending the Board authorize the Chair to sign a comment letter on the proposed plan for the Draft Land Forest Management Plan for the Lake Tahoe Basin Management Unit. (Est. Time: 20 Min.)

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to approve this matter with amendments to said comment letter.

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

[12-0006](#)

CAO REPORTS

None.

[12-0005](#)

ITEMS TO/FROM SUPERVISORS

Supervisor Nutting reported on the following issues: 1) Tulare County becoming a new member of the Regional Council of Rural Counties; 2) Letter to the Governor and the U.S. Secretary of the Interior regarding the Bay Delta Conservation Plan; 3) Update on septic tank regulations; and updates on Propositions 30, and 31.

ADJOURNED AT 12:35 P.M.

CLOSED SESSION

23. 12-0675 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Title: County Service Area (CSA) No. 7 Joint Powers Authority (JPA) Audit. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.
24. 12-1057 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation**. Title: Interim Director of Information Technologies. (Est. Time: 30 Min.)
This matter was continued two weeks to Tuesday, September 4, 2012.
25. 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.

ADDENDUM

DEPARTMENT MATTERS

26. [12-0880](#) Chief Administrative Office recommending the Board adopt Resolution **118-2012** agreeing to the exchange of property tax increment for the annexation of one parcel (APN 109-010-03) to the Cameron Estates Community Services District, Local Agency Formation Commission Project No. 2012-03. (Est. Time: 15 Min.)

Resolution 118-2012 was adopted upon approval of the consent calendar.