



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

James S. Mitrisin, Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer *Louis B. Green, County Counsel*

Tuesday, November 6, 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 SESSIONS

Present: 4 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney and Supervisor Briggs

Absent: 1 - Supervisor Santiago

9:26 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

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 Briggs, to adopt the Agenda and approve the Consent Calendar with the following change: Item No. 6 was pulled from the Consent Calendar and acted upon separately.

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

[12-0003](#)

OPEN FORUM

K. Sherrod RE: Runnymede Drive.

[12-0009](#)

BUDGET UPDATE

None.

CONSENT CALENDAR

1. [12-0002](#) Clerk of the Board recommending the Board approve the Meeting Minutes from the Special Meeting on Monday, October 29, 2012 and the Regular Meeting on Tuesday, October 30, 2012.

This matter was Approved on the consent calendar.

2. [10-1335](#) Assessor's Office recommending the Board authorize the continuation of the Department's perpetual agreement with LoopNet for the period of one year. LoopNet is an online subscription used by the Department to locate and review recent local and regional sales of comparable residential, commercial and industrial property. The information helps form the basis of valuation decisions under the provisions of the California Revenue and Taxation Code.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

3. [12-1312](#) Chief Administrative Office, Procurement and Contracts Division, on behalf of Health and Human Services Agency (HHSA), recommending the Board approve the following:
 - 1) Award RFP 13-918-013 to The Center for Violence-Free Relationships of Placerville, California for the provision of the Child Abuse Prevention, Intervention and Treatment (CAPIT) Program and the Promoting Safe and Stable Families (PSSF) - Family Preservation and Family Time-Limited Reunification components; and
 - 2) Authorize the Chair to execute an agreement for same in an amount not to exceed \$121,000 for FY 2012-13 subject to review, revisions and approval by County Counsel and Risk Management.

FUNDING: Child Abuse Prevention, Intervention and Treatment (CAPIT) and Promoting Safe and Stable Families (PSFF).

This matter was Approved on the consent calendar.

4. [12-1286](#) Chief Administrative Office, Procurement and Contracts Division, on behalf of the Department of Transportation, recommending the Board approve the following:
- 1) Dispense with the formal bidding procedures in accordance with Purchasing Ordinance 3.12.160, Section D;
 - 2) Authorize the Purchasing Agent to utilize the State of California's competitively bid Contract No. 1-12-23-14 for the acquisition of six utility enforcement vehicles and three sedan enforcement vehicles for the Department of Transportation - Fleet Services; and
 - 3) Authorize the Purchasing Agent to issue purchase orders to the awarded State vendor, Folsom Lake Ford, on an "as needed" basis during the effective period of the contract ending on May 24, 2014, or any extended term, as long as funding is available within the requesting Department's budget.

FUNDING: Fleet Fund.

This matter was Approved on the consent calendar.

5. [12-1145](#) District Attorney recommending the Board approve a budget transfer increasing revenues and appropriations in the amount of \$42,814.97 by transferring funds from Federal and State asset forfeiture Special Revenue Accounts into the Department's operating budget for the following:
- 1) Purchase of equipment including, but not limited to, computers and building security in the amount of \$27,152.97;
 - 2) Pay for training and presentation expenses totaling \$8,662 related to texting and distracted driving for students in El Dorado County high schools; and
 - 3) Contribute \$7,000 to the California District Attorney Investigators Association (CDAIA) to enhance training programs for district attorney investigators. (4/5 vote required)

FUNDING: State and Federal Asset Forfeiture.

This matter was Approved on the consent calendar.

6. [12-1205](#) District Attorney's Office recommending the Board consider the following:
- 1) Approve the purchase of two 2013 four-wheel drive Ford Explorers in the amount of \$60,888.32; and
 - 2) Approve a budget transfer increasing revenues and appropriations in the amount of \$12,692.81 by transferring funds from Federal and State Asset Forfeiture Special Revenue Funds into the Department's operating budget, as well as re-designating \$47,123.02 in State Supplemental Law Enforcement Services Fund (SLESF) funding that was previously appropriated to Services and Supplies to Fixed Assets to provide sufficient appropriations for the purchase of the two vehicles.

FUNDING: SLESF and Asset Forfeiture Funds.

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

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

7. [11-0562](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign Amendment II to Agreement 050-S1111 with Victor Treatment Center, Inc. to provide residential mental health services for children, extending the term one year through June 30, 2013, and increasing the not-to-exceed amount by \$100,000 for a new not-to-exceed amount of \$285,000.

FUNDING: Medi-Cal; Early and Periodic Screening, Diagnosis, and Treatment, as well as Mental Health Realignment as appropriate for each client.

This matter was Approved on the consent calendar.

8. [12-1262](#) Health and Human Services Agency, Mental Health Division, recommending the Board authorize the Chair to sign retroactive Agreement 178-S1311 with Remi Vista, Inc., for the term July 1, 2012 through June 30, 2013, with a not-to-exceed amount of \$140,000, to provide specialty mental health services for minors with serious emotional problems.

FUNDING: Medi-Cal; Early and Periodic Screening, Diagnosis, and Treatment, as well as Mental Health Realignment as appropriate for each client.

This matter was Approved on the consent calendar.

9. [09-1422](#) Health and Human Services Agency, Public Health Division, recommending the Board authorize the Chair to sign Amendment I to Agreement 187-S1011 (889-PHD0909) with Sierra Foothills AIDS Foundation, increasing the not-to-exceed amount of the Agreement by \$4,190 to \$101,402, as a result of Sierra Foothills AIDS Foundation providing an additional 1,769 units of service for individuals and families living with human immunodeficiency virus or acquired immunodeficiency syndrome in the County of El Dorado during the period of March 2009 through February 2010.

FUNDING: Ryan White Comprehensive AIDS Resources Emergency Act funding administered by the County of Sacramento Department of Health and Human Services.

This matter was Approved on the consent calendar.

10. [12-1313](#) Sheriff's Office recommending the Board consider the following:
- 1) Accept with thanks a donation from the California Emergency Management Agency (Cal EMA) of eight surplus MSR 2000 radios; and
 - 2) Authorize the Sheriff to sign the State's Property Survey Report transferring the radios from the State's inventory to the County's inventory of ham radios.

This matter was Approved on the consent calendar.

11. [11-1251](#) Sheriff's Office recommending the Board authorize the continuation of the following perpetual agreements:
- 1) Sirron Software Corporation, through November 22, 2013, and increasing the payment amount by \$4,348; and
 - 2) Global Tower LLC, through October 31, 2013, and increasing the payment amount by \$6,100.

FUNDING: General Fund.

This matter was Approved on the consent calendar.

12. [12-1200](#) Department of Transportation recommending the Board receive and file the Annual Report of Special Taxes for County Service Areas No. 3 and No. 9 Zones of Benefit for fiscal year 2011-2012.

This matter was Approved on the consent calendar.

13. [12-1256](#) Department of Transportation recommending the Board reaffirm its desire to provide a subsidy to the Cameron Park Airport District from the Road District Tax in an amount equal to the 2000 Education Revenue Augmentation Fund shift. FY 2012/2013 subsidy to be in the amount of \$10,131.

FUNDING: Road District Tax.

This matter was Approved on the consent calendar.

14. [10-1146](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Notice of Acceptance with Don Garcia Excavating and Paving, Inc. for the Sawmill 2A Bike Path and Erosion Control Project (PW No. 10-30557, CIP No. 95165) in the Lake Tahoe Basin; and
 - 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department after the one-year guarantee period.

FUNDING: This Project was funded with United States Forest Service, Tahoe Regional Planning Agency Air Quality Mitigation Funds, and Congestion Mitigation Air Quality Improvement Program. The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar.

15. [12-0274](#) Department of Transportation recommending the Board consider the following:
- 1) Authorize the Chair to sign the Notice of Acceptance with Don Garcia Excavating and Paving, Inc. for the Echo View 2 Erosion Control Project (PW No. 11-30617, CIP No. 95169) in the Lake Tahoe Basin; and
 - 2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department after the one-year guarantee period.

FUNDING: United States Forest Service.

This matter was Approved on the consent calendar.

16. [12-0916](#) Department of Transportation recommending the Board adopt Resolution **156-2012** to approve the Tahoe Sierra Integrated Regional Water Management Plan dated July 19, 2007, allowing the County to apply for state grant funds under Proposition 84.

FUNDING: State Grant Funds.

Resolution 156-2012 was adopted upon approval of the Consent Calendar.

17. [10-1182](#) Supervisor Knight recommending the Board adopt a Proclamation recognizing Veterans Day and encouraging all to attend the ceremony honoring our veterans to be held at the El Dorado County Veterans Monument at 11:00 a.m. on November 11, 2012.

This matter was Approved on the consent calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS

18. [12-0474](#) Chief Administrative Office recommending the Board approve a comment letter to the United States Forest Service on the Proposed Action for the Public Wheeled Motorized Travel Management Supplemental Environmental Impact Statement (SEIS), Eldorado National Forest. (Refer 10/30/12, Item 32) (Est. Time: 15 Min.)

A motion was made by Supervisor Nutting, seconded by Supervisor Santiago, to approve the comment letter to the United States Forest Service with the inclusion of the following wording: "We support the Forest Service proceeding with the Environmental Analysis of the October 11, 2012 document, and we will comment on the Environmental Analysis."

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

19. [12-1290](#) Chief Administrative Office recommending the Board receive a report regarding the Elk Grove-Rancho Cordova-El Dorado Connector Authority (Whiterock Connector JPA). (Refer 10/16/12, Item 49)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to direct staff to prepare a Notice of Withdrawal; and authorize staff to work with the parties of the Joint Powers Authority (JPA) for alternate solutions.

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

An amendment was made to the motion by Supervisor Nutting, seconded by Supervisor Knight, as follows:

- 1) Prepare the Notice of Withdrawal documents for the Board of Supervisors meeting on Tuesday, December 18, 2012;**
- 2) Request that the Joint Powers Authority, (JPA) place an item on their December 14, 2012 meeting agenda to address eminent domain and taxation issues;**
- 3) Direct staff to prepare a letter to be sent to the JPA and each on their entities, notifying them that a decision will be made by the County regarding the Notice of Withdrawal on December 18, 2012; and**
- 4) Direct staff to bring this matter back before the Board of Supervisors on December 18, 2012 for final decision.**

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

TIME ALLOCATION 10:00 A.M.

- 20. [12-1377](#) Supervisor Knight recommending the Board adopt a Proclamation in recognition of National Home Care and Hospice Month for the month of November. (Est. Time: 10 Min.)

A motion was made by Supervisor Knight, seconded by Supervisor Santiago to adopt the proclamation.

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

- 21. [12-1390](#) Presentation by Laurel Brent-Bumb of the El Dorado County Chamber of Commerce on tourism in El Dorado County. (Est. Time: 20 Min.)

Received and Filed.

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

None.

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

Supervisor Nutting reported on drainage issues in Cameron Park.

ADJOURNED AT 3:25 P.M.

CLOSED SESSION

22. 12-1321 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. (Refer 10/23/12, Item 19)
No Action Reported.
23. 12-1366 Pursuant to Government Code Section 54957: **Public Employee Performance Evaluation** Title: Public Defender. (Refer 10/30/12, Item 39) (Est. Time: 15 Min.)
No Action Reported.
24. 12-0640 Conference with Legal Counsel - **Initiation of Litigation** pursuant to Government Code Section 54956.9(c): Title: Number of potential cases: (1). (Est. Time: 10 Min.)
No Action Reported.
25. 12-1322 Conference with Legal Counsel - **Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(b).
Title: Complaint of Employee re: Discrimination, Harassment and Hostile Work Place. Number of potential cases: (1). (Est. Time: 15 Min.)
No Action Reported.

ADDENDUM

CLOSED SESSION

26. 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 329-343-02 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Henry Thomason, or agent;
 - APN 329-280-03 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): Patricia Harrington, or agent; and
 - APN 329-341-04 - The person or persons with whom the negotiator may negotiate (name of party [not agent]): the Patton Group, 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.**

27. 12-0835

Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator**: Instructions to its negotiator regarding the real property described as follows:

- 1) APN 121-160-03, 121-120-22, 122-590-01 Serrano Assoc. LLC, a Delaware Limited Liability Company. The person or persons with whom the negotiator may negotiate is Kirk Bone;
- 2) APN 122-720-03, 121-280-01, 118-170-01 El Dorado Hills Investors, Ltd., a California Limited Partnership. The person or persons with whom the negotiator may negotiate is Anthony Mansour;
- 3) APN 121-280-12, 118-170-04 Huddinge Partners, a Nevada Limited Partnership. The person or persons with whom the negotiator may negotiate is Bradley Rotter;
- 4) APN 122-720-07, 118-170-02 Vilma Bricolla as to an Undivided 4% and Robert Steven Hardy, Trustee of the Hardy Community Property Trust U/A Dated 02/01/99 as to an Undivided 96% interest. The person or persons with whom the negotiator may negotiate is Robert Steven Hardy;
- 5) APN 122-720-06 Ruminson Grado Ventures LLC, a California Limited Liability Company. The person or persons with whom the negotiator may negotiate is Leonard Grado;
- 6) APN 122-720-05 Presbytery of Sacramento, a California non-profit corporation. The person or persons with whom the negotiator may negotiate are Jung Ryu or Patricia Strand;
- 7) APN 122-720-09 (approx. 50+ acres H50 North) EDH 52, a California General Partnership. The person or persons with whom the negotiator may negotiate is Robert Holderness, Esq.; and
- 8) APN 122-720-09 (approx. 6.26 acres, south of H50) Douglas Grant Line Assoc. Ltd., a Limited Partnership as to an undivided 45.6% interest; and Sacramento Realty Investors - El Dorado Ltd., a Limited Partnership as to an undivided 45.6% interest, and Sacramento Realty Investors - Clarksville, Ltd., a Limited Partnership as to an undivided 8.8% interest. The person or persons with whom the negotiator may negotiate is Robert M. Matz.

Instructions to negotiator will concern price and term of payment. Pete Feild of Bender Rosenthal will be the negotiator on behalf of El Dorado County. (Refer 10/30/12, Item 36) (Est. Time: 30 Min.)

No Action Reported.