



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minutes - Final Board of Supervisors

Tuesday, November 7, 2006

8:00 AM

Board of Supervisors Meeting Room

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) 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.

For Purposes of the Brown Act (Government Code Section 54954.2 (a), the numbered items on this Agenda give a brief general description of each item of business to be transacted or discussed. The recommendations of the staff, as shown, do not prevent the Board of Supervisors from taking other action.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. To ensure timely delivery, written information from the public must be received by the Board Clerk by Monday prior to the meeting. The Board Clerk cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

8:00 A.M. - CALL TO ORDER AND CLOSED SESSIONS

The Board convened at 8:04 a.m. with the following members present:
Supervisors Dupray, Sweeney and Santiago. The Board reconvened at 9:09 a.m.
with the following members present:

Present: 2 - Supervisor Sweeney and Supervisor Santiago

9:00 A.M. - CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

At this time 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.

Approval of the Consent Calendar

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 28 and 30 added to the Consent Calendar and approved. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

PRESENTATIONS

1. [06-1741](#) **PRESENTATION** by Lilliput Children's Services on the importance of adoptions and outlining services provided to parents and children in El Dorado County; and presentation of Proclamation to said Agency proclaiming November 15, 2006 as Adoption Day in El Dorado County.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to adopt the Proclamation.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

2. [06-1761](#) **PRESENTATION** on Healthy Kids, Healthy Future Program which is a locally based children's health insurance program.

No formal action required.

OPEN FORUM

CONSENT CALENDAR

3. [06-1756](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, October 31, 2006.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

4. [06-1747](#) Mental Health Department advising the Board of a current perpetual software licensing Agreement with Computer Works for on-going maintenance fees; and recommending the Purchasing Agent be authorized to encumber funds for same for the period of November 9, 2006 through November 8, 2007.

RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal and Realignment.

This matter was Approved on the consent calendar

5. [06-1745](#) Mental Health Department recommending Chairman be authorized to sign Amendment 1 to Agreement 727-S0611 with Jana Todd dba JDT Consultants increasing compensation by \$68,000 to \$108,000 for the term March 27, 2006 through March 26, 2007 to provide mental health/therapeutic behavioral services for mentally ill minors on an "as-requested" basis for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal- 50%, EPSDT - 40% and Realignment -10%.

This matter was Approved on the consent calendar

6. [06-1744](#) Human Services Department, Social Services Division, recommending Resolution authorizing the El Dorado County Child Abuse Prevention Council to apply for grants to assist with the Council's child abuse prevention efforts; and authorizing said Department to receive awarded grant funds on behalf of the Child Abuse Protection Council, noting said funds to be deposited into Trust Fund for said efforts.

RECOMMENDED ACTION: Adopt Resolution **356-2006**.

This matter was Approved on the consent calendar

7. [06-1698](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance for Deborah J. Hughes; Brian Kuelper; and Robert D. McIntyre/McIntyre Holdings, Inc. for property in the vicinity of the Cameron Park Airport.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

8. [06-1706](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance for Sobeida Carrion; Janna Hopkins; David S. McMahon and Michael P. McMahon; David P. Pensa Jr. and Karyn E. Pensa; Larry R. Petty and Karen L. Petty; Sandra L. Polka; Brett A. Pontoni and Dennis J. Pontoni (5); Bernard Richter and Helen Richter; James I. Scott and Martha N. Scott; Daniel Shaw and Christina Shaw; Richard Snow; Hyo Song; Laura Meyers, President/Swan Builders; Bart Wood and Kimberly Wood; and Dan Yarbrough and Judy Yarbrough for property in the vicinity of the Cameron Park Airport.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

9. [06-1769](#) General Services Department recommending Chairman be authorized to sign all necessary documents to complete the merger of property consisting of Lots 40 and 41 of the Tahoe Paradise Unit No. 51 for the South Lake Tahoe Animal Control Facility.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
10. [06-1749](#) Transportation Department recommending Chairman be authorized to sign Funding Agreement AGMT 06-1208 with El Dorado County Transit Authority (EDCTA) in the amount of \$16,825 to replace existing two-bicycle capacity racks with three-bicycle capacity racks on all EDCTA buses pursuant to the Bicycle Transportation Account (BTA) project; and recommending Budget Transfer 27073 increasing appropriations and estimated revenue in the amount of \$16,825 to allow for payment to EDCTA. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: Caltrans Bicycle Transportation Account.

This matter was Approved on the consent calendar
11. [06-1750](#) Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2006-22) from Russell-Promontory, LLC for a road right of way, including the underlying fee, public utilities and slope easements along a segment of Alexandra Way; and recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2006-22) from Russell-Promontory, LLC for a right of way, road slope, drainage and public utilities easements located along a segment of Beatty Drive in El Dorado Hills necessary for public purposes.
RECOMMENDED ACTION: Adopt Resolutions **357-2006** and **358-2006**.

This matter was Approved on the consent calendar

12. [06-0125](#) Transportation Department recommending the following:
- (1) Find that a state of emergency continues to exist and authorize said Department to proceed under Public Contract Code Sections 20395, 22035 and 22050 to immediately stabilize and repair roads severely damaged by recent storms including Mosquito Road, Church Mine Road, and Cosumnes Mine Road;
 - (2) Find based upon the substantial evidence in the record regarding the conditions of the road and bridge approach facilities at said roads, that the emergency will not permit a delay resulting from competitive solicitation for bids, and that immediate action is necessary to stabilize and repair the roads and bridge approach to prevent further damage to, or failure of, the facilities, and to provide for access for public services to populated areas served by these roads;
 - (3) Authorize the Department to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency repairs pursuant to written contract and authorize the Chairman of the Board to execute those contracts; and
 - (4) Continue to the **November 14, 2006** Board Meeting for status review.

(Continued 10/31/06, Item 20) (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: Road Fund, seeking OES funds for 75% of costs. FEMA funding unknown, funding plan to be presented.

This matter was Approved on the consent calendar

13. [06-0814](#) Environmental Management recommending the following:
- (1) Find that a state of emergency continues to exist at the Union Mine Wastewater Treatment Plant as a result of the 2005/2006 wet weather season;
 - (2) Find that, based on substantial evidence, immediate action is still necessary to stabilize said Plant;
 - (3) Authorize said Department to continue to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency work pursuant to written contracts and to authorize the Chairman to execute same; and
 - (4) Continue this matter to **November 14, 2006** for review of the emergency action. (Continued 10/31/06, Item 21) (4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [06-1765](#) Environmental Management recommending Chairman be authorized to sign Budget Transfer 27069 increasing estimated revenue and appropriations by \$42,297 for grant funding sponsored by the California Department of Conservation for recycling, noting the grant provides funding to place recycling bins at schools, parks, and businesses that do not have any active recycling programs or collection bins on their property. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: California Department of Conservation.

This matter was Approved on the consent calendar

15. [06-1588](#) Sheriff's Office and General Services Department recommending the following pertaining to the emergency replacement of security system at the South Lake Tahoe Jail:
(1) Find that a state of emergency exists at the South Lake Tahoe Jail as a result of the failure of the closed circuit television and intercom communication systems;
(2) Find that in accordance with County Ordinance Code 3.14.060, the County may dispense with competitive bidding requirements to immediately secure assistance from an outside vendor to perform the necessary emergency work; and
(3) Authorize Purchasing Agent to issue a purchase order not-to-exceed \$175,000 for the "like" replacement of equipment and installation. (4/5 vote required) (Continued 10/31/06, Item 24)
RECOMMENDED ACTION: Approve and continue to **November 14, 2006** for status review.

FUNDING: Accumulated Capital Outlay Fund and Criminal Justice Special Revenue Fund.

This matter was Approved on the consent calendar

16. [06-0234](#) Sheriff's Department recommending adoption of Resolution continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required)
RECOMMENDED ACTION: Adopt Resolution **360-2006**.

This matter was Approved on the consent calendar

17. [06-0611](#) Sheriff's Department recommending adoption of Resolution continuing the state of emergency declared on April 12, 2006 if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required)
RECOMMENDED ACTION: Adopt Resolution **361-2006**.

This matter was Approved on the consent calendar

18. [06-1713](#) Probation Department recommending Chairman be authorized to sign Amendment I to Agreement 565-S0611 with Redwood Toxicology Laboratory, Inc. increasing compensation by \$16,000 to \$45,000 for a term through March 8, 2007 for unanticipated increases in testing to meet court orders and Proposition 36 mandates for said Department.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
19. [06-1679](#) Treasurer-Tax Collector requesting authorization to issue a fortune teller business license to Katherine Merino to operate a fortune telling/pyschic business in the Placerville area.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
20. [06-1760](#) Human Resources Department recommending Chairman be authorized to sign retroactive Agreement 199-S0711 with Cooperative Personnel Services, dba CPS Human Resource Services in an amount not to exceed \$15,000 for the period September 16, 2006 through August 31, 2007 to provide testing services and materials for personnel recruitments on an "as-requested" basis for said Department, noting retroactive as to term.
RECOMMENDED ACTION: Approve.
FUNDING: General Fund.
This matter was Approved on the consent calendar
21. [06-1763](#) Human Resources Department recommending Chairman be authorized to sign Agreement 251-S0711 with Renne, Sloan, Holtzman & Sakai, LLP in an amount not to exceed \$25,000 for the term of one year to provide legal services on an "as-requested" basis for legal advice and representation in support of the County in employment and labor relations matters involving the California Public Employment Relations Board.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
22. [06-1752](#) Chief Administrative Office, Human Resources Department, recommending Resolution amending Authorized Personnel Allocation by **deleting** two (2) Supervising Accountant-Auditor positions and **adding** two (2) Accounting Division Manager - T/TC positions to provide management to fiscal employees within specific divisions for the Treasurer/Tax Collector's office.
RECOMMENDED ACTION: Adopt Resolution **359-2006**.
This matter was Approved on the consent calendar

23. [06-1725](#) Chief Administrative Office, Procurement and Contracts Division, submitting list of property surplus and recommending the Board declare the following items as surplus: (38) Model 4006, (6) Model 4013, (14) Model 5906, (1) Model 3906, (2) Model 4506, (2) Model 4516 Smith & Wesson pistols, (3) Model P226/9, (1) Model P226/40 Sig-Sauer pistols, (1) Franchi Spas 12 Assault Shotgun, (1) Action arm Uzi SA39467 25/32 RND, (1) Action arm Uzi SA64052 Case 3 Mag, (1) Colt MK IV 9mm, (1) Baretta 92F 9mm, (1) Smith & Wesson Model 59, (1) Ruger Mini 14; and Purchasing Agent be authorized to issue a purchase order for the trade-in allowance of the surplus equipment in exchange for the purchase of six (6) Colt semi-automatic rifles, and the twelve (12) Glock 9mm simunitions training handguns with Phoenix Arms of Feasterville, Pennsylvania for the Sheriff's Department.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

24. [06-1729](#) Chief Administrative Office, Procurement and Contracts Division, submitting list of vehicles surplus to the needs of the County and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

25. [06-1757](#) Supervisor Sweeney recommending letters of appreciation be sent to individuals and agencies that participated in the Presidential visit to El Dorado County on Tuesday, October 3, 2006.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS

26. [06-1751](#) Hearing to consider expenditure of funds from the Citizens Option for Public Safety (COPS) Program in the amount of \$593,441 for Fiscal Year 2006-2007; and recommending Chairman be authorized to sign Budget Transfer 27071 adding COPS revenues and offsetting expenditures for same, noting the legislation creating the COPS Program requires the Board to conduct a public hearing separate and apart from regular County budget hearings, no local match is required. (4/5 vote required)

FUNDING: State COPS Program Funding.

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

27. [06-1724](#) Transportation Department recommending the Board approve, in concept, participation in the Statewide Community Infrastructure Program (SCIP) to provide property owners the option of financing to pay for their Traffic Impact Mitigation (TIM) fees.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to conceptually approve this matter; said matter referred to the Bond Screening Committee to be brought back to the Board on December 5, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

28. [06-1764](#) General Services Department recommending Chairman be authorized to sign retroactive Amendment 2 to Agreement 307-L9911 with El Dorado County Job One increasing lease payments from \$2,363.47 to \$4,726.94 per month beginning September 2006 and extending the term through February 28, 2009 with provisions for two (2) additional three (3) year terms thereafter for a total of 3,722 square feet of office space located at 4535 Missouri Flat Road, Suite A1, Placerville, CA for the Department of Human Services.

FUNDING: Cal-Works.

This matter was added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

29. [06-1463](#) Board to consider the following pertaining to the Pine Hill Preserve:
- (1) Development Services Department providing program elements relating to said Preserve; and
 - (2) General Services Department recommending the Board take the following actions pertaining to acceptance of title to real property (APNs 102-010-32 and -34) in the Pine Hill Preserve:
 - (a) Ratify the findings of the Planning Commission;
 - (b) Authorize the Chairman to sign escrow instructions specific to said acquisition;
 - (c) Approve Budget Transfer 27030 increasing revenues from the ecological preserve fund in the amount of \$277,500, said funds specifically set aside for the acquisition of rare plant preserve parcels;
 - (d) Authorize Auditor/Controller to issue a check to First American Title Company in the amount of \$580,000; and
 - (e) Authorize General Services Department to deposit said escrow instructions and monies with First American Title Company. (4/5 vote required) (Continued 10/31/06, Item 32)

FUNDING: Ecological Preserve Fee Trust Account.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to direct staff to obtain the County's own appraisal of said property and any negotiations for same be conducted with George Sanders, Deputy Director of the General Services Department.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

30. [06-1754](#) Chief Administrative Office recommending the Board receive and file the Initial Draft Response to the 2006-2007 Grand Jury Mid-Session report and direct staff to coordinate such additional meetings, workshops, subcommittees, or Board hearings that may be required.

This matter was added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

31. [06-1727](#) Chief Administrative Officer submitting the proposed El Dorado County Vision, Mission, and Customer Service Statement for discussion and approval by the Board. (Cont'd 10/31/06, Item 29)

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve this matter as submitted.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

TIME ALLOCATION - 11:00 A.M.

32. [06-1746](#) **PRESENTATION** by Jim Branham, Executive Officer of the Sierra Nevada Conservancy, providing an update on the Conservancy's Strategic Plan and the development of the program guidelines detailing how the Plan's goals will be met .

No formal action required.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

33. [06-1755](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of General Services.
No action reported.
34. [06-1768](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of Transportation.
On a unanimous vote, the Board accepted the performance evaluation thereby approving Mr. Shepard's increase from step 2 to step 3 of the salary range for the position of Director of the Department of Transportation.
35. [06-1735](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Acting Labor Relations Manager and Chief Administrative Officer;
Unrepresented Employee: Director of Human Resources.
No action reported.
36. [06-1770](#) Pursuant to Government Code Section 54957, **Public Employee Appointment:**
Title: Director of Human Resources.
No action reported.
37. [06-1758](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Acting Labor Relations Manager and Chief Administrative Officer;
Employee Organization: Deputy Sheriff's Association.
No action reported.
38. [06-1753](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding the following real property described as APNs 102-010-32 and 102-010-34. The party with whom the negotiator may negotiate is Avatar Properties, LLC. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of El Dorado County will be George Sanders, Deputy Director of General Services.
No action reported.

39. [06-1767](#)**Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator:**

Instructions to negotiator regarding real property described as APNs 102-010-32 and 102-010-34 (Pine Hill Preserve). The person or persons with whom the negotiator may negotiate is Avatar Properties and/or American River Conservancy. Instructions to negotiator will concern both price and terms of payment. Negotiator on behalf of El Dorado County will be the Chief Administrative Officer or his/her designee.

No action reported.