



County of El Dorado

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Minutes - Final Board of Supervisors

Tuesday, October 31, 2006

8:00 AM

Board of Supervisor 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

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 Baumann, seconded by Supervisor Dupray to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 3 and 29 were pulled from the Consent Calendar for separate action; Items 34 and 35 added to the Consent Calendar and approved; Item 32 continued to November 7, 2006 for open and closed session; and Item 33 continued to December 5, 2006. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

PRESENTATION

- 1. [06-1719](#) **PRESENTATION** of Certificate of Commendation to Eric Hewitt for achieving the rank of Eagle Scout, in the Boy Scouts of America, Troop 460.
No formal action required.

OPEN FORUM

CONSENT CALENDAR

- 2. [06-1726](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, October 24, 2006.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

- 3. [06-1527](#) Public Health Department recommending Chairman be authorized to sign Amendment 3 to Agreement 345-PHD1103 with the County of Placer increasing the not to exceed amount by \$1,622 to \$86,622 for solid waste management oversight activity in fiscal year 2005/2006 through the Placer County Local Enforcement Agency.
RECOMMENDED ACTION: Approve.

FUNDING: Solid Waste Franchise Fees

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

- 4. [06-1676](#) Public Health Department recommending the Board approve, in concept, the submission of a Letter of Intent to the California Department of Alcohol and Drug Programs for additional Comprehensive Drug Court Implementation funding in the amount of \$25,264 for the period January 1, 2007 through June 30, 2007 to implement an Adult Drug Court Program.
RECOMMENDED ACTION: Approve.

FUNDING: California Department of Alcohol and Drug Programs funding.

This matter was Approved on the consent calendar

5. [06-1677](#) Public Health Department recommending the Board approve, in concept, negotiations with Fresno County to provide toxicology/drugs of abuse confirmatory testing for said Department's Public Health Laboratory.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
6. [06-1672](#) Public Health Department recommending the Board approve, in concept, the submission of an application to California Endowment to receive an award in the amount of \$30,000 for a one-year period to fund the Planning for Environmental and Systems Change Program designed to allow local health departments the opportunity to create a plan to reduce disparities in obesity and diabetes through a cross-sectoral, environmental and systems change approach.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
7. [06-1711](#) Mental Health Department recommending Chairman be authorized to sign Agreement 115-S0711 with St. Helena Hospital, dba St. Helena Hospital Center for Behavioral Health in an amount not to exceed \$516,110 for the term June 19, 2006 through May 31, 2008 to provide acute psychiatric inpatient services to mentally ill minors on an "as-requested" basis for said Department.
RECOMMENDED ACTION: Approve.
FUNDING: Medi-Cal 50%, EPSDT 10% and Realignment funding.
This matter was Approved on the consent calendar
8. [06-1734](#) Mental Health Department recommending Chairman be authorized to sign retroactive Agreement 094-20711 (06-76019-000) with the State of California Department of Mental Health in the amount of \$787,845.35 for the term July 1, 2006 through June 30, 2009 to provide specialty mental health services to Medi-Cal beneficiaries in El Dorado County, noting retroactive as to term due to delays from the State's budget approval process and changes needed as a result of completed litigation.
RECOMMENDED ACTION: Approve.
FUNDING: State Managed Care.
This matter was Approved on the consent calendar
9. [06-1712](#) General Services Department recommending Resolution approving Amendment I to the Records Disposition Schedule for the Auditor/Controller's Office.
RECOMMENDED ACTION: Adopt Resolution **348-2006**.
This matter was Approved on the consent calendar

10. [06-1732](#) General Services Department recommending Chairman be authorized to sign Amendment 1 to Agreement 613-S0611 with Jon Schleicher dba Hangtown Fire Control increasing compensation by \$2,500 to \$57,500 and revising the scope of services for fire suppression system services for County-owned and leased facilities.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar
11. [06-1733](#) General Services Department recommending Chairman be authorized to sign Agreement 596-S0611 with The Trane Company, a division of American Standard, Inc. in an amount not to exceed \$57,375 for a term to expire at the end of the 3 year extended warranty and service agreement period for annual maintenance of one Model RTHA180FCH Trane Chiller located at the El Dorado County Government Center, Buildings A and B, Placerville.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar
12. [06-1710](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Amendment 1 to Agreement 558-S0611 (PLS-05-02) with Pacific Municipal Consultants, Inc. extending the term for one additional year to October 24, 2007 to assist in providing planning project review and processing services on an "as-needed" basis for said Department.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
13. [06-1641](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance for Edward Dean Garrison and Cheryl Lynn Garrison; Robert Hanson and Deborah Hanson; and Lois G. Pirrello for property in the vicinity of the Placerville Airport. (District III)
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [06-1714](#) Transportation Department recommending Chairman be authorized to sign Reimbursable Services Agreement 06-1019 with the California Department of California Highway Patrol in an amount not to exceed \$290,000 for the term November 15, 2006 through November 14, 2008 to provide uniformed personnel with motorcycles and/or patrol vehicles to assist with the traffic control needs of various County construction projects, noting traffic control services are needed to ensure safety during construction of road improvements, particularly the U.S. Highway 50/Missouri Flat Road Interchange reconstruction.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was Approved on the consent calendar

15. [06-1715](#) Transportation Department recommending Resolution summarily vacating (AOE 2006-16) a sewer easement on APN 331-111-06 located diagonally across Parcel 1 of Parcel Map 22/54, requested by Raymond J. Gemmet, Trustee under Declaration of Trust dated January 22, 1990, necessary to accommodate planned construction of improvements on subject lot.

RECOMMENDED ACTION: Adopt Resolution **349-2006**.

This matter was Approved on the consent calendar

16. [06-1716](#) Transportation Department recommending Resolution sanctioning the closure of Larsen Drive between North Canyon Road and Cable Road, Larsen Drive between North Canyon Road and Carson Road; one-lane closure of Cable Road (Northbound) between Larsen Drive and Carson Road, "D" Street (Northbound) between Carson Road and 2nd Street, 2nd Street (Eastbound) between "D" Street and Larsen Drive, Carson Road (Westbound) between Larsen Road and North Canyon Road, North Canyon Road (Eastbound) between Carson Road and Larsen Drive; and closure of the intersection of Carson Road and Barkley Road on Sunday, November 5, 2006 between 8:00 a.m. and 11:15 a.m. for the Apple Hill Harvest Run event.

RECOMMENDED ACTION: Adopt Resolution **350-2006**.

This matter was Approved on the consent calendar

17. [06-1717](#) Transportation Department recommending Chairman be authorized to sign the Road Improvement Agreement 06-1111 with Silver Springs, LLC for funding design and construction costs for the intersection and signalization improvements to the Green Valley Road/Silver Springs Parkway intersection and for the intersection and turning lanes improvement project at the Green Valley/Deer Valley Road (west) intersection, noting Board approved Subdivision Improvement Agreement for Silver Springs on September 26, 2006.

RECOMMENDED ACTION: Approve.

FUNDING: Traffic Impact Mitigation Fee Program.

This matter was Approved on the consent calendar

18. [06-1718](#) Transportation Department recommending Chairman be authorized to sign Agreement for Funding and Reimbursement of Right of Way Acquisition Costs with Silver Springs LLC for reimbursement to the County for obtaining fee title or easements for right-of-way purposes for the Green Valley Road/Deer Valley Road Turn Lanes Project 66114; and recommending Budget Transfer increasing estimated revenue by \$198,935 for same. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: Developer funds are eligible for reimbursement from the Traffic Impact Fee Mitigation program to acquire the right of way.

This matter was Approved on the consent calendar

19. [06-1467](#) Transportation Department recommending Chairman be authorized to sign Correctory Quitclaim Deed for properties identified as APN's 090-031-03, -04, -05, -06, -07 and -08 owned by Norman Partners, LLC for the general vacation of a portion of Sunset Lane. (Resolution of Intention 256-2006 adopted 8/15/06)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

20. [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 7, 2006** Board Meeting for status review.
(Continued 10/24/06, Item 10) (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

21. [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 7, 2006** for review of the emergency action. (Continued 10/24/06, Item 15) (4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

22. [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 **352-2006**.

This matter was Approved on the consent calendar

23. [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 **353-2006**.

This matter was Approved on the consent calendar

24. [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 10/24/06, Item 13)

RECOMMENDED ACTION: Approve and continue to **November 7, 2006** for status review.

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

This matter was Approved on the consent calendar

25. [06-1728](#) Sheriff's Office recommending the Board authorize the Sheriff to submit a grant application to the Corrections Standards Authority for the Mentally Ill Offender Crime Reduction Program for available funding up to \$700,000 for small counties; noting any funds received would be used for the expansion of the South Lake Tahoe Behavioral Health Court program and creating a similar program for the west slope.

RECOMMENDED ACTION: Approve.

FUNDING: Mental Health Services Act funds.

This matter was Approved on the consent calendar

26. [06-1731](#) Library recommending Budget Transfer increasing estimated revenue by \$7,000 for the purchase of books and materials for the First 5 El Dorado Children and Families Commission for support of the Early Childhood Literacy Project. (4/5 vote required)
RECOMMENDED ACTION: Approve.
- FUNDING:** Grant funding.
- This matter was Approved on the consent calendar
27. [06-1721](#) Auditor/Controller recommending Resolution authorizing the transfer of unclaimed property tax refunds to the County General Fund in the amount of \$10,621.72; said transfer is in accordance with Revenue and Taxation Code 5102.
RECOMMENDED ACTION: Adopt Resolution **351-2006**.
- This matter was Approved on the consent calendar
28. [06-1671](#) Chief Administrative Office, Procurement and Contracts Division, submitting list of property surplus to the needs of the County and recommending 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
29. [06-1727](#) Chief Administrative Officer recommending the Board receive and file the proposed vision, mission, and customer service statement for the County of El Dorado and continue to **November 7, 2006** for adoption of same.
RECOMMENDED ACTION: Approve.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

END CONSENT CALENDAR

NOTICED HEARINGS/DEPARTMENT MATTERS

- 30. [06-1737](#) General Services Department recommending the Board receive and file status report regarding the progress of the Veterans Memorial Monument, the El Dorado Hills Senior Center, the Animal Control Facilities for the West Slope and the Tahoe Basin, the expansion to the Placerville Jail, the Sheriff Administration Center, and the Sheriff Substation in El Dorado Hills. (Referred 10/31/06, Item 30)

RECOMMENDED ACTION: Continue to **December 12, 2006**.

No formal action required.

- 31. [06-1517](#) General Services Department recommending the Board receive and file status report on parks capital improvement projects, including financial gaps and strategies to minimize said gaps. (Continued 10/17/06, Item 73)

No formal action required.

- 32. [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.

This matter was continued to November 7, 2006 upon adoption of the Agenda, noting it will be placed on the closed session calendar and on the open session calendar for discussion.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

33. [06-1640](#) Transportation Department recommending Resolution **328-2006** amending the Authorized Personnel Allocation Resolution by **deleting** one (1) Senior Planner position and **adding** one (1) Principal Planner position; and recommending Resolution **329-2006** amending the El Dorado County Salary Schedule revising the salary range for the Chief Engineering Technician position for said Department. (Continued 10/17/06, Item 30)

FUNDING: Traffic Impact Mitigation Fund and Developer Fees.

This matter was continued to December 5, 2006 upon adoption of the Agenda.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

34. [06-1613](#) Mental Health Department recommending adoption of Resolution **327-2006** amending the Authorized Personnel Allocation Resolution by **adding** one (1) Manager of Mental Health Programs position to provide ongoing project management of said Department's Mental Health Services Act/Proposition 63 programs. (Continued 10/17/06, Item 12)

FUNDING: Proposition 63, Mental Health Services Act.

This matter was added to the Consent Calendar and Resolution 327-2006 adopted.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

35. [06-1730](#) Recorder-Clerk/Registrar of Voters recommending the Purchasing Agent be authorized to execute a retroactive contract with SMR Training Group, Inc. in the amount of \$11,500 for the term May 1, 2006 through November 30, 2006 to provide services to update presentation and manuals for the newly acquired voting system for the said Department.

FUNDING: Federal Help America Vote Act (HAVA) Grant Funding.

This matter was added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

- 36. [06-1654](#) Chief Administrative Office recommending the following pertaining to the acquisition of the Placerville Union Cemetery:
 - (1) Adopt Resolution **354-2006** establishing the Placerville Union Cemetery Trust Fund and Resolution **355-2006** setting fees for the Placerville Union Cemetery services;
 - (2) Authorize Vice-Chairman to sign the Memorandum of Understanding (MOU) with the City of Placerville;
 - (3) Authorize Vice-Chairman to sign Notice of Exemption and direct staff to file and post same;
 - (4) Authorize Vice-Chairman to sign Acquisition Agreement, Certificate of Acceptance of Grant Deed, escrow instructions and all other documents necessary to transfer title of the Placerville Union Cemetery from Placerville Union Cemetery, Inc. to the County of El Dorado. (Continued 10/17/06, Item 53)

FUNDING: Endowment Fund.

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

Yes: 3 - Dupray, Baumann and Santiago

Recused: 1 - Sweeney

- 37. [06-1670](#) Clerk of the Board submitting request of the California State Association of Counties (CSAC) that the Board elect its representative and an alternate to serve on the CSAC Board of Directors in the Year 2007.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to reappoint Supervisor Sweeney as the representative and Supervisor Baumann as the alternate to serve on the CSAC Board of Directors for 2007.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 38. [06-1736](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Chief Administrative Officer.

No action reported.

1:30 P.M. - INTERVIEWS FOR HUMAN RESOURCES DIRECTOR

39. [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.