



# County of El Dorado

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## MEETING AGENDA

### Board of Supervisors

*Helen K. Baumann, Chairman, District II*  
*Rusty Dupray, First Vice Chairman, District I*  
*Ron Briggs, Second Vice Chairman, District IV*  
*James R. Sweeney, District III*  
*Norma Santiago, District V*

*Cindy Keck, Clerk of the Board of Supervisors*  
*Laura S. Gill, Chief Administrative Officer*    *Louis B. Green,*  
*County Counsel*

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Tuesday, October 30, 2007

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.

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 § 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.

The Board of Supervisors 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.

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 RECESS TO CLOSED SESSIONS**

**9:00 A.M. - RECONVENE TO OPEN SESSION AND 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.

**PRESENTATIONS**

1. [07-1675](#) Presentation of Resolution **272-2007** recognizing the volunteers of the El Dorado County Animal Control Foster Care Program.
2. [07-1666](#) Presentation by Jane Thomas, In-Home Supportive Services Advisory Committee Chairman, presenting to the Board the Fiscal Year 2006-2007 Annual Report.

**OPEN FORUM****CONSENT CALENDAR**

3. [07-1730](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, October 23, 2007.  
**RECOMMENDED ACTION:** Approve.
4. [07-1652](#) Public Health Department recommending Chairman be authorized to sign Agreement for Services 653-PHD0707 with California Shock/Trauma Air Rescue d.b.a. CALSTAR for a term to expire August 31, 2010 to provide Emergency Medical Air Ambulance Advanced Life Support (ALS) Services out of the helicopter base in South Lake Tahoe; said Agreement has no remuneration associated with it, but formally authorizes services to the County's critically ill and injured, and satisfies regulatory conditions set by law with regard to the County's Emergency Medical Services Agency's oversight.  
**RECOMMENDED ACTION:** Approve.
5. [07-1664](#) Public Health Department recommending Chairman be authorized to sign Non-Supplantation Certification Form certifying to the California Department of Public Health (CDPH) that the County Public Health Department will use CDPH Public Health Emergency Preparedness Centers for Disease Control (CDC) funding in Fiscal Year 2007-2008 only for the purposes specified in the former Fiscal Year 2006-2007 grant agreement.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Advancement of incoming grant funding

6. [07-1641](#) Mental Health Department recommending Chairman be authorized to sign Agreement for Services 249-S0811 with River Oak Center for Children, Inc. in an amount not to exceed \$90,000 for a term to expire October 31, 2009 to provide specialty mental health services for minors on an "as requested" basis for said Department.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Medi-Cal, Early and Periodic Screening Diagnosis and Treatment (EPSDT), and Realignment.
7. [07-1622](#) District Attorney recommending Budget Transfer increasing estimated revenue and appropriations by \$30,000 for the FY 07/08 Workers' Compensation Insurance Fraud Grant, and Budget Transfer increasing estimated revenue and appropriations by \$120,000 for the FY 07/08 Auto Insurance Fraud Grant; and adopt Resolution 276-2007 amending Authorized Personnel Allocation Resolution **adding** one (1) FTE District Attorney Investigator for assistance in the progression of the Auto Insurance Fraud Program.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Workers Compensation Insurance Fraud Grant and Auto Insurance Fraud Grant
8. [06-1588](#) Sheriff and General Services Departments 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 for the "like" replacement of equipment and installation. (4/5 vote required)  
(Continued 10/16/07, Item 18)  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Accumulated Capital Outlay Fund and Criminal Justice Special Revenue Fund.
9. [07-1165](#) Sheriff's Department recommending Resolution continuing the Local Declaration of a State of Emergency for the South Lake Tahoe Area due to an extreme wild land fire (Angora). (4/5 vote required)(Cont'd 10/16/07, Item 19)  
**RECOMMENDED ACTION:** Adopt Resolution **270-2007**.

10. [07-1705](#) Sheriff's Department recommending Chairman be authorized to sign Agreement 117-S0811 with Tri-Signal Integration, Inc. in an amount not to exceed \$94,404 for the period November 1, 2007 through October 31, 2010 to provide annual testing, inspections, monthly preventative maintenance and repairs on an "as needed" basis for the fire alarm systems and the closed circuit television (CCTV) cameras, intercom and electronic doors at the South Lake Tahoe Jail and the South Lake Tahoe Juvenile Treatment Center.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund - Sheriff and Probation Budgets.

11. [07-1210](#) Chief Administrative Office recommending the following regarding the Angora Fire in the Lake Tahoe Basin:
- (1) Find that a state of emergency exists in the Lake Tahoe Basin as a result of the Angora Fire and that the nature and extent of the damage has not yet been determined; and
  - (2) Dispense with competitive bidding requirements in accordance with County Ordinance Code 3.14.060, so that the County may immediately secure assistance from outside vendors to perform necessary emergency work; and
  - (3) Authorize Purchasing Agent to issue purchase orders as necessary to ensure the continuation of County services and operations; and
  - (4) Dispense with competitive bidding requirements in accordance with Public Contract Code Sections 20395, 22035, and 22050 so that the Department of Transportation may immediately secure assistance from outside contractors to perform necessary emergency repairs for the Angora Fire Emergency Rehabilitation Projects pursuant to written contract; and
  - (5) Authorize the Director of Transportation to sign contracts to allow for the immediate performance of emergency repairs and restoration due to the limited time to install the measures and the onset of winter. (4/5 vote required) (Cont'd 10/16/2007, Item 26)

**RECOMMENDED ACTION:** Approve.

12. [07-1304](#) Sheriff's Department recommending Budget Transfer 28046 adding \$401,693 to said Department's budget for the Fiscal year 2007 Homeland Security Grant Program. (4/5 vote required)

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Homeland Security Grant.

13. [07-1640](#) General Services Department recommending Chairman be authorized to sign Funding Agreement 422-F0811 with Georgetown Divide Recreation District in the amount of \$100,000 for a term through June 30, 2009 for the Bayley House Restoration Project.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Community Enhancement funds.
14. [07-1517](#) Transportation Department recommending Resolution to terminate and abandon the rejected offer for drainage easements located centrally across Lots 61 and 62, and along the northerly boundary line of Lot 3 of APN 123-420-01, -02, and 123-440-03, necessary due to recent grading and the installation of new drainage facilities.  
**RECOMMENDED ACTION:** Adopt Resolution **273-2007**.
15. [07-1729](#) Auditor-Controller recommending the Board receive and file the County's Borrowing Potential Report.  
**RECOMMENDED ACTION:** Approve.
16. [07-1658](#) County Surveyor recommending the Board make the finding that the proposed new road name of Bucks Bar Court is in substantial compliance with El Dorado County Ordinance Section 15.04.090 (K) Road Naming Standards which states A cul-de-sac street may bear the same name as the street it intersects, providing that the suffix is "court" (e.g., a cul-de-sac opening on Oak Street may be called Oak Court); conversely subsection (L) from the same ordinance section paraphrased states, if your road is over 500 feet in length, a suffix of court shall not be used noting said ordinance is not clear if the 500 foot limitation applies to subsection (K).  
**RECOMMENDED ACTION:** Approve.
17. [07-1708](#) Chief Administrative Office, Procurement and Contracts Division, submitting a list of property for donation to the Calaveras County Sheriff's Office for law enforcement purposes and recommending the Board so declare and authorize donation of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12; and authorize the Purchasing Agent to execute Donated Surplus Property Agreement 475-00811 with Calaveras County.  
**RECOMMENDED ACTION:** Approve.
18. [07-1736](#) Supervisor Sweeney recommending Resolution **274-2007** for non-renewal of Williamson Act Contract (Agricultural Preserve 224) for the Mirande property.  
**RECOMMENDED ACTION:** Approve.

19. [07-1738](#) Supervisor Sweeney recommending Resolution **275-2007** supporting the efforts of the Rubicon Trail Foundation to assist the County in the preservation, restoration and maintenance of the Rubicon Trail.  
**RECOMMENDED ACTION:** Approve.
20. [07-1585](#) County Service Area No. 3 recommending the Board receive and file the Special Taxes Accountability Act Annual Reports for fiscal years 2005/2006 and 2006/2007.  
**RECOMMENDED ACTION:** Approve.
21. [07-1596](#) County Service Area No. 10 recommending Chairman be authorized to sign the First Amendment to Agreement 021-A-06/07-BOS with The Law Offices of Thomas M. Bruen increasing compensation amount by \$200,000 to a total not to exceed amount of \$300,000 for a perpetual term to provide specialty research and advisory services regarding air quality management, solid, liquid and hazardous waste.  
**RECOMMENDED ACTION:** Approve.  
  
**FUNDING:** CSA No. 10 and Air Quality Management District funds.
22. [07-1679](#) Air Quality Management District recommending the Air Pollution Control Officer be authorized to sign and submit the Fiscal Year 2007-2008 Subvention Application to the California Air Resources Board on behalf of said District.  
**RECOMMENDED ACTION:** Approve.  
  
**FUNDING:** California Air Resources Board.

## END CONSENT CALENDAR

## NOTICED HEARING

## DEPARTMENT MATTERS

23. [07-1669](#) Hearing to consider adoption of Resolution **271-2007** amending the El Dorado County Reuse Plan Governing Program Income from CDBG-Assisted activities to ensure ongoing compliance with State Regulations and to allow provision of assistance to housing rehabilitation, housing acquisition and business expansion and retention applicants/recipients; and recommending the Director of Human Services be authorized to sign the amended plan on behalf of the County for submittal to the State Department of Housing and Community Development.

24. [07-1646](#) Presentation of Proclamation by Supervisor Dupray recognizing the visit of Mayor Ichiro Kanke of the City of Aizu Wakamatsu, Japan and the special historical connection between El Dorado County and Japan through the Wakamatsu Tea and Silk Colony established in 1869 at Gold Hill.
25. [07-1615](#) Transportation Department recommending the following pertaining to the Cameron Park Drive, Palmer Drive and Country Club Drive Improvement Project 72364.
- 1) Award construction contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for October 18, 2007; and
  - 2) Authorize Chairman to sign said contract with the lowest responsive, responsible bidder, subject to review and approval of the final contract documents by County Counsel and Risk Management.

**FUNDING:** 2004 General Plan Traffic Impact Mitigation (TIM) Fee

26. [07-1681](#) Transportation Department recommending the following pertaining to the Durock Road Revised Road Improvement Agreement:
- (1) Authorize said Department to approve the substitution of a revised road improvement originally required under Tentative Parcel Map P99-13 (Barnett Business Park Unit II);
  - (2) Find that such change is in substantial compliance with the map conditions; and
  - (3) Direct said Department to return to the Board with the following:
    - (a) Revised Road Improvement Agreement;
    - (b) Revised Durock Road Fee - Acknowledgement of Termination of Agreement between the County and the Developer (Termination Agreement); and
    - (c) Reimbursement Agreement. (Cont'd 10/16/07, Item 49)

27. [07-1744](#) Transportation Department recommending the following pertaining to the Barnett Business Park Unit II assuming the Board approves the recommended action requested under the companion item 07-1681, requesting a change in the improvement required as traffic mitigation (item 18) of Tentative Parcel Map P99-13:  
(1) Authorize Chairman to sign the First Amendment to Agreement to Acknowledge Termination of Agreements of Barnett Business Park Fee between KFRD Investments, Inc. and Joe Vicini, Inc (Termination Agreement);  
(2) Authorize Chairman to sign the First Amendment to Road Improvement Agreement for Durock Road/Business Drive between the County and the Developer (KFRD Investments, Inc.) after signature by all parties of the Termination Agreement discussed in item (1) above;  
(3) Authorize Chairman to sign the Reimbursement Agreement for the Intersection Improvements at Durock Road and Business Drive between the County and the Developer (KFRD Investments, Inc.) consistent with Option 1 (three year payment) or Option 2 (single payment) after signature by all parties of agreements listed above in items (1) and (2).
28. [07-1742](#) Clerk of the Board advising the Board of the need to schedule a special meeting between November 14, 2007 and November 20, 2007 to continue the declaration of the State of Emergency relating to the Angora Fire.
29. [07-1682](#) Chief Administrative Office recommending adoption of the Cellular Telephone/Wireless PDA (Smartphones) Policy.

**FUNDING:** Departmental Budgets.

30. [07-1065](#) Supervisor Sweeney recommending Chairman be authorized to sign the Supplemental Water Acquisition Project Cost Share Agreement with El Dorado County Water Agency, El Dorado Irrigation District and Georgetown Divide Public Utility District in an amount not to exceed \$400,000 for 2007/2008 and each year thereafter in an amount not to exceed \$200,000 as approved by the Board of Supervisors at its meeting on April 17, 2007 and as conditioned upon contributions made by other entities, upon approval by County Counsel. (Cont'd 10/2/07, Item 24)
31. [07-1743](#) Supervisor Santiago recommending Chairman be authorized to sign a letter of intent to the City of South Lake Tahoe and South Lake Tahoe Unified School District regarding the issue of occupying 10,000 square feet of a joint use facility in South Lake Tahoe.

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

32. [07-1643](#) Supervisor Dupray recommending the week of November 4-10, 2007 be proclaimed as "Hunger Awareness Week."



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

33. [07-1584](#) Hearing to consider an appeal of the approval of Tentative Parcel Map P78-0280C; the correction to said map would allow removal of a 100-foot non-building easement and replacement with a 15-foot wide drainage easement on property consisting of 1.12 acres (APN 042-280-34) in the Pollock Pines area. Appellant: Mark John Dwyer, Applicant: Kenneth Teague. (District 2) (Cont'd 10/16/07, Item 37)
34. [07-1636](#) Hearing to consider an appeal of the approval of Temporary Use Permit TUP07-0011 to allow a temporary construction yard for the Shingle Springs Rancheria-U.S. Highway 50 Interchange construction and is limited to two portable offices and associated parking on property consisting of 34.63 acres (APN 319-220-18) located in the Shingle Springs Area (District IV); Appellant: Voices for Rural Living.

- 35. [07-1696](#) Hearing to consider an amendment to Subdivision Map E-18 (Tahoe Paradise Unit 53) for Lots 57 and 59 to remove the 25 foot front yard setback on property consisting of 13,000 square feet (APN 036-612-19) in the South Lake Tahoe area (District V); Applicant: Russell and Judy Crawford.
  
- 36. [07-1022](#) Development Services Department submitting revised Oak Woodland Management Plan. (Continued 10/2/2007, Item 27)

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

**CLOSED SESSION**

37. [07-1709](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**  
This body will hold a closed session to give instructions to its negotiator regarding real property described as APN 327-130-35. The person or persons with whom the negotiator may negotiate is Real Estate Holdings, II, LLC, A Delaware Limited Liability Company. Instructions to negotiator will concern price and terms of payment. Pete Feild, Right-of-Way Program Manager, will be the negotiator on behalf of El Dorado County.
38. [07-1734](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**  
Significant exposure to litigation. One (1) potential case.
39. [07-1739](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources.  
Employee Organization: Criminal Attorney Unit, El Dorado County Management Unit.
40. [07-1740](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator: Director of Human Resources.  
Employee Organization: Operating Engineers, Local No. 3, Trades and Crafts Unit.
41. [07-1741](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: Randy Subjeck, Kim Subjeck, Curtis Woodard and Londa Woodard v. El Dorado County, et al., El Dorado County Superior Court Case No. PC20060321.
42. [07-1469](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: U.S.A. v. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520 MCE GGH (ED CA).

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Notice of any Agenda ADDENDA will be recorded on the "AGENDA HOTLINE" (530) 621-6622 no later than 8:00 A.M. on Saturday preceding the Tuesday meeting.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 2, Wednesday at 4:00 P.M.  
South Lake Tahoe - Charter Cable 21, Daily - Time varies