



# County of El Dorado

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## Minutes - Final 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, January 30, 2007

8:00 AM

Board of Supervisor Meeting Room

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The Vision Statement adopted by the Board of Supervisors on November 7, 2006, states "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."

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:** 3 - Supervisor Sweeney, Supervisor Briggs 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 Sweeney to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4, 8, 21, 22 and 23 pulled from the Consent Calendar for separate action; and Item 42 added to the Consent Calendar and approved.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

## PRESENTATION

1. [07-148](#) **PRESENTATION** by the El Dorado County Youth Commission updating the Board and public on current activities and inviting the Board and the public to a Spaghetti Feed and Silent Auction to be held on Sunday, February 11, 2007 from 4:00 p.m. to 7:00 p.m. at the Mother Lode Lions Hall in Diamond Springs.

**No action required.**

## OPEN FORUM

## CONSENT CALENDAR

2. [07-143](#) Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Tuesday, January 16, 2007 and Regular Meetings of January 9 and 23, 2007.

**RECOMMENDED ACTION:** Approve.

**This matter was Approved on the consent calendar**

3. [07-145](#) Mental Health Department recommending Chairman be authorized to sign Memorandum of Understanding (MOU) with the El Dorado County Probation Department in the amount of \$35,000 to provide mental health services to Juvenile Hall and the South Lake Tahoe Juvenile Treatment Center for the Probation Department, noting the MOU provides for the dedication of one FTE Clinician to West Slope Juvenile Hall and one FTE Clinician to South Lake Tahoe Juvenile Treatment Center, the net cost of the two FTE will be recovered through Medi-Cal billings.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

**This matter was Approved on the consent calendar**

4. [07-082](#) Public Health Department recommending Chairman be authorized to sign the following retroactive agreements for the term July 1, 2006 through June 30, 2007 to provide Collaborative Justice Juvenile Drug Court Services:
- (1) SC1-2007 with Superior Court in the amount of \$16,000 (incoming);
  - (2) 556-PHD1106 with New Morning Youth & Family Services, Inc. in the amount of \$7,400 (outgoing);
  - (3) 557-PHD1106 with Tahoe Youth & Family Services in the amount of \$7,400 (outgoing).

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Judicial Council of California, Administrative Office of the Courts.

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

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

5. [07-152](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign retroactive Amendment 1 to Memorandum of Understanding 063-M0611 with El Dorado County Public Health Department increasing compensation by \$53,776 to \$274,447 in order to increase the Public Health Nurse from .40 FTE to 1.0 FTE for the provision of health-related services to at-risk clients for said Department during Fiscal Years 2006/2007 and 2007/2008, noting processing was delayed pending receipt of the annual State allocation, as of 7/1/06, Public Health provides 0.5 FTE Public Health Nurse for the provision of at-risk families on both slopes (1.0 FTE total).

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal, State and County General Fund.

**This matter was Approved on the consent calendar**

6. [07-160](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 2 to Agreement 202-S0711 with New Morning Youth and Family Services, Inc. increasing compensation from \$127,975 to \$156,975 for the term July 1, 2006 through June 30, 2007 to provide child abuse prevention, intervention and treatment services for the Child Abuse Prevention, Intervention and Treatment (CAPIT) and Promoting Safe and Stable Families (PSSF) programs for said Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal, State and County General Funds.

**This matter was Approved on the consent calendar**

7. [07-155](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 2 to Agreement 348-S0510 with Area Transit Management, Inc. amending Article III - Compensation to include a rate for a new service without any change to the maximum compensation of \$60,000 and extending the term from January 3, 2005 through January 2, 2008 and adding Article XXIII - County Business License and Article XXIV - Nondiscrimination to reflect new County requirements to provide "as-requested" bus transportation services for clients of said Department in the South Lake Tahoe area, noting the Department initiated the amendment in October 2006, processing was delayed pending clarification and inclusion of the new rate as requested by the vendor.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal, State and County General Fund.

**This matter was Approved on the consent calendar**

8. [07-147](#) Human Services Department, Social Services Division, recommending advanced step placement at Step 5 of the salary range for Jennifer Ballinger for the position of Social Services Supervisor I, retroactive to December 9, 2006.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal, State and County General Fund.

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

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

9. [07-079](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance for the following:  
(1) Burnett Park, LLC, Merlin Leu; Dan Rinehart Construction, Inc., Dan Rinehart; Genesis Homes LLC, Kirk H. Barth; Orlando H. Joyce and Marleen C. Joyce; Lurnic Family Partnership, a CA LP, Roger C. James and Tamra A. James for property in the vicinity of the Cameron Park Airport;  
(2) Scott Herring; Kaj Investments LLC, Jeff Tarbell; Robert W. McCullough for property in the vicinity of the Georgetown Airport; and  
(3) Marian E. Noujaim; and Harold B. Schultz for property in the vicinity of the Placerville Airport.

**RECOMMENDED ACTION:** Approve.

**This matter was Approved on the consent calendar**

10. [07-063](#) Department of Transportation recommending Chairman be authorized to sign the State of California, Department of Transportation Master Agreement (AGMT 06-1342) Administering Agency - State Agreement for Federal-Aid Projects No. 03-5925R.

**RECOMMENDED ACTION:** Approve.

**This matter was Approved on the consent calendar**

11. [07-087](#) Transportation Department recommending the following pertaining to U.S. Highway 50/Missouri Flat Road Interchange Project 71317:
- 1) Approve the Acquisition Agreement for APN 327-290-58, owned by WRI Golden State LLC, A Delaware Limited Liability Company;
  - 2) Authorize the Chairman to sign the Acquisition Agreement and the Certificates of Acceptance for the Deeds associated with said Agreement.
  - 3) Authorize the Director of Transportation or his designee to execute Escrow Instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees.

**RECOMMENDED ACTION:** Approve.

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

**This matter was Approved on the consent calendar**

12. [07-162](#) Transportation Department recommending Chairman be authorized to sign Construction Responsibility and Reimbursement Agreement 06-1260 and Utility Agreement 06-1259 with El Dorado Irrigation District to accommodate the construction of the U.S. Highway 50/Missouri Flat Road Interchange Phase 1A Project 71317.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** El Dorado Irrigation Funding.

**This matter was Approved on the consent calendar**

13. [06-1999](#) Transportation Department recommending award of construction contract work for the Apalachee Phase 3A Erosion Control Project, Contract No. 95184, to the lowest responsive, responsible bidder, White Rock Construction, Inc., in the amount of \$2,381,824.70; and Chairman be authorized to sign contract with White Rock Construction, Inc., subject to review and approval of the final contract documents by County Counsel and Risk Management (contingent upon Board approval of the CTC grant augmentation being considered as a separate item).

**RECOMMENDED ACTION:** Approve.

**FUNDING:** California Tahoe Conservancy, United States Forest Service and the United States Bureau of Reclamation

**This matter was Approved on the consent calendar**

14. [07-023](#) Transportation Department recommending the Chairman be authorized to sign the California Tahoe Conservancy (CTC) Soil Erosion Control Program grant Amendment CTA-02007.1 for the Apalachee Phase 3A and Phase 3B Erosion Control Projects, upon review and approval by County Counsel and Risk Management.

**RECOMMENDED ACTION:** Approve

**FUNDING:** California Tahoe Conservancy.

**This matter was Approved on the consent calendar**

15. [07-073](#) Probation Department recommending Chairman be authorized to sign Agreement 353-S0711 with G4S Justice Services, Inc. in the amount of \$267,000 for a three year term to provide electronic monitoring equipment and services on an as-needed basis for said Department's 24-hour monitoring of adult and juveniles on the court ordered Electronic Monitoring Program.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** \$75,000.00 approved Fiscal Year 06/07; anticipate \$95,000.00 for Fiscal Year 07/08; and anticipate \$97,000.00 for Fiscal Year 08/09.

**This matter was Approved on the consent calendar**

16. [07-094](#) County Counsel recommending Chairman be authorized to sign Agreement with William A. Houle, Esq. in the amount of \$79,344 for conflict indigent defense services.  
**RECOMMENDED ACTION:** Approve.  
  
**FUNDING:** General Fund (Indigent Defense)  
**This matter was Approved on the consent calendar**
17. [07-158](#) Ratification of the Board's action on January 9, 2007 accepting Supervisor Dupray's resignation and appointing Supervisor Briggs to the Local Agency Formation Commission for a term to expire January 2010. (Refer Item 48, 1/9/07)  
**RECOMMENDED ACTION:** Approve.  
  
**This matter was Approved on the consent calendar**
18. [07-080](#) Chief Administrative Office, Procurement and Contracts Division, presenting list of property 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**
19. [07-083](#) Chief Administrative Office, Procurement and Contracts Division, presenting list of personal property for donation to the County Department of Transportation for the use of office space cubicles in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.; and authorize the Purchasing Agent to execute the required surplus property donation agreement with Briw Office Investors.  
**RECOMMENDED ACTION:** Approve.  
  
**This matter was Approved on the consent calendar**
20. [07-069](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board dispense with competitive bidding procedures in accordance with Section 3.12.160 B of the County Purchasing Ordinance; and authorize the Purchasing Agent to make a sole source purchase from Avaya Communications in an amount not to exceed \$385,000 for hardware and software necessary to upgrade the County's telecommunications infrastructure.  
**RECOMMENDED ACTION:** Approve.  
  
**FUNDING:** Available within Information Technologies' budget.  
**This matter was Approved on the consent calendar**

21. [07-089](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Request for Proposal 07-961-053 for County surplus property auction services to the successful proposer Roger Ernst & Associates Auctioneering, Inc. of Modesto, California and make findings that it are more economical and feasible to contract out the needed services in accordance with County Ordinance 3.13.030; and authorize the Chairman to execute an agreement for same upon County Counsel and Risk Management review and approval.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Not applicable.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

22. [07-141](#) Chief Administrative Office recommending adoption of the 2007 State Legislative Platform to provide direction to Peterson Consulting to effectively communicate the County's interests.

**RECOMMENDED ACTION:** Approve.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

23. [07-142](#) Chief Administrative Office recommending adoption of the 2007 Federal Legislative Platform to provide direction to Potomac Partners to effectively communicate the County's interests.

**RECOMMENDED ACTION:** Approve.

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

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

24. [07-159](#) Supervisor Briggs, on behalf of the Mother Lode Church, recommending a one year extension (January 16, 2008) of Building Permit 103424 for said Church.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar



25. [07-077](#) Supervisor Santiago, on behalf of the El Dorado County of the El Dorado County Early Care and Education Planning Council, recommending Leanne Wagoner (Community Agency) and Mark Romanolgo (Public Agency) be appointed and Lisa Daly (Provider Representative) be reappointed for terms to expire January 2011; and accept the resignations of Nichole Loftis and Michele Miller.  
**RECOMMENDED ACTION:** Approve.  
**This matter was Approved on the consent calendar**
26. [07-174](#) Chief Administrative Officer recommending the Capital Improvement Project (CIP) special meeting scheduled for 2:00 p.m., Monday, February 5, 2007 be rescheduled to 2:00 p.m., Tuesday, February 13, 2007. (No New papers)  
**RECOMMENDED ACTION:** Approve.  
**This matter was Approved on the consent calendar**
27. [07-048](#) General Services Department recommending Chairman be authorized to sign Budget Transfer appropriating \$880,240 to the Placerville Airport Capital Improvement budget, pursuant to Memorandum of Understanding with New Faze Development (Item 30, January 9, 2007). (Cont'd., 1/23/07 Item 9)  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Developer Contribution.  
**This matter was Approved on the consent calendar**
28. [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 1-23-2007, Item 10)  
**RECOMMENDED ACTION:** Approve and continue for status review.  
**FUNDING:** Accumulated Capital Outlay Fund and Criminal Justice Special Revenue Fund.  
**This matter was Approved on the consent calendar**

**END CONSENT CALENDAR**

**NOTICED HEARINGS/DEPARTMENT MATTERS****29. [07-157](#)**

General Services Department recommending Chairman be authorized to sign the following Land Use Agreements for the term February 1, 2007 through January 31, 2017 for Portable Hangars located at the Placerville Airport:

- (1) 337-L0711 with John L. Wetzel Revocable Trust for space H-06;
- (2) 338-L0711 with James Robinson for hangar space H-33;
- (3) 339-L0711 with McDavid Living Trust for a T hangar space TP-03;
- (4) 340-L0711 with Frank Ugie for a T hangar space TP-23;
- (5) 359-L0711 with Rick Atkins Ragtime Aero for hangar space H-04;
- (6) 370-L0711 with Johnny Miller for hangar space H-08;
- (7) 371-L0711 with Rich Mohr/Pacific Jetting for hangar space H-09;
- (8) 372-L0711 with Michael D. Williams for hangar space H-11;
- (9) 373-L0711 with Algimantas Balciunas for hangar space H-18;
- (10) 374-L0711 with David Yaw and Christine Yaw for hangar space H-31;
- (11) 375-L0711 with Steve DeHaas and Ray Little for hangar space H-32;
- (12) 376-L0711 with William L. Wilson for hangar space H-34;
- (13) 377-L0711 with Jim Rhodes, DJ Enterprizes for a single port-a-port hangar space SP-03;
- (14) 378-L0711 with Thomas Mant for a single port-a-port hangar space SP-08;
- (15) 379-L0711 with James M. Moore and Patrick Weddle for a single port-a-port hangar space SP-11;
- (16) 380-L0711 with Ron Doupe for a single port-a-port hangar space SP-24;
- (17) 381-L0711 with Mark Edwin Stephens for a single port-a-port hangar space SP-30;
- (18) 382-L0711 with The Joy 2004 revocable Trust for a hangar space TP-05;
- (19) 383-L0711 with Morgan Hall for a T hangar space TP-14;
- (20) 384-L0711 with Barry Miller and Julie Miller for a T hangar space TP-15;
- (21) 385-L0711 with Bill Lind for a T hangar space TP-16;
- (22) 393-L0711 with Alfred Hamilton for a single port-a-port hangar space SP-10;
- (23) 396-L0711 with Jim Lang for a hangar space H-30;
- (24) 398-L0711 with Theodore Pecci and/or Elaine Pecci for a single port-a-port hangar space SP-14; and
- (25) 400-L0711 with Robert Berti for a single port-a-port hangar space SP-29. (4/5 vote required)

**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to extend the Land Use Agreements for one year only (February 1, 2007 through February 1, 2008) and staff to report back to the Board by September 25, 2007 with options pertaining to same.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

30. [07-163](#) General Services Department recommending Chairman be authorized to sign the following Land Use Agreements for the term February 1, 2007 through January 31, 2017 for aircraft storage hangars at the Georgetown Airport:
- (1) 394-L0711 with Robert Jessup for hangar space H-03;
  - (2) 395-L0711 with Randy Johnson for hangar space SP-11;
  - (3) 397-L0711 with McKeehan Pieper for hangar space H-05; and
  - (4) 399-L0711 with James Westfall for hangar space SP-04. (4/5 vote required)

**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to extend the Land Use Agreements for one year only (February 1, 2007 through February 1, 2008) and staff to report back to the Board by September 25, 2007 with options pertaining to same.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

31. [07-070](#) Chief Administrative Office, Procurement and Contracts Division presenting the first quarterly summary and detailed procurement and contract activity reports pursuant to Board of Supervisors Policy C-17 since the adoption of the new County Purchasing Ordinance and Purchasing Agent requesting direction on any requested modifications to the content of said reports and requesting approval of minor corrections to Board of Supervisors Policy C-17.

**FUNDING:** Not applicable.

**A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt the changes as recommended including the language pertaining to website posting.**

**Yes:** 4 - Dupray, Baumann, Briggs and Santiago

**Noes:** 1 - Sweeney

32. [07-024](#) **APPOINTMENTS to Committees/Commissions that are advisory to the Board of Supervisors.** (Continued 1/30/07, Item 32)

**Aging Commission - 4 Year Term**

Member, District IV

Member, District V

Alternate Member, District V

**Cameron Park Design Review - 4 Year Term**

Member

**Cemetery Advisory Committee - 2 Year Term**

Member, Districts IV and V

**Child Abuse Prevention Council - 2 Year Term**

Member, Community Based Org.

Member, Community Representative

Member, Public CWS

Member, Health and Mental Health Provider

Member, Public Agency/Child Welfare Serv.

**Civil Service Commission - 4 Year Term**

Member, District IV

**Clean Tahoe Community Task Force - 2 Year Term**

Member, District V

**Developmental Disabilities Area Board III - 1 Year Term**

Member

**Fair Association Board of Directors - 4 Year Term**

Member, District IV

**Fire Advisory Board - 2 Year Term**

Member, (4 vacancies) (Refer to letter dated 1-23-07)

**Fish and Game Committee - 4 Year Term**

Member, District IV

**Greenwood Cemetery District - 4 Year Term**

Member, (4 vacancies)

**In-Home Supportive Services - 2 Year Term**

Member, Community

Member, Consumer (4 vacancies)

Member, Care Provider, (2 vacancies)

**Library Commission - 4 Year Term**

Member, District IV

**Mental Health Commission - 3 Year Term**

Member, Western Slope Commission

Member, South Lake Tahoe Commission, (3 Vacancies)

**Parks and Recreation Commission - 4 Year Term**

Member, District IV

**Pollock Pines Design Review Committee - 4 Year Term**

Business Representative, (2 vacancies)

Resident Representative, (3 vacancies)

**River Management Advisory Committee - 4 Year Term**

Rep., State Dept. of Parks and Rec., (2 vacancies)

Rep., Coloma/Lotus Business Owner

Rep., Landowner/Resident

Rep., Outfitter

Member-at-Large

**Trails Advisory Committee - 4 Year Term**

Member (2 vacancies)

**Veterans Affairs Commission - 4 Year Term**

Member, District V

Alternate Member, Districts IV & V

**A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to take the following action pertaining to committees/commissions that are advisory to the Board of Supervisors:**

**Cemetery Advisory Committee:**

**Candy Brown appointed as District IV representative for a term to expire January 2008.**

**Clean Tahoe Community Task Force:**

**Peter Spellman reappointed as a member representative for a term to expire January 2009.**

**Fair Association Board of Directors:**

**Karen Forni reappointed as District IV representative for a term to expire January 2011.**

**Greenwood Cemetery District:**

**Paul Dahms, Frank Clark and Virginia Crespo appointed as trustees for terms to expire January 2011.**

**Mental Health Commission:**

Dr. R. S. Lin appointed as a member to the South Lake Tahoe Council for a term to expire January 2010.

**Parks and Recreation Commission:**

Todd White appointed as the District IV representative for a term to expire January 2011.

**River Management Advisory Committee:**

Bill Deitchman appointed member and Suzanne Bowman appointed alternate representing the State Department of Parks and Recreation; Dave Martinez appointed as the Coloma/Lotus Business Owner representative; Martin Harris appointed as Landowner/Resident representative; Scott Underwood reappointed as the Outfitter representative; and Marilyn Tahl appointed a Member-at-Large for terms to expire January, 2011.

**Veterans Affairs Commission:**

William Kerr reappointed as the District V member and Eugene Ross reappointed as the District V alternate member for terms to expire January, 2011.

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

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

- 33. [07-144](#) Chief Administrative Office recommending Resolution 013-2007 approving, in concept, the sale of tobacco settlement revenues for the purposes of securitizing such revenues and participation in the California Statewide Communities Tobacco Securitization Pool.

**FUNDING:** Tobacco Settlement Funds.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt Resolution 013-2007; direct staff to return to the Board on February 13, 2007 for a report on issues relating to Ordinance and Initiative language; and refer to the Bond Screening Committee for review, with the direction that said Committee report back to the Board by March 20, 2007 for further discussion relating to securitizing revenues and participation in said Pool.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

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

- 34. [07-022](#) (1) Hearing to consider adoption of Resolution **009-2007** establishing Agricultural Preserve 308 (Williamson Act Contract WAC06-0007) on property consisting of 25 acres and identified as APNs 084-200-13, -17 and 084-330-13; and adoption of Ordinance **4712** rezoning said property from Estate Residential Five acre (RE-5) to Agriculture Preserve (AP) in the Camino area, Applicants: Robert, Margot and Steven Scharpf.

(2) Planning Division staff recommending Board review the 200-foot setback issue and provide direction to staff to consider amending the Agricultural Commission’s Administrative Relief process (Resolution No. 176-97), and/or revisit the 200-foot setback issue with possible options as noted in this agenda item. (Cont.'d 1/9/07, Item 56)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to continue Williamson Act Contract application 06-0007 and Rezone application Z06-0032 to July 17, 2007.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to direct staff to bring back a Resolution for adoption and a draft Ordinance for review relating to agricultural setbacks on February 27, 2007.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago



35. [07-101](#) Hearing to consider the following pertaining to the Hillsdale Office Park in the El Dorado Hills area, requested by Tres Banditos, LLC (District II):

- (1) Rezone (Z05-0020) property described as APN 117-085-10 from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD);
- (2) Development Plan (PD05-0017) to construct five office buildings ranging in size from 3,250 to 4,800 square feet, one each on the five proposed parcels;
- (3) Tentative Parcel Map (P05-0019) to divide the 2.001-acre parcel into five parcels ranging in size from 11,866 to 26,158 square feet; and
- (4) Ordinance **4716** for said rezone.

**Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to adopt the negative declaration, as prepared; adopt Ordinance 4716 to approve the rezoning based on findings; approve the development plan and tentative parcel map adopting the development plan as the official development plan, based on findings, subject to the conditions recommended by the Planning Commission.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

36. [07-131](#) Hearing to consider a request submitted by Marion Eugene Long appealing the conditional approval of a legal non-conforming use determination (SPR06-0133); said determination would allow Pacific House Automotive Repair Service to remain in business as an auto repair facility within a Commercial Zone District and allow the continued use of an outdoor auto lift pending Planning Services approval of a site plan noting the locations of all automotive operations, i.e., bays, storage, trash enclosures, offices, parking, and locations of residential buildings and all other structures on the site identified as APN 009-140-19, consisting of 4.19 acres in the Pacific House area. (Cont'd 1-30-07, Item 36)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to conceptually deny the appeal; overturn the finding of the Planning Commission that this is a legal non-conforming use; waive fees and encourage the Appellant to file for an application for a special use permit; and direct staff to return to the Board on February 27, 2007 with findings for denial based on the testimony and evidence presented this date.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

37. [07-123](#) Hearing to consider the following pertaining to 40.1 acres identified as APN 071-450-03 in the Cool area (Applicant: William Ormond):

- (1) Rezone (Z05-0016) property from Estate Residential Ten-acre (RE-10) to Estate Residential Ten-acre/Planned Development (RE-10/PD);
- (2) Development Plan (PD05-0014) and Tentative Parcel Map ((P05-0016) creating four residential lots ranging in size from 4.03 to 11.47 acres, with a commonly held open space area of 12.59 acres;
- (3) Design waiver to reduce the road width improvement requirement for the access road to Lots 2, 3, and 4 from 24 to 20 feet; and
- (4) Ordinance **4717** for same. (Supervisory District IV).

**A motion was made by Supervisor Briggs, seconded by Supervisor Sweeney that the Board's intent is to approve this matter with modifications as discussed this date; and direct staff to return with the modified findings and conditions for consideration by the Board on the February 27, 2007 consent calendar.**

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

**CLOSED SESSION**

- 38. [07-180](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**  
Title: Director of General Services.  
**No action reported.**
- 39. [07-182](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**  
Title: Acting Director of Environmental Management.  
**No action reported.**
- 40. [07-183](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
**County Negotiator:** Chief Administrative Officer.  
**Employee Organization:** Law Enforcement Manager's Association.  
**No action reported.**
- 41. [07-184](#) 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 (ED CA).  
**No action reported.**

**ADDENDUM**

**Department Matters:**

- 42. [07-194](#) Board to consider adoption of Resolution **017-2007** ratifying Resolution **015-2007** that declared a local emergency for the purpose of obtaining state and federal assistance due to a severe cold weather event that occurred in January 2007; and further recommending Chairman be authorized to execute any and all consultant services, contracts, and purchase orders for goods and services in connection with the emergency, in accordance with County Code section 2.42.110.

**This matter was added to the Consent Calendar and approved.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

- 43. [07-199](#) County Counsel recommending Chairman be authorized to sign Agreement for Legal Services with Diepenbrock Harrison to provide representation for the County in regard to the Congregate Care Facility in Cameron Park, Ca., El Dorado County Superior Court Case No. PC20070021, California Native Plant Society, et al., v. County of El Dorado, et al.

**FUNDING: No Net County Cost**

**A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to authorize County Counsel to make minor changes to said Agreement with the concurrence of the Chief Administrative Officer.**

**Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

**Closed Sessions:**

- 44. [07-189](#) Pursuant to Government Code 54956.8, **Conference with Real Property Negotiator:**  
Instructions to negotiator regarding real property described as APN 327-130-35. The entity with whom the negotiator may negotiate is Real Estate Holdings, II, LLC. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.  
**No action reported.**
  
- 45. [07-191](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: El Dorado County v. Thomas E. Soike, El Dorado County Superior Court Case No. PC20050705.  
**No action reported.**
  
- 46. [07-201](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: California Native Plant Society, et al. v. County of El Dorado, et al., El Dorado County Superior Court Case No. PC20070021.  
**No action reported.**

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