



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

James R. Sweeney, Chairman, District III
Helen K. Baumann, Vice Chairman, District II
Rusty Dupray, District I
Charlie Paine, District IV
Norma Santiago, District V

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

Tuesday, March 28, 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

Present: 2 - Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Paine

9:00 A.M. - CLOSED SESSION REPORTS**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG****ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR**

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.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopted the Agenda and approve the Consent Calendar with the following exceptions: Item 19 pulled from the Consent Calendar for separate action; Items 5, 7, 10, 17 and 30 continued to April 4, 2006; Item 8 continued to April 18, 2006; Item 22 continued to April 25, 2006; and Item 25 continued to April 4, 2006 at 2:30 p.m.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

OPEN FORUM**CONSENT CALENDAR**

1. **06-0483** Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, March 21, 2006.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.
2. **06-0470** Release of lien(s) (on file with the Clerk).
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.
3. **06-0472** Public Health Department recommending Chairman be authorized to sign the following retroactive Comprehensive Drug Court Implementation Agreements for the period of December 29, 2005 through December 28, 2006:
(1) Agreement 502-PHD0106 with New Morning Youth and Family Services, Inc. in an amount not to exceed \$13,285; and
(2) Agreement 505-PHD0106 with Tahoe Youth and Family Services in an amount not to exceed \$8,857.
RECOMMENDED ACTION: Approve.

FUNDING: Department of Alcohol and Drug Programs.

This matter was approved on the Consent Calendar.

4. **06-0473** Public Health Department recommending Chairman be authorized to sign the following Retroactive Comprehensive Drug Court Implementation Dependency Drug Court Treatment Provider Amendments for a term to expire June 30, 2006:
- (1) Amendment 01 to Agreement 420-PHD0205 with Family Connections, Inc.;
- (2) Amendment 01 to Agreement 421-PHD0205 with Progress House, Inc. in an amount not to exceed \$37,886; and
- (3) Amendment 01 to Agreement 422-PHD0205 with Sierra Recovery Center in an amount not to exceed \$38,386, noting retroactive as to term due to late receipt of State agreements.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** Department of Alcohol and Drug Programs.
- This matter was approved on the Consent Calendar.**
5. **06-0475** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 432-S0511 with The Gates Recovery Foundation in an amount not to exceed \$20,000 for a two year period to provide therapeutic counseling services to clients of the Child Protective Services and Employment and Training programs.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** Federal, State and County.
- This matter was continued to April 4, 2006 upon adoption of the Agenda.**
6. **06-0476** Human Services Department, Social Services Division, recommending Chairman be authorized to sign the El Dorado County Transitional Housing-Plus (THP-PLUS) Program Plan for submission to the California Department of Social Services (CDSS); said Program to assist emancipated foster youths and/or former dependents or wards of the juvenile court (ages 18-24) by providing youths with housing and supportive services while they acquire skills needed for independent living.
- This matter was approved on the Consent Calendar.**
7. **06-0477** Library Director recommending Budget Transfer 26095 increasing the allocation for the Literacy Program by \$5,282 due to an increase in state funding and increasing the allocation for the Cameron Park Library by \$15,000 from fund balance in fund type 12. (4/5 vote required)
- RECOMMENDED ACTION:** Approve.
- FUNDING:** State funding.
- This matter was continued to April 4, 2006 upon adoption of the Agenda.**

8. **06-0479** Information Technologies recommending Resolution **084-2006** amending the Authorized Personnel Allocation Resolution by **deleting** two Principal Information Technology Analyst positions, and **adding** two Information Technology Manager positions; and recommending Resolution **085-2006** amending the the Salary Schedule to establish the salary range for the position of Information Technology Manager; and further recommending Human Resources implement a reduction in force (RIF) if necessary for Principal Information Technology Analyst incumbents should those incumbents not be selected to fill the IT Manager positions. (Continued 3/28/06, Item 8)

FUNDING: General Fund.

This matter was continued to April 18, 2006 upon adoption of the Agenda.

9. **06-0480** Transportation Department recommending the following pertaining to the Cambridge/Merrychase/U.S. 50 West Bound Ramps Intersection Improvements Project, Contract 73345:
- (1) Set the Disadvantaged Business Enterprise Goal at 0%;
 - (2) Approve Plans and contract documents and authorize the Chairman to sign said Plans for same; and
 - (3) Authorize said Department to advertise for construction bids.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 Traffic Impact Mitigation Fee Program, and El Dorado County Transportation Commission RSTP Exchange Grant Program.

This matter was approved on the Consent Calendar.

10. **06-0481** Transportation Department recommending Chairman be authorized to sign Agreement AGMT 05-967 with Dowling Associates, Inc. in an amount not to exceed \$500,000 for a term of two years to provide "as-needed" transportation planning and traffic engineering services, noting this firm is one of 8 firms placed on a list after DOT completed its solicitation for transportation consulting firms in 2005. This consultant is nationally recognized for his transportation and traffic expertise and, this firm will not submit proposals for any private project development/design work within the County.

RECOMMENDED ACTION: Approve.

FUNDING: Interim 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was continued to April 4, 2006 upon adoption of the Agenda.

11. **06-0489** Transportation Department recommending Chairman be authorized to sign Amendment 04 to Agreement PSS 193 with Dokken Engineering extending the term an additional six months through September 30, 2006 and amending the deliverables under the Agreement for continuation of construction support services for the Latrobe Road Realignment, Widening and Bridge Project 72335.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
12. **06-0482** Transportation Department recommending Chairman be authorized to sign the California Tahoe Conservancy Public Access and Recreation Grant Program Agreement CTA-05015 in the amount of \$1,638,000 for completion of the Sawmill Bike Path Project, noting the requested action is consistent with Board action on October 18, 2005 to participate in the Lake Tahoe Basin Public Access and Recreation State Grant Program.
RECOMMENDED ACTION: Approve.
FUNDING: California Tahoe Conservancy.
This matter was approved on the Consent Calendar.
13. **06-0486** Human Resources recommending Resolution amending the Authorized Personnel Allocation Resolution by **adding** two Program Manager positions and one Senior Staff Services Analyst position to Human Services and **deleting** one Nutrition Services Supervisor position, one Chief Deputy Public Guardian position and one Staff Services Analyst I/II position; and recommending Resolution amending the Salary Schedule establishing salary range and bargaining units for the classifications of Waste Management Technician I/II/III, Program Manager and the merit classification of Senior Staff Services Analyst
RECOMMENDED ACTION: Adopt Resolution Nos. **086-2006** and **087-2006**.
This matter was approved on the Consent Calendar.

- 14. 06-0490** Chief Administrative Office, Procurement and Contracts Division, recommending the Board rescind award of Bid 06-425-073 (Item 37, February 28, 2006) to Healthcare Source for tables and chairs for Human Services, Community Services Division; award the bid to the next two low qualified bidders; and authorize blanket purchase orders to United Corporate of Sacramento, California in the amount of \$19,729 for chairs and Keller Group of Sacramento, California in the amount of \$8,297 including sales tax for tables; and authorize an increase to same on an "as requested" basis if funding is available within the requesting department's budget, noting the vendor is unable to perform as required under the terms of the bid and has formally withdrawn their bid, with this rescission, the bid would be awarded to the next lowest bidder.
RECOMMENDED ACTION: Approve.

FUNDING: Local donations, state and federal funds.

This matter was approved on the Consent Calendar.

- 15. 06-0491** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-680-077 for the purchase of Glock pistols for deputies in the Corrections Division in Placerville and South Lake Tahoe locations, and authorize blanket purchase order to L.C. Action Police Supply of San Jose, California in the amount of \$17,587, including sales tax for a twelve month period and authorize an increase to same on an "as-needed" basis during the awarded period if funding is made available within the requesting department's budget.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Sheriff's Office Services and Supplies budget.

This matter was approved on the Consent Calendar.

- 16. 06-0492** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-961-083 for road material hauling services for the west slope; and authorize the Department of Transportation to bring back for Board approval an agreement with Blain Stumpf Trucking in an amount not to exceed \$150,000 for the term of one year for said services upon approval by County Counsel and Risk Management.
RECOMMENDED ACTION: Approve.

FUNDING: Department of Transportation's Road Fund.

This matter was approved on the Consent Calendar.

17. **06-0493** Chief Administrative Office recommending the Board accept \$7,500 in Grant Funding from PG&E; and authorize Chairman to sign Budget Transfer 26091 increasing revenues and appropriations in the Economic Development Office budget, noting the grant will support the cost of the Venture Communities Pilot Implementation Project, including the sponsorship of a two-day conference with venture capitalists to be held in El Dorado Hills.

RECOMMENDED ACTION: Approve.

FUNDING: Grant funding.

This matter was continued to April 4, 2006 upon adoption of the Agenda.

18. **06-0487** Supervisor Baumann requesting ratification of her signature on letters to Senator Dianne Feinstein and Senator Barbara Boxer requesting timely action in updating and improving the Endangered Species Act in 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

19. **06-0488** Supervisor Baumann requesting ratification of her signature on letters to Congressman Dan Lungren and Congresswoman Lois Capps requesting inclusion of full funding for the reauthorization of PL 106-393, the Secure Rural Schools and Communities Self-Determination Act of 2000 in the House Budget Resolution.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve this matter with Board consensus that correspondence of this nature should be signed by the Chair of the Board of Supervisors.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

20. **06-0474** Supervisor Sweeney requesting the Board of Supervisors Meeting on Tuesday, April 25, 2006 convene at 10:00 a.m. to allow members of the Board, who will be attending the 36th annual Capitol-to-Capitol Conference, to attend a "kick-off" breakfast scheduled this date with the Sacramento Metropolitan Chamber of Commerce from 7:00 a.m. to 9:00 a.m. in Sacramento.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

21. 06-0497

Supervisor Santiago recommending Resolution supporting the 11th Annual Lake Tahoe Marathon to be held between September 26 and October 1, 2006 around Lake Tahoe and between Tahoe City and South Lake Tahoe from approximately 6:45 a.m. to 1:30 p.m. on State Highway 89.

RECOMMENDED ACTION: Adopt Resolution **089-2006**.

This matter was approved on the Consent Calendar.

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

- 22. 06-0394** Chief Administrative Officer updating the Board on proposed policy pertaining to the tools for recruitment, including the reimbursement of relocation expenses. (Refer 3/7/06, Item 23)

This matter was continued to April 25, 2006 upon adoption of the Agenda.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

- 23. [06-0234](#)** Sheriff's Department recommending adoption of Resolution **088-2006** continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of person and property exists. (Continued 03/14/2006, Item 24)

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 088-2006.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

24. [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 **April 4, 2006** Board Meeting for status review.
(Continued 3/28/06, Item 23) (4/5 vote required)

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

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve the findings and continue this matter to April 4, 2006 for ratification.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

25. **06-0436** Development Services Department recommending Chairman be authorized to sign Memorandum of Agreement with Tahoe Regional Planning Agency for staffing and funding the Pathway 2007 Regional Planning Update Process, noting this item is consistent with Resolution expressing support for the Pathway 2007 Regional Plan Update and Budget Transfer approved on March 7, 2006, Item 34. (Continued 3/14/06, Item 25)

This matter was continued to April 4, 2006 at 2:30 p.m. upon adoption of the Agenda.

26. [06-0361](#) Chief Administrative Office and General Services Department presenting an update on the Veterans Memorial Monument, Capital Improvement Project 06-50 and proposed Animal Control Facility in Placerville. (Referred 2/28/06, Item 23 and 2/14/06, Item 28)

No formal action taken; however, by consensus this matter was received and filed.

- 27. 06-0459** Chief Administrative Office recommending the Board receive and file the Initial Draft Response to the 2005-2006 Grand Jury Mid-Session report and staff be directed to coordinate additional meetings, workshops, subcommittees, or board hearings that may be required.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to receive and file this matter.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

- 28. 06-0495** Chief Administrative Office, Procurement and Contracts Division, requesting ratification of the Purchasing Agent's signature on Purchase Order No. 2615020 to East Bay Restaurant Supply of Sacramento, California in the amount of \$10,884.38, for the purchase of a double convection oven for the kitchen facility at the Placerville Jail, noting emergency purchase order was necessary.

FUNDING: General Fund.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to continue this matter to April 4, 2006.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

- 29. 06-0404** Review and adoption of the Board of Supervisors Goals for 2006.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt the updated goals.

Yes: 3 - Dupray, Sweeney and Santiago

Absent: 2 - Baumann and Paine

TIME ALLOCATION - 2:00 P.M.

30. 06-0485

Hearing to consider adoption of Ordinance extending General Plan Urgency Ordinance 4669 restricting the issuance of building and grading permits unless an analysis of General Plan consistency is completed. (Refer 4/10/05, Item 54) (4/5 vote required)

Due to a lack of quorum this matter was continued to 2:00 p.m., Tuesday, April 4, 2006.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

The Board of Supervisors Meeting was adjourned at 2:03 p.m. due to a lack of quorum.

CLOSED SESSION

- 31. 06-0484** Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** Carmel Martin v. County of El Dorado, El Dorado County Superior Court Case PC20060032.
No action reported.
- 32. 06-0498** Pursuant to Government Code 54956.9(a), **Existing Litigation:** El Dorado County Taxpayers et al. v. EDC (General Plan Lawsuit) Sacramento County Superior Court 96-CS-01290.
No action reported.
- 33. 06-0499** Pursuant to Government Code Section 54956.9(a), **Existing Litigation:** El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case CIV.S-02-1818 GEB DAD; and El Dorado County v. California Department of Transportation, et al., Superior Court of California-County of Sacramento. Case No 03CS00003.
No action reported.
- 34. 06-0496** Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources
Employee Organization: El Dorado County Employees Association, Local 1, Salary and Benefits.
No action reported.
- 35. 06-0500** Pursuant to Government Code Section 54956.96(b): To receive, discuss, and take action concerning information obtained in a closed session of the El Dorado Water and Power Authority Joint Powers Authority.
No action reported.

County Counsel reported on the Agreement approved on February 28, 2006 by unanimous vote of the Board, with Supervisor Paine being absent, relating to the personnel action regarding Jon Morgan, Environmental Management Director; said Agreement is now final between the County and Mr. Morgan pursuant to which he will be allowed to substitute a resignation effective December 13, 2005 in lieu of his termination which would automatically be rescinded entitling him to any benefits of an employee who has resigned; further Mr. Morgan will give the County a complete release of any claims.