



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

Tuesday, February 27, 2007

8:00 AM

Board of Supervisors Meeting Room

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 RECESS TO CLOSED SESSIONS

Present: 2 - Supervisor Sweeney and Supervisor Briggs

Absent: 1 - Supervisor Santiago

9:00 A.M. - RECONVENE AND CLOSED SESSION REPORTS

Present: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

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 Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 39 and 44 pulled from the Consent Calendar for separate action; Items 47, 50 and 52 added to the Consent Calendar and approved; Items 49 and 56 continued to March 6, 2007; and Item 61 continued to March 13, 2007.

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

OPEN FORUM

CONSENT CALENDAR

- 1. [07-335](#) Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, February 13, 2007.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

- 2. [07-241](#) Public Health Department recommending Chairman be authorized to sign the following amendments to agreements increasing compensation for counseling services related to the Comprehensive Drug Court Implementation (CDCI) grant:
(1) Amendment 1 to Agreement 502-PHD0106 with New Morning Youth and Family Services, Inc.; and
(2) Amendment 1 to Agreement 505-PHD0106 with Tahoe Youth and Family Services.
RECOMMENDED ACTION: Approve.

FUNDING: Reallocation of, and salary/benefits cost savings provided by CDCI grant.

This matter was Approved on the consent calendar

3. [07-262](#) Public Health Department recommending Chairman be authorized to sign the following retroactive amendments to agreements increasing compensation for drug treatment services:
- (1) Amendment 2 to Agreement 421-PHD0205 with Progress House, Inc.;
 - (2) Amendment 2 to Agreement 445-PHD0505 with Progress House, Inc.; and
 - (3) Amendment 2 to Agreement 450-PHD0505 with Sierra Recovery Center.

RECOMMENDED ACTION: Approve.

FUNDING: State and federal grants

This matter was Approved on the consent calendar

4. [07-248](#) Public Health Department recommending approval, in concept, the submission of the Local Public Health and the Built Environment Network (LPHBE) Project application to the California Center for Physical Activity, in partnership with the State and Local Injury Control section within the California Department of Health Services to receive one grant award; and authorize solicitation of letters of support from local and county agencies and other documentation as required by said application.

RECOMMENDED ACTION: Approve.

FUNDING: N/A

This matter was Approved on the consent calendar

5. [07-107](#) Public Health Department recommending Budget Transfer 27135 realigning the County's budget to match the State of California Children's Services Administrative budget and the Treatment and Diagnostic Maintenance of Effort. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: California Children's Services Allocation in FY 06/07

This matter was Approved on the consent calendar

6. [07-216](#) Public Health Department recommending the Board grant the Directors of Public Health, Mental Health, Human Services, and all other applicable departments the authority to apply, or designate staff to process web-based National Provider Identifier (NPI) applications on behalf of the County and subpart NPIs for each department, noting each department will determine the number of NPIs based on department needs, billing numbers, and business practices.

RECOMMENDED ACTION: Approve.

FUNDING: N/A

This matter was Approved on the consent calendar

7. [07-331](#) Mental Health Department recommending Chairman be authorized to sign Agreement 700-S0611 with John Muir Health dba John Muir Behavioral Health Center in an amount not to exceed \$52,500 for a two year period to provide acute psychiatric services and treatment to clients of said Department on an "as-requested" basis.

RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal, EPSDT, Realignment.

This matter was Approved on the consent calendar

8. [07-332](#) Mental Health Department recommending Chairman be authorized to sign Amendment 1 to Agreement 256-S0511 with Sacramento Children's Home revising billing rates charged by the vendor with no increase in compensation for the term June 28, 2005 through June 27, 2007 to provide services to emotionally disturbed minors on an "as-requested" basis for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal and EPSDT.

This matter was Approved on the consent calendar

9. [07-326](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 1 to Agreement 265-S0611 with Remi Vista, Inc. increasing compensation by \$250,000 to \$750,000 for a term through December 12, 2007 to provide foster care/group home services to clients referred by said Department on an "as-requested" basis.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was Approved on the consent calendar

10. [07-227](#) Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Certificate of Acceptance for a Deed of Conservation Easement from the Cameron Park Community Service District as required pursuant to Mitigation Measure 1 imposed on Special use Permit S05-0032.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
11. [06-1826](#) Transportation Department recommending Resolution adjusting the northerly and easterly right-of-way lines on property owned by the County (APN 083-243-01) for widening purposes; said adjustment will reduce the net acreage of the parcel.
RECOMMENDED ACTION: Adopt Resolution **037-2007**.
This matter was Adopted on the consent calendar
12. [07-168](#) Transportation Department recommending Chairman be authorized to sign Acquisition Agreement for Public Purposes and Certificates of Acceptance from Ribeiro California LLC for a portion of APN117-230-07; and authorize the Director of said Department or designee to execute internal escrow Instructions and other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, for the Latrobe Road Widening Project Phase 2 Project 66103.
RECOMMENDED ACTION: Approve.
FUNDING: Traffic Impact Mitigation Fees
This matter was Approved on the consent calendar
23. [07-166](#) Transportation Department recommending Chairman be authorized to sign Acquisition Agreement for Public Purposes and Certificates of Acceptance from Ribeiro California II LLC for a portion of APN 117-210-36; and authorize the Director of Transportation or designee to execute internal escrow instructions and other related escrow documents pertaining to the transaction, including the payment of title and escrow fees for the Latrobe Road Widening Phase 2 Project 66103.
RECOMMENDED ACTION: Approve.
FUNDING:Traffic Impact Mitigation Fees
This matter was Approved on the consent calendar

13. [07-108](#) Transportation Department recommending adoption of Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2006-27 from David C. Reinhart and Becky L. Reinhart, John W. Toomey and Carrie L. Toomey for road right of way and public utilities easements (APNs 090-400-13 and 090-400-16) to meet the condition of requirements for Boundary Line Adjustment 06-0029.
RECOMMENDED ACTION: Adopt Resolution **039-2007**.
This matter was Adopted on the consent calendar
14. [07-137](#) Transportation Department recommending adoption of Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2006-30 from Alana M. Patterson-Caylor and Shannon Marie Petty for road right of way, public utilities easement, and a slope easement (APN 092-090-62) to meet a condition of approval for Certificate of Compliance 2005-71.
RECOMMENDED ACTION: Adopt Resolution **040-2007**.
This matter was Adopted on the consent calendar
15. [07-207](#) Transportation Department recommending adoption of Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2006-20 from Michael Caballes and Jamie M. Caballes for a drainage easement located along a portion of the back lot line of APN 115-390-17 to meet the condition of the Planning Services Division as a result of final grading.
RECOMMENDED ACTION: Adopt Resolution **036-2007**.
This matter was Adopted on the consent calendar
16. [07-228](#) Transportation Department recommending adoption of Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2006-20 from Ilonka Ra Weber for a drainage easement located on APN115-380-15, Pioneer Place, Unit 3, Lot 135 to meet the condition of the Planning Services Division as a result of final grading.
RECOMMENDED ACTION: Adopt Resolution **041-2007**.
This matter was Adopted on the consent calendar
17. [07-198](#) Transportation Department recommending adoption of Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2006-20 from Lafferty Homes at Sierra Crossing for two drainage easements located on APNs 115-390-15 and 115-390-16, Pioneer Place, Unit 3, Lots 120 and 121 to meet the condition of the Planning Services Division as a result of final grading.
RECOMMENDED ACTION: Adopt Resolution **042-2007**.
This matter was Adopted on the consent calendar

18. [07-202](#) Transportation Department recommending Resolution summarily vacating (AOE 2007-04) a public utilities easement located along the side and back boundary lines of APN 110-380-32 in The Summit Unit No. 2, Lot 151, requested by Darin G. Billerbeck and Tamera L. Billerbeck to accommodate construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **035-2007**.

This matter was Adopted on the consent calendar

19. [07-133](#) Transportation Department recommending approval of the Resolution summarily vacating (AOE 2007-03) a public utilities easement located along the side property lines of APN 123-200-14, Village H, Unit 6B, Lot 163, requested by Akbar Shakernia to accommodate construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **043-2007**.

This matter was Adopted on the consent calendar

20. [07-110](#) Transportation Department recommending Resolution summarily vacating (AOE 2006-23) a public utilities easement along the side property line of APN 083-261-33 in Cameron Park North, Unit 6, Lot 137, requested by Kenneth N. Blomsterberg and Rosalind D. Blomsterberg to accommodate construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **044-2007**.

This matter was Adopted on the consent calendar

21. [07-122](#) Transportation Department recommending approval of the Resolution summarily vacating a public utilities easement located along the side property lines of APN 124-130-42, The Promontory Village No. 6, Unit 2A, Lot 110, requested by Margo L. Volpe to accommodate construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **045-2007**.

This matter was Adopted on the consent calendar

22. [07-193](#) Transportation Department recommending advanced step placement of a specific Senior Civil Engineer candidate at Step 4 of the salary range for said position.
RECOMMENDED ACTION: Approve.

FUNDING: TIM Fees and Grants

This matter was Approved on the consent calendar

24. [07-165](#)

Transportation Department recommending the following pertaining to Cameron Glen Estates, Unit Nos. 3 and 4:

- (1) Accept the subdivision improvements as complete;
- (2) Reduce Performance Bond No 828962S by \$1,054,630.70 to \$186,111.30 to guarantee against any defective work, labor done, or defective materials furnished and to insure that the application of slurry seal and thermoplastic pavement markings on Green Valley Road are completed when weather permits and release the \$186,111.30 one year after acceptance, if there are no defects or warrantee claims and the slurry seal and pavement markings are complete;
- (3) Hold previously posted Laborers and Materialmens Bond No. 828962S in the amount of \$620,371.00 to guarantee payment to persons furnishing labor, materials or equipment and release six months after the slurry seal and pavement markings are complete, if no claims are made.

RECOMMENDED ACTION: Approve.

FUNDING: Not applicable

This matter was Approved on the consent calendar

25. [07-347](#) Transportation Department recommending the following pertaining to the US Highway 50/Missouri Flat Road Interchange Phase 1A Project 71317:

- (1) Set the Caltrans approved El Dorado County Disadvantaged Business Enterprise (DBE) Availability Advisory percentage at 3% for this project;
- (2) Approve the Plans and Contract Documents subject to modifications approved by County Counsel and Risk Management and authorize Chairman to sign the plans;
- (3) Authorize the Director of Transportation or the Right of Way Program Manager to execute, on behalf of the County, all right-of-way certifications required by the State of California, Department of Transportation and the Federal government as necessary for the project;
- (4) Authorize advertisement for construction bids upon concurrence by Caltrans;
- (5) Authorize the utilization of County owned property in the project area for temporary contractor staging, materials storage and field offices to facilitate construction of the project; and
- (6) Authorize the Director of Transportation to approve temporary road closures and detours to accommodate construction staging.

RECOMMENDED ACTION: Approve.

FUNDING: Traffic Impact Mitigation Program Fees, MC&FP Funds, and EID Funds

This matter was Approved on the consent calendar

26. [07-364](#) General Services Department recommending Chairman be authorized to sign Lease Agreement 602-L0711 with Tahoe Valley Professional Building, LLC in the amount of \$2,500 per month on a month-to-month basis commencing on March 1, 2007 for office space located at 2074 Lake Tahoe Boulevard, Suite 9, South Lake Tahoe for the temporary relocation of the Department of Mental Health in South Lake Tahoe.

RECOMMENDED ACTION: Approve.

FUNDING: State and Federal funding.

This matter was Approved on the consent calendar

27. [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 2-13-2007, Item 13)
- 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

28. [07-194](#) Sheriff's Department recommending adoption of Resolution continuing the state and local emergency declared on January 25, 2007, due to the severe cold weather, if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required) (Cont'd 2/13/07, Item 12)
- RECOMMENDED ACTION:** Adopt Resolution **038-2007**.

This matter was Approved on the consent calendar

29. [07-329](#) General Services Department recommending Chairman be authorized to sign Extension of Facilities Agreement - Water and Grant of Easement with El Dorado Irrigation District for the Placerville Airport Line Extension for Hydrant Project 84368.
- RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

30. [06-2010](#) Hearing to consider adoption of Resolution changing the name of a portion of County Road No. 4, Bass Lake Road to Sienna Ridge Road. (Resolution of Intention adopted 2/27/07, Item 30)
- RECOMMENDED ACTION:** Adopt Resolution

This matter was Adopted on the consent calendar

31. [07-330](#) Auditor-Controller requesting authorization to adjust the County's unlocated fixed asset records as outlined on Schedules A and B to reflect the results of the property records inventory.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
32. [07-334](#) Human Resources and Risk Management Departments recommending Chairman be authorized to sign Amendment 2 to Agreement 471-S0411 with Sutter Medical Foundation increasing compensation by \$40,000 to \$357,000 and extending the term through June 30, 2007 to provide pre-employment physical examinations, and drug and alcohol screening for County employees and prospective employees on an "as-requested" basis for County departments, noting extension of the contract will allow for the completion of an analysis of available vendors that are located closer to Placerville.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
33. [07-271](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of vehicles surplus to the needs of the County and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
34. [07-261](#) 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

35. [07-226](#) Chief Administrative Office, Procurement and Contracts Division, recommending the following:
- (1) Award Bid 07-630-094 for the purchase of waterborne traffic line paint for the Department of Transportation to the low qualified bidder, Pervo Paint of Los Angeles, CA;
 - (2) Authorize the Purchasing Agent to issue a blanket purchase order in the amount of \$137,500 for a two (2) year period following Board approval; and
 - (3) Authorize the Purchasing Agent to increase the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the requesting department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: Road Fund

This matter was Approved on the consent calendar

36. [06-1923](#) Chief Administrative Officer recommending the Board cancel the budget transfer approved on December 12, 2006 (item #44) moving revenues and appropriations from the Chief Administrative Office budget to establish departmental budgets for Human Resources and Information Technology Department.

RECOMMENDED ACTION: Approve

FUNDING: General Fund.

This matter was Approved on the consent calendar

37. [07-275](#) Supervisor Baumann recommending a Certificate of Commendation for James Michael Cullen of Boy Scout Troop #170 to acknowledge the hard work and commitment to community needed to complete the requirements to attain the rank of Eagle Scout.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

38. [07-268](#) Supervisor Baumann recommending Resolution approving a request by Pyro Spectaculars, Inc. to conduct a pyrotechnic display on private property, Saturday, March 17, 2007; said approval shall be contingent upon Pyro Spectaculars, Inc. being in full compliance with the necessary requirements, insurance, contracts and permits as directed by fire control authorities and local officials; and further recommending Chairman be authorized to sign a letter to the County Fire Marshall approving said request.

RECOMMENDED ACTION: Adopt Resolution **032-2007**.

This matter was Approved on the consent calendar

39. [07-357](#) Supervisor Baumann requesting authorization to sign a letter of opposition to Senate Bill 113 (Calderon) which would require the presidential primary election be held on the first Tuesday in February in any year evenly divisible by the number four; if enacted, this bill would result in three separate statewide elections during presidential election years.
RECOMMENDED ACTION: Approve.
A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to approve this matter.
Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago
40. [07-359](#) Supervisor Baumann recommending the Board approve the waiver of the following permit application and review fees associated with the home replacement for APN 094-050-29: Development Services Permit Fee-\$1,665.09; S.M.I.P.-\$22.20; Environmental Management Review Fee-\$60.00; Other Planning Fees-\$50.00; Encroachment Permit Fee-\$273.00; and Grading Permit Application Fee-\$355, noting that it is possible that a Grading Permit might not be required and thus the waiver of the Permit Application Fee would not apply; said fee waiver request is in the total amount of \$2,425.29 and the Pioneer Fire Protection District has agreed to waive its fee of \$1,188.00.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
41. [07-250](#) Supervisor Santiago, on behalf of the Early Care and Education Planning Council, recommending Linda Dwyer and Alissa Nourse be reappointed to serve as members on the Early Care Education Planning Council for a term to expire in January 2011.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar
42. [07-297](#) Supervisor Santiago, on behalf of Robert Morris, recommending extension of Building Permit 150572 for property located at 926 Washoan Blvd., South Lake Tahoe (APN 033-781-01-100); said recommendation is due to circumstances beyond the control of Mr. Morris.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

43. [07-167](#) Human Resources Department recommending the Chief Administrative Officer, or designee, be authorized to sign the Medical Malpractice - Memorandum of Understanding with California State Association of Counties Excess Insurance Authority (CSAC EIA).

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

44. [07-123](#) Planning Services submitting revised findings, conditions, and mitigation measures of approval for Z05-0016/PD05-0014/P05-0016; said applications were submitted by William Ormond, noting the Board declared its intent to approve this matter on January 30, 2007, Item 37.

RECOMMENDED ACTION: Adopt the mitigated negative declaration, as prepared; adopt Ordinance **4717** approving rezone (Z05-0016) of APN 071-450-03 from Estate residential Ten-acre (RE-10) to Estate Residential Ten-acre/Planned Development (RE-10/PD) based on the findings; and approve PD05-0014/P05-0016, adopting the development plan as the official development plan, based on the revised findings proposed by staff and subject to the revised conditions/mitigation measures.

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

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

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARINGS

45. [07-286](#) Hearing to consider adoption of Ordinance replacing Ordinance Code Section 15.14 pertaining to the Grading, Erosion and Sediment Control Ordinance (Grading Ordinance) and Design Manual; said Ordinance is undergoing an update to bring it into conformance with current State law, the new County General Plan, other County ordinance requirements, and the adopted Storm Water Management Plan and has also been reformatted to limit the ordinance to necessary legal authorizations and to place technical design and procedural requirements in a volume of the County's Design and Improvement Standards Manual (Design Manual); said documents have also been revised for clarity and to provide additional guidance to project designers and reviewers, noting key changes include the reduction of the threshold for a grading permit from 250 cubic yards to 50 cubic yards, incorporation of procedures for an agricultural grading permit, revised permit processing procedures, clarified application submittal requirements, new design standards for retaining walls, qualification standards for grading plan preparers, and construction site requirements; and Development Services Department recommending adoption of Resolution **047-2007** amending Volume III of said Manual and Resolution **048-2007** designating the administrative authority charged with implementation of said Ordinance Code.

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to find the amendments exempt pursuant to Section 15308 of the California Environmental Quality Act Guidelines; introduce Ordinance, waive reading, read by title only, and continue to March 13, 2007 for adoption of the Ordinance replacing the Grading, Erosion and Sediment Control Ordinance, Section 15.14 of the County Code, with revised language as presented; adopt Resolution 047-2007 to approve the new Volume III of the County Design and Improvement Standards Manual for use in implementing Section 15.14 of the County Code with direction that Item 5E "Location of property lines" is to be eliminated from said Manual; and adopt Resolution 048-2007 to designate the Administrative Authority(s) charged with implementation of Section 15.14 of the County Code.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Noes: 1 - Briggs

46. [07-366](#) Hearing to consider proposed public safety impact fee for a Sheriff's substation to serve the western end of El Dorado County; and adoption of Resolution **049-2007** setting new public safety impact fees for new development effective April 30, 2007.

After hearing public testimony, a motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to amend Section 3 of Resolution 049-2007 to include a reference to an attachment with the precise description of the property being affected and a map to be attached as a separate exhibit delineating the Traffic Area Zones.

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

47. [07-307](#) Mental Health Department recommending Chairman be authorized to sign retroactive Amendment 1 to Agreement for Services 181-S0711 with Tahoe Youth & Family Services to allow payment for itemized start-up costs incurred by the vendor in preparation for offering contracted clinical services under the Mental Health Services Act and extending the term from September 18, 2006 through June 30, 2008.

FUNDING: Mental Health Services Act.

This matter was added to the Consent Calendar and approved.

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

48. [07-225](#) Transportation Department reporting on the status of the preferred detour option for the traffic handling plan for the Bass Lake Road improvement project. (Referred 2/13/07, Item 35)

FUNDING: Developer advanced project with reimbursement from Traffic Impact Mitigation fees.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to move forward with Option 3 (staged construction detour on Bass Lake Road) recognizing the public's concern and remove Option 4 (Morrison Road) as a detour option with the caveat that staff has the ability to move forward and that the public always be kept informed with regard to this improvement project.

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Recused: 1 - Dupray

49. [06-1821](#) Chief Administrative Office recommending that the report from the Department of Transportation regarding contract processes be continued to the March 6, 2007 Board of Supervisors meeting.

This matter was continued to March 6, 2007 upon adoption of the Agenda.

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

50. [07-308](#) District Attorney recommending Resolution **033-2007** amending the Authorized Personnel Allocation Resolution by **adding** one (1) additional Deputy District Attorney I/IV for said Department. (New Personnel)

FUNDING: General Fund.

This matter was added to the Consent Calendar and approved.

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

51. [07-349](#) Development Services Department recommending Chairman be authorized to sign Agreement DSD-07-01 with Science Applications International Corporation (SAIC) in an amount not to exceed \$10,000 for the term of January 1, 2007 through June 30, 2007 to complete workshops related to the preparation of an Integrated Natural Resources Management Plan (INRMP) and/or alternatives and related tasks, subject to approval by County Counsel and Risk Management, and adopt recommended findings.

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

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

52. [07-310](#) Auditor-Controller recommending the Board approve the creation of a new revenue fund for the District Attorney's use to account for funds received as a result of Proposition 64; and further recommending adoption of Resolution **034-2007** delegating the Auditor-Controller the authority to establish or abolish funds as necessary for the proper transaction of business of the County of El Dorado. (Change in Policy)

This matter was added to the Consent Calendar and approved.

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

53. [06-1705](#) Chief Administrative Officer updating the Board on transient occupancy tax revenues. (Referred 10/24/2006, Item 21)

No action required.

54. [07-314](#) Supervisor Baumann recommending a transfer from contingency in the amount of \$30,000 for the Grand Jury to contract with an outside auditing services firm to investigate and conduct an audit of several County agencies. (4/5 vote required)

FUNDING: General Fund.

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

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Noes: 1 - Sweeney

55. [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, District 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

Developmental Disabilities Area Board III - 1 Year Term

Member

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, (1 vacancy)

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, (2 Vacancies)

Pollock Pines Design Review Committee - 4 Year Term
Business Representative, (2 vacancies)
Resident Representative, (3 vacancies)

Trails Advisory Committee - 4 Year Term
Member (2 vacancies)

Veterans Affairs Commission - 4 Year Term
Alternate Member, District IV

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

Civil Service Commission:

Sherri Pedersen was appointed as the District IV commissioner for a term to expire January 2011.

Fish and Game Committee:

Thomas Pedersen was appointed as the District IV representative for a term to expire January 2011.

Library Commission:

Myrna Sparks was appointed as the District IV member representative for a term to expire January 2011.

Veterans Affairs Commission:

John Collens was reappointed as the District IV alternate member for a term to expire January 2011.

Unfilled vacancies continued to March 27, 2007 for appointment.

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

10:00 A.M. - TIME ALLOCATION

56. [07-251](#) Environmental Management Department recommending the Board consider the request of South Tahoe Refuse to adopt Resolution **050-2007** conditionally extending the Solid Waste Services Franchise Agreement between El Dorado County and South Tahoe Refuse, Inc. (STR) to December 31, 2028 effective February 27, 2007; and authorize Chairman to sign said Agreement.

This matter was continued to March 6, 2007 upon adoption of the Agenda.

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

2:00 P.M. - TIME ALLOCATION

57. [07-273](#) Hearing to consider Rezone Z06-0012/Planned Development PD06-0013/Tentative Subdivision Map TM06-1414 for Pearl Place Town Homes submitted by James Rucker to rezone properties identified as APNs 051-541-04 and -05 consisting of 0.94 acre from Limited Multifamily Residential (R2) to Limited Multifamily Residential-Planned Development (R2-PD); development plan to convert four new duplex structures into eight individual ownership condominium units consisting of four residential buildings of two-story construction with common areas; and tentative subdivision map creating eight condominium lots and one common area parcel in the Diamond Springs area; and adoption of Ordinance **4718** for same. (Supervisorial District III)

Hearing no protests, a motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to find the project categorically exempt pursuant to Sections 15305 and 15301(k) of the California Environmental Quality Act Guidelines; adopt Ordinance 4718 to rezone (Z06-0012) said parcels, based on the findings; approve development plan and tentative subdivision map (PD06-0013/TM06-1414), adopting the development plan as the official development plan, based on the findings, subject to the conditions of the Planning Commission.

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

58. [07-149](#) Hearing to consider an appeal of the approval of Tentative Parcel Map P99-0003 proposing to create two parcels ranging in size from 3.03 to 4.0 acres on a 7.03 acre site, identified as APN 078-230-39 located on the west side of Silver Ridge Court, approximately 1,000 feet north of the intersection with Silver Ridge Lane, in the Pleasant Valley area (Supervisory District II). Applicant: Garrett Wilkin; Appellants: Jerry and Julie Reffner and Steve and Pam Fortune. (Continued 2/6/2007, Item 28)

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to deny the appeal and approve Tentative Parcel Map P99-0003 based on the revised findings, subject to the revised conditions and inclusion of Condition No. 20 "A Notice of Restriction shall be recorded concurrently with the recording of the parcel map which states that if a zone of benefit is formed for the purpose of road maintenance that includes Silver Ridge Road and Silver Ridge Court, the owners of both parcels created by this map agree to be included in the zone of benefit and to pay their fair share of road maintenance."

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

59. [07-131](#) Planning Services Division submitting revised findings for denial of the appeal of Special Use Permit 06-0133 and reverse the Planning Commission's decision, as directed by the Board of Supervisors on January 30, 2007, Item 36, pertaining to the appeal of a legal non-conforming use determination submitted by Gene Long for property identified as APN 009-140-19 consisting of 4.19 acres in the Pacific House area. (Supervisory District II)

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to accept the revised finding for denial of the appeal and reverse the Planning Commission's decision.

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

60. [07-022](#) Planning Division staff submitting Resolution for adoption and a draft Ordinance for review relating to agricultural setbacks. (Referred 1/30/2007, Item 34)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to refer this matter to the Agricultural Commission for a report back to the Board on April 10, 2007.

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

61. [07-013](#) Chief Administrative Office recommending that the workshop to be presented by the Information Technologies Department regarding technology trends and directions scheduled for March 13, 2007 be rescheduled to the March 27, 2007 Board of Supervisors meeting at 2:00 p.m.

RECOMMENDED ACTION: Approve.

This matter was continued to March 13, 2007 upon adoption of the Agenda.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

62. [07-363](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation, Title: Preston Pipeline, Inc. v. FCI Constructors, et al. El Dorado County Superior Court Case No. PC20050611.
No action reported.
63. [07-370](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. One (1) potential case.
No action reported.
64. [07-311](#) 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).
No action reported.
65. [07-365](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: County of El Dorado v. Jim Ross, M.D., Ph.D, Inc. et al., El Dorado County Superior Court Case PC20050123.
No action reported.
66. [07-336](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Pacific Gas and Electric Company (PG&E) v. State Board of Equalization; County of Butte; County of El Dorado; County of Mariposa; County of Nevada; County of Placer; County of Plumas; County of Sierra and County of Yuba. Superior Court of California-County of Fresno. Case No. 05 CE CG 00003 MWS.
No action reported.
67. [07-313](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 083-253-04. The person with whom the negotiator may negotiate is Jose Morales Villanueva. 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.

68. [07-369](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of Human Services.
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