



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, January 23, 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 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 1, 16 and 22 pulled from the Consent Calendar for separate action; Items 34 and 35 added to the Consent Calendar and approved; and Items 26 and 27 continued to February 13, 2007.

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

OPEN FORUM

CONSENT CALENDAR

- 1. [07-105](#) Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, January 9, 2007.
RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to continue this matter to January 30, 2007 for clarification of Item 56.

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

- 2. [07-090](#) Chairman be authorized to sign Releases of Lien.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

- 3. [07-036](#) Public Health Department recommending Budget Transfer 27117 increasing revenue and appropriations by \$25,000 to provide funding for a Health Education Coordinator to act as Program Coordinator for the period January 1, 2007 through June 30, 2007 for The Celebrating Families! Program. (4/5 vote required)
RECOMMENDED ACTION: Approve.

Funding: Department of Human Services Celebrating Families! MOU

This matter was Approved on the consent calendar

4. [07-005](#) Public Health Department recommending adoption of the El Dorado County Privacy Policy in compliance with the Health Insurance Portability and Accountability Act (HIPAA).
RECOMMENDED ACTION: Approve.
- This matter was Approved on the consent calendar**
5. [07-096](#) Mental Health Department recommending Chairman be authorized to sign retroactive Agreement 461-S0711 with California Department of Mental Health in the amount of \$4,125,093 for the term April 1, 2006 through June 30, 2008 to provide services under the Mental Health Services Act.
RECOMMENDED ACTION: Approve.
- FUNDING:** Mental Health Services Act.
- This matter was Approved on the consent calendar**
6. [07-097](#) Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement SLTWC-0608 with Womenspace Unlimited South Lake Tahoe Women's Center in the amount of \$100,000 for the term July 1, 2006 through June 30, 2008 to enable said service provider to participate in the Medi-Cal Administrative Activities (MAA) Program, noting South Lake Tahoe Women's Center is a new participant in this program, new participants are required to enter into a contract effective at the beginning of a fiscal year, regardless of the actual date that activities are initiated.
RECOMMENDED ACTION: Approve.
- FUNDING:** State Medi-Cal Administrative Activities (MAA).
- This matter was Approved on the consent calendar**
7. [07-104](#) District Attorney recommending Budget Transfer 27104 increasing revenue and appropriations by \$13,599 for the replacement of the telephone system at the District Attorney's Office located at 550 Main Street in Placerville, CA. (4/5 vote required)
RECOMMENDED ACTION: Approve.
- FUNDING:** General Fund and District Attorney Restitution Trust Fund.
- This matter was Approved on the consent calendar**

8. [07-095](#) Child Support Services Department recommending Resolution amending the Authorized Personnel Allocation Resolution by adding one (1) Accounting Technician position for said Department, noting the final Fiscal Year 2006-2007 budget includes four accounting technician positions, reflecting a reduction of two FTE from Fiscal Year 2005-2006, said reduction was recommended because of the anticipated shift in accounting workload to the State as its Statewide Distribution Unit is implemented, however, other duties have arisen, such as resolving intercounty disputes and locating lost payments, that necessitate the reinstatement of one FTE. (New Personnel)
RECOMMENDED ACTION: Adopt Resolution **011-2007**.

FUNDING: State Funding.

This matter was Approved on the consent calendar

9. [07-048](#) General Services Department recommending Budget Transfer for the Memorandum of Understanding with New Faze Development be continued to **January 30, 2007**. (Refer Item 30, 1/9/07)
RECOMMENDED ACTION: Approve.

FUNDING: Developer Contribution.

This matter was Approved on the consent calendar

10. [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 1-9-2007, Item 18)

RECOMMENDED ACTION: Approve and continue for status review.

Status Update: The Sheriff's Department and General Services have identified the vendor as eTech Control Corp. The Sheriff's Department has worked with General Services and the vendor on the project design. General Services has been working with the vendor on the contract. The cost of the project has been identified as \$161,889.

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

This matter was Approved on the consent calendar

11. [07-019](#) Transportation Department recommending Chairman be authorized to sign Acquisition Agreement for Public Purposes with Michael F. Wix and Eugenia B. Wix and Certificates of Acceptance for same for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317; and Director of said Department or designee be authorized to execute escrow instructions and any other related escrow documents pertaining to said transaction, including the payment of title and escrow fees.

RECOMMENDED ACTION: Approve.

FUNDING: General Plan Traffic Impact Mitigation Fees, Regional Improvement Program Funds, and Master Circulation and Funding Plan program.

This matter was Approved on the consent calendar

12. [06-1928](#)

Transportation Department recommending Chairman be authorized to sign Amendment 2 to Agreement AGMT 04-754 with David Ford Consulting Engineers, Inc. increasing compensation by \$15,000 to \$50,000 and extending the term three additional years through January 25, 2010 to provide specialty hydrologic and hydraulic engineering services specific to the Lake Tahoe Basin.

RECOMMENDED ACTION: Approve.

FUNDING: Various Lake Tahoe Erosion Control Grants.

This matter was Approved on the consent calendar

13. [07-064](#)

Transportation Department recommending advanced step placement at Step 5 of the salary range for a specific candidate for the position of Senior Civil Engineer.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

14. [07-098](#)

Library Director recommending Budget Transfer 27096 moving \$7,500 from appropriations to contingency to correct a clerical error made during the budget process. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 12.

This matter was Approved on the consent calendar

15. [07-061](#)

Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-405-073 to the low qualified bidder, AmeriGas Propane in the amount of \$500,000 for a two year period for the purchase of propane; and authorize an increase to same on an "as-needed" basis during the awarded period if funding is available within the requesting department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

16. [07-035](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-040-065 to the sole qualified bidder, T Kennel Systems, Inc. of Kansas City, Kansas in the amount of \$149,277 for the purchase of modular kennels and sliding feed trays for the West Slope temporary animal control facility.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Public Health Department's services and supplies budget.

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

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

17. [07-016](#) Chief Administrative Office, Procurement and Contracts Division, recommending termination of award of Bid 07-207-056 to PO Express, Inc. of Garland, Texas; and authorize blanket purchase order to the next lowest, responsive, responsible bidder Office Max of Placerville, California in the amount of \$191,498 for the term of twelve months; and authorize an increase to purchase order on an "as needed" basis if funding is available within requesting department's budget.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

18. [07-004](#) Chief Administrative Office, Procurement and Contracts Division, requesting ratification of the Purchasing Agent's signature on Purchase Order 2710319 to Jeskell, Inc. of Sunnyvale, California in the amount of \$1,379.90 to correct an error in calculating the cost for the purchase and installation of one IBM server in the amount of \$245,304 in accordance with Bid 07-204-051 for the Information Technologies Department.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Information Technology.

This matter was Approved on the consent calendar

19. [07-084](#) Supervisor Sweeney recommending Resolution recognizing January as "National Glaucoma Awareness Month" and encouraging families, neighbors and employees and all citizens to protect their vision by getting regular and complete eye examinations.
RECOMMENDED ACTION: Adopt Resolution **010-2007**.

This matter was Approved on the consent calendar

- 20. [07-100](#) County Service Area 10 recommending Chairman be authorized to sign Agreement 024-A-06/07-BOS with Field Solutions, Inc. in the amount of \$89,000 for a one year term to provide specialized professional services at the Union Mine Disposal Site for the Environmental Management Department.

RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 10.

This matter was Approved on the consent calendar

- 21. [07-099](#) County Service Area 10 recommending Chairman be authorized to sign Amendment 3 to Contract 013-PW-03/04 with Doug Veerkamp General Engineering Incorporated increasing compensation amount by \$150,000 to \$353,000 and extending the term through July 27, 2007 to provide continued on-site maintenance services at the Union Mine Disposal Site for the Environmental Management Department.

RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 10.

This matter was approved on the Consent Calendar; noting the Amendment only extends the term and does not increase compensation.

- 22. [07-120](#) Auditor-Controller recommending Chairman be authorized to sign Agreement 454-S0710 with Orrick, Herrington & Sutcliffe, LLP to provide bond counsel services for the formation of the Bass Lake Hills Community Facilities District; and County Counsel be authorized to make minor changes to said Agreement prior to the execution of the Chairman.

RECOMMENDED ACTION: Approve.

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

Yes: 4 - Baumann, Sweeney, Briggs and Santiago

Recused: 1 - Dupray

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS

23. [07-102](#) Hearing to consider adoption of Resolution **005-2007** authorizing the submission of a Community Development Block Grant Planning and Technical Assistance Economic Development application to the California Department of Housing and Community Development for funding in the amount of \$35,000 to complete a feasibility study for a potential Farmer's Market in the Cameron Park/Shingle Springs area; and Chairman be authorized to sign the Statement of Assurances and the Director of the Human Services Department be authorized to execute and administer the agreement and any amendments that do not affect the dollar amount or the term and other related grant documents, contingent upon approval by County Counsel and Risk Management, noting the required match of \$2,100 is in the current General Fund allocation for Housing Element Implementation.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 005-2007.

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

24. [07-103](#) Hearing to consider adoption of Resolution **012-2007** authorizing the submission of an application to California Department of Housing and Community Development for the California Community Economic Enterprise Fund Component 2006/2007 Grant in the amount of \$500,000 to continue to provide economic benefit to local business owners; and Chairman be authorized to sign Statement of Assurances and the Director of the Human Services Department to execute and administer the standard agreement and any amendments thereto that do not affect the dollar amount or the term and other grant related documents, upon approval by County Counsel and Risk Management.

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Briggs to adopt Resolution 012-2007.

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

25. [06-1995](#) Information Technologies Department recommending adoption of the proposed changes to Board of Supervisors Policy A-19 and to the Computer and Network Resource Usage Policies and Standards Guides.

FUNDING: No Change to Net County Cost

A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to continue this matter to February 13, 2007.

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

26. [06-1966](#) Transportation Department recommending Budget Transfer 27097 (revised) for budget adjustments as outlined Journal Interface dated January 4, 2007, noting major drivers affecting the budget transfer include an increase in revenues and appropriations totaling \$10.1 million for White Rock and Latrobe Road improvements that were to be built by the developer but will now be built by the County, said transaction is reflected in the special revenue fund due to the prepayment of impact fees for subject improvements. (4/5 vote required) (Refer Item 28, 12/12/06)

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

27. [07-121](#) Chief Administrative Officer recommending the Board receive a status report regarding the County's development review process, specifically the Technical Advisory Committee.

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

2:00 P.M. - TIME ALLOCATION

28. [07-076](#) Hearing to consider rezone (Z06-0033) of 2.58 acres (APN 094-020-05) from Estate Residential Five-acre (RE-5) to Commercial-Planned Development (C-PD) for the purpose of creating options for the construction of a project compatible to the area and in line with the uses allowed in the Commercial Zone District in the Somerset area; and adoption of Ordinance **4715** for same. Applicant: Edward Keller (District II)

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to adopt the negative declaration, as prepared; and adopt Ordinance 4715 rezoning said property, based on the findings of the Planning Commission.

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

29. [06-1471](#) Developmental Services submitting for review and discussion the Integrated Natural Resources Management Plan (INRMP) Scope of Work.

No formal action taken; staff direction derived from discussion this date.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 30. [07-091](#) 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.

- 31. [07-117](#) 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. PC 20070021.
No action reported.

- 32. [07-118](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: El Dorado County Deputy Sheriff's Association v. County of El Dorado and El Dorado County Sheriff's Department, Case No. PC 20070015.
No action reported.

ADDENDUM**Department Matters:**

33. [07-139](#) Supervisors Baumann and Sweeney requesting discussion regarding the management and operation of the El Dorado County Veterans Memorial Monument.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to request the Friends of the Veterans Memorial Monument to refer its proposal to the Veterans Affairs Commission; said Commission will then work with County Counsel and the Veterans Service Officer for documentation of any proposed change in the County's existing policy of process. In the interim, people wishing to use the monument should contact the Veteran's Service Officer, any policy irregularities are to be dealt with at the Veterans Commission level; and the County General Services Department is to be in charge of the maintenance and operation of the facility, with the caveat that the tasks planned for the completion of the monument are still undergoing as was originally intended.

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

34. [07-156](#) Auditor-Controller recommending, on behalf of the County of El Dorado Assessment and Community Facilities District Screening Committee, that the Board approve the Deposit and Reimbursement Agreement with WesternPacific Housing, Inc. (D.R. Horton) for the future proposed debt issuance and the formation of Community Facilities District 2007-1 (Bass Lake Hills), and County Counsel be authorized to make minor amendments to said Agreement prior to execution.

This matter was added to the Consent Calendar and approved.

35. [07-154](#) Chief Administrative Office recommending Chairman be authorized to sign Lease Agreement with Starlake Properties, LLC for office space located at 2489 Lake Tahoe Blvd., Suites 5 and 27, due to an emergency situation at the current Silver Dollar property requiring temporary relocation of Mental Health staff.

FUNDING: Realignment funds.

This matter was added to the Consent Calendar and approved.

Closed Session:

36. [07-151](#) Pursuant to Government Code Section 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, a Delaware Limited Liability Company. 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.
37. [07-153](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding the lease of real property described as 2489 Lake Tahoe Blvd., Suites 5 and 27. The entity with whom the negotiator may negotiate is Tahoe Starlake Properties, LLC Ken Macklin. Instructions to negotiator will concern both price and terms of payment. Negotiator on behalf of the County will be Joanne Narloch, Director of General Services, or her designee.
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