



# 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, November 27, 2007

8:00 AM

Board of Supervisors Meeting Room

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### Vision Statement

**"El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."**

BOARD MEETING ROOM EQUIPPED WITH AN AUDIO INDUCTION LOOP ASSISTIVE LISTENING SYSTEM.

Public Testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

The Board of Supervisors meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. To ensure timely delivery, written information from the public must be received by the Board Clerk by Monday prior to the meeting. The Board Clerk cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

### 8:00 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSIONS

**Present:** 2 - Supervisor Sweeney and Supervisor Santiago

**Absent:** 1 - Supervisor Briggs

## 9:00 A.M. - RECONVENE TO OPEN SESSION 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 Sweeney, seconded by Supervisor Dupray to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 4, 6, 8, 10, 12, 16 and 20 pulled from the Consent Calendar for separate action; Items 52, 58, 59 and 61 added to the Consent Calendar and approved; and Item 60 continued to January 8, 2008 and Items 63 and 64 continued to December 4, 2007.

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

## OPEN FORUM

## CONSENT CALENDAR

1. [07-1845](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, November 5, 2007 and Regular Meeting of Tuesday, November 6, 2007.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

2. [07-1814](#) Public Health Department Director requesting authorization to sign retroactive Comprehensive Drug Court Implementation (CDCI) Dependency Drug Court Grant Award Agreement DDC 07/08-09 with the State of California, Department of Alcohol and Drug Programs in the amount of \$102,954 for the term July 1, 2007 through June 30, 2008 to provide funding for Dependency Drug Court services.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** State Department of Alcohol and Drugs.

This matter was Approved on the consent calendar

3. [07-1813](#) Public Health Department requesting approval, in concept, a discussion with San Joaquin County with regard to the EMResource product used by El Dorado County's Emergency Medical Services Agency.

**RECOMMENDED ACTION:** Approve.

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

4. [07-1816](#) Public Health Department recommending Chairman be authorized to sign Budget Transfer increasing estimated revenue and appropriations by \$108,150 for grant funding received from the California Department of Public Health, Office of AIDS for HIV education and prevention services. (4/5 vote required)

**RECOMMENDED ACTION:** Approve.

**FUNDING:** State Department Health Services AIDS Master Grant Award.

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

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

5. [07-1799](#) Public Health Department recommending Chairman be authorized to sign Declaration of Intent for Fiscal Year 2007-2008 authorizing the Department to contract back to the State the administration of the County's Emergency Medical Services Appropriation (EMSA) for the Physicians Uncompensated Care Program.

**RECOMMENDED ACTION:** Approve.

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

6. [07-1805](#) Public Health Department recommending the Chairman be authorized to sign Amendment 1 to Agreements 622-PHD0607 and 592-PHD0407 with Progress House, Inc. and Amendment 1 to Agreement 589-PHD0407 with EDCA Lifeskills for substance abuse treatment and drug testing services performed in Fiscal Year 2006-2007; and recommending the Auditor-Controller be authorized to expedite payment to both agencies.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** State Prop 36 funding and multi-year State and federal Drug Medi-Cal award.

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

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

- 7. [07-1713](#) Mental Health Department recommending Chairman be authorized to sign Amendment I to Agreement 285-S0711 with BHC Heritage Oaks Hospital, Inc. dba Heritage Oaks Hospital to provide reimbursement to the hospital directly for the daily bed rate, as well as the physician's fees incurred in providing mental health services on an "as requested" basis for said Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Medi-Cal, EPSDT and Realignment.

This matter was Approved on the consent calendar

- 8. [07-1804](#) Human Services Department, Community Services Division, recommending an amendment to the By-Laws that govern the El Dorado County Community Action Council which is an Advisory Council to the Board of Supervisors and the Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal Grant Funds.

A motion was made by Supervisor Briggs, seconded by Supervisor Santiago to approve this matter as proposed with direction that staff revisit changes suggested this date.

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

**Absent:** 1 - Dupray

- 9. [07-1843](#) General Services Department recommending the Auditor-Controller be authorized to make cash advances from the General Fund to the Accumulated Capital Outlay (ACO) Funds for Facilities and Parks, and to the Airport Capital Improvements Funds for Placerville and Georgetown on an as needed basis to prevent negative cash balances in these funds; said funds are to be reimbursed with interest as determined by the Auditor-Controller.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

10. [07-1720](#) General Services Department recommending Chairman be authorized to sign Lease Agreement 255-L0811 with Joseph H. Avendano Sr. and Amparo R. Avendano in the amount of \$1,650 per month for the term December 1, 2007 through March 31, 2008 for temporary housing located at 551 McKinney Road, Tahoma, for the Department of Transportation snow removal crew.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Road Funds.

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

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

11. [07-1811](#) General Services Department recommending Chairman be authorized to sign Lease Agreement 448-L0811 with Broadway Plaza, A Partnership of Judith E. Puthuff and Waldron Family Partnership in the amount of \$16,740 per month for the period January 1, 2008 through December 31, 2013 for office space located at 1319, 1323 and 1337 Broadway, Placerville, for the Sheriff's Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

This matter was Approved on the consent calendar

12. [07-1801](#) Development Services Department recommending Chairman be authorized to sign Agreement for Consultant Services 471-S0811 with Conexus in the amount of \$117,040 for a term to expire June 30, 2009 for the preparation of the 2008 Housing Element Update.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to trail this matter to later in the day for Board action.

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

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve said Agreement subject to the following modifications:

(1) Utilize the most recent Regional Housing Needs Assessment (RHNA) numbers to be formalized by the Sacramento Area Council of Governments (SACOG) Board of Directors subsequent to the letting of this agreement as provided below on Page 2, Paragraph 4 of the Scope of Work:

SACOG is currently preparing the RHNA, which identifies new housing needs for each jurisdiction in the region. The El Dorado County unincorporated area has been assigned a growth need of 8,650 new units for the 7-1/2 year period 2006 - 2013, with approximately 48% of those expected to be in the very-low and lower income categories.

(2) Changes to the scope or costs exceeding the amount of \$97,040 shall not occur without prior authorization by the Chief Administrative Officer; with the contingency not to exceed \$20,000.

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

13. [07-1165](#) Sheriff's Department recommending Resolution continuing the Local Declaration of a State of Emergency for the South Lake Tahoe Area due to an extreme wild land fire (Angora). (4/5 vote required)(Cont'd 11/6/07, Item 23)

**RECOMMENDED ACTION:** Adopt Resolution 285-2007.

This matter was Approved on the consent calendar

14. [07-1210](#) Chief Administrative Office recommending the following regarding the Angora Fire in the Lake Tahoe Basin:
- (1) Terminate the state of emergency in the Lake Tahoe Basin as a result of the Angora Fire; and
- (2) Terminate the action taken in which your Board, pursuant to County Ordinance Code 3.14.060, dispensed with competitive bidding requirements due to the emergency situation.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

15. [07-1626](#) Transportation Department recommending the following pertaining to the Apalachee Erosion Control Project Phase 3B (JN95183):
- (1) Authorize said Department to carry out said project;
  - (2) Certify that the Addendum to the Mitigated Negative Declaration is adequate for said project; and
  - (3) Authorize the Director or said Department, or his designee, to sign said Addendum.

**RECOMMENDED ACTION:** Approve.

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

16. [07-1623](#) Transportation Department recommending Chairman be authorized to sign Amendment I to Utility Agreement 06-1256 with AT&T (previously doing business as Pacific Bell Telephone Company and SBC of California) increasing the estimated cost to the County by \$140,050 to a total of \$200,000 for relocation of communication underground fiber optic and overhead facilities within the limits of construction of the U.S. Highway 50/Missouri Flat Road Interchange Phase 1A, Project 71317.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** 2004 General Plan Traffic Impact Fee Program Funds.

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

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

17. [07-1627](#) Transportation Department recommending the following pertaining to the Angora 3 Erosion Control (JN 95160/95161) and Fisheries Enhancement Projects (95164):
- (1) Authorize said Department to carry out said Projects;
  - (2) Certify that the Addendum to the Mitigated Negative Declaration is adequate for said Projects; and
  - (3) Authorize the Director of said Department, or his designee, to sign said Addendum.

**RECOMMENDED ACTION:** Approve.

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

18. [07-1632](#) Transportation Department recommending Chairman be authorized to sign Amendment 1 to Contract CTA-03004 with the California Tahoe Conservancy increasing grant amount by \$210,950 to \$1,597,950 and extending the term through June 30, 2011 for the Phase 3 portions of construction and monitoring of the Angora Creek Stream Environment Zone Restoration Project.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** California Tahoe Conservancy.

This matter was Approved on the consent calendar

19. [07-1680](#) Transportation Department recommending Chairman be authorized to sign Notice of Completion with Lorang Brothers Construction, Inc. for the Pleasant Valley Two-Way Turn Lane Improvements Project 73318 on Pleasant Valley Road from State Route 49 to Pearl Place in Diamond Springs.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** This project was funded with Highway Safety Improvement Program, Road Fund/Discretionary, Traffic Impact Mitigation Fees (West Slope) and an El Dorado Irrigation District Reimbursement. The requested Board action has no associated fiscal impact.

This matter was Approved on the consent calendar



20. [07-1698](#) Transportation Department recommending the Auditor-Controller be authorized to make intermittent temporary cash advances from the General Fund to three of the funds managed by the Department of Transportation: Erosion Control, South Lake Tahoe Transit and Road Fund to prevent negative cash balances in these funds; advanced funds are to be reimbursed with interest as determined by the Auditor-Controller.

**RECOMMENDED ACTION:** Approve.

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

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

21. [07-1712](#) Transportation Department Director, or his designee, requesting authorization to proceed with implementation of Mitigation Measure 6.3 required as part of the U.S. Highway 50/El Dorado Hills Boulevard Interchange Reconstruction Project, and recommending reimbursement of payments be authorized to the participating home owners.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** 2004 General Plan Traffic Impact Mitigation Fee Program

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

22. [07-1726](#) Transportation Department recommending the following pertaining to Serrano Village K5, Unit 1 Subdivision:
- (1) Accept the subdivision as substantially complete;
  - (2) Reduce Performance Bond 929374851-02 by \$426,222.58 to \$406,405.97 to guarantee against any defective work, labor done or defective materials furnished and release said bond one year after acceptance if no claims are made; and
  - (3) Hold posted Laborers and Materialsmen Bond 929374851-02 in the amount of \$2,032,029.83 to guarantee payment to persons furnishing labor, materials or equipment and release in six months after acceptance if conditions are met.

**RECOMMENDED ACTION:** Approve.

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

23. [07-1727](#) Transportation Department recommending the following pertaining to Serrano Village J3A, Unit 1 Subdivision:
- (1) Accept subdivision improvements as complete;
  - (2) Reduce Performance Bond 929374851 by \$426,222.58 to \$406,405.97 to guarantee against any defective work, labor done or defective materials furnished and release one year after acceptance if no claims are made; and
  - (3) Hold Laborers and Materialmen Bond 929374851 in the amount of \$2,032,029.83 to guarantee payment to persons furnishing labor, materials or equipment and release in six months after acceptance if conditions are met.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

24. [07-1728](#) Transportation Department recommending the following pertaining to Serrano Village J3A, Unit 2 Subdivision:
- (1) Accept the subdivision improvements as substantially complete;
  - (2) Reduce Performance Bond 929374851-01 by \$426,222.58 to \$406,405.97 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance if no claims are made; and
  - (3) Hold Laborers and Materialmen Bond 929374851-01 in the amount of \$2,032,029.83 to guarantee payment to persons furnishing labor, materials or equipment and release in six months after acceptance if conditions are met.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

25. [07-1745](#) Transportation Department recommending Chairman be authorized to sign Acquisition Agreement for Public Purposes and accompanying Certificate of Acceptance from El Dorado Irrigation District in the amount of \$1.00 for a portion of APN 118-020-04; and Director of said Department, or his 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, for the Latrobe Road Widening Phase 2 Project 66103/72403.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** 2004 General Plan El Dorado Hills Traffic Impact Mitigation Blackstone Prepayment.

This matter was Approved on the consent calendar

26. [07-1759](#) Transportation Department recommending Resolution sanctioning the closure of Pony Express Trail between Sly Park Road and Sanders Drive and Forebay Road, North Street, Polaris Street and Laurel Street, all of which intersect Pony Express Trail along the parade route, which will be partially closed between 12:00 Noon and 1:00 P.M. on Saturday, December 1, 2007 for the "Pollock Pines Christmas Parade" event.  
**RECOMMENDED ACTION:** Adopt Resolution **286-2007**.  
**This matter was Approved on the consent calendar**
27. [07-1760](#) Transportation Department recommending Chairman be authorized to sign Amendment III to Agreement for Services AGMT 04-644 with Y & C Transportation Consultants, Inc., extending the term through June 30, 2008 and amending other articles of said contract to conform to current contract standards to provide traffic engineering and signal design services for said Department.  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Y & C Transportation Consultants, Inc. is working on several different projects on an on-call basis under the task order process. Funds for this amendment will come from various Capital Improvement Program projects funded through traffic impact fees or through time and material billings against development projects.  
**This matter was Approved on the consent calendar**
28. [07-1792](#) Environmental Management Department recommending Budget Transfer 28061 increasing revenue and appropriations by \$272,730 (Solid Waste Operating Fund) to meet financial assurance and reporting requirements of the Central Valley Regional Water Quality Control Board as related to the Final Cover, 13.6-Acre Class III Old Landfill Area, Union Mine Disposal Site closure project. (4/5 vote required)  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** County Service Area 10 Union Mine Closure Fund.  
**This matter was Approved on the consent calendar**
29. [07-1833](#) Library Director recommending Budget Transfer 28060 increasing appropriations for library materials and operations by \$49,536.36 as a result of donations received from the community and the Friends of the Library. (4/5 vote required)  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Friends of the Library donations.  
**This matter was Approved on the consent calendar**

30. [07-1765](#) Recorder Clerk-Registrar of Voters recommending Resolution approving the grant funding application to Secretary of State for funding available through "Help America Vote Act (HAVA) Section 301 Voting Systems Program" in the amount of \$504,124,45 to assist with implementation of Section 301 requirements; and recommending the Recorder Clerk-Registrar of Voters, or his designee, be authorized as agent to conduct all negotiations, execute and submit all documents, including, but limited to applications, Standard Agreement with attachments, payment requests, etc. necessary for the completion of aforementioned project.

**RECOMMENDED ACTION:** Adopt Resolution **287-2007**.

**FUNDING:** Help America Vote Act (HAVA) Section 301 Voting Systems Program Grant.

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

31. [07-1771](#) Recorder Clerk-Registrar of Voters recommending Resolution approving the application for grant funding available under the "Help America Vote Act (HAVA) Elections Assistance for Individuals with Disabilities Section 261 Program" with the Secretary of State delegating responsibility for the distribution of \$12,005.15 in funding to assist with improvements, training and equipment necessary to implement Section 261 requirements; and recommending the Recorder Clerk-Registrar of Voters, or his designee, be authorized to conduct all negotiations, execute and submit all documents including, but not limited to applications, standard agreement with attachments, payment requests, etc., necessary for the completion of the aforementioned project.

**RECOMMENDED ACTION:** Adopt Resolution **292-2007**.

**FUNDING:** Help America Vote Act (HAVA) Elections Assistance for Individuals with Disabilities (EAID) Section 261 Program Grant

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

32. [07-1785](#) Information Technologies Department recommending advanced step placement of Gregg Plourde at step 5 of the salary range in connection with his promotion to the position of Supervising IT Analyst - Technical Support for said Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund. Funding is available in the IT FY 07/08 budget.

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

33. [07-1731](#) Information Technologies Department recommending Chairman be authorized to sign retroactive Amendment I to Agreement 010-S0811 with Xerox Corporation extending the term an additional three years through July 26, 2010 to provide various professional services relating to the new Xerox 4110 Enterprise Printing System.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Included in Information Technologies FY 07/08 budget.
- This matter was Approved on the consent calendar**
34. [07-1790](#) Information Technologies Department recommending the Board make findings that pursuant to Section 3.12.132 of the Purchasing Ordinance and Resolution Nos. 336-2000 and 142-2001 the procurement of Microsoft proprietary software licenses are exempt from competitive bidding; and authorize the Chairman to sign the Microsoft Select Enrollment Agreement 796-S0710 with Microsoft Licensing, GP in the amount of \$75,000 for a term to expire January 31, 2011 to allow for the purchase of Microsoft product licenses from Dell, Inc. for said Department.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Funding for these purchases is budgeted in the specific departmental budgets for FY 07/08, and subsequently in future year budgets.
- This matter was Approved on the consent calendar**
35. [07-1778](#) Sheriff's Department recommending Chairman be authorized to sign Amendment I to Reimbursement Agreement 257-S0711 with the City of South Lake Tahoe for the purchase of a mobile command vehicle using Fiscal Year 2006 Homeland Security Grant funds.  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Homeland Security Grant Funds (2006).
- This matter was Approved on the consent calendar**
36. [07-1779](#) Human Resources Department recommending Resolution amending the revision of the Assistant Treasurer Tax Collector Classification Specification to maintain and update the County's classification plan.  
**RECOMMENDED ACTION:** Adopt Resolution **293-2007**.
- This matter was Approved on the consent calendar**

37. [07-1809](#) Human Resources Department recommending Resolution amending Authorized Personnel Allocation Resolution by **deleting** two (2) Sheriff's Technician I/II positions, and **adding** two (2) Sheriff's Technician I/II or Senior Sheriff's Technician positions; and recommending revision of the job classification for the position of Senior Sheriff's Technician.  
**RECOMMENDED ACTION:** Adopt Resolution **294-2007**.

**FUNDING:** General Fund.

This matter was Approved on the consent calendar

38. [07-1789](#) The University of California Cooperative Extension recommending Chairman be authorized to sign Agreement No. 2007-ELDO-01 with The Regents of the University of California in the amount of \$68,312 for the term October 1, 2007 through June 30, 2008 for the management and coordination of educational programs relating to the Master Gardener and Master Food Preserver Programs.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund (salary and benefits).

This matter was Approved on the consent calendar

39. [07-1806](#) Chief Administrative Office, Procurement and Contracts Division, submitting the first quarter report of procurement activity for Fiscal Year 2007-2008.  
**RECOMMENDED ACTION:** Receive and file.

This matter was Approved on the consent calendar

40. [07-1889](#) Chief Administrative Officer recommending the following pertaining to project management services for the Missouri Flat and U. S. 50 Corridors:  
(1) Find that it is more economical and feasible to obtain an outside consultant to provide said services;  
(2) Authorize Chairman to sign Agreement with David A. Storer, AICP, in an amount not to exceed \$117,481 for a period of one year to provide special project management services for the update and implementation of a comprehensive development and circulation plan for the Missouri Flat Corridor (\$96,521) and development review assistance for the U.S. 50 Corridor (\$20,960), upon review by County Counsel and Risk Management;  
(3) Approve Budget Transfer transferring \$46,521 from Department 15 (General Fund, Other Operations) to Department 74 (El Dorado County Development Project-Missouri Flat Project Management). (4/5 vote required)

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

41. [07-1891](#) Chief Administrative Officer recommending Chairman be authorized to sign the following pertaining to the proposed "Diamond Dorado Retail Center":  
(1) Reimbursement Agreement for Funding of Legal Services for Preparation of Environmental Impact Reports for PD 07-0034, A07-0018, Z07-0054, S07-0029 and Development of the Diamond Springs Parkway; and Agreement for Legal Services between El Dorado County and Remy, Thomas, Moose, and Manley; and  
(2) Budget transfer to recognize the applicant payment and increased appropriation. (4/5 vote required)  
**RECOMMENDED ACTION:** Approve.
- FUNDING:** Developer Deposit.
- This matter was Approved on the consent calendar
42. [07-1719](#) Supervisor Baumann recommending, on behalf of the El Dorado County Fire Chiefs' Association, the appointment of Chief Bill Holmes to the Fire Advisory Board.  
**RECOMMENDED ACTION:** Approve.
- This matter was Approved on the consent calendar
43. [07-1870](#) Supervisor Sweeney, on behalf of the El Dorado Water and Power Authority, recommending Chairman be authorized to sign Amendment 2 to the Joint Powers Agreement of the El Dorado Water and Power Authority. *(This is not the funding agreement.)*  
**RECOMMENDED ACTION:** Approve.
- This matter was Approved on the consent calendar
44. [07-1812](#) Supervisor Santiago recommending the following reappointments to the Child Abuse Prevention Council: Cathy Bean, Elizabeth Blakemore, Dee Cutter and Leanne Wagoner as Community Based Members; David Ashby and Alissa Nourse as Health Providers; Lorrie Evers and Susanna James as Parent/Primary Caregivers; and Wendy David and Christine Amey as Public Agency Members for terms to expire January 2009.  
**RECOMMENDED ACTION:** Approve.
- This matter was Approved on the consent calendar

45. [07-1818](#) In-Home Supportive Services Public Authority recommending the Board acknowledge and accept the resignations of Patricia Stanley, Randy Cummings and Bonnie Neeley; and recommending Jane Thomas be reappointed to serve as Consumer Representative and Kenneth Poe II and Ellen Yevdakimov be appointed to serve as Consumer Representatives on the In-Home Supportive Services Advisory Committee for terms to expire January 2009.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal and State In-Home Supportive Services Public Authority Allocation.

This matter was Approved on the consent calendar

## END CONSENT CALENDAR

## DEPARTMENT MATTERS

46. [07-1766](#) Hearing to consider adoption of Resolution **288-2007** superseding Resolution 238-2006 approving the Lake Valley Fire Protection District Capital Improvement Plan and adopting Development Impact Fees.

**FUNDING:** Fire Impact Fees.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 288-2007.

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

47. [07-1773](#) Hearing to consider adoption of Resolution **295-2007** superseding Resolution 050-2005 approving the Latrobe Fire Protection District Capital Improvement Plan and adoption of Development Impact Fees.

**FUNDING:** Fire Impact Fees.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 295-2007.

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

48. [07-1774](#) Hearing to consider adoption of Resolution **291-2007** superseding Resolution 284-2006 approving the Mosquito Fire Protection District Capital Improvement Plan and adopting Development Impact Fees.

**FUNDING:** Fire Impact Fees.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 291-2007.

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



49. [07-1775](#) Hearing to consider adoption of Resolution **290-2007** superseding Resolution 239-2006 approving the Rescue Fire Protection District Capital Improvement Plan and adopting Development Impact Fees.
- FUNDING:** Fire Impact Fees.
- Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 290-2007.**
- Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago
50. [07-1776](#) Hearing to consider adoption of Resolution **289-2007** superseding Resolution 109-2006 approving the Garden Valley Fire Protection District Capital Improvement Plan and adopting Development Impact Fees.
- FUNDING:** Fire Impact Fees.
- Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 289-2007.**
- Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago
51. [07-1893](#) Auditor-Controller recommending Resolution modifying the Authorized Personnel Allocation Resolution of the Auditor-Controller's Office by adding three Administrative Service Officers positions and deleting three Departmental Analyst positions.
- A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 299-2007 amending the Authorized Personnel Allocation Resolution.**
- Yes:** 3 - Dupray, Baumann and Santiago
- Noes:** 2 - Sweeney and Briggs
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to direct the Chief Administrative Officer, Human Resources Director, and the Auditor/Controller to return to the Board on January 29, 2008 with an analysis of the financial positions discussed this date.**
- Yes:** 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

52. [07-1644](#) Mental Health Department recommending Chairman be authorized to sign retroactive Amendment III to Agreement for Services 113-S0610 with Maxim Healthcare Services, Inc. increasing compensation by \$4,000 to \$104,000 to provide personnel to supplement the Psychiatric Health Facility (PHF) on an “as requested” basis for said Department. (Cont'd 11-6-07, Item 35)

**FUNDING:** State Managed Care funds and Realignment.

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

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

53. [07-1855](#) Chief Administrative Office recommending the Board receive and file a report outlining contracts with Pacific Municipal Consultants, Inc.

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

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

54. [07-1825](#) Development Services Department recommending Chairman be authorized to sign retroactive Agreement for Consultant Services 113-S0811 with Pacific Municipal Consultants, Inc. (PMC) in the amount of \$150,000 for a term to expire June 30, 2008 for the preparation of Environmental Impact Reviews (EIR) on an “as needed” basis in accordance with Agreement PLS-06-01 (345-S0711) executed June 27, 2006.

**FUNDING:** Accumulated Capital Outlay Fund.

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

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

55. [07-1832](#) Development Services Department recommending Chairman be authorized to sign retroactive Agreement for Services 114-S0811 with Pacific Municipal Consultants, Inc. (PMC) in the amount of \$217,065 for a term to expire June 30, 2008 for the preparation of Floor Area Ratio (FAR) and Mixed Use Development (MUD) general plan amendment.

**FUNDING:** General Fund - Development Services Budget

**A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve the extension of said Agreement and staff directed to come back to the Board on January 15, 2008 with regard to the Mixed Use Development portion of said Agreement.**

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

**Absent:** 1 - Dupray

56. [07-1831](#) Development Services Department recommending Chairman be authorized to sign retroactive Amendment I to Agreement for Consultant Services 407-S0711 with EN2 Resources, Inc. increasing compensation by \$96,000 to \$442,981 and extending the term through September 17, 2008 for the preparation of an Oak Woodland Management Plan and related tasks.

**FUNDING:** General Fund - Development Services Budget.

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

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

**Absent:** 1 - Dupray

57. [07-1797](#) Clerk of the Board recommending the Board adopt one of the two proposed schedules of regular meetings of the Board of Supervisors in the Year 2008.

**A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to adopt the amended calendar with only one and two week breaks as submitted this date.**

**Yes:** 3 - Sweeney, Briggs and Santiago

**Noes:** 1 - Baumann

**Absent:** 1 - Dupray

58. [07-1840](#) Chief Administrative Office recommending Chairman be authorized to sign retroactive Amendment I to Funding Agreement 639-S0711 and Amendment IX to the Funding Agreement, originally executed on March 25, 2003, with the El Dorado County Fire Safe Council.

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

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

59. [07-1859](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Request for Proposal 08-918-020 to Lilliput Children's Services of Sacramento, CA for the provision of the Kinship Support Services Program for the Department of Human Services; and Chairman be authorized to execute retroactive agreement for same in the amount of \$162,000 upon County Counsel and Risk Management review and approval.

**FUNDING:** General Fund and Non-General Fund (Title IV-E).

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

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

60. [07-1598](#) Chief Administrative Officer recommending the proposed reorganization of the General Services Department previously continued by the Board to December 4, 2007 be rescheduled to January 8, 2008.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to approve the continuance to January 8, 2008.**

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

61. [07-1826](#) Chief Administrative Officer requesting her signature be ratified on Agreement for Services 180-S0711 with New Morning Youth and Family Services extending the term through July 31, 2008 for the Mental Health Services Act (MHSA) Family-Centered Services Program.

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

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

62. [07-1065](#) Supervisor Sweeney recommending Chairman be authorized to sign the Supplemental Water Acquisition Project Cost Share Agreement with El Dorado County Water Agency, El Dorado Irrigation District and Georgetown Divide Public Utility District in an amount not to exceed \$400,000 for 2007/2008 and each year thereafter in an amount not to exceed \$200,000 as approved by the Board of Supervisors at its meeting on April 17, 2007 and as conditioned upon contributions made by other entities, upon approval by County Counsel. (Cont'd 10/30/07, Item 30)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Briggs to approve the amended Agreement.**

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

**Absent:** 1 - Dupray

63. [07-1783](#) Supervisor Santiago recommending the establishment of an Angora permitting center to exclusively process building permits within the Angora Fire burn area through December 31, 2008. (Cont'd 11-6-07, Item 40)

**This matter was continued to December 4, 2007 upon adoption of the Agenda.**

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

64. [07-1747](#) General Services Department recommending the Chairman be authorized to sign Amendment III to Lease Agreement 159-L9911 with Ernest Fortino and Marie Fortino, Trustees or successors of the 1994 Ernest Fortino and Maria Fortino Revocable Trust in the amount of \$3,112.70 per month for the facility located at 1029 Takela, Suite 5, South Lake Tahoe, to change occupancy from Department of Human Services to the Department of Development Services. (Cont'd 11-6-07, Item 16)

**FUNDING:** General Fund 25 % and State Office of Emergency Services Fund 75%.

**This matter was continued to December 4, 2007 upon adoption of the Agenda.**

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

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

65. [07-1868](#) **PRESENTATION** by Sherry Smith, Superintendent of the El Dorado Union High School District, updating the Board and members of the public on activities and future plans for the District.

**No action required.**

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

66. [07-1732](#) Hearing to consider rezone (Z07-0015) of 1.02 acres (APN 117-085-18) from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD); development plan (PD07-0011) to allow the conversion of an existing commercial structure into three air space condominium units, with common area; tentative parcel map (P07-0005) creating four lots in the El Dorado Hills area; and adoption of Ordinance **4747** for same; Applicant: Glenhaven Court I, LLC (District 2).

**Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Santiago to find the project categorically exempt pursuant to Section 15301(k) of the California Environmental Quality Act Guidelines; adopt Ordinance 4747 to rezone said parcel; adopt the development plan as the official development plan, subject to the conditions and based on the findings; and approve tentative parcel map, subject to the conditions and based on the findings.**

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

- 67.** [07-1737](#) Hearing to consider rezone (Z07-0019) of 3.62 acres (APN 329-162-69) from One-family Residential (R1) to One-family Residential-Planned Development (R1-PD); development plan (PD07-0014) and tentative subdivision map (TM06-1417) to create and construct 18 single-family detached homes on lots ranging in size between 2,470 and 3,611 square feet, creation of a 43,500 square foot open space parcel, and creation and construction of a 3,812 square foot tot lot in the Diamond Springs/El Dorado Community Region; and adoption of Ordinance **4748** for said rezone; Applicant: Panorama View, LLC. (District 3).

**After hearing public testimony, a motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt the negative declaration as prepared; adopt Ordinance 4748 to rezone said parcel; adopt the development plan as the official development plan, subject to the conditions and based on the findings; approve TM06-1417 subject to the conditions and based on the findings with direction that Condition 27 be amended deleting the wording "or inclusionary".**

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

**Noes:** 1 - Briggs

- 68.** [07-1808](#) Hearing to consider rezone (Z07-0021) of 4.63 acres (APN 117-060-41) from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD); development plan (PD07-0015) to allow for the split of the existing 4.63 acre parcel into parcels smaller than two acres in size in accordance with Section 17.35.030(A)(2)(d) of Zoning Code, and to allow for zero lot lines for the proposed new parcels; tentative parcel map (P07-0019) to create six parcels ranging in size from 9,100 to 12,453 square feet and one 3.22 acre parcel for shared parking and access in the El Dorado Hills area; and adoption of Ordinance **4749** for said rezone; Applicant: Ribeiro-Commerce, LLC. (District 2).

**Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to certify the project is exempt pursuant to Section 15301(k) of the California Environmental Quality Act Guidelines; adopt Ordinance 4749 to rezone said parcel; adopt the development plan as the official development plan, based on the findings proposed by staff, subject to the conditions as modified; and approve P07-0019, based on the findings and subject to the conditions as modified.**

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

69. [07-1791](#) Hearing to consider an appeal on the denial Special Use Permit S04-0033 to allow the construction of a 2,912 square foot caretaker residence within the Timber Preserve Zone District on property consisting of 118.092 acres (APN 039-060-02) in the Silver Lake area; Appellant: George Majors (District 2).

**After hearing public testimony, a motion was made by Supervisor Baumann, seconded by Supervisor Dupray to declare that the intent of the Board is to approve the issuance of Special Use Permit (S04-0033) for a single family dwelling on APN 039-060-02 with direction to staff to return to the Board on January 15, 2008 with new conditions pertaining to same.**

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

## **CAO REPORTS**

## **ITEMS TO/FROM SUPERVISORS**

## **ADJOURNMENT**

**CLOSED SESSION**

70. [07-1754](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**  
Title: Director of Information Technologies.  
**No action reported.**
71. [07-1857](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**  
Title: Director of the Public Health Department.  
**No action reported.**
72. [07-1755](#) 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.**
73. [07-1896](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: Yubacon, Inc. v. El Dorado County Department of Transportation.  
One (1) potential case.  
**No action reported.**
74. [07-1866](#) Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**  
Significant exposure to litigation. One (1) potential case.  
**No action reported.**
75. [07-1846](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Director of Human Resources  
Employee Organization - Operating Engineers, Local No. 3, Trades and Crafts.  
**No action reported.**
76. [07-1847](#) 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 No. 1.  
**No action reported.**



77. [07-1848](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Director of Human Resources  
Employee Organization - Operating Engineers, Local No. 3, Probation Unit.  
  
**No action reported.**
78. [07-1849](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Director of Human Resources  
Employee Organization - El Dorado County Law Enforcement Management Association.  
  
**No action reported.**
79. [07-1850](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Director of Human Resources  
Employee Organization - El Dorado County Management Association.  
  
**No action reported.**
80. [07-1851](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Director of Human Resources  
Employee Organization - El Dorado County Criminal Attorney Association.  
  
**No action reported.**
81. [07-1852](#) Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**  
County Negotiator - Bruce Heid, Industrial Employees and Distributors Association  
Employee Organization - United Domestic Workers of America (UDW)/AFSCME.  
  
**No action reported.**
82. [07-1863](#) Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**  
Instructions to negotiator regarding real property described as APN 083-253-05. The persons with whom the negotiator may negotiate are Beau and Vicki Melgreen. 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.**

83. [07-1864](#) 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.**

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