



County of El Dorado

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Minutes - Final Board of Supervisors

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

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

Tuesday, March 14, 2006

8:00 AM

Board of Supervisors Meeting Room

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

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

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE

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

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

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

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

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

A motion was made by Supervisor Dupray, seconded by Supervisor Paine to adopt the Agenda and approve the Consent Calendar with the following exceptions: Item 5 pulled from the Consent Calendar for separate action; Item 19 pulled from the Consent Calendar for presentation; Item 21 pulled from the Consent Calendar and continued off calendar; Items 22, 24, 26 added to the Consent Calendar and approved; Item 25 added to the Consent Calendar and continued to March 28, 2006; and item 29 added to the Consent Calendar and continued off calendar.

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

OPEN FORUM**CONSENT CALENDAR**

1. **06-0431** Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, March 7, 2006.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.
2. **06-0419** Public Health Department recommending Chairman be authorized to sign retroactive Agreement with Gen-Probe, Inc. in an amount not to exceed \$168,102 for the term November 1, 2005 through October 31, 2008 for the purchase of reagents and testing supplies for the detection of venereal diseases.
RECOMMENDED ACTION: Approve.

FUNDING: State Sources and Fees for Service.

This matter was approved on the Consent Calendar.
3. **06-0418** Public Health Department recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 337-PHD08031 with Laboratory Corporation of America (LabCorp) extending the term through June 30, 2006 to provide medical laboratory services and selected medical tests.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

4. **06-0417** Public Health Department recommending Chairman be authorized to sign Budget Transfer 26082 increasing Estimated Revenue by \$24,277 to bring the HIV Prevention Program Memorandum of Understanding budget in line with fiscal year 2005/2006 allocation. (4/5 vote required)
RECOMMENDED ACTION: Approve.
- FUNDING:** State Department of Health Services AIDS Program Allocation.
- This matter was approved on the Consent Calendar.**
5. **06-0416** Public Health Department recommending Chairman be authorized to sign a Compliance Agreement with Placerville Recreation and Parks Department designating it as an Automated External Defibrillation (AED) Service Provider under the provisions and conditions of the El Dorado County EMT-1/Public Safety AED Program.
RECOMMENDED ACTION: Approve.
- A motion was made by Supervisor Baumann, seconded by Supervisor Dupray, that this matter be Approved. The motion carried by the following vote:**
- Yes:** 5 - Dupray, Baumann, Sweeney, Paine and Santiago
6. **06-0414** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 301-S0611 with Charis Youth Center in an amount not to exceed \$40,000 for a two-year period to provide foster care/group home services on an "as-requested" basis for clients of the Child Protective Services Program.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal, State and County funding.
- This matter was approved on the Consent Calendar.**
7. **06-0415** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 287-S0611 with William G. Danton, Ph.D., in an amount not to exceed \$20,000 for a two-year period to provide therapeutic counseling services to clients of the Child Protective Services and Employment and Training Programs.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal, State and County funding.
- This matter was approved on the Consent Calendar.**

8. **06-0421** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 304-S0611 with Rite of Passage Athletic Training Centers and Schools, Inc. in an amount not to exceed \$130,000 for a two-year term to provide foster care/group home services on an "as-requested" basis for clients of the Child Protective Services Program.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County funding.

This matter was approved on the Consent Calendar.

9. **06-0420** Human Services Department, Community Services Division, recommending Chairman be authorized to sign retroactive 2005-2007 Host Entity Agreement with Marin County in the amount \$6,400 for the period July 1, 2005 through June 30, 2007 to enable El Dorado County to participate in and receive federal revenues for Medical Administrative Activities and Targeted Case Management Services; and authorize Director of said Department to execute documents related to same and any amendments thereto that do not affect the term of said Agreement, noting retroactive as to term due to late receipt of documents (1/18/2006) from Marin County.

RECOMMENDED ACTION: Approve.

FUNDING: MAA/TCM Program Revenues.

This matter was approved on the Consent Calendar.

10. **06-0422** General Services Department recommending Chairman be authorized to sign Notice of Completion with Vintage Paving Company for the Georgetown Airport Reconstruct and Light Runway 16/34 and install PAPI on runway 16.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

11. [06-0423](#) Transportation Department recommending Resolution of Vacation (AOE 2006-04) to abandon three ten-foot wide public utilities easements located along side and rear boundary lines of APN 110-380-13-100, Amended Final Map for a portion of the Summit Unit No. 2, Lot 114, requested by Maximano Rabadon and Maria Manuela Rabadon to accommodate planned construction on subject lot.

RECOMMENDED ACTION: Adopt Resolution **074-2006**.

This matter was approved on the Consent Calendar.

12. [06-0424](#) Information Technologies Division recommending Master Agreement 536- S0611 with SBC Global Services, Inc. in an amount not to exceed \$92,340 for a three year period plus \$325 in one-time non-recurring charges to provide Ethernet Dedicated Internet Access (EDIA) service; and authorize Chairman to execute said Agreement, Opt-E-Man FCC Special Access Tariff Addendum and SBC Premier SERVSM Dedicated Internet Assess (DIA) Addendum, noting this item was previously approved (1/10/06, Item 24), however, the FCC found a tariff error.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Information Technologies and Sheriff's Department budgets

This matter was approved on the Consent Calendar.

13. **06-0435** Human Resources Department recommending Chairman be authorized to sign Addendum to the Sigma Licensing Agreement in an amount not to exceed \$43,190 payable over a three-year term to upgrade the County's current Sigma system from version 5 Professional Edition to version 5 Enterprise Edition, noting applicants will be able to apply for multiple jobs on-line; at the same time, there will be a reduction of staff time spent in processing applications.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

14. [06-0425](#) Human Resources recommending Resolution amending salary schedule to establish salaries and classifications for Senior GIS Analyst, Precinct Planning Specialist and Information Technology Officer positions; and recommending Resolution amending Authorized Personnel Allocation **adding** one (1) Information Technology Officer position and **deleting** one (1) Principal IT Analyst position.
RECOMMENDED ACTION: Adopt Resolutions **075-2006** and **076-2006**.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

15. **06-0427** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-680-074 for the purchase of taser guns and cartridges to be issued to newly hired deputies and used during physical altercations as an alternative to the use of deadly force; and authorize blanket purchase order to Proforce Law Enforcement of Brea, California in the amount of \$42,631, including sales tax, for a twelve month period with 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: Sheriff Department's Law Enforcement Equipment budget.

This matter was approved on the Consent Calendar.

16. [06-0437](#) Recorder-Clerk/Registrar of Voters recommending the Board ratify the Grant Application submitted to the Secretary of State for federal reimbursement funds in the amount of \$1,095,674.94 from the "Help America Vote Act (HAVA) Section 301 Voting System Program"; and recommending Budget Transfer 26090 increasing Estimated Revenue by \$1,095,674.94 from grant funding for same; and adopting Resolution approving said Grant Application and authorizing the Recorder-Clerk/Registrar of Voters to execute all documents relating to same.

RECOMMENDED ACTION: Adopt Resolution **078-2006**

FUNDING: Reimbursement through the Secretary of State.

This matter was approved on the Consent Calendar.

17. **06-0428** Chief Administrative Office, Procurement and Contracts Division, submitting 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.

18. **06-0429** Chief Administrative Office recommending Resolution endorsing the new 2006-2008 Motherlode Energy Watch Partnership Program, a PG&E energy efficiency partnership and authorizing the use of the El Dorado County Logo to market said program.

RECOMMENDED ACTION: Adopt Resolution **077-2006**.

This matter was approved on the Consent Calendar.

19. **06-0433** Supervisor Sweeney recommending the week of March 13-18, 2006 be proclaimed as "Small Business Week" in El Dorado County.

RECOMMENDED ACTION: Adopt Proclamation.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, that this matter be Approved. The motion carried by the following vote:

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

20. **06-0430** Supervisor Sweeney recommending Joseph "Barney" Noel, Fraternal Organization Representative and Douglas A. Walker, Archaeologist Representative be reappointed to serve on the Cemetery Advisory Committee for terms to expire January 2008; and recommending Ramona Tripp-Verbeck be appointed to serve as the Native American Representative on the Cemetery Advisory Committee for a term to expire January 2008.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

21. **06-0438** Chief Administrative Office, Economic Development Division, recommending Chairman be authorized to sign Agreement 579-S0611 with Chabin Concepts, Inc. in an amount not to exceed \$32,000 for a one year term to assist said Division with a marketing and promotions plan encouraging businesses to consider El Dorado County as a place to do business, noting these activities would commence with the establishment of the Economic Development Advisory Commission.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was continued off calendar upon adoption of the Agenda.

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

22. **06-0412** Public Health Department recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 347-PHD1203 with Digital Innovation, Inc., extending the term and increasing compensation by \$4,500 to an amount not to exceed \$13,500 for maintenance and support of the County's Trauma Registry Program Software.

FUNDING: County Services Areas 03 and 07.

This matter was added to the Consent Calendar and approved.

23. [06-0125](#) Transportation Department recommending the following:
- (1) Find that a state of emergency continues to exist and authorize said Department to proceed under Public Contract Code Sections 20395, 22035 and 22050 to immediately stabilize and repair roads severely damaged by recent storms including Mosquito Road, Church Mine Road, and Cosumnes Mine Road;
 - (2) Find based upon the substantial evidence in the record regarding the conditions of the road and bridge approach facilities at said roads, that the emergency will not permit a delay resulting from competitive solicitation for bids, and that immediate action is necessary to stabilize and repair the roads and bridge approach to prevent further damage to, or failure of, the facilities, and to provide for access for public services to populated areas served by these roads;
 - (3) Authorize the Department to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency repairs pursuant to written contract and authorize the Chairman of the Board to execute those contracts; and
 - (4) Continue to the **March 28, 2006** Board Meeting for status review. (Continued 2/28/06, Item 53)

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

A motion was made by Supervisor Dupray, seconded by Supervisor Paine, that this matter be Approved. The motion carried by the following vote:

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

24. [06-0234](#) Sheriff's Department recommending adoption of Resolution **073-2006** continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of person and property exists. (Continued 2/28/2006, Item 54) (4/5 vote required)

This matter was added to the Consent Calendar and approved.

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

This matter was added to the Consent Calendar and continued to March 28, 2006.

26. **06-0411** Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 152-S0311 with Cintas Corporation No. 2 increasing compensation amount by \$15,000 to an amount not to exceed \$ 115,000 for a three-year term to provide selected garment, linen, and accessory rental services on an "as-requested" basis County-wide, noting retroactive as to term due to significant delays in obtaining signatures from the vendor; the additional \$15,000 is necessary to pay final invoices for services provided prior to January 31, 2006.

FUNDING: General Fund.

This matter was added to the Consent Calendar and approved.

27. **06-0413** Chief Administrative Office recommending Resolution **071-2006** amending the Salary Schedule by establishing salary range and job specifications for the classification of Communications Officer; and recommending adoption of Resolution **072-2006** amending the Authorized Personnel Allocation Resolution by **deleting** the Public Information Specialist position in the Environmental Management Department and **adding** one (1) Communications Officer position in the Chief Administrative Office.

FUNDING: General Fund.

A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to continue this item to March 21, 2006.

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

28. **06-0409** Chief Administrative Officer recommending the Board receive and file status update on a training program that puts together the new Contract Administration for Special Projects Policy and best practices; and advising that she will return to the Board on April 25, 2006 for an update on same.

(Referred 12/13/05, Item 78)

A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to receive and file this update; and the Chief Administrative Officer advised she will return to the Board on April 25, 2006 with a further update on this matter.

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

29. **06-0374** Chief Administrative Office updating the Board on tax apportionment made to the Cameron Park Community Services District. (Referred 2/28/2006, Item 73)

This matter was added to the Consent Calendar and continued off calendar.

30. [06-0368](#) General Services Department recommending the Board receive and file a project status report related to the development of the new Senior Center facility in El Dorado Hills. (Referred 2/28/2006, Item 62)

A motion was made by Supervisor Paine, seconded by Supervisor Dupray to receive and file the project status report. By consensus, the Board directed that staff move forward with negotiations relating to the purchase of said property and return to the Board on April 25, 2006 with an update on the status of the project.

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

31. **06-0410** Chief Administrative Office recommending the Board receive and file the status report on recommendations made by the Grand Jury in its 2003/2004 and 2004/2005 reports. (Continued 12/13/2005, Item 79)

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to receive and file this status report; and Chief Administrative Officer advised that she will return to the Board on June 13, 2006 with a follow up report to include an update relating to the Animal Control facility at South Lake Tahoe.

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

32. [06-0302](#) Chief Administrative Office recommending the following pertaining to the establishment of an Elder Protection Unit:

(1) Adopt Resolution **059-2006** revising job specifications, bargaining, units and salary ranges for Senior Citizens Attorney I/II/III position;
(2) Adopt Resolution **060-2006** amending the Authorized Personnel Allocation Resolution to make changes to the approved allocations for the District Attorney, County Counsel and Human Services Departments to implement activities of the Elder Protection Unit; and
(3) Approve Budget Transfer transferring \$63,828 from General Fund Contingency to the Human Services Department, Community Services Division and the District Attorney. (4/5 vote required) (Continued 2/28/2006, Item 56)

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to approve staff's recommendation and adopt Resolution Nos. 059-2006 and 060-2006. By consensus, the Chief Administrative Officer was directed to review the classifications.

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

- 33. 06-0439** Chief Administrative Office, Economic Development Division, recommending the Board review draft Resolution to establish the El Dorado County Economic Development Advisory Commission; and advising that staff will bring back the Resolution for adoption on **March 28, 2006.**

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann that staff amend the draft Resolution as discussed this date, i.e. define qualifications, reduce membership size to 5 or 7 members, identify level of funding and staff to be dedicated to said Commission, and other changes as deemed necessary; and directed the Resolution be brought back to the Board for adoption on April 18, 2006.

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

- 34. 06-0440** Chief Administrative Office recommending the Board receive and file update concerning issues related to naturally occurring asbestos.

A motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to receive and file this update and Chief Administrative Officer to return to the Board on April 18, 2006 with a new update on issues relating to naturally occurring asbestos.

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

TIME ALLOCATION - 2:00 P.M.

- 35. 06-0434** Chief Administrative Office recommending the Board receive and file the Fiscal Year 2005-2006 Mid-Year Budget Report; approve Budget Transfer transferring funds from General Fund Contingency to reflect mid-year adjustments; and adopt Resolution amending Authorized Personnel Allocation Resolution to include approved allocations for the Public Health and Mental Health Departments. (4/5 vote required)

FUNDING: General Fund.

A motion was made by Supervisor Paine, seconded by Supervisor Sweeney to receive and file the 2005/2006 Mid-Year Report; adopt Resolution 080-2006 amending the Authorized Personnel Allocation Resolution by deleting one Epidemiologist position from the Public Health Department and adding one Administrative Technician position for a total of 3 Administrative Technician positions and adding a .2 Fiscal Assistant position for a total of 3 Fiscal Assistant positions for the Mental Health Department; and approve Budget Transfer Nos. 26083 and 26094 to accomplish the mid-year adjustments as outlined in the Journal Interface Reports.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 36. **06-0432** Pursuant to Government Code Section 54957, **Public Employment:**
Title: Public Employee Performance Evaluation:

(1) Director of Transportation.

No action reported.

- 37. **06-0426** Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Claim of Smith v. County of El Dorado, Worker's Compensation Claim Settlement, WCAB # SAC 288676 & SAC 288677, Claim Nos. 9900005 and 0000020.

No action reported.

ADDENDUM

CLOSED SESSION:

- 38. **06-0441** Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Labor Relations Manager.
Employee Organization: Manager's Association, Law Enforcement Manager's Association, Criminal Attorney's Association, Deputy Sheriff's Association and Welfare Fraud Investigator.

No action reported.

- 39. **06-0443** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation.

No action reported.

40. 06-0442 Pursuant to Government Code Section 54957, **Public Employee Discipline/Release.**

The Board dismissed the General Services Director effective immediately. The motion carried by the following vote:

Yes: 3 - Dupray, Baumann and Sweeney

Noes: 1 - Paine

Abstained: 1 - Santiago

DEPARTMENT MATTERS:

41. 06-0444 Supervisor Baumann requesting authorization to sign a letter to Governor Schwarzenegger requesting small and rural counties be included in the benefits for the proposed State Infrastructure Bond Package currently in Legislature.

A motion was made by Supervisor Santiago, seconded by Supervisor Baumann, that this matter be Approved. The motion carried by the following vote:

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