



County of El Dorado

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Minutes - Final Board of Supervisors

Tuesday, October 24, 2006

10:00 AM

South Lake Tahoe City Council Chambers

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.

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.

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

CALL TO ORDER

Present: 2 - Supervisor Sweeney and Supervisor Santiago

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

Approval of the Consent Calendar

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 21, 23 and 25 were pulled from the Consent Calendar for separate action. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

PRESENTATION

1. [06-1685](#) Board to present award to South Lake Tahoe Refuse recognizing its diligent efforts in assisting El Dorado County in being the only rural county to achieve 50% diversion in the State of California.

No formal action required.

OPEN FORUM

CONSENT CALENDAR

2. [06-1691](#) Approval of Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, October 16, 2006 and the Regular Meeting of Tuesday, October 17, 2006.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

3. [06-1683](#) Mental Health Department recommending Chairman be authorized to sign retroactive Amendment 1 to Agreement 156-S0611 with Bruce and Lori Shull dba All Clean Commercial Janitorial increasing compensation by \$26,988 to \$53,976 and extending the term through September 30, 2007 to provide selected janitorial services for said Department's Psychiatric Health Facility, noting retroactive as to term due to the vendor holding the agreement for a month.

RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal and Realignment funding.

This matter was Approved on the consent calendar

4. [06-1686](#) Transportation Department recommending the following pertaining to the US Highway 50/Missouri Flat Road Interchange Project 71317:
(1) Approve the Easement Acquisition Agreement with Mary A. Robinson, Trustee of "Marital Gift Trust" Under Trust Agreement dated August 5, 1997 for APN 327-130-13;
(2) Authorize Chairman to sign Easement Acquisition Agreement and Certificates of Acceptance for the Deeds associated with said Agreement; and
(3) Authorize Director of said Department or his designee to execute Escrow Instructions and other related escrow documents pertaining to said transaction, including payment of title and escrow fees.

RECOMMENDED ACTION: Approve.

FUNDING: General Plan Traffic Impact Mitigation Fees, Road Impact Fees and Master Circulation and Funding Plan Program.

This matter was Approved on the consent calendar

5. [06-1687](#) Transportation Department requesting authorization to carry out the Christmas Valley 1 Erosion Control and Stream Environment Zone Restoration Project; and recommending the Board certify that the Mitigated Negative Declaration is adequate for said Project and Director of said Department or his designee be authorized to sign the Notice of Determination for same.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

6. [06-1688](#) Transportation Department recommending Chairman be authorized to sign License Agreement CTC 20060921 with California Tahoe Conservancy for access to a Conservancy parcel for the Angora Creek Stream Environment Zone Restoration Project (JN 95147).

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

7. [06-1689](#) Transportation Department recommending Resolution summarily vacating (AOE 2006-17) public service easements located on the side boundary lines of Lot 88 (APN 070-361-07) in Eastwood Park, Unit 2 as requested by Robert Kott and Angela Kott to accommodate planned construction of improvements on subject lot.

RECOMMENDED ACTION: Adopt Resolution **338-2006**.

This matter was Approved on the consent calendar

8. [06-1690](#) Transportation Department recommending Resolutions accepting Irrevocable Offers of Dedication (IOD 2006-17) from Donald L. Crusier and Petra L. Schulte, as Co-Trustees of the Crusier-Schulte Family Trust dated 12/27/04 (APN 062-260-03) and Robert M. Murchie and Terry J. Murchie, Trustees of the Murchie Revocable Trust of 4/96 (APN 062-260-04) for a road right of way, in fee, and public utilities easement located on Wentworth Springs Road; and acknowledging but rejecting at this time, said Offers of Dedication for a road right of way and public utilities easement situated in the westerly portion of Steamers Lane, in Georgetown to satisfy a condition of approval of Boundary Line Adjustment 2006-0040.

RECOMMENDED ACTION: Adopt Resolutions **339-2006, 340-2006** and **341-2006**.

This matter was Approved on the consent calendar

9. [06-1692](#) Transportation Department recommending Resolution acknowledging but rejecting at this time, Irrevocable Offer of Dedication (IOD 2006-25) from Larry E. Meulpolder and Betty J. Meulpolder for a road right of way and public utilities easements (APN 079-160-52) located along the centerline of Overland Way and Overland Court in Pollock Pines to satisfy a condition of approval for Certificate of Compliance 06-0037.

RECOMMENDED ACTION: Adopt Resolution **342-2006**.

This matter was Approved on the consent calendar

10. [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 **November 7, 2006** Board Meeting for status review.
(Continued 10/24/06, Item 10) (4/5 vote required)
- RECOMMENDED ACTION:** Approve.

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

This matter was Approved on the consent calendar

11. [06-0234](#) Sheriff's Department recommending adoption of Resolution continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of persons and property exists.
(4/5 vote required)
- RECOMMENDED ACTION:** Adopt Resolution **352-2006**.

This matter was Approved on the consent calendar

12. [06-0611](#) Sheriff's Department recommending adoption of Resolution continuing the state of emergency declared on April 12, 2006 if it is found that conditions of extreme peril to the safety of persons and property exists.
(4/5 vote required)
- RECOMMENDED ACTION:** Adopt Resolution **353-2006**.

This matter was Approved on the consent calendar

13. [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 10/24/06, Item 13)

RECOMMENDED ACTION: Approve and continue to **November 7, 2006** for status review.

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

This matter was Approved on the consent calendar

14. [06-1682](#) Sheriff's Department requesting Auditor-Controller be authorized to establish two new Livescan Trust Accounts for funds collected from individuals fingerprinted in Placerville and South Lake Tahoe for said Department, noting the two new accounts will replace the existing trust accounts, which will be closed upon completion of reconciliation.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [06-0814](#) Environmental Management recommending the following:
- (1) Find that a state of emergency continues to exist at the Union Mine Wastewater Treatment Plant as a result of the 2005/2006 wet weather season;
 - (2) Find that, based on substantial evidence, immediate action is still necessary to stabilize said Plant;
 - (3) Authorize said Department to continue to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency work pursuant to written contracts and to authorize the Chairman to execute same; and
 - (4) Continue this matter to **November 7, 2006** for review of the emergency action. (Continued 10/24/06, Item 15) (4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

16. [06-1669](#) Information Technologies recommending Chairman be authorized to sign retroactive Amendment 3 to Agreement C12-048 with Extensity formerly known as GEAC Enterprise Solutions, Inc. in the amount of \$67,989, including applicable tax, for a term through August 22, 2008 for continued software license and support for the County's payroll/personnel system for said Department, noting said amendment necessary as a result of the corporate name change.
RECOMMENDED ACTION: Approve.

FUNDING: Funding is included in the FY 06/07 Information Technologies approved budget.

This matter was Approved on the consent calendar

17. [06-1701](#) Recorder-Clerk/Registrar of Voters recommending Chairman be authorized to sign Budget Transfer 27066 increasing estimated revenue by \$981,184 to fund the completion of the Statewide Database required by the Help America Vote Act Section 303. (4/5 vote required)
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

18. [06-1646](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-405-047 for the purchase of diesel fuel for the Fleet Management Division; and authorize blanket purchase order to Hunt and Sons of Placerville, CA in the amount of \$300,000 for a twelve month period 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 and Non-General Fund

This matter was Approved on the consent calendar

19. [06-1606](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare as surplus four (4) Xerox photocopiers; and authorize the Purchasing Agent to utilize the trade-in allowance towards the lease of four new Xerox photocopiers for the Mental Health Department.
RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal & Realignment.

This matter was Approved on the consent calendar

20. [06-1700](#) Chief Administrative Office recommending the Board approve a technical correction to the Fiscal Year 2006-2007 Budget Amendment and authorize Auditor-Controller to process Budget Transfer 27046 for same, noting the requesting action would result in correcting a \$20,000 coding error in the original transfer.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

21. [06-1705](#) Chief Administrative Office recommending the following award of Request for Proposals for Promotions Funds:
- (1) El Dorado Arts Council in the amount of \$97,850; El Dorado County Chamber of Commerce Film Commission in the amount of \$107,150; El Dorado County Chamber of Commerce Visitor's Authority Council in the amount of \$170,000; El Dorado Hills Chamber of Commerce in the amount of \$40,000; Cameron Park Community Services District in the amount of \$25,000;
 - (2) Authorize the Chief Administrative Officer to negotiate agreements with the above organizations in the amounts specified, noting the contract with the El Dorado County Chamber of Commerce for the Film Commission and Visitor's Authority will be retroactive to October 1, 2006; and
 - (3) Authorize Chairman to sign said agreements subject to approval by County Counsel and Risk Management.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to approve this matter with the caveat that a recap of transient occupancy tax (TOT) funding be brought back to the Board for review on February 27, 2007.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

22. [06-1693](#) Supervisor Dupray recommending Resolution permitting Pyro Spectaculars, Inc. to conduct a pyrotechnic display at Ponderosa High School located at 3661 Ponderosa Road, Shingle Springs on Friday, November 3, 2006; and further authorizing the Chairman to sign letter to County Fire Marshall approving request by Pyro Spectaculars, Inc.

RECOMMENDED ACTION: Adopt Resolution **342A-2006**.

This matter was Approved on the consent calendar

23. [06-1695](#) Supervisor Sweeney recommending Resolution of Intention to initiate a General Plan amendment to amend the land use designation for APNs 043-030-04, -02, -07, -30, -32, and -37, totaling 9.98 acres from Rural Residential with the Agricultural District Overlay Designation (RR-A) to Commercial (C); and amend the Camino-Pollock Pines Community Region boundary to include said parcels.

RECOMMENDED ACTION: Adopt Resolution **344-2006**.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to direct Planning Services staff to place properties with obvious mapping errors on the list of General Plan Amendments to be heard as a group by the Board as opposed to individual hearings, noting the Resolution of Intention will no longer be required.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

24. [06-1673](#) Supervisor Sweeney requesting the Board approve a three month extension of Application No. 170151 (APN 060-710-12) for James McFadden; said request is due to unforeseen circumstances experienced by Mr. McFadden's engineer.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

25. [06-1684](#) Supervisor Santiago requesting the Board authorize a contribution in the amount of \$10,000 to partially fund a planning/design competition that was held on October 4, 5, and 6, 2006 for the 56-acre county/city parcel in South Lake Tahoe; and Chief Administrative Officer to prepare a claim for submittal to the Auditor-Controller for payment to the Lake Tahoe Visitors Authority.

RECOMMENDED ACTION: Approve.

FUNDING: Department 15 Special Projects.

A motion was made by Supervisor Santiago, seconded by Supervisor Sweeney to direct the Chief Administrative Officer to bring this matter back to the Board for authorization of payment.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS

26. [06-1696](#) Supervisor Santiago requesting authorization to work with representatives from the Tahoe Area Coordinating Council for the Disabled and the Sheriff's Office to consider an increase in the current parking penalty for vehicles illegally parked in dedicated disabled persons' parking areas.

A motion was made by Supervisor Santiago, seconded by Supervisor Dupray to approve this matter with direction that County Counsel work with the Tahoe Area Coordinating Council for the Disabled and the Sheriff's Office to draft an Ordinance for consideration by the Board with regard to an increase in the current parking penalties for vehicles illegally parked in dedicated disabled persons' parking areas.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

27. [06-1681](#) Tahoe Regional Planning Agency, Executive Director, John Singlaub providing presentation on the Best Management Practices Forest Fuels Reduction and Fire Prevention, Pathways 2007.

No formal action taken.

28. [06-1675](#) Ray Lacey of the California Tahoe Conservancy providing presentation on the 56-acre recreation area design competition.

No formal action taken.

29. [06-1697](#) Hearing to consider adoption of Resolution **345-2006** authorizing the submission of an application to the California Department of Housing and Community Development for 2006 Community Development Block Grant (CDBG) New Construction Development funding in the amount of \$500,000 to assist Mercy Housing California with offsite improvements required for the development of Runnymede Terrace, a 70 unit family apartment development; and recommending Chairman be authorized to sign Statement of Assurances and the Director of Human Services be authorized to act on behalf of the County in all matters pertaining to this grant application, including execution and administration of the standard agreement, any amendments thereto that do not affect the dollar amount or the term and other grant related documents, upon review by County Counsel and Risk Management.

FUNDING: Grant funding.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 345-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

- 30. [06-1528](#) Adoption of Ordinance Nos. **4706** and **4707** amending El Dorado County Code Enforcement Ordinance 09.02 and Vehicle Abatement Ordinance 10.16 transferring all components of vehicle abatement enforcement to the Sheriff's Vehicle Abatement Unit. (Introduced 10/17/06, Item 66)

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Ordinance Nos. 4706 and 4707.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

BOARD OF SUPERVISORS CONVENE AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD TO CONSIDER THE FOLLOWING:

- 31. [06-1699](#) El Dorado County Air Quality Management District recommending the Air Pollution Control Officer be authorized to sign and submit the Fiscal Year 2006-2007 Subvention Application to the California Air Resources Board on behalf of said District .

FUNDING: AQMD Subvention funding.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED

TIME ALLOCATION - 11:00 A.M.

- 32. [06-1674](#) **PRESENTATION** by City Council Member, John Upton, updating the Board on upcoming projects in the City of South Lake Tahoe.

No formal action taken.

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT