



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, February 7, 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 16 pulled from the Consent Calendar for separate action; Items 24, 25, 43 and 44 added to the Consent Calendar; Item 28 continued to February 14, 2006; and Item 30 continued off calendar.

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

OPEN FORUM

CONSENT CALENDAR

- 1. **06-0247** Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Special Meeting of Monday, January 30, 2006 and Regular Meeting of Tuesday, January 31, 2006.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

- 2. **06-0223** Public Health Department, in collaboration with the El Dorado County Superior Court, recommending Chairman be authorized to sign retroactive Comprehensive Drug Court Implementation Agreement CDCI-05/06-09-06 with the State Department of Alcohol and Drug Programs increasing compensation by \$21,395 to \$42,790 for the term December 29, 2005 through December 28, 2006 to provide funding for juvenile drug court services; and authorize Chairman to sign Budget Transfer 26062 increasing funding and revenue by \$21,395 for same.

RECOMMENDED ACTION: Approve.

FUNDING: Department of Alcohol and Drug Programs.

This matter was Approved on the consent calendar

3. **06-0224** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement with The Delora Corporation dba Foster Family Service in an amount not to exceed \$1,400,000 for a two year period to provide foster care/group home services on an "as requested" basis to clients of the Child Protective Services Program.
RECOMMENDED ACTION: Approve.

FUNDING: Federal and State - 85% and County Fund - 15%.

This matter was Approved on the consent calendar

4. **06-0225** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement with Genesis Family Center in an amount not to exceed \$20,000 for a two year period to provide foster care/group home services on an "as requested" basis to clients of the Child Protective Services Program.
RECOMMENDED ACTION: Approve.

FUNDING: Federal and State - 85% and County Fund - 15%.

This matter was Approved on the consent calendar

5. **06-0226** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 482-S0611 with Alpine County for the term February 24, 2006 through February 23, 2008 to assist Alpine County by providing adoption assessment and planning related services for referred children adjudicated as dependents of Alpine County Superior Court.
RECOMMENDED ACTION: Approve.

FUNDING: County to receive payment from the State for adoption cases relative to Alpine County.

This matter was Approved on the consent calendar

6. **06-0227** Mental Health Department recommending Chairman be authorized to sign Agreement 272-S0611 with Merced Manor, Inc. in an amount not to exceed \$270,000 for a two year term to provide long-term 24-hour special treatment for mentally disordered adults on an "as-requested" basis.
RECOMMENDED ACTION: Approve.

FUNDING: Realignment.

This matter was Approved on the consent calendar

7. **06-0228** Mental Health Department recommending Chairman be authorized to sign Agreement 342-S0611 with Tahoe Youth and Family Services in an amount not to exceed \$30,600 for a two year term to provide a therapeutic treatment program for Medi-Cal children on an "as requested" basis.
RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal and EPSDT.
This matter was Approved on the consent calendar
8. **06-0230** Mental Health Department recommending Chairman be authorized to sign Agreement 273-S0611 with Remi Vista, Inc. in the amount of \$300,000 for a two year period to provide therapeutic behavioral services (TBS), mental health services, case management and crisis services on an "as-requested" basis.
RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal - 50% EPSDT - 40% and Realignment - 10%.
This matter was Approved on the consent calendar
9. **06-0231** Mental Health Department recommending Chairman be authorized to sign Amendment 03 to Agreement 040-S0510 with ValueOptions, Inc. increasing the amount by \$15,000 to \$30,000 to provide administrative services for said Department for Medi-Cal beneficiaries who are minors and reside out-of-home and out of their county of residence.
RECOMMENDED ACTION: Approve.

FUNDING: Medi-Cal, EPSDT, and Realignment.
This matter was Approved on the consent calendar
10. **06-0233** Child Support Services Department recommending Resolution amending Authorized Personnel Allocation Resolution 299-2005 by **deleting** one Child Support Specialist I/II position and **adding** one Child Support Supervisor Position to provide supervision to Child Support employees in South Lake Tahoe.
RECOMMENDED ACTION: Adopt Resolution **033-2006**.

FUNDING: Federal and State allocations.
This matter was Approved on the consent calendar

- 11. 06-0237** General Services Department recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 462-00510 with All Star Rents increasing contract amount by \$15,000 to \$20,000, extending contract term to January 11, 2007, and amending Terms and Conditions, for equipment rentals on an "as-needed" basis for the Building Maintenance Department, noting retroactive as to term due to delay in receiving the signed original documents from the vendor.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

- 12. 06-0235** Transportation Department recommending Resolution of Vacation (AOE 2005-51) abandoning one ten-foot wide access easement, one ten-foot wide and one five-foot wide public utility easement located along the side and rear boundary lines of APN 082-532-02-100, Cameron Park North Unit No. 8, Lot 193, requested by Barbara L. Cook, to accommodate planned construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **035-2006**.

This matter was Approved on the consent calendar

- 13. 06-0238** Transportation Department recommending Resolutions acknowledging but rejecting at this time Irrevocable Offer of Dedication (IOD 2005-20) from Promontory Investors, L.P. for drainage easements located on properties identified as APN 112-830-22-100, Lot 51; APN 112-830-23-100, Lot 52, APN 112-830-25-100, Lot 54; APN 112-830-26-100, Lot 55; and APN 112-830-34-100 on Lot 68 of The Promontory Village 04, in El Dorado Hills necessary due to grading and installation of new drainage facilities.
RECOMMENDED ACTION: Adopt Resolutions **036-2006** and **037-2006**.

This matter was Approved on the consent calendar

- 14. 06-0239** Transportation Department recommending Chairman be authorized to sign Amendment 01 to Agreement AGMT 05-841 with Area Transit Management, Inc. adding two contract provisions and deleting a portion on one existing provision, as required by Federal Transit Administration Third Party Contracting Requirements, for transit services in the South Lake Tahoe Basin.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. **06-0241** Assessor recommending the Board approve in concept an Ordinance, pursuant to revenue and taxation Code Section 170, authorizing the County Assessor to grant property tax relief to those property owners who have suffered property damage as a result of the calamity (flooding) during December 2005 and January 2006; and direct County Counsel to draft said Ordinance.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

16. **06-0221** Auditor-Controller and Sheriff recommending Chairman be authorized to sign Agreement 600-S0611 with MuniFinancial in the amount of \$16,000, effective upon full execution by both parties and extending for five months thereafter, for preparation of a Public Safety Impact Fee analysis in accordance with the requirements of the Mitigation Fee Act, said Agreement contingent upon approval by Risk Management and County Counsel. (Continued 1/31/06, Item 40)

RECOMMENDED ACTION: Approve.

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

17. **06-0242** Human Resources Division recommending Resolution amending the Salary Table, establishing the salary ranges for new classifications and designating bargaining units for the following classifications: Supervising Physical/Occupational Therapist, Supervising Librarian and Clerical Operations Manager to become effective the first full pay period following adoption.

RECOMMENDED ACTION: Adopt Resolution **039-2006**.

FUNDING: Fiscal year budget 2005/2006.

This matter was Approved on the consent calendar

18. [06-0240](#) County Service Area 10 recommending Resolution changing the name of the El Dorado County Waste Management Task Force to El Dorado County Solid Waste Advisory Committee; and further recommending approval of the member roster for said Committee.

RECOMMENDED ACTION: Adopt Resolution **038-2006**.

This matter was Adopted on the consent calendar

19. **06-0253** Supervisor Baumann recommending Lynette Mizell be appointed to serve as the Representative for District II on the Cemetery Advisory Committee for a term to expire January 2008.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

20. 06-0232 Supervisor Paine recommending General Services be directed to perform the steps necessary to approve the use of Henningsen Lotus Park by the Gold Discovery Park Association and the El Dorado Arts Council for a Blues Festival to be held on Saturday, June 10, 2006; and further recommending a waiver of park permit fees and fees for doing business in the Park.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

21. 06-0260 Supervisor Paine, on behalf of Mother Lode Church, recommending a one year extension of Building Permit 103424 for said Church with a new expiration date of Jaunaury 16, 2007.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

22. 06-0245 Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 02 to Agreement 443-S0510 with Aramark Uniform and Career Apparel, Inc. increasing compensation by \$10,000 to \$55,000 and extending the term one additional year through February 6, 2007 to provide laundry and linen services for various County departments.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar

23. 06-0246 Chief Administrative Office and Environmental Management Department recommending Chairman be authorized to sign Amendment 01 to Agreement 006-A-05/06-11 with Dongell Lawrence Finney, LLC, now known as Dongell Lawrence Finney Claypool, LLP increasing contract amount by \$99,000 to \$198,000 and extending the term through September 30, 2006 to provide specialty research and advisory services regarding Naturally Occurring Asbestos; and further recommending Budget Transfer 26059 appropriating funds for same. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: General Fund Contingency, Air Quality Management Department, and Tobacco Settlement.

This matter was Approved on the consent calendar

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

- 24. 06-0222** Mental Health Department recommending Chairman be authorized to sign retroactive Agreement 407-S0611 with Rupp Medical Corporation in an amount not to exceed \$222,000 for the term November 23, 2005 through November 22, 2007 to provide "as requested" mental health psychiatric services to resident clients.

FUNDING: Medi-Cal - 50%, EPSDT - 40%, Realignment - 10%.

This matter was added to the Consent Calendar and approved.

- 25. 06-0201** Adoption of Ordinance **4688** amending Subsection 10.20.020B of Chapter 10.20 of Title 10 of the County Ordinance Code to clarify aircraft weight restrictions on certain roadways adjoining the Cameron Park Airport. (Introduced 1/31/2006, Item 22)

This matter was added to the Consent Calendar and approved.

26. [06-0234](#) Sheriff's Department recommending adoption of Resolution **034-2006** 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 1/24/2006, Item 17) (4/5 vote required)

A motion was made by Supervisor Paine, seconded by Supervisor Santiago to adopt Resolution 034-2006. The motion carried by the following vote:

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

27. [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 **February 14, 2006** Board Meeting for status review. (Continued 1/24/06, Item 18)

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

A motion was made by Supervisor Paine, seconded by Supervisor Santiago, that this matter be approved and the status review be continued to February 14, 2006. The motion carried by the following vote:

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

28. [06-0261](#) Chief Administrative Office recommending the following pertaining to disbursement of interest from Community Enhancement Funds:
- (1) Approve Budget Transfer 26070 appropriating prior and current year interest earnings on said funds and transfer same to General Fund;
 - (2) Direct that any future funding agreements that require separate funds be transferred to the General Fund;
 - (3) Direct that any future funding agreements that require separate funds for tracking purposes specify that interest within those funds shall accrue to the County; and
 - (4) Direct that the value of interest earnings transferred from Community Enhancement funds to the General Fund be added to General Fund Designations for Capital Projects at the close of each year. (4/5 vote required) (Continued 2/7/2006, Item 28)

FUNDING: Community Enhancement Funds.

This matter was added to the Consent Calendar and continued to February 14, 2006.

10:00 A.M. - TIME ALLOCATION

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

29. **06-0243** Hearing to consider Resolution **040-2006** adopting the Sacramento Regional Nonattainment Area 8-Hour Ozone Rate-of-Progress Plan and the Final Environmental Impact Report for same which includes the 2002 Baseline Emission Inventory, an update of the Motor Vehicle Emissions Budgets, and the 15 percent volatile organic compound emissions reduction demonstration.

FUNDING: Fiscal year 2005/2006 proposed budget, increased land development fees.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution No. 040-2006. The motion carried by the following vote:

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

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED

12:00 NOON

Board of Supervisors to attend the annual lunch hosted by the County Fair Board of Directors in the Board Room at the Fairgrounds in Placerville.

2:00 P.M. - TIME ALLOCATION

- 30. 06-0118 Planning Services recommending the hearing for Zone Change (Z04-0012), Mira Flores Winery, submitted by Dr. Victor Alvarez for APN 079-010-79, -10, and -76 in the Pleasant Valley area be continued off calendar.

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

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

The Board of Supervisors adjourned in memory of Donna "Toni" Sweeney who passed away on February 4, 2006.

CLOSED SESSION

- 31. 06-0229** Pursuant to Government Code Section 54957, **Public Employment:**
Title: Public Employee Performance Evaluation:
- (1) Director of Child Support Services;
 - (2) Director of General Services; and
 - (3) County Counsel.
- No action reported.**
- 32. 06-0251** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 108-550-17. The persons with whom the negotiator may negotiate are Ribeiro California II LLC. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
- No action reported.**
- 33. 06-0250** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 108-570-07. The persons with whom the negotiator may negotiate are Ribeiro California LLC. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
- No action reported.**
- 34. 06-0254** Pursuant to Government Code 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 108-550-29 and 108-550-31. The persons with whom the negotiator may negotiate are PAC/SIB LLC. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
- No action reported.**

35. **06-0255** Pursuant to Government Code 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 107-010-68. The persons with whom the negotiator may negotiate are EDH Pavilion Venture LLC. Instructions to negotiator will concern price and terms of payments. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
36. **06-0256** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property describes as APN 107-010-71. The persons with whom the negotiator may negotiate are Auburn Manor. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
37. **06-0257** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 108-030-21 and 108-030-16. The persons with whom the negotiator may negotiate are TPC/VPD Venture 1 LLC. Instructions to negotiator will concern price and terms of payments. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
38. **06-0258** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 108-500-03. The persons with whom the negotiator may negotiate are Rolling Hills Christian Church. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
39. **06-0259** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 108-500-04. The persons with whom the negotiator may negotiate are Jackson II LLC and Jackson SR LLC. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.

ADDENDUM

CLOSED SESSION:

- 40. 06-0262 Pursuant to Government Code Section 54957.6, **Conference with Labor Negotiator:**
County Negotiator: Director of Human Resources.
Employee Organization: Deputy Sheriff Association, Welfare Fraud Investigators.

No action reported.

- 41. 06-0263 Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. One (1) potential case.

No action reported.

- 42. 06-0266 Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case CIV.S-02-1818 GEB DAD; and El Dorado County v. California Department of Transportation, et al. Superior Court of California-County of Sacramento. Case No. 03CS00003.

No action reported.

DEPARTMENT MATTERS:

- 43. 06-0265 Auditor-Controller recommending the Board authorize the transfer of \$6,998.29 from the County's Cash Overage Fund to the General Fund pursuant to Government Code Section 29380.

This matter was added to the Consent Calendar and approved.

- 44. 06-0264 Chief Administrative Office requesting authorization to submit an application for a 2006 Justice Assistance Grant to the U.S. Department of Justice in the amount of \$18,046 for the purchase of a d' Tective Forensic Computer System.

FUNDING: New revenue from Grant.

This matter was added to the Consent Calendar and approved.