



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
www.edcgov.us/bos

## Minutes - Final Board of Supervisors

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Tuesday, September 26, 2006

8:00 AM

Board of Supervisors Meeting Room

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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:** 2 - Supervisor Sweeney and Supervisor Santiago

### **9:00 A.M. - CLOSED SESSION REPORTS**

**When the Board reconvened at 9:41 a.m. the following members were present:**

**Present:** 2 - Supervisor Sweeney 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 Dupray, seconded by Supervisor Baumann to approve the Consent Calendar with the following exceptions: Items 10, 19, 34 and 35 pulled from the Consent Calendar for separate action. The motion carried by the following vote

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

**PRESENTATIONS**

- 1. [06-1522](#) Presentation proclaiming October 2 -6, 2006 as "Lawsuit Abuse Awareness Week".

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt the Proclamation.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

- 2. [06-1523](#) Presentation of Proclamation to the El Dorado Women's Center proclaiming October 2006 as Domestic Violence Awareness Month in El Dorado County.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to adopt the Proclamation.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

**OPEN FORUM**

**CONSENT CALENDAR**

- 3. [06-1548](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, September 19, 2006.

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

- 4. [06-1489](#) Public Health Department recommending the Board approve, in concept, the submission of an application for funding from the California Department of Alcohol and Drug Programs in the amount of \$171,394 with a 10% County match in the amount of \$19,044 for the Substance Abuse Offender Treatment Program (OTP) for said Department's support of the Substance Abuse and Crime Prevention Act of 2000 program, Proposition 36.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** California Department of Alcohol and Drug Programs funding.

This matter was Approved on the consent calendar

5. [06-1499](#) Public Health Department recommending approval, in concept, a letter of support and collaboration to El Dorado Hills Community Visions, Inc. to assist them with their reapplication for SAMHSA's (Substance Abuse and Mental Health Services Administration) and the Office of National Drug Control Policy's Drug Free Communities Support Program Grant; said Department to provide support through collaboration, technical assistance in tobacco control, youth development, and asset building for the El Dorado Hills Teen Center.

**RECOMMENDED ACTION:** Approve.

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

6. [06-1493](#) Public Health Department recommending Chairman be authorized to sign retroactive Comprehensive Drug Court Implementation Dependency Drug Court Agreement in the amount of \$102,954 for the term July 1, 2006 through June 30, 2007 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**

7. [06-1524](#) Human Services Department, Community Services Division, recommending adoption of Resolution authorizing the Director of said Department to sign and submit an application to the California Department of Social Services, Community Care Licensing Division, for a license to operate an Adult Day Program at the new Senior Day Care Services site in El Dorado Hills.

**RECOMMENDED ACTION:** Adopt Resolution 298-2006.

**FUNDING:** Service Fees.

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

8. [06-1525](#) Human Services Department, Community Services Division, recommending Chairman be authorized to sign Amendment 1 to Agreement 007-S0711 with Elder Options, Inc. amending the Scope of Services and Compensation for Services to add certain personal care services and night shift and live-in services and rates for in-home geriatric care services on an "as requested" basis for clients enrolled in various grant-funded care management programs, noting the term and maximum dollar amount remain the same.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Federal and State Grant funding.

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

9. [06-1526](#) Human Services Department, Community Services Division, recommending Resolution authorizing the Chairman to sign Amendment 2 to Agreement 06B-5358 with the State Department of Community Services and Development increasing the amount by \$351,478 to \$1,018,753 and extending the term to December 31, 2007 for Low-Income Home Energy Assistance Program (LIHEAP) services to eligible residents of El Dorado and Alpine Counties; said Resolution further authorizes the Director of the Human Services Department to continue to execute further documents relating to same including amendments that do not affect the maximum dollar amount or term, noting the additional funding is the County's share of the federal LIHEAP program for the 2006 program year.

**RECOMMENDED ACTION:** Adopt Resolution 299-2006.

**FUNDING:** Federal Grant funds.

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

10. [06-1532](#) Human Services Department, Social Services Division, recommending the revised El Dorado County Senate Bill (SB 163) Wraparound Program Plan be submitted to the California Department of Social Services for improved administrative oversight, accountability and organizational structure for the program as well as fidelity to State best practice guidelines for Wraparound services.

**RECOMMENDED ACTION:** Approve.

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

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

11. [06-1533](#) Mental Health Department recommending Chairman be authorized to sign Agreement 034-S0611 with Yolo County in the amount of \$48,000 for a term to expire June 30, 2008 to utilize El Dorado County's Psychiatric Health Facility on a fee-for-services basis.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Yolo County.

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

12. [06-1531](#) Mental Health Department recommending continuance of the current perpetual agreement with the California Regional Mental Health Systems Coalition Joint Powers Authority (JPA) Agreement in the amount of \$204,040 through June 30, 2007 for continued electronic billing and clinical management software systems for said Department; and further recommending the Purchasing Agent be authorized to encumber said funding for same.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Realignment and Mental Health Services Act/Proposition 63.

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

13. [06-1490](#) Probation Department recommending Chairman be authorized to sign Agreement 142-S0711 with Elsan Associates, Inc. in the amount of \$115,000 for the term October 1, 2006 through September 30, 2009 to provide the evaluation research element required by Corrections Standard Authority on each minor in the Juvenile Justice Crime Prevention program for said Department.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** California Department of Corrections and Rehabilitation (CDCR), Corrections Standards Authority (CSA) JJCPA program.

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

14. [06-1492](#) Probation Department submitting the annual Juvenile Justice Crime Prevention Act (JJCPA) progress report for the El Dorado County's Alliance to Reduce Truancy (CART) program.

**RECOMMENDED ACTION:** Receive and file report.

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

15. [06-1539](#) Development Services Department, Planning Services Division, submitting final map (TM97-1330F) for Silver Springs, Unit 1; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements with Silver Springs, LLC.

**RECOMMENDED ACTION:** Approve.

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

16. [06-1538](#) General Services Department recommending the Purchasing Agent be authorized to issue a Purchase Order in the amount of \$10,378.82 for emergency restoration work performed on July 27, 2006 due to flooding at the Superior Court on Main Street in Placerville.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** County Self-Insurance program.

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

17. [06-1540](#) General Services Department recommending the following pertaining to the acquisition of property for the South Lake Tahoe Animal Control Facility:  
(1) Authorize Chairman to sign all escrow instructions and Certificate of Acceptance specific to said acquisition;  
(2) Authorize Auditor/Controller to issue a check to Placer Title Company in the amount of \$115,660.50; and  
(3) Authorize said Department to deposit said escrow instructions and monies with Placer Title Company.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Accumulated Outlay Fund.

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

18. [06-1530](#) General Services Department recommending the Museum Administrator be authorized to apply for funds from the California Regrant Project in the amount of \$10,000 to help fund the re-housing and storage of El Dorado County government historical records; and Director of said Department be authorized to execute said application.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Required 25% match funding through volunteer in-kind services.

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

19. [06-1536](#) General Services Department recommending Chairman be authorized to sign Agreement 213-S0711 with George Miers and Associates in the amount of \$574,400 for a twelve month period to provide architectural services necessary for the El Dorado County Western Slope Animal Control Shelter.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Accumulated Capitol Outlay Fund.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to approve this Agreement with the addition of \$12,000 to cover insurance costs; and Chairman authorized to sign upon final concurrence by County Counsel and Risk Management.**

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

20. [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 **300-2006**.

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

21. [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 **301-2006**.

This matter was Approved on the consent calendar

22. [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 **October 3, 2006** for review of the emergency action. (Continued 9/19/06, Item 16) (4/5 vote required)

**RECOMMENDED ACTION:** Approve.

This matter was Approved on the consent calendar

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 **October 3, 2006** Board Meeting for status review.  
(Continued 9/19/06, Item 17) (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**

24. [06-1544](#) Transportation Department recommending the following pertaining to Serrano Village G, Units 1-9 (TM 01-1375):
- (1) Accept the subdivision improvements as complete;
  - (2) Reduce Performance Bonds 929313093, 929313093-01 through -08, by \$934,862.50, to \$692,490.80 each 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 previously posted Laborers and Materialmen Bonds 929313093, 929313093-01 through -08 in the amount of \$2,698,406.50 each to guarantee payment to persons furnishing labor, materials or equipment and release in six months after acceptance if no claims are made.
- RECOMMENDED ACTION:** Approve.

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



25. [06-1545](#) Transportation Department recommending the following pertaining to Serrano Village G, Unit 10 (TM 01-1375):
- (1) Accept subdivision improvements as complete;
  - (2) Reduce Performance Bond 929347718 by \$467,073.67 leaving a balance of \$123,400.48 to guarantee against defective work, labor done, or defective materials furnished and release one year after acceptance, if there are no defects or claims made; and
  - (3) Hold previously posted Laborers and Materialmen Bond 929347718 in the amount of \$295,237.08 to guarantee payment to persons furnishing labor, materials or equipment and release in six months after acceptance, if no claims are made.

**RECOMMENDED ACTION:** Approve.

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

26. [06-1541](#) Transportation Department recommending the following pertaining to the Cameron Park Drive/Coach Lane Intersection Improvements Project 73321:
- (1) Authorize Chairman to sign Plans for said project; and
  - (2) Authorize said Department to advertise for construction bids.

**RECOMMENDED ACTION:** Approve.

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

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

27. [06-1542](#) Transportation Department recommending the following pertaining to the Cameron Park Drive/Palmer Road Operational and Safety Intersection Improvements Project:
- (1) Adopt the California Environmental Quality Act (CEQA) Mitigated Negative Declaration; and
  - (2) Approve said Project as described in the CEQA document.

**RECOMMENDED ACTION:** Approve.

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

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

28. [06-1546](#) Transportation Department recommending Chairman be authorized to sign the following pertaining to the South Lake Tahoe Transit Program 2006-2007 Local Transportation Funds (LTF) and State Transit Assistance Funds (STA):
- (1) Claim to the Tahoe Regional Planning Agency (TRPA) for Transportation Development (TDA) and Local Transportation Funds (LTF) in the amount of \$59,762;
  - (2) Claim to TRPA for TDA, State Transit Assistance (STA) funds in the amount of \$263,626; and
  - (3) Resolution **302-2006** authorizing said Department to file claims for 2006/2007 LTF and STA funds for operation of said Program, noting TDA/LTF only \$59,762 of the \$344,127 allocated by TRPA are needed to provide existing transit services for Fiscal Year 2006-2007, TRPA will be conducting an Unmet Transit Needs hearing; and said Department will explore alternate uses of the funding.
- RECOMMENDED ACTION:** Approve.

**FUNDING:** Transportation Development Act Funding.

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

29. [06-1543](#) Transportation Department recommending Chairman be authorized to sign Amendment 1 to Agreement AGMT 05-912 with Evergreen Oil, Inc. dba Evergreen Environmental Services increasing compensation by \$12,000 to \$42,000 and extending the term through September 26, 2007 to provide proper disposal of hazardous waste materials generated through road maintenance operations for said Department.
- RECOMMENDED ACTION:** Approve.

**FUNDING:** Discretionary Road Fund.

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

30. [06-1366](#) Auditor-Controller recommending Chairman be authorized to sign Amendment 2 to Agreement 600-S0611 with MuniFinancial extending the term through December 31, 2006 to provide services relative to the preparation of a Public Safety Impact Fee Analysis for the Sheriff's Office.
- RECOMMENDED ACTION:** Approve.

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

31. [06-1562](#) Recorder-Clerk/Registrar of Voters recommending Resolution amending compensation for precinct workers; said Resolution will maintain the current per diem compensation rates and will allow for a one-time stipend to be paid to precinct workers who have completed training and become certified Poll Worker Technicians.  
**RECOMMENDED ACTION:** Adopt Resolution **303-2006**.  
**FUNDING:** Help America Vote Act 301 funding for training.  
**This matter was Approved on the consent calendar**
32. [06-1549](#) Chief Administrative Office, Procurement and Contracts Division, submitting list of property surplus to the needs of the County and recommending Board so declare and authorize disposal of same in accordance with the procedures outlined in County's Purchasing Ordinance, Chapter 3.12, noting departments submitting items for surplus are the Water Agency and Child Support Services.  
**RECOMMENDED ACTION:** Approve.  
**This matter was Approved on the consent calendar**
33. [06-1550](#) Chief Administrative Office, Procurement and Contracts Division, submitting a Portaprobe Nuclear Moisture and Density Soil Gauge (SN: 7310A19 as property surplus to the needs of the County and recommending Board so declare and authorize disposal of same through Campbell Pacific Nuclear (CPN) International, Inc. in accordance with the procedures outlined in County's Resolution 045-2002, noting this gauge contains radioactive material that cannot be discarded, recycled, or abandoned; said gauge must be disposed of through the manufacturer, which is an authorized agency for disposal.  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Road Fund.  
**This matter was Approved on the consent calendar**
34. [06-1450](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-206-005 for the purchase of one (1) Kodak i660 color scanner, including one (1) XL feeder consumables kit to the low qualified bidder, Image Access West of Berkeley, CA in the amount of \$38,599, including sales tax; and authorize Purchasing Agent to initiate a contract for an extended twelve (12) month warranty in the amount of \$4,586 for same.  
**RECOMMENDED ACTION:** Approve.  
**FUNDING:** Information Technologies budget.  
**A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve this matter.**

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

35. [06-1535](#) Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 3 to Agreement 611-S0511 with New Business Solutions, Inc., dba Walkers Business Products and Services of Placerville increasing compensation by \$300,000 to \$900,000, for the design, purchase, and installation of systems furniture County-wide.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund and Non-General Fund.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

36. [06-1520](#) Chief Administrative Office, Procurement and Contracts Division, recommending ratification of the Purchasing Agent's signature on Purchase Order 2704593 to Placerville Ford in the amount of \$47,467.05 for the purchase of two full size sedans necessary for the implementation of the home electronic monitoring program.

**RECOMMENDING ACTION:** Approve.

**FUNDING:** Fleet's Operating Budget.

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

37. [06-1553](#) Supervisor Santiago recommending the Board of Supervisors regular meeting scheduled for Tuesday, October 24, 2006, be held at the South Lake Tahoe City Council Chambers located at the South Lake Tahoe Airport, 1901 Airport Road, noting the time for commencement of said meeting has not been determined.

**RECOMMENDED ACTION:** Approve.

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

**END CONSENT CALENDAR**

**NOTICED HEARING/DEPARTMENT MATTERS**

38. [06-1555](#) Transportation Department submitting for introduction, an Ordinance amending Title 3, Chapter 3.14 of the El Dorado County Ordinance Code to reflect revisions in the informal bidding limits for public projects contained in Public Contract Code Sections 22032 and 22034; and recommending Board waive reading, read by title only and continue to **October 17, 2006** for adoption of same.

**A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to waive reading, read by title only, and continue to October 17, 2006 for adoption.**

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

39. [06-1557](#) General Services Department reporting on status of major Capital Improvement Projects.

**No formal action required.**

40. [06-1563](#) Chief Administrative Office, Human Resources Division, recommending Chairman be authorized to sign Agreement 786-S0611 with OCCU-MED, LTD, in the amount of \$35,000 for a one year term to provide consulting services in support of the County's Occupational Health program; and further recommending approval of Budget Transfer 27031 increasing Estimated Revenue by \$35,000 for same, noting the Occupational Health Program is being transferred from the Public Health Department to the Human Resources Division. Hiring and fitness for duty activities are better located in said Division where the focus is on selecting qualified people and limiting loss exposures. Public Health Department will continue its focus on public and workplace health exposure issues. (4/5 vote required) (Change in Policy)

**FUNDING:** Internal Service Fund Balance.

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

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

41. [06-1564](#) Chief Administrative Office, Human Resources Division, recommending Resolution **304-2006** amending the Authorized Personnel Allocation Resolution by **adding** one Risk Management Technician position to said Division and **deleting** one Medical Administrative Secretary position from the Public Health Department for the Occupational Health Program; and recommending approval of Budget Transfer 27028 increasing Estimated Revenue by \$53,000 to accomplish same, noting no net change to total County position count. (4/5 vote required)

**FUNDING:** Internal services current fund balance.

**A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter and adopt Resolution 304-2006.**

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

42. [06-1565](#) Chief Administrative Officer recommending approval of budget amendment to incorporate necessary adjustments; said amendment effects the Board's action on September 19, 2006 to transfer approximately \$1.3 million from the General Fund to other funds to complete activities planned for Fiscal Year 2005/2006.

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

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

43. [06-1566](#) Supervisor Baumann recommending the Board establish the Departments of Human Resources (to include Risk Management) and Information Technologies as individual departments with Department Directors to be appointed by the Board of Supervisors.

**A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to revert Human Resources and Information Technologies back to independent, stand alone departments with department heads to be appointed by the full Board of Supervisors, noting Risk Management is to be included as a division of the Human Resources Department.**

**Yes:** 3 - Dupray, Baumann and Santiago

**Noes:** 1 - Sweeney

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

- 44. [06-1554](#) Board to approve proposed disbursement of the Department of Motor Vehicle Surcharge fees for funding of six vehicle emissions reductions projects.

**FUNDING:** Special Revenue Funds.

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

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

- 45. [06-1558](#) Chairman be authorized to sign Amendment 1 to Funding Agreement 013-DMV-05/06-11 with El Dorado County Department of Transportation in the amount of \$329,490 and extending the term through October 24, 2008 for the Diesel Fleet Retrofit Project, noting amendment includes a change in the device used to retrofit equipment, the savings of which will enable the retrofit of an additional water truck.

**FUNDING:** Special Revenue Funds.

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

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

**AIR QUALITY MANAGEMENT BOARD ADJOURNED.**

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

46. [06-1559](#) Hearing to consider request submitted by Brent Bombola for a Certificate of Correction to the Promontory, Village 2, final map (TM98-1356) to allow the alteration of a recorded drainage easement and for grading and retaining walls on Lots 33 and 54 (APN s 124-120-33 and -54) within said subdivision in the El Dorado Hills area. (District I)

**Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to find the project is categorically exempt from California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301(c), Minor Alteration to Existing Facilities, stating that existing sidewalks, gutters (easements), and similar facilities are exempt from further CEQA review; and approve TM98-1356C allowing an altered drainage easement and grading on previously non-graded Lots 33 and 54 based on findings and subject to conditions of approval.**

**Yes:** 3 - Dupray, Baumann and Sweeney

**Absent:** 1 - Santiago

47. [06-1560](#) Hearing to consider an appeal on the denial of Variance V05-0007 which would allow an apartment to be eight feet from the northern property line within a 200-foot agricultural setback and within the 30-foot setback required by the Select Agricultural Ten-acre (SA-10) Zone District on property (APN 100-100-54) consisting of 10.2 acres in the Camino area; Appellant: Wesley and Ellen Fischer. (District III)

**A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to uphold the Appeal with the following Conditions: (1) Existing structure housing a residential dwelling unit shall conform to the approved site plan (Exhibit E) and all other structures shall comply with the applicable setback requirements set forth in the County Code; (2) No ranch marketing use of the structure shall be authorized without first obtaining approval of a special use permit; and (3) All appurtenant structures attached to the main bearing walls on the north side of the subject barn/apartment dwelling shall be removed.**

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



48. [06-1556](#) Hearing to consider the following pertaining 68 acres (APN 083-350-43) in the Cameron Park area; Applicant: Cameron Park Ventures/Erik Pilegaard (District IV):
- (1) General Plan Amendment (A06-0003) to modify the boundary between Multi-family Residential and Commercial land use designations;
  - (2) Rezone (Z05-0008) from Estate Residential Ten-acre Planned Development (RE-10/PD) to Commercial-Planned Development (C-PD) and Limited Multi-family Residential-Planned Development (R2-PD);
  - (3) Tentative map (TM05-1400) to create 64 duets and three large lots;
  - (4) Development plan (PD05-0005) to allow a 35 room Alzheimer's unit, 140 units of congregate care, 64 duet cottages, and an 8,000 square foot clubhouse;
  - (5) Special use permit (S05-0017) for a community care facility; and
  - (6) Waive reading, read by title only, and adopt Ordinance **4705** for said rezone.

**After taking public testimony and recessing to a meeting in closed session, the Board reconvened in open session, reported no action was taken in closed session, and Chairman closed the public hearing; a motion was made by Supervisor Baumann, seconded by Supervisor Sweeney to declare the Board's intent to approve the applicant's request and continued this matter to October 17, 2006 for findings and conditions.**

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

49. [06-1561](#) Resolution amending the County General Plan pursuant to Amendment applications approved on September 26, 2006.

**A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to continue this matter to October 17, 2006, noting this item to be heard after the General Plan Amendment.**

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

## CAO REPORTS

## ITEMS TO/FROM SUPERVISORS

## ADJOURNMENT

**CLOSED SESSION**

- 50. [06-1385](#) Pursuant to Government Code Section 54956.9(a): **Existing Litigation:**  
Title: 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.**
  
- 51. [06-1551](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: Mark A. Copple v. County of El Dorado, et al., El Dorado County Superior Court Case PC20060352.  
**No action reported.**
  
- 52. [06-1552](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**  
Title: Claim of Betts vs. County of El Dorado, Worker's Compensation Claim Settlement, Bragg & Associates Claim 2005039928, 2005039929, 2005037055, WCAB Claim SAC 348903, 348899, 348902.  
**No action reported.**
  
- 53. [06-1483](#) **Public Employee Appointment** pursuant to Government Code Section 54957: Appointment of Mental Health Director.  
**No action reported.**