



# 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*

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Tuesday, May 16, 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

**Absent:** 1 - Supervisor Paine

### 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 Baumann to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 24 and 27 pulled from the Consent Calendar for separate action; Items 29, 30 and 31 added to the Consent Calendar and approved; Item 16 continued to May 23, 2006; and Item 28 continued off calendar.

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

**Absent:** 1 - Paine

**PRESENTATION**

1. **06-0751** **PRESENTATION** proclaiming May, 2006 as Mental Health Month in the County of El Dorado.

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

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

**Absent:** 1 - Paine

**OPEN FORUM****CONSENT CALENDAR**

2. **06-0770** Public Health Department recommending Chairman be authorized to sign Agreement CC2006-19 with the County of Alpine in the amount of \$39,000 to provide administrative support services on a part-time basis to assist in the development of the Health Resources and Services Administration (HRSA) National Bioterrorism Hospital Preparedness Program.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Incoming funding from Alpine County.

This matter was approved on the Consent Calendar.

3. **06-0772** Public Health Department recommending Resolution approving the Substance Abuse and Crime Prevention Act of 2000 County Plan for Fiscal Year 2006-2007, noting there are no significant changes to the Plan for Fiscal Year 2006-2007.

**RECOMMENDED ACTION:** Adopt Resolution **140-2006**.

This matter was approved on the Consent Calendar.

4. **06-0749** Public Health Department recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 589-S0510 with Mildred Russ dba Sun West Building Services of California increasing compensation by \$5,730 to \$11,460 for a term to expire May 3, 2007 to provide janitorial services for the Emergency Services and Vital Statistics offices located at 415 Placerville Drive, Suites J, K, L, M, N, R, S and T in Placerville, noting retroactive as to term due to late return of documents by the vendor.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Cost shared by several Public Health divisions.

This matter was approved on the Consent Calendar.

5. **06-0771** Public Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement 481-PHD0905 with Marshall Medical Center for the allocation of remaining funds in the amount of \$103,008 from the Health Resources and Services Administration National Bioterrorism Hospital Preparedness Program Year 3 Grant.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Health Resources and Services Administration Grant.

This matter was approved on the Consent Calendar.

6. **06-0750** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Subordinate Financing and Resale Control Agreement with California Housing Finance Agency (CalHFA) to provide below market rate primary mortgage loans to homebuyers who meet income requirements for the El Dorado County First-Time Homebuyer Loan Program.

**RECOMMENDED ACTION:** Approve.

This matter was approved on the Consent Calendar.

7. **06-0768** Development Services Department, Planning Services Division, submitting final map (TM01-1378F) for Serrano, Village K5, Unit 2; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Drainage Easements, and Agreement for Acceptance of Roads with Serrano Associates, LLC and GHC Company 5, LLC.

**RECOMMENDED ACTION:** Approve.

This matter was approved on the Consent Calendar.

8. **06-0760** Transportation Department recommending Chairman be authorized to sign Amendment IV to AGMT 03-218 with Youngdahl Consulting Group, Inc. increasing compensation by \$115,000 to \$290,000 for a term to expire December 31, 2006 to provide as-needed geotechnical engineering consultation services associated with geotechnical analyses, testing and construction inspection services.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Restricted Capital Improvement Project funding and developer fees.

**This matter was approved on the Consent Calendar.**

9. **06-0766** Transportation Department recommending award of construction contract to the lowest responsive bidder, Granite Construction Company for the Cambridge Road/Merrychase Drive/US 50 Westbound Ramps Intersection Improvements Project, Contract 73345 in the amount of \$836,514; and recommending Chairman be authorized to sign the agreement upon approval by County Counsel and Risk Management.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Interim 2004 Traffic Impact Mitigation Fees, Hwy 50 and Regional Surface Transportation Program.

**This matter was approved on the Consent Calendar.**

10. **06-0767** Transportation Department recommending Chairman be authorized to sign the Purchase and Sale Agreement with Darcy Christensen and Minh Ngoc T. Nguyen and Certificate of Acceptance for Deed for the purchase of APN 067-450-15 in the total amount of \$24,323 for the Green Valley Road/Silva Valley Parkway Intersection Improvement Project 73312; and authorize Director of said Department, or his designee, to execute Escrow Instructions and any other related escrow documents pertaining to the transaction, including the payment of escrow fees.

**RECOMMENDED ACTION:** Approve.

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

**This matter was approved on the Consent Calendar.**

- 11. 06-0759** Transportation Department recommending the Board approve in concept amendments to 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 County Counsel be directed to prepare a draft version of amended ordinance and present the final ordinance amendments with a digest for adoption by the Board.  
**RECOMMENDED ACTION:** Approve.  
**This matter was approved on the Consent Calendar.**
- 12. 06-0769** Transportation Department recommending Resolution amending weight limits by **adding** "(b) on Grizzly Flat Road (No. 100) weight limit of 14,000 pounds from String Canyon Road (No. 879) to Pine Ridge Drive (No. 1958)."  
**RECOMMENDED ACTION:** Adopt Resolution **139-2006**.  
**FUNDING:** Road Maintenance Budget, Road Fund.  
**This matter was approved on the Consent Calendar.**
- 13. 06-0754** Transportation Department recommending Resolution amending Resolution 245-81 sanctioning the installation of a "Stop" sign at the intersection of Patterson Drive and Lone Star Court stopping north and southbound lanes.  
**RECOMMENDED ACTION:** Adopt Resolution **133-2006**.  
**FUNDING:** Road Fund Discretionary.  
**This matter was approved on the Consent Calendar.**
- 14. 06-0753** Transportation Department recommending Resolution amending Resolution 252-81 sanctioning "No Parking - Tow Away" zones on Ice House Road along the westerly shoulder from mile post 28.55 to 31.05; and sanctioning "No Parking" zones within the cul-de-sac on Market Court from 8:00 a.m. to 4:00 p.m., Monday through Friday.  
**RECOMMENDED ACTION:** Adopt Resolution **132-2006**.  
**FUNDING:** Road Fund Discretionary.  
**This matter was approved on the Consent Calendar.**

15. **06-0757** Transportation Department recommending Resolution amending Resolution 247-81 establishing speed restrictions by **deleting** "(w) Lotus Road (No. 21) forty (40) miles per hour from a point 4,675 feet south of its intersection with Bassi Road (No. 23) to its intersection with State Route 49"; and **adding** "(w) Lotus Road (No. 21) forty five (45) miles per hour from a point 4,675 feet south of its intersection with Bassi Road (No. 23) to its intersection with State Route 49".

**RECOMMENDED ACTION:** Adopt Resolution **134-2006**.

**FUNDING:** Road Fund Discretionary.

This matter was approved on the Consent Calendar.

16. **06-0758** Transportation Department recommending Resolution sanctioning "Combined Use" designations on sections of Wentworth Springs Road (two sections) and Ice House Road (one section).

**RECOMMENDED ACTION:** Adopt Resolution **135-2006**.

**FUNDING:** Road Fund Discretionary.

This matter was continued to May 23, 2006 upon adoption of the Agenda.

17. **06-0752** Transportation Department recommending Resolution summarily vacating (AOE 2006-08) one ten-foot wide public utilities easement located on the westerly boundary line of APN 107-391-13 in Ridgeview Village Unit 07, Lot 379, requested by Alan L. Arner, Trustee of the Arner Family Trust dated July 22, 2004 to accommodate planned construction of a swimming pool.

**RECOMMENDED ACTION:** Adopt Resolution **131-2006**.

This matter was approved on the Consent Calendar.

18. **06-0756** Transportation Department recommending appointments to various Zones of Benefit Advisory Committees within County Service Areas 02 and 09 as outlined in the Agenda Transmittal dated April 24, 2006.

**RECOMMENDED ACTION:** Approve.

This matter was approved on the Consent Calendar.

19. **06-0773** Agriculture, Weights & Measures Department recommending the Board approve in concept said Department's request to submit a grant fund proposal to the Alpine Resource Advisory Committee (RAC) in the amount of \$20,000 for a Title II Project addressing the prevention, early detection and eradication of noxious weed populations in Alpine County.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** USDA Forest Service/Alpine Resource.

This matter was approved on the Consent Calendar.

- 20. 06-0761** District Attorney recommending Resolution authorizing him to execute Grant Award Agreement with the State Governor's Office of Emergency Services Law Enforcement and Victim Services Division, for the Vertical Prosecution Block Program; and recommending Chairman be authorized to sign Certification document for same, noting this grant revenue supplements County funding for the newly established Elder Protection Unit.

**RECOMMENDED ACTION:** Adopt Resolution **136-2006**.

**FUNDING:** General Fund and State Funding.

**This matter was approved on the Consent Calendar.**

- 21. 06-0762** Probation Department recommending Chairman be authorized to sign Agreement 017-S0711 with Solano County Probation-Fouts Springs Youth Facility in the amount of \$3,600 per ward per month for the term July 1, 2006 through June 30, 2007 to provide appropriate facilities for the housing of wards of the juvenile court, noting Judges determine on an "as-needed" basis when and where wards will be placed for long-term confinement and treatment.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

**This matter was approved on the Consent Calendar.**

- 22. 06-0763** Sheriff's Department recommending Chairman be authorized to sign Retroactive Agreement 546-S0611 with Marshall Medical Center in an amount not to exceed \$30,000 for the term April 20, 2006 through April 19, 2007 to provide evidentiary examinations and laboratory analyses on an "as-requested" basis for said Department, noting the agreement is retroactive as to term due to vendor submitting signed documents on April 17, 2006, Department submitted contract to vendor on February 7, 2006.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** General Fund.

**This matter was approved on the Consent Calendar.**

- 23. 06-0764** Supervisor Dupray requesting, on behalf of the El Dorado County Youth Commission, that the Board attend a luncheon meeting with the 2005-2006 Youth Commissioners on Tuesday, June 6, 2006 from 12:00 noon to 1:30 p.m. at the Marshall Building at the Fairgrounds.

**RECOMMENDED ACTION:** Approve.

**This matter was approved on the Consent Calendar.**

- 24. 06-0765** Supervisor Sweeney recommending the Special Meeting on Monday, May 22, 2006, to discuss various issues relating to the Department of Transportation be rescheduled to commence at 3:00 p.m. instead of 2:00 p.m. due to scheduling conflicts.

**RECOMMENDED ACTION:** Approve.

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

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

**Absent:** 1 - Paine

- 25. 06-0774** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-070-088 for the purchase of one new Toyota Prious to the low qualified bidder, Shehadi Motors, Inc., of South Lake Tahoe, CA; and authorize blanket purchase order in the amount of \$28,439, including sales tax, and an increase to same on an "as-requested" basis if funding is available within the requesting department's budget.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** 2005-2006 Motor Vehicle Emissions Reduction.

**This matter was approved on the Consent Calendar.**

- 26. 06-0775** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-031-112 for the purchase of Sparling flowmeters for the Environmental Management Department to the sole qualified bidder, Ken Grady Co. Inc. of Navato, CA; and authorize blanket purchase order in the amount of \$17,825, including sales tax for same.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** County Service Area 10 Funding.

**This matter was approved on the Consent Calendar.**



- 27. 06-0776** Chief Administrative Office, Procurement and Contracts Division, recommending award of Request for Proposal (RFP) 06-918-071 for an affordable housing consultant; and authorize Chairman to sign Agreement with Pacific Municipal Consultants in an amount not to exceed \$33,250 for a term of six months to provide services necessary for the review of the El Dorado County Housing Element, specifically, implementation measures to assist in producing new and affordable housing units in connection with development of new market rate subdivision for the Human Services Department, Community Services Division.

**RECOMMENDED ACTION:** Approve, upon final review by County Counsel and Risk Management.

**FUNDING:** Community Development Block Grant.

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

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

**Absent:** 1 - Paine

- 28. 06-0777** Environmental Management Department recommending approval of various emergency purchase orders for the Union Mine Wastewater Treatment Facility as outlined in the Agenda Transmittal dated May 16, 2006.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** County Service Area 10 fund balance.

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

**END CONSENT CALENDAR**

**NOTICED HEARING/DEPARTMENT MATTERS****DEPARTMENT MATTERS**

29. [06-0234](#) Sheriff's Department recommending adoption of Resolution **138-2006** continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required) (Refer 5/09/06, Item 63)

**This matter was added to the Consent Calendar and Resolution 138-2006 adopted.**

30. [06-0611](#) Sheriff's Department recommending adoption of Resolution **137-2006** 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) (Refer 5/09/06, Item 62)

**This matter was added to the Consent Calendar and Resolution 137-2006 adopted.**

31. [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 **May 23, 2006** Board Meeting for status review. (Refer 5/09/06, Item 64) (4/5 vote required)

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

**This matter was added to the Consent Calendar and status review continued to May 23, 2006.**

- 32. 06-0778** Transportation Department recommending the Board receive and file report related to the current status of said Department's contract review process.

**No formal action taken; however, by consensus staff was directed to return to the Board by June 6, 2006 with levels of task order authority to be approved by the deputy directors of said Department and a standard task order form; and Director of said Department to approve task orders until otherwise directed by the Board of Supervisors.**

- 33. 06-0666** Transportation Department recommending Chairman be authorized to sign Amendment 02 to Agreement AGMT 04-721 with Fehr & Peers Associates, Inc. amending the Scope of Services and other Articles to allow the use of subconsultants; ratify the use of subconsultants identified in Task Orders authorized under the Agreement prior to the effective date of this Amendment; acknowledge and accept the specific provisions under which the use of subconsultants are predicated; and change the County's Contract Administrator and notices recipient, with no increase in the not to exceed amount or term of Agreement.  
(Continued 5/09/06, Item 65)

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

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

**Absent:** 1 - Paine

- 34. 06-0440** Chief Administrative Office recommending the Board receive and file new information concerning issues related to naturally occurring asbestos. (Refer 04/18/06, Item 47)

**No action taken.**

TIME ALLOCATION - 10:00 A.M.

- 35. 06-0748** **PRESENTATION** by Carol Bly, Superintendent of the Rescue Union School District, updating the Board and the public on the recent activities and plans for the school district.

**No action taken.**

**12:00 NOON**

**El Dorado County and Georgetown Divide Resource Conservation Districts hosting an informational luncheon meeting with the Board of Supervisors at the Main Library Meeting Room.**

TIME ALLOCATION - 2:00 P.M.

- 36. 06-0779** Hearing to consider adoption of Resolution **141-2006** to establish a new Agricultural Preserve (No. 300/Williamson Act Contract WAC06-0001) in the Pleasant Valley area (District II), and Ordinance **4691** to rezone APN's 079-010-79, -10 and -76 from Estate Residential Ten-acre (RE-10), Residential Agricultural Twenty-acre (RA-20), Residential Agricultural Forty-acre (RA-40) to Exclusive Agriculture (AE), requested by Victor and Cheryl Alvarez.

After convening in Closed Session on this matter and hearing public testimony this date, a motion was made by Supervisor Baumann, seconded by Supervisor Dupray to adopt the Mitigated Negative Declaration as prepared; adopt Resolution 141-2006 establishing a Williamson Act Contract on subject property, based on the findings and subject to the mitigation measures recommended by the Planning Commission with an additional modification to Mitigation Measure No. 6 adding "... or a surface treatment approved by the Department of Transportation that is appropriate to mitigate the dust issues and maintenance for same"; and adopt Ordinance 4691 approving the requested rezone of the property, based on findings and subject to the mitigation measures as modified; noting that special events are those for which the winery receives compensation for the use of the property as opposed to events that are promotional for the winery.

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

**Absent:** 1 - Paine

## **CAO REPORTS**

## **ITEMS TO/FROM SUPERVISORS**

## **ADJOURNMENT**

**CLOSED SESSION**

- 06-0747** 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.

**ADDENDUM**

Closed Session:

- 06-0780** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** Significant exposure to litigation. Title: Legal Issues Associated with TIM Fees. One (1) potential case.

No action reported.

- 06-0781** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** Significant exposure to litigation.

No action reported.