



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

Tuesday, July 18, 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: 2 - Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Paine

At the recommendation of County Counsel, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to add the following closed session to the Agenda when the Board convened at 8:03 a.m.: Section 54956.9(a), Existing litigation: Richard Charles Paine vs Joe Harn - EDC No. 20060353.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

9:00 A.M. - CLOSED SESSION REPORTS

On a unanimous vote, with Supervisor Paine being absent, the Board authorized County Counsel to provide the defense for Joe Harn, Auditor/Controller, in the above matter.

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 25, 45 and 50 pulled from the Consent Calendar for separate action; Item 31 continued to August 15, 2006; Item 65 added to the Consent Calendar and continued off calendar; and Item 66 added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

PRESENTATIONS

- 1. 06-1136 PRESENTATION** proclaiming August 5, 2006 as "National Gymnastics Day".

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt the Proclamation.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 2. 06-1137 PRESENTATION** by Elizabeth Blakemore, Chair of the El Dorado County Child Abuse Prevention Council.

No action required.

OPEN FORUM

CONSENT CALENDAR

- 3. 06-1181** Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, July 11, 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

4. **06-1138** Public Health Department recommending Chairman be authorized to sign retroactive Preventive Health Care for Aging Grant Agreement 06-55364 with California Department of Health Services in the amount of \$225,000 for the term July 1, 2006 through June 30, 2009 to provide preventive health programs to the non-frail older adult (55+) population, including low income and minority older adults for said Department.
RECOMMENDED ACTION: Approve.

FUNDING: California Department of Health Services grant money.

This matter was approved on the Consent Calendar.

5. **06-1185** Public Health Department recommending the Director of said Department be authorized to sign Memorandum of Understanding with the El Dorado County Treasurer/Tax Collector and the El Dorado County Public Health Department for revenue recovery services to be provided by the Treasurer/Tax Collector's Revenue Recovery Division in support of the County's new ambulance billing provider, Wittman Enterprises.
RECOMMENDED ACTION: Approve.

FUNDING: Fees paid by Public Health Department to Treasurer/Tax Collector.

This matter was approved on the Consent Calendar.

6. **06-1139** Public Health Department recommending Chairman be authorized to sign Agreement 532-PHD0606 with El Dorado County Community Health Center (CHC) in an amount not to exceed \$120,000 for a term to expire June 30, 2007 to hire a project manager to direct CHC's efforts in implementing a developed Technology Plan for the purpose of sharing and exchanging clinical information.
RECOMMENDED ACTION: Approve.

FUNDING: Agency for Health Research Quality Technology Implementation Grant.

This matter was approved on the Consent Calendar.

7. **06-1144** Public Health Department recommending Chairman be authorized to sign retroactive Agreement 515-PHD0506 with California Department of Health Services in an amount not to exceed \$43,000 for the term July 1, 2006 through June 30, 2007 to manage the compensation of trainees and payment of training expenses related to the California Epidemiologic Investigation Service Training Program for the Public Health Department.

RECOMMENDED ACTION: Approve.

FUNDING: Federal Block Grant from Centers for Disease Control.

This matter was approved on the Consent Calendar.

8. **06-1164** Public Health Department recommending the Auditor-Controller be directed to reimburse the Public Health Officer in an amount not to exceed \$15,000 for relocation expenses (approved on January 31, 2006, Item 26).

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

9. **06-1148** Mental Health Department recommending Chairman be authorized to sign Agreement 651-S0611 with Victor Treatment Centers, Inc. in an amount not to exceed \$160,000 for a two year term to provide mental health services to emotionally disturbed minors 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.

10. **06-1149** Mental Health Department recommending Chairman be authorized to sign Memorandum of Understanding 065-M0711 with 29 California counties, the City of Berkeley and the manufacturer of INSYST System Software to form the INSYST User Group to promote the efficient and cost-effective use of software used by said Department for billing purposes.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 11. 06-1140** Human Services Department, Community Services Division, recommending Director of said Department be authorized to sign Memorandum of Understanding with El Dorado County Office of Education and Central Sierra Regional Occupation Program for One-Stop Career Center Workforce Investment Act Program activities, noting the County will act as host agency for the one-stop centers, provide assistance to job seekers and employers, and provide services to recipients of Regional Occupational Program services; said agencies will provide job training programs that meet the requirements of the Workforce Investment Act.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 12. 06-1141** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement 009-S0711 with William Leddy dba William Leddy Business Consulting in an amount not to exceed \$40,000 for a term to expire June 30, 2008 to provide software development and/or database modification to existing databases on an "as requested" basis for said Division.

RECOMMENDED ACTION: Approve.

FUNDING: Federal and State Grant Funding.

This matter was approved on the Consent Calendar.

- 13. 06-1142** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement 008-S0711 with Marie Harlow, dba Help at Home in an amount not to exceed \$40,000 for the term July 1, 2006 through June 30, 2008 to provide in-home geriatric care services on an "as requested" basis for clients of said Division.

RECOMMENDED ACTION: Approve.

FUNDING: Federal and State Grant Funding.

This matter was approved on the Consent Calendar.

- 14. 06-1143** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 644-S0511 with Madill Enterprises, Inc. dba Advanced Property Services increasing compensation from \$24,723.36 to \$49,446.72 and extending the term through July 18, 2007 to provide continued janitorial services for facilities located at 3057 Briw Road, Suites A and B for said Division and the Department of Child Support Services.
RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was approved on the Consent Calendar.

- 15. 06-1145** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 022-S0611 with El Dorado County Job One increasing compensation amount from \$24,000 to \$48,000 and extending the term through June 30, 2007 to provide integrated employment services for the employers and work force of El Dorado County, noting retroactive due to uncertainty of contract negotiations with Golden Sierra Consortium.
RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was approved on the Consent Calendar.

- 16. 06-1146** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Certificate of Appreciation to Barbara Stromberg in recognition of twenty-seven years of service to said Department.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 17. 06-1147** Human Services Department, Social Services Division, recommending Chairman be authorized to sign retroactive Agreement 033-S0711 with Marshall Medical Center in an amount not to exceed \$65,000 per year for the term July 1, 2006 through June 30, 2008 for reimbursement to the County from Marshall Medical Center for the provision of one full-time County Medical Services Program (CMSP) Eligibility Worker (EW) to process Medi-Cal/CMSP applications for said Medical Center.
RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was approved on the Consent Calendar.

18. 06-1150 District Attorney recommending Resolution authorizing him to execute the Grant Award Agreement and any extensions or amendments to same with the Department of Justice in the amount of \$39,913 for the period July 1, 2006 through June 30, 2007 for the Spousal Abuser Prosecution Program.

RECOMMENDED ACTION: Adopt Resolution **225-2006**.

FUNDING: State Department of Justice.

This matter was approved on the Consent Calendar.

19. 06-1165 Child Support Services Department recommending Resolution amending Authorized Personnel Allocation 207-2006 by **adding** one Staff Services Manager position and **deleting** one Administrative Services Officer position for said Department.

RECOMMENDED ACTION: Adopt Resolution **229-2006**.

This matter was approved on the Consent Calendar.

20. 06-1151 Agriculture, Weights and Measures Department recommending the Board receive and file the 2005 El Dorado and Alpine Counties Crop Report.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

21. 06-1152 Agriculture, Weights and Measures Department recommending Chairman be authorized to sign Agreement 06-0159 with the California Department of Food and Agriculture in the amount of \$41,987.20 for the term July 1, 2006 through June 30, 2008 for the eradication of California "A"- rated weeds on state and county rights-of-way and other properties adjacent to or near United States Forest Service lands in the Lake Tahoe Basin, noting work includes continued survey eradication and mapping, all of which will be coordinated with Placer County, said Department will also provide outreach and educational materials about invasive weeds and how to provide information to local authorities.

RECOMMENDED ACTION: Approve.

FUNDING: California Department of Food and Agriculture.

This matter was approved on the Consent Calendar.

- 22. 06-1153** Probation Department recommending Chairman be authorized to sign Agreement 732-S0611 with Black Oak Mine Unified School District in an amount not to exceed \$177,000 for the term July 1, 2006 through June 30, 2008 to provide one Deputy Probation Officer who will be assigned to all school sites within said District.

RECOMMENDED ACTION: Approve.

FUNDING: Black Oak Mine Unified School District, Safe Schools/Healthy Students Grant.

This matter was approved on the Consent Calendar.

- 23. 06-1155** General Services Department recommending Chairman be authorized to sign Notice of Completion for Public Work for the County-wide Lighting and Controls Retrofit Project under contract with Gray Electric Company.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 24. 06-1211** General Services Department recommending Resolution approving the filing of an application for Grant Funds from the State of California, Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division to be used for engineering and environmental review for the Ellis Creek crossing, engineering and environmental review for Gerle Creek Bridge, and a habitat restoration project.

RECOMMENDED ACTION: Adopt Resolution 241-2006.

FUNDING: Grant Funding.

This matter was approved on the Consent Calendar.

- 25. 06-1156** Development Services Department, Planning Services Division, recommending Chairman be authorized to sign the Comprehensive Amendment to the Cooperative Management Agreement for the Pine Hill Preserve by adding two research projects to Section 2. Goals, Subsection B - Secondary Goals; further refining the activities of the Management Plan by amending Section 3, Common Responsibilities, A. Management Plan; and updating Figure 1 to reflect all lands included in the Pine Hill Preserve through June 26, 2006.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to direct staff to return to the Board with the following language removed from the Cooperative Management Agreement for the Pine Hill Preserve: 11. (H) "HCP - Strive to incorporate the provisions of the Pine Hill Preserve Management Plan into a County-wide HCP as authorized by the Board of Supervisors."; and further directed that staff communicate with other agencies that this was incorporated in the County's General Plan.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 26. 06-1209** Recorder-Clerk/Registrar of Voters recommending Resolution consolidating the local district elections with the upcoming Consolidated General Election to be held Tuesday, November 7, 2006.

RECOMMENDED ACTION: Adopt Resolution 240-2006.

This matter was approved on the Consent Calendar.

- 27. 06-1187** Environmental Management Department recommending Chairman be authorized to sign bid documents for the Final Closure of 13.6 acres at the Union Mine Landfill (Project 005-PW-06/07-11) subject to County Counsel and Risk Management final approval; and authorize said Department to advertise for bids and Chairman to sign approved bid documents.

RECOMMENDED ACTION: Approve.

This item was approved on the Consent Calendar.

28. [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 **August 15, 2006** for review of the emergency action. (Item 46, 7/11/06)(4/5 vote required)
- RECOMMENDED ACTION:** Approve.

This matter was approved on the Consent Calendar and status review continued to August 15, 2006.

29. [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) (Refer 7/11/06, Item 44)
- RECOMMENDED ACTION:** Adopt Resolution **235-2006**.

This matter was approved on the Consent Calendar.

30. [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) (Refer 7/11/06, Item 45)
- RECOMMENDED ACTION:** Adopt Resolution **236-2006**.

This matter was approved on the Consent Calendar

31. **06-1212** Sheriff's Department recommending advanced step increase for Lieutenant Marty Hackett to Step 4 of the salary range effective Pay Period 16; and Human Resources be directed to effectuate said change.
- RECOMMENDED ACTION:** Approve.

FUNDING: General Fund.

This matter was continued to August 15, 2006 at the request of the Chief Administrative Officer upon adoption of the Agenda.

32. [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 **August 15, 2006** Board Meeting for status review.
(Refer 07/11/06, Item 47) (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 with the status review continued to August 15, 2006.

33. 06-1154

Transportation Department recommending Chairman be authorized to sign the following 2006 California Tahoe Conservancy Soil Erosion Control Program Grant Amendments and/or Agreements:

- (1) Amendment 01 to Agreement CTA-04025 increasing amount by \$103,000 to \$355,000 for the Lake Tahoe Boulevard Enhancement Project;
- (2) Amendment 01 to Agreement CTA-04026 increasing amount by \$81,000 to \$341,000 for the Sawmill Bike Path Phase II Project;
- (3) Agreement CTA-05024 in an amount not to exceed \$78,210 for the Angora 3 Erosion Control Project; and
- (4) Agreement CTA-05023 in an amount not to exceed \$2,528,150 for the Angora 3 Erosion Control Project.

RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy.

This matter was approved on the Consent Calendar.

- 34. 06-1157** Transportation Department recommending Resolution summarily vacating (AOE 2006-10) public utility easements located on the common boundary lines of Lots 1, 2 and 4 identified as APNs 102-110-01, -11 and -13 of The Highlands Unit No. 3, requested by Celtic Properties to accommodate planned construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution **226-2006**.

This matter was approved on the Consent Calendar.

- 35. 06-1158** Transportation Department recommending Resolution summarily vacating one ten-foot wide public utilities easement located on the rear boundary line of Lot 101, identified as APN 070-362-11 in Eastwood Park, Unit 2, requested by Eugene Edward Davidson to accommodate planned construction of a swimming pool on subject lot.
RECOMMENDED ACTION: Adopt Resolution **227-2006**.

This matter was approved on the Consent Calendar.

- 36. 06-1159** Transportation Director requesting authorization to sign and issue Contract Change Order 2.1 in an amount not to exceed \$20,000 to Yubacon, Inc. to provide compensation for costs incurred while performing dust control work on the El Dorado Hills Boulevard - US 50 Interchange Phase 1.2a - Saratoga Way Realignment Project 71321.
RECOMMENDED ACTION: Approve.

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

This matter was approved on the Consent Calendar.

- 37. 06-1160** Transportation Department recommending Chairman be authorized to sign retroactive Tahoe Resource Conservation District Intergovernmental Grant Administration Agreement in the amount of \$44,480.63 for the term December 16, 2005 through December 15, 2007 to implement and monitor the Angora Creek Stream Environment Zone Restoration Project (JN 95147), noting retroactive as to term, new contract needs to be in effect immediately upon expiration of 2002 Intergovernmental Grant Administration Agreement in order to maintain continuity of grant funding. Significant delays have occurred in constructing the project due to construction bids exceeding available grant funding.
RECOMMENDED ACTION: Approve.

FUNDING: Tahoe Resource Conservation District.

This matter was approved on the Consent Calendar.

- 38. 06-1161** Transportation Department recommending Chairman be authorized to sign Amendment 01 to Agreement AGMT 05-842 with David Evans and Associates, Inc. increasing compensation by \$125,000 to \$475,000 for a term to expire December 31, 2007 to provide field survey crews and equipment and survey office support personnel to the Tahoe Engineering Division (TED) for the purposes of performing design mapping, construction staking and other survey duties.
RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy, Tahoe Regional Planning Agency, United States Forest Service.

This matter was approved on the Consent Calendar.

- 39. 06-1162** Transportation Department recommending the following pertaining to the Asphalt Concrete Overlay of Gold Hill Road and Starbuck Road, PW 06-116:
(1) Set the disadvantaged Business Enterprise (DBE) requirements for this contract at 0%;
(2) Approve contract documents; and
(3) Authorize Department to advertise for bids
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Proposition 42

This matter was approved on the Consent Calendar.

- 40. 06-1176** Transportation Department recommending Chairman be authorized to sign Notice of Completion for Apalachee Phase 2 Erosion Control Project (JN 95185) under contract to White Rock Construction, Inc.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 41. 06-1177** Transportation Department recommending the following pertaining to The Promontory, Unit 4 (TM 98-1356-4):
(1) Accept the subdivision improvements as complete;
(2) Reduce Performance Bond 141 5953 by \$2,994,749.62 to \$1,035,408.20 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance, if there are no defects or warrantee claims; and
(3) Hold posted Laborers and Materialsmen Bond 141 5953 in the amount of \$5,177,041 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.

- 42. 06-1179** Transportation Department recommending the following pertaining to Euer Ranch, Unit 3 Subdivision (TM 96-1317-3):
- (1) Accept the subdivision improvements as complete;
 - (2) Adopt Resolution accepting White Rock Road in Euer Ranch into the County's Maintained Mileage System;
 - (3) Reduce Performance Bond SU5007986 by \$3,190,092.30 to \$354,454.70 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance, if there are no defects or warrantee claims; and
 - (4) Hold posted Laborers and Materialsmen Bond SU5007986 in the amount of \$1,772,273.50 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Adopt Resolution **231-2006**.

This matter was approved on the Consent Calendar.

- 43. 06-1180** Transportation Department recommending the following pertaining to Euer Ranch, Unit 1 Subdivision (TM 96-1317):
- (1) Accept the subdivision improvements as complete;
 - (2) Adopt Resolution accepting White Rock Road and Carson Crossing Drive in Euer Ranch Unit 1 into the County's Maintained Mileage System;
 - (3) Reduce Performance Bond SU5007985 by \$4,218,194.70 to \$468,688.30 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance, if there are no defects or warrantee claims; and
 - (4) Hold posted Laborers and Materialsmen Bond SU5007985 in the amount of \$2,343,441.50 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Adopt Resolution **232-2006**.

This matter was approved on the Consent Calendar.

- 44. 06-1182** Transportation Department recommending Chairman be authorized to sign the Streambed Alteration Agreement with the California Department of Fish and Game and El Dorado County/El Dorado Hills Community Services District for the term of five years for maintenance of stream channels and drainage facilities within the Creekside Greens Open Space Preserve areas.

RECOMMENDED ACTION: Approve.

FUNDING: Zone of Benefit Special Tax.

This matter was approved on the Consent Calendar.

- 45. 06-1184** Transportation Department recommending Resolution of Intention to Vacate County Road 2011 (old Mt. Aukum Road and bridge, APN 093-032-24 and -34); and set a public hearing on September 12, 2006 at 9:00 a.m. for the consideration of the proposed General Vacation. (District II)

RECOMMENDED ACTION: Adopt Resolution **234-2006**.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to adopt Resolution 234-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 46. 06-1192** Transportation Department recommending the Chief Administrative Officer be authorized to sign Agreement with the El Dorado County Transit Authority to provide construction, operation, and maintenance of an expanded Park-and-Ride Facility at U.S. Highway 50 and Cambridge Road, subject to approval by County Counsel and recordation of the California Transportation Commission Relinquishment Resolution.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 47. 06-1193** Transportation Department recommending the following pertaining to the Bass Lake Road Reconstruction and Resurface Improvements Mitigated Negative Declaration:

(1) Adopt the California Environmental Quality Act (CEQA) Negative Declaration;

(2) Approve the project as described in the CEQA document with minor amendment to the project description to add a traffic signal at Bass Lake Road and Hollow Oak Road; and

(3) Authorize Chairman to sign the Mitigation Monitoring and Reporting Program.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 48. 06-1194** Transportation Department recommending Chairman be authorized to sign the Special Use Permit Agreement 06-1128 for the Lake Valley State Recreation Area Sawmill 1A Bike Path Project (JN 95148).

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 49. 06-1195** Transportation Department recommending Chairman be authorized to sign Temporary Construction Easements and Certificate of Acceptance for the Deed associated with each easement for APNs 097-020-47, Steven and Laura Abel; 097-020-48, Steven Abel; 097-010-78, Tim and Christine Quigley; 097-010-85, James R. Kidder, Trustee; and 097-010-82, Mohammad Nadar; and authorize the Director of said Department or designee to execute internal Escrow Instructions and any other related escrow documents pertaining to the transaction, including the payment of title and escrow fees, if necessary, for the Pleasant Valley Road 2-Way Left Turn Project 73318.

RECOMMENDED ACTION: Approve.

FUNDING: Hazard Elimination Safety Funds (HES) and 2004 Traffic Impact Mitigation Fees.

This matter was approved on the Consent Calendar.

- 50. 06-1163** Transportation Department recommending Resolution calling for a mailed ballot landowner election to be set for August 18, 2006 establish a special tax for the purposes of providing road and drainage improvement and maintenance services for West Valley Village Zone of Benefit 98612 within County Service Area 09.

RECOMMENDED ACTION: Adopt Resolution 228-2006.

FUNDING: Zone of Benefit Special Taxes.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to adopt Resolution 228-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 51. 06-1190** Supervisor Santiago recommending Douglas Clymer be reappointed to serve as a Representative for District V on the Assessment Appeals Board for a term to expire September 2009.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 52. 06-1135** Supervisor Santiago, on behalf of the El Dorado County Early Care and Education Planning Council, recommending Board approve the appointment of Elisa Herrera to serve as a District IV Consumer for a term to expire April 2008, Linda Dwyer to serve as the District II Designee for a term to expire January 2007, and accept the resignation letter from Katie Pearce, District I Designee.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 53. 06-1191** Supervisor Santiago recommending Resolution approving highway restrictions on State Highway Routes 89 and 50 on Sunday, September 10, 2006, between Stateline through South Lake Tahoe and the County line at Tahoma between the hours of 6:00 a.m. and 12:00 noon for the 4th Annual Tour De Tahoe - Bike Big Blue bicycling event.

RECOMMENDED ACTION: Adopt Resolution **237-2006**.

This matter was approved on the Consent Calendar.

- 54. 06-1213** Chief Administrative Office, Human Resources Division, recommending the Board approve the following pertaining to New Job Specifications, Salary Ranges, and Bargaining Units:
- (1) Adopt Resolution amending the Salary Schedule and establishing the salaries and classifications of Internal Auditor, Supervising Grounds Maintenance Worker, and Animal Control Operations Manager approved as part of the Fiscal Year 2006-2007 budget adopted June 27, 2006;
 - (2) Adopt Resolution amending Authorized Personnel Allocation 207-2006 by **adding** one (1) Deputy Director of General Services position, and one (1) Facilities Services and Capital Programs Manager position and **deleting** one (1) Facilities Manager position and one (1) Real Estate and Facilities Asset Manager position; and
 - (3) Adopt modifications to the Contract Services Officer job specification, resulting in a salary revision for that class.

RECOMMENDED ACTION: Adopt Resolutions **242-2006** and **243-2006** respectively.

This matter was approved on the Consent Calendar.

- 55. 06-1196** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-206-093 for the purchase of Cisco network hardware, upgrades and support for Information Technologies; and authorize blanket purchase order to AT&T DataComm of Sacramento, CA in an amount not to exceed \$100,000 for a twelve month period upon review by County Counsel and Risk Management.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund, Information Technologies services and supplies budget.

This matter was approved on the Consent Calendar.

56. 06-1197

Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-289-132 for sign sheeting for the Department of Transportation; and authorize a blanket purchase order to 3M Company of St. Paul, MN in the amount of \$34,339 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: Department of Transportation's Road Fund Budget.

This matter was approved on the Consent Calendar.

- 57. 06-1198** Chief Administrative Office, Procurement and Contracts Division, presenting list of surplus property to the needs of the County and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

- 58. 06-1183** Hearing to consider adoption of Resolution **233-2006** for the formation of the West Valley Village Zone of Benefit 98612 within County Service Area 09 for road and drainage facility improvement and maintenance services.

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Santiago to adopt Resolution 233-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 59. 06-1204** Hearing to consider adoption of Resolution **238-2006** approving the Lake Valley Fire Protection District Capital Improvement Plan and adopting the Development Impact Fees for same.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 238-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 60. 06-1203** Hearing to consider adoption of Resolution **239-2006** approving the Rescue Fire Protection District Capital Improvement Plan and adopting the Development Impact Fees for same, noting the District proposes a change in the fee basis to a "per square foot" from a "per parcel" regardless of development type, and the elimination of the 50% reduction for the installation of fire sprinklers; said fees are calculated to recover approximately \$2 million for the purchase of equipment and the construction of a new fire station near the Silver Springs subdivision.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to adopt Resolution 239-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 61. 06-1201** Public Health Department requesting Board direction with regard to the request of Dave Handler, the owner of several McDonald's franchises throughout the County, to grant a discount for ambulance transport fees incurred as a result of a criminal act which resulted in ambulance transport for 11 individuals; noting the Chief Administrative Officer recommends the option to charge at the Medicare allowable rate (40% reduction) due to the workers compensation claim being paid at this rate and this action would be consistent with actions taken by the affected hospitals.

FUNDING: Fee for service.

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to reduce said bill by approximately 80% (Medi-Cal allowable rate) with the caveat that the reduction would be adjusted if Mr. Handler receives any reimbursement.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 62. 06-1210** Chief Administrative Officer recommending the Board review and provide comments on the Final Draft Purchasing Ordinance and Procurement Policy documents.

No formal action taken, staff direction derived from comments of Board members during the discussion.

- 63. 06-1202** Public Health Department recommending Chairman be authorized to sign retroactive Agreement 533-PHD0606 with Sandra Dunn and Associates in an amount not to exceed \$140,000 for the term July 1, 2006 through June 30, 2007 for project management services in support of the El Dorado County Safety Net Provider network ACCEL Initiative.

FUNDING: Healthy Communities Access Grant and Agency for Healthcare Research and Quality 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

- 64. 06-1205** Development Services Department, Planning Services, recommending Chairman be authorized to sign Agreement DSP 06-02 with Pacific Municipal Consultants, Inc. in an amount not to exceed \$217,065 for a one year term to prepare an Environmental Impact Report for General Plan Amendment A06-0002, Floor Area Ratios and Mixed Use Development.

FUNDING: General Fund - Department of Transportation/General Services Department.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 65. 06-1208** Transportation Department recommending the Board consider award for construction contract work for the Sawmill Phase 1A Bike Path Project (JN 95148) to the lowest responsive bidder.

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

- 66. 06-1199** Chief Administrative Office recommending Chairman be authorized to sign Amendment 01 to Agreement 544-S0511 with Daystar Computer Systems, Inc. extending the term to June 30, 2007 with no change in compensation for the implementation of the automated agenda system.

This matter was added to the Consent Calendar and approved.

- 67. 06-1200** Chief Administrative Officer recommending adoption of the Final Draft Response to the 2005/2006 Grand Jury Mid-Session Report GJ05-027; and requesting authorization to submit the Final Response to the Presiding Judge of the Superior Court and staff direction with regard to the distribution and publication of same.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

TIME ALLOCATION - 2:00 P.M.

- 68.** Hearing to consider Appeal of the approval of Special Use Permit S05-0025 allowing Verizon Wireless Communications to construct a 110-foot cellular telecommunications antenna accompanied by an equipment shelter and a fenced and landscaped leased area on property consisting of 20 acres (APN 042-680-02) in the Pollock Pines area; Appellant: Francis Itaya. (District II) (Continued 7/11/06, Item 57)

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to accept the applicant's (Verizon Wireless Communications) withdrawal of Special Use Permit S05-0025.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 69. 06-1097** Hearing to consider Appeal of the deletion of Condition 12 for Tentative Parcel Map P05-0002 pertaining to on-site and off-site improvements for traffic signals, roadway, grading and drainage; said parcel map proposes to create seven parcels ranging in size from 2.75 to 5.7 acres on property identified as (APN 109-480-05 and -09) consisting of 33.04 acres located in the Shingle Springs area; Applicant: KFRD Investments, Inc; Appellant: Bill Wilde. (District II) (Continued 7/11/06, Item 58)

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to accept Mr. Wilde's request to withdraw the appeal.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 70. 06-1188** Hearing to consider an amendment to recorded Subdivision Map I-71 B to remove a recorded archaeological protected area on property identified as APN 110-430-03 and -04, located on the west side of Salmon Falls Road and Kaila Way in the El Dorado Hills area, requested by Rodney Naef. (District I)

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Santiago to find the project exempt pursuant to Section 15369 of the California Environmental Quality Act (CEQA) Guidelines, and approve Tentative Map TM97-1334C based on the findings and subject to conditions presented by Planning Services staff.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 71. 06-1189** Hearing to consider Williamson Act Contracts WAC05-0003 and WAC05-0004 to divide existing Agricultural Preserve 246 into two new agricultural preserves, consisting of APN 041-910-12, 20.04 acres (Carpenter), and the other consisting of APNs 041-910-13 and -14, 40.01 acres (Stromberg) in the Somerset area. **Staff recommending applications be continued to August 15, 2006, as requested by Applicant's agent.**

A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to approve the applicant's request to continue this hearing to 2:00 p.m., August 15, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 72. 06-1129** 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 No. 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.
- 73. 06-1206** Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: Geoffrey A. Schafer v. Bob Ashworth, et al. U. S. District Court, Eastern District of California. Case No. 2:06-CV 0129 MCE-DAD. One potential case.
No action reported.
- 74. 06-1131** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. One potential case.
No action reported.
- 75. 06-1207** Pursuant to Government Code Section 54956.9(c), **Anticipated Litigation:**
Initiation of litigation. One potential case.
On a unanimous vote, with Supervisor Paine being absent, the Board directed County Counsel to prepare and initiate appropriate litigation to determine that the District IV office of the Board of Supervisors is vacant as a result of abandonment office and any other appropriate grounds.
- 76. 06-1132** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding the following real property described as APN 327-130-35. The person with whom the negotiator may negotiate is Carolyn Hardin, Trustreet Properties, Inc. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.

- 77. 06-1133** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding the following real property described as APN 327-130-14. The persons with whom the negotiator may negotiate are Michael W. McCreary and Carla E. McCreary, Trustees of the McCreary Family Living Trust, dated June 15, 1998. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 78. 06-1166** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 108-550-29 and 108-550-31. The person with whom the negotiator may negotiate is PAC/SIB LLC, Scott Hodson. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 79. 06-1167** 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 person with whom the negotiator may negotiate is Ribeiro California LLC, Johnny Ribeiro. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 80. 06-1168** 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 person with whom the negotiator may negotiate is Ribeiro California II, a Nevade LLC, Johnny Ribeiro. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.

- 81. 06-1169** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 108-470-16. The person with whom the negotiator may negotiate is El Dorado Hills Investors, LTD, Anthony Mansour. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 82. 06-1170** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 327-130-54, -55, -56, -60, -62, -77 and -78. The persons with whom the negotiator may negotiate are DS Placerville, LLC, a California Limited Liability Company and Donahue Schriber Asset Management Corporation, a Delaware Corporation, Michael C. Wilson. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 83. 06-1171** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-290-58. The person with whom the negotiator may negotiate is WRI Golden State LLC, a Delaware Limited Liability Company, Victoria Brown. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 84. 06-1172** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-130-13. The person with whom the negotiator may negotiate is Mary A. Robinson, as Trustee of "Marital Gift Trust" under Trust Agreement Dated August 5, 1997, Michael E. Petersen. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.

- 85. 06-1173** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-130-76. The person with whom the negotiator may negotiate is Safeway, Inc., a Delaware Corporation, Billy T. Eister. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 86. 06-1174** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-130-21. The persons with whom the negotiator may negotiate are Michael F. Wix and Eugenia B. Wix. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 87. 06-1175** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-130-22. The person with whom the negotiator may negotiate is Phyllis Joan Rogers. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.
- 88. 06-1186** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-130-53. The person with whom the negotiator may negotiate is David G. Knox, Trustee of the Chrisitan J. Knox Separate Property Trust DTD 12/5/97, and David G. Knox, Trustee of the Chrisitian J. Knox Separate Property Trust II DTD 11/22/02. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right-of-Way Program Manager.
No action reported.