



County of El Dorado

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Minutes - Final Board of Supervisors

Tuesday, August 29, 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: 1 - Supervisor Sweeney

Absent: 1 - Supervisor Santiago

9:00 A.M. - CLOSED SESSION REPORTS

When the Board reconvened at 9:03 a.m. the following members were present:

Present: 2 - Supervisor Sweeney and Supervisor Santiago

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.

The Board adopted the Agenda and approved the Consent Calendar with the following exceptions: Items 31 and 32 were added to the Consent Calendar and approved.

PRESENTATIONS

1. [06-1381](#) **PRESENTATION** of Proclamation to Ken Stefan on the occasion of his retirement as Director of the El Dorado Women's Center.

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann, that this matter be Approved. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

OPEN FORUM

CONSENT CALENDAR

2. [06-1384](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, August 22, 2006.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
3. [06-1383](#) Release of lien.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
4. [06-1395](#) Public Health Department recommending Chairman be authorized to sign retroactive Agreement 0607-45-108-703 with First 5 El Dorado Children and Families Commission which provides \$232,000 in funding to collaborate with First 5 in developing a Special Needs Project for children, birth to age five, identified as having disabilities and other special needs.
RECOMMENDED ACTION: Approve.

FUNDING: Incoming funding from First 5 El Dorado for Fiscal Year 2006-2007.

This matter was Approved on the consent calendar
5. [06-1396](#) Public Health Department recommending Chairman be authorized to sign Amendment 02 to Agreement with California Shock/Trauma Air Rescue dba CALSTAR extending the term to August 30, 2008 for emergency medical air ambulance advance life support services from South Lake Tahoe.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

6. [06-1391](#) Public Health Department recommending Chairman be authorized to sign Declaration of Intent Not to Apply for Rural Health Services Program Funding for Fiscal Year 2006-2007; said declaration passes the responsibility for administering this indigent funding to the State.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

7. [06-1397](#) Human Services Department, Community Services Division, recommending Chairman be authorized to sign the Transmittal Letter for the Fiscal Year 2005-2006 Area Plan Year-End Report for submission to the California Department of Aging.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

8. [06-1398](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 130-S0711 with Green Valley Mortuary in an amount not to exceed \$20,000 for the term October 1, 2006 through September 30, 2008 to provide mortuary services for deceased indigents within the west slope area for said Division.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was Approved on the consent calendar

9. [06-1399](#) Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 316-S0611 with Milhous Children's Services, Inc. in an amount not to exceed \$320,000 for a two-year term to provide foster care/group home services on an "as-requested" basis for clients referred by said Division.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Plan.

This matter was Approved on the consent calendar

10. [06-1400](#) Development Services Department recommending Chairman be authorized to sign retroactive Amendment 01 to Agreement 076-S0610 with Bruce and Lori Shull dba All Clean Commercial Janitorial increasing compensation by \$8,388 to \$16,776 and extending the term through July 31, 2007 to provide selected janitorial services for the facility shared by the Development Services and Transportation Departments located at 4950 Hillsdale Circle, Suite 100 in El Dorado Hills, CA, noting retroactive as to term due to contractor submitting bonding and insurance information on July 11, 2006.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund, costs shared by both departments.

This matter was Approved on the consent calendar

11. [06-1401](#) Transportation Department recommending Resolution ratifying results of mailed ballot landowner election held on August 18, 2006 establishing a special tax for the West Valley Village Road and Drainage Zone of Benefit 98612 within County Service Area 9; and setting the annual special tax on each parcel of real property within the boundaries of said zone in the amount of \$141 commencing fiscal year 2007-2008, with annual adjustments tied to the Engineering News Report Construction Index.
RECOMMENDED ACTION: Adopt Resolution 273-2006.

FUNDING: 2007-2008 Special Taxes.

This matter was Approved on the consent calendar

12. [06-1411](#) Transportation Department recommending Chairman be authorized to sign Amendment 01 to Facility Use Agreement AGMT 05-836 with C.L.P. Investors extending the term to February 27, 2007 and changing the title of the County's Contract Administrator from Interim Director of Transportation to Deputy Director, West Slope Engineering and Project Delivery, Department of Transportation.
RECOMMENDED ACTION: Approve.

FUNDING: Road Fund.

This matter was Approved on the consent calendar

13. [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 **September 12, 2006** Board Meeting for status review.

(Continued 8/22/06, Item 18) (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

14. [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 **September 12, 2006** for review of the emergency action. (Continued 8/22/06, Item 21)(4/5 vote required)

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

15. [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 **268-2006**.
This matter was Approved on the consent calendar
16. [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 8/22/06, Item 20)
RECOMMENDED ACTION: Adopt Resolution **267-2006**.
This matter was Approved on the consent calendar
17. **06-1324** Probation Department recommending Resolution amending Authorized Personnel Allocation Resolution by **adding** one Supervising Deputy Probation Officer - Institutions position and **deleting** one Senior Deputy Probation Officer - Institutions position to provide needed administration and management supervision to the Juvenile Hall, noting conversion will provide for more appropriate supervision from 6:00 a.m. to 1:00 p.m., backup and coverage during vacations and training, and enhanced supervision for emerging school and mental health issues.
RECOMMENDED ACTION: Adopt Resolution **269-2006**.

FUNDING: General Fund.
This matter was Approved on the consent calendar
18. **06-1342** Probation Department recommending Resolution authorizing the Chairman to sign Agreement 182-S0711 with the California Department of Corrections and Rehabilitation in the amount of \$30,000 for the term July 1, 2006 through June 30, 2007 to provide diagnostic studies, treatment services and temporary detention for case referrals from Juvenile or Criminal Courts.
RECOMMENDED ACTION: Adopt Resolution **272-2006**.

FUNDING: General Fund.
This matter was Approved on the consent calendar
19. [06-1407](#) Development Services Department requesting relief from liability in the amount of \$170 for a cash shortage; and requesting authorization to submit a journal entry charging Special Department Expenses.
RECOMMENDED ACTION: Approve.
This matter was Approved on the consent calendar

20. [06-1409](#) Human Resources Division recommending Resolution amending the Authorized Personnel Allocation Resolution for the Sheriff's Department by **adding** one (1) .5 Community Services Officer position and **deleting** one (1) .5 Sheriff's Technician position; the Community Services Officer position is a better classification for alarm systems work.

RECOMMENDED ACTION: Adopt Resolution **271-2006**.

This matter was Approved on the consent calendar

21. [06-1326](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Purchasing Agent be authorized to issue a blanket purchase order to the Department of Justice in the amount of \$20,000 for a one year term for criminal offender record information; and authorize an increase to the blanket purchase order on an "as-needed" basis if funding is available within requesting departments budget.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund

This matter was Approved on the consent calendar

22. [06-1405](#) Environmental Management Department requesting authorization to fill a vacant Geologist position at Step 4 of the salary range to become effective immediately for the Environmental Health Division of said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Environmental Health Services, Permit fees.

This matter was Approved on the consent calendar

23. [06-1410](#) Environmental Management Department inviting the Board to attend a ceremony at the El Dorado Disposal/Western El Dorado Recovery Facility on Thursday, August 31, 2006 at 10:30 a.m. for the presentation of an award to the County from the California Integrated Waste Management Board for being the only rural county to meet the 50% diversion requirement.

RECOMMENDED ACTION: Approve, noting this is a ceremonial occasion and is not deemed to be a meeting pursuant to Government Code Section 54952.2(c)(5).

This matter was Approved on the consent calendar

24. [06-1406](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-600-009 for the purchase of one (1) mailing system and one (1) desktop folder for the Human Services Department, Social Services Division; and authorize blanket purchase order to the low qualified bidder, Neopost Inc. of Sacramento, CA in the amount of \$10,879, including sales tax.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was Approved on the consent calendar

25. [06-1327](#) Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 07-070-024 for the purchase of one (1) Midsized Sport Utility Vehicle for the Probation Department; and authorize blanket purchase order to the sole qualified bidder, South Shore Motors of South Lake Tahoe, CA in the amount of \$21,924, including sales and tire tax, noting the Probation Department will fully operate the electronic monitoring program by September 2006, the fleet vehicle being replaced transferred from the Sheriff's Office to Probation along with the adult electronic monitoring program and is scheduled for replacement due to exceeding the 100,000 mile replacement cycle; the vehicle is unreliable due to numerous mechanical breakdowns during the past twelve months requiring immediate replacement.

RECOMMENDING ACTION: Approve.

FUNDING: Fleet's Operating Budget.

This matter was Approved on the consent calendar

26. [06-1331](#) The Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 212-S0610 with G & O Body Shop, Inc. dba G & O Towing increasing compensation by \$10,000 to \$20,000 and extending the term through September 30, 2007 to provide towing of County vehicles and emergency roadside services on the West Slope on an "as-requested" basis for departments Countywide.

RECOMMENDED ACTION: Approve

FUNDING: General Fund (Each Department's Professional Services budget)

This matter was Approved on the consent calendar

27. [06-1333](#) Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Agreement 175-S0711 with Stericycle, Inc. in an amount not to exceed \$25,000 for the term September 1, 2006 through August 31, 2008 to provide collection and disposal of bio-hazardous medical and pharmaceutical waste for departments Countywide.
RECOMMENDED ACTION: Approve.
- FUNDING:** General Fund (Each Department's Refuse Disposal Services Budget)
- This matter was Approved on the consent calendar**
28. [06-1408](#) Supervisor Sweeney recommending Proclamation recognizing September 11, 2006 as "Lest We Forget Day" supporting the efforts of local community members who have organized to remember the heroes and victims of September 11, 2001 and its aftermath.
RECOMMENDED ACTION: Approve.
- This matter was Approved on the consent calendar**
29. [06-1393](#) General Services Department recommending Chairman be authorized to sign bid documents (Bid 07-968-021) for the Georgetown Airport, Repair and Slurry Seal Apron and Hangar Taxiways Project; and authorize said Department to advertise for bids due no later than 2:00 p.m. on Friday, October 6, 2006.
RECOMMENDED ACTION: Approve.
- This matter was Approved on the consent calendar**
30. [06-1394](#) General Services Department recommending Chairman be authorized to sign bid documents (Bid 07-968-017) for the Placerville Airport, Slurry Seal of Runway 5-23 Ends, Displace Threshold, Runway 5-23 Lighting Rehabilitation (Phase 1) Project; and authorize said Department to advertise for bids due no later than 2:00 p.m. on Thursday, October 5, 2006.
RECOMMENDED ACTION: Approve.
- This matter was Approved on the consent calendar**

Approval of the Consent Calendar

A motion was made by Supervisor Santiago, seconded by Supervisor Baumann, to Approve the Consent Calendar. The motion carried by the following vote

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

END CONSENT CALENDAR

NOTICED HEARINGS/DEPARTMENT MATTERS

31. [06-1392](#) Public Health Department recommending Chairman be authorized to sign retroactive Agreement 514-PHD0506 with Laboratory Corporation of America in an amount not to exceed \$20,000 for the term July 1, 2006 through June 30, 2007 to provide selected medical tests and test results on an "as-requested" basis for said Department.

FUNDING: Fee for Service.

This matter was added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

32. [06-1361](#) Adoption of Ordinance **4701** amending Sections 10.12.130 and 10.12.140 of Chapter 10.12 of Title 10 of the El Dorado County Ordinance Code pertaining to public parking at the Cameron Park Courthouse. (Introduced 8/22/06, Item 23)

This matter was added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

33. [06-1402](#) Chief Administrative Office recommending introduction of Ordinance repealing Chapter 3.12 of Title 3 of the El Dorado County Ordinance Code (Purchasing Procedures); and adding a new Chapter 3.12 of Title 3 to said Code (Procurement) for the new proposed County Purchasing Ordinance and Procurement Policy; and Board to waive reading, read by title only and continue to **September 12, 2006** for adoption of same.

A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to waive reading, read by title only, and continue to September 12, 2006 for adoption of said Ordinance and Procurement Policy.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

34. [06-1404](#) Chief Administrative Office recommending the Board receive and file status report concerning the progress of the Veterans Memorial Monument, the El Dorado Hills Senior Center, the Animal Control Facility for the West Slope and the Animal Control Facility for the Tahoe Basin, noting General Services will present the next update on Tuesday, September 26, 2006.

No formal action taken; however, by consensus, staff was directed to include the jail component and the Sheriff's administration facility on the monthly review of major capital projects.

35. [06-1412](#) Chief Administrative Officer providing information to the Board on the Elder Abuse/Elder Protection Programs. (Referred 8/22/06, Item 29)

No formal action taken.

TIME ALLOCATION - 2:00 P.M.

36. [06-1387](#) Hearing to consider an amendment to the recorded final map for Glenridge Park, Unit 2, (TM68-0001C) to remove a 25-foot setback line for Lot 63 to allow the construction of a single family residence on APN 016-583-18 consisting of approximately 11,041 square feet in the Meeks Bay area; said setback line will allow an administrative reduction in zoning setback to 10 feet which is in compliance with Tahoe Regional Planning Agency and County requirements; Applicant: David Hopp. (District V)

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Baumann to certify the project is statutorily exempt pursuant to Section 15268(3) of the California Environmental Quality Act (CEQA) Guidelines; approve the map correction, based on the findings and subject to conditions proposed by Planning staff; and accept the Notice of Deed Restriction and Covenant to Indemnify the County.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

37. [06-1389](#) Hearing to consider rezone (Z04-0010) of 20 acres on property described as APN 087-270-31 from Exclusive Agricultural (AE) to Estate Residential Ten-acre (RE-10) to create two parcels consisting of ten acres each in the Shingle Springs area; and adoption of Ordinance **4699** for same; Applicant: Frederick Simon. (District II)

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Dupray to adopt the mitigated negative declaration as prepared; waive reading, read by title only, and adopt Ordinance 4699 approving the rezoning based on the findings of the Planning Commission; and approve tentative parcel map, with design waivers, based on findings and subject to conditions of the Planning Commission.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

38. [06-1390](#) Hearing to consider rezone (Z05-0005) of property described as APN 083-453-04 from Commercial-Design Control (C-DC) and Estate Residential Ten-acre (RE-10) to Commercial-Planned Development (C-PD); development plan (PD00-11) creating five parcels conforming to the five existing building footprints with a sixth parcel for shared access, parking and common area; and tentative parcel map (P05-0012) creating six parcels ranging in size from 0.15 to 3.71 acres in the Cameron Park area; and adoption of Ordinance **4700** for same; Applicant: Palmer Professional Centre, LLC. (District IV)

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt the negative declaration as prepared; waive reading, read by title only, and adopt Ordinance 4700 approving the rezoning based on the findings of the Planning Commission; and approve the development plan and tentative parcel map, based on findings and subject to conditions of the Planning Commission.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

El Dorado County Youth Commission inviting the Board to attend a dinner/reception from 6:00 p.m. to 7:30 p.m. at the El Dorado County Fairgrounds.

CLOSED SESSIONS**CLOSED SESSION - 8:00 A.M.**

39. [06-1386](#) 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 No. PC2006-352.

No action reported.

CLOSED SESSION - 2:00 P.M.

40. [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.