



County of El Dorado

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Minutes - Final Board of Supervisors

Helen K. Baumann, Chairman, District II
Rusty Dupray, First Vice Chairman, District I
Ron Briggs, Second Vice Chairman, District IV
James R. Sweeney, District III
Norma Santiago, District V

Cindy Keck, Clerk of the Board of Supervisors
Laura S. Gill, Chief Administrative Officer *Louis B. Green,*
County Counsel

Tuesday, March 13, 2007

8:00 AM

Board of Supervisors Meeting Room

The Vision Statement adopted by the Board of Supervisors on November 7, 2006, states "El Dorado County will remain the leader in supporting our safe, healthy, and vibrant communities, wisely managing our natural resources, and preserving our local heritage."

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 RECESS TO CLOSED SESSIONS

Present: 3 - Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago

9:00 A.M. - RECONVENE AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

Approval of the Consent Calendar

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 15, 16, 18 and 20 pulled from the Consent Calendar for separate action; Item 17 continued to April 10, 2007; and Item 28 continued off calendar.

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

PRESENTATIONS

1. [07-400](#) **PRESENTATION** of Certificates of Commendation to Brian J. Kim, Kevin Robert Tharratt, and Mark Ziman for achieving the rank of Eagle Scout, Boy Scouts of America, Troop 454.

No action required.

2. [07-362](#) **PRESENTATION** of the award received from the Sacramento Business Journal for the Best Real Estate Public Project of the year in the Sacramento Region for the El Dorado Hills Library.

No action required.

OPEN FORUM**CONSENT CALENDAR**

3. [07-426](#) Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, March 6, 2007.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

4. [07-328](#) Public Health Department recommending Chairman be authorized to sign Amendment 1 to Agreement CC2007-10 with the County of Alpine, and associated Budget Transfers 27165 and 27166 increasing revenue and appropriation amounts related to the Health Resources and Services Administration Bioterrorism Hospital Preparedness and Pandemic Flu programs. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: Incoming funding from Alpine County.

This matter was Approved on the consent calendar

5. [07-345](#) Public Health Department recommending Chairman be authorized to sign retroactive Amendment III to Agreement 04-35346 with California Department of Health Services increasing compensation amount by \$104,873 to \$577,182 for the term July 1, 2004 through June 30, 2007; and Amendment 3 to Memorandum of Understanding 04-35346 increasing maximum amount payable to \$323,682 for expansion of services for the HIV Prevention Program.
RECOMMENDED ACTION: Approve.

FUNDING: California Department of Health Services AIDS Master Grant.

This matter was Approved on the consent calendar

6. [07-323](#) Public Health Department recommending Chairman be authorized to sign Budget Transfer 27167 decreasing appropriations for services related to the Preventive Healthcare for the Aging Grant, in correlation to a reduced amount of grant funding. (4/5 vote required)
RECOMMENDED ACTION: Approve.

FUNDING: PHCA Grant.

This matter was Approved on the consent calendar

7. [07-410](#) District Attorney recommending Resolution authorizing him to execute the Grant Award Agreement with the State Office of Emergency Services (OES) in the amount of \$172,086 for the period July 1, 2007 through June 30, 2008 to provide funding for the current Victim Witness Assistance Program; and Chairman be authorized to sign Certification for same.
RECOMMENDED ACTION: Adopt Resolution **059-2007**.

FUNDING: Office of Emergency Services.

This matter was Approved on the consent calendar

8. [07-411](#) District Attorney recommending Resolution amending the Authorized Personnel Allocation Resolution by **adding** one (1) Deputy District Attorney I/IV position, two (2) Investigator positions, one (1) Accountant/Auditor position and one (1) Legal Secretary I/II position for the Elder and Consumer Protection Unit; and recommending Chairman be authorized to sign Budget Transfer 27149 increasing revenues and expenses by \$112,589 for Fiscal Year 2006/2007 for same. (4/5 vote required)

RECOMMENDED ACTION: Adopt Resolution **060-2007**.

FUNDING: Grant's trust and agency funds.

This matter was Approved on the consent calendar

9. [07-293](#) Environmental Management Department recommending Chairman be authorized to sign bid documents to purchase and install geosynthetics for the final closure of 13.6 acres at the Union Mine Disposal Site Project 031-PW-06/07-BOS; and said Department be authorized to advertise for bids for said Project.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

10. [07-296](#) Environmental Management Department recommending Chairman be authorized to sign the bid documents for the final closure of 13.6 acres at the Union Mine Disposal Site Project 032-PW-06/07-BOS; and said Department be authorized to advertise for bids for said Project.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

11. [07-372](#) Environmental Management Department recommending Resolution authorizing the submittal of the Reuse Assistance Grant Application for Fiscal Year 2007/2008 to the State of California Environmental Protection Agency, California Integrated Waste Management Board.

RECOMMENDED ACTION: Adopt Resolution **058-2007**.

FUNDING: State of California Environmental Protection Agency.

This matter was Approved on the consent calendar

12. [07-324](#) General Services Department recommending Larry Anderson, Stan Butts, Frank Edwards, and Joe Nicponski be appointed to serve on the Georgetown Cemetery Zone of Benefit Advisory Committee for a term to expire March 6, 2008.

RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

13. [06-1588](#) Sheriff's Office and General Services Department recommending the following pertaining to the emergency replacement of security system at the South Lake Tahoe Jail:
- (1) Find that a state of emergency exists at the South Lake Tahoe Jail as a result of the failure of the closed circuit television and intercom communication systems;
- (2) Find that in accordance with County Ordinance Code 3.14.060, the County may dispense with competitive bidding requirements to immediately secure assistance from an outside vendor to perform the necessary emergency work; and
- (3) Authorize Purchasing Agent to issue a purchase order not-to-exceed \$175,000 for the "like" replacement of equipment and installation. (4/5 vote required) (Continued 2-27-2007, Item 27)
- RECOMMENDED ACTION:** Approve and continue for status review.

FUNDING: Accumulated Capital Outlay Fund and Criminal Justice Special Revenue Fund.

This matter was Approved on the consent calendar

14. [07-194](#) Sheriff's Department recommending adoption of Resolution continuing the state and local emergency declared on January 25, 2007, due to the severe cold weather, if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required) (Cont'd 2/27/07, Item 28)
- RECOMMENDED ACTION:** Adopt Resolution **057-2007**.

This matter was Approved on the consent calendar

15. [07-380](#) Sheriff's Department recommending the Board accept the award of the California Multi-Jurisdictional Methamphetamine Enforcement Team Grant (Cal-MMET) in the amount of \$208,000; and recommending Budget Transfer 27159 establishing associated expenditures. (4/5 vote required)
- RECOMMENDED ACTION:** Approve.

FUNDING: Cal-MMET, noting there is no County match associated with this grant.

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

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

16. [07-289](#) Development Services Department recommending the Board endorse and ratify grant application to provide funding to assist the County in the preparation of the County's Integrated Natural Resources Management Plan (INRMP) that was signed by the Chief Administrative Officer and submitted to the California Department of Fish and Game on January 16, 2007.

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

Noes: 1 - Briggs

17. [07-276](#) Transportation Department recommending Chairman be authorized to sign Agreement 06-1326 with Caltrop Corporation, Agreement 06-1327 with PB Americas, Inc., Agreement 06-1328 with Psomas, and Agreement 06-1329 with Vali Cooper & Associates, Inc. in the amount of \$2,000,000 each for the term of March 13, 2007 through March 12, 2009 to provide construction engineering and construction support services; and adopt recommended findings for same.

RECOMMENDED ACTION: Approve.

FUNDING: The funding source will vary depending upon which capital project is supported by these contracts. In general, the capital program is funded with the 2004 General Plan TIM fee program, grants and developer funding.

This matter was continued to April 10, 2007 upon adoption of the Agenda.

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

18. [07-341](#) Transportation Department recommending Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication 2007-01 from Monte McGuire and Martha Louise McGuire for a road right of way and public utilities easement (APNs 100-080-25 and 100-080-29) necessary to meet the condition of requirements for Boundary Line Adjustment 06-0065.

RECOMMENDED ACTION: Adopt Resolution **056-2007**.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to continue this matter to March 20, 2007.

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

19. [07-210](#) Transportation Department recommending Chairman be authorized to sign Agreement CTA-06005 and Contractor Certification for same with California Tahoe Conservancy in the amount of \$2,750 for the term December 1, 2006 through July 30, 2007 for the transfer of 25% of the gross income from California Tahoe Conservancy (CTC) leases to private individuals or groups on lands owned by the CTC in El Dorado County.

RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy.

This matter was Approved on the consent calendar

20. [06-1917](#) Transportation Department recommending Chairman be authorized to sign the following Agreements to provide geotechnical and geological engineering support services, including materials testing and environmental geotechnics, during the 2007 and 2008 construction seasons:
- (1) Agreement for Services AGMT 06-1240 with Kleinfelder, Inc. in an amount not to exceed \$500,000 for a two year term;
 - (2) Agreement for Services AGMT 06-1241 with Blackburn Consulting in an amount not to exceed \$225,000 for a term to expire December 31, 2008; and
 - (3) Agreement for Services AGMT 06-1242 with Youngdahl Consulting Group, Inc. in an amount not to exceed \$225,000 for a term to expire December 31, 2008.

RECOMMENDED ACTION: Approve.

FUNDING: 2004 General Plan Traffic Impact Mitigation Fee Program, Reimbursable Developer Fees, Federal Aid.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to approve this matter; and direct staff to return to the Board on March 20, 2007 with approval limitations for task orders, including approval authority and a reporting mechanism for same that includes a timeframe for said reporting.

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

21. [07-360](#) Human Resources Department recommending Resolution amending the Salary Range Schedule for the position of Chief Assistant Public Defender.

RECOMMENDED ACTION: Adopt Resolution **055-2007**.

FUNDING: General Fund.

This matter was Approved on the consent calendar

22. [07-309](#) County Counsel recommending continuation of said Department's current perpetual agreements with Sterling Codifiers and Computer Works, Inc.; and authorize the Purchasing Agent to establish blanket purchase orders to process the Fiscal Year 2006/2007 payments required.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was Approved on the consent calendar
23. [07-312](#) Supervisor Santiago recommending Pamela Nance be appointed to serve on the Mental Health Commission, South Lake Tahoe Council, for a term to expire January 2010.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
24. [07-408](#) Chief Administrative Office recommending Chairman be authorized to sign Amendment 2 to Agreement 481-S0611 with Potomac Partners increasing compensation amount by \$120,000 to \$ 270,000 for the term January 1, 2007 through January 1, 2008 to provide advocacy services at the Nation's Capitol for said Office; said Amendment is a technical amendment to include language to increase the amount necessary in the "do not exceed" provision to allow payments to occur.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
25. [07-088](#) Treasurer-Tax Collector requesting the Board, pursuant to Section 3.38.040 of the County Code and Section 53607 of the California Government Code, renew delegation of fiduciary authority to her to invest and re-invest County funds.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar
26. [07-013](#) Chief Administrative Office recommending that the workshop to be presented by the Information Technologies Department regarding technology trends and directions scheduled for March 13, 2007 be rescheduled to the March 27, 2007 Board of Supervisors meeting at 2:00 p.m.
RECOMMENDED ACTION: Approve.

This matter was Approved on the consent calendar

27. [07-422](#) Auditor-Controller recommending the Board review financial reports for Countywide Special Revenue Funds for the year ending June 30, 2006 and the six months ending December 31, 2006.

RECOMMENDED ACTION: Receive and file.

This matter was Approved on the consent calendar

28. [07-440](#) General Services Department requesting Director of said Department be authorized to sign Change Order No. 1 to Agreement 596-S0611 with The Trane Company increasing the contract amount by \$11,685 for replacement parts for the chiller located at the El Dorado Government Center, Buildings A and B in Placerville.

RECOMMENDED ACTION: Approve.

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

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

END CONSENT CALENDAR

DEPARTMENT MATTERS/NOTICED HEARINGS

29. [07-393](#) Supervisor Baumann recommending the Board adopt a Proclamation recognizing March 12-17, 2007 as "Small Business Week" in El Dorado County.

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

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

30. [07-286](#) Adoption of Ordinance **4719** replacing Ordinance Code Section 15.14 pertaining to the Grading, Erosion and Sediment Control Ordinance (Grading Ordinance) and Design Manual; said Ordinance is undergoing an update to bring it into conformance with current State law, the new County General Plan, other County ordinance requirements, and the adopted Storm Water Management Plan and has also been reformatted to limit the ordinance to necessary legal authorizations and to place technical design and procedural requirements in a volume of the County's Design and Improvement Standards Manual (Design Manual). (Introduced 2/27/07, Item 45)

A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to adopt Ordinance 4719.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Noes: 1 - Briggs

31. [07-391](#) Chief Administrative Office recommending the Board receive and file Fiscal Year 2006-2007 Mid-Year Budget Report.
No action required.
32. [07-409](#) Chief Administrative Office recommending the Board receive the Strategic Plan Framework for fiscal years 2007-08 and 2008-09 and staff to provide feedback on March 20, 2007 with final adoption on March 27, 2007.
No action required.
33. [07-377](#) Chief Administrative Office providing recommendations to the policy pertaining to public works and professional services contracting. (Cont'd. 3/6/07, Item 31)
No formal action taken; however, by consensus staff directed to bring said Policy back to the Board for adoption on March 20, 2007.

2:00 P.M. - TIME ALLOCATION

34. [07-291](#) Hearing to consider General Plan Amendment A06-0005 to amend Policy HO-3g to provide a 10-year waiting period for condominium conversions for any apartment and a 20-year period for affordable rental units; said Amendment regulates the time frame in which apartment complexes may be converted to condominiums in order to retain affordable housing in the form of rental stock in the County.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Briggs to approve General Plan Amendment A06-0005, based on the findings of the Planning Commission.

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Absent: 1 - Sweeney

35. [07-430](#) Hearing to consider Ordinance Amendment OR07-0002 initiated by the El Dorado County Planning Commission to consider amending Chapter 17.22 of the County Code, Site Plan Review, to include a General Plan Consistency Analysis; and waive reading, read by title only and continue to March 20, 2007 the adoption of said Ordinance replacing Interim Ordinance No. 4690 which established a requirement for an analysis of General Plan consistency on the issuance of building and grading permits. (General Plan FEIR [SCH2001082030])

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Dupray to certify that the amendment is consistent with the General Plan Final Environmental Impact Report; approve Ordinance Amendment OR07-0002, based on the findings by the Planning Commission; and adoption of said Ordinance continued to March 20, 2007.

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Absent: 1 - Sweeney

36. [07-434](#) Hearing to consider adoption of Resolution establishing a new agricultural preserve (Williamson Act Contract WAC06-0014) in the Somerset area (District II) and ordinance to rezone APN 046-061-37 from Estate Residential Ten-acre (RE-10) to Agricultural Preserve (AP) requested by Greg and Sharon Baiocchi **was continued by the Planning to Commission to July 12, 2007 and is calendared to be heard by the Board of Supervisors at 2:00 p.m., Tuesday, August 14, 2007.**

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to continue this hearing to 2:00 p.m., August 14, 2007.

Yes: 4 - Dupray, Baumann, Briggs and Santiago

Absent: 1 - Sweeney

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 37. [07-413](#) Pursuant to Government Code Section 54956.9(a), **Existing Litigation:**
Title: U.S.A. v. El Dorado County, City of South Lake Tahoe, et al., U.S. District Court Case No. S-01-1520 MCE GGH (ED CA).
No action reported.

- 38. [07-432](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of General Services.
No action reported.

- 39. [07-433](#) Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Director of Environmental Management.
No action reported.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual, Power Point or transparencies presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience. Only those speakers that provide this required number of hard copies will be permitted to proceed with a visual presentation.

Notice of any Agenda ADDENDA will be recorded on the "AGENDA HOTLINE" (530) 621-6622 no later than 8:00 A.M. on Saturday preceding the Tuesday meeting.

Persons interested in serving on any Board of Supervisors ADVISORY BOARD, COMMITTEE, OR COMMISSION are encouraged to complete an application form (available in the office of the Clerk of the Board of Supervisors, or on line) and submit same to the board, committee or commission, to the County Department which supports the board, committee or commission, or to the Clerk of the Board of Supervisors.

VIDEO TAPES of regular, Tuesday Board of Supervisors meeting are BROADCAST ON CABLE TV as follows:

West Slope - Comcast - Channel 2, Wednesday at 4:00 P.M.

South Lake Tahoe - Charter Cable 21, Daily - Time varies