

C O N F O R M E D A G E N D A

**Regular Meeting of the Board of Supervisors
El Dorado County, California**

Tuesday, January 25, 2005 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane
Placerville, California
530 621-5390
FAX 622-3645
co.el-dorado.ca.us/bos

CHARLIE PAINE

Fourth District
Chairman

RUSTY DUPRAY

First District

HELEN K. BAUMANN

Second District

JAMES R. SWEENEY

Third District
Second Vice Chairman

DAVID A. SOLARO

Fifth District
First Vice Chairman

Clerk of the Board
Cindy Keck

Chief Administrative Officer
Laura S. Gill

County Counsel
Louis B. Green

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

9:00 A.M. - CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

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

BOARD ACTION - Agenda adopted with items 6, 23 and 26 pulled from the Consent Calendar for separate action; items 53, 56, 59, 60 and 61 added to Consent Calendar for approval; and item 17 pulled from the Consent Calendar to be heard with item 62. Consent Calendar approved as modified. 35124

PRESENTATION by Greta Wallace, State Director of Child Support Services, to El Dorado County for being the "Top Ten County" in Federal Fiscal Year 2003/2004.

PRESENTATION proclaiming January 30 through April 4, 2005 as the "Season of Nonviolence" in El Dorado County. 31245

OPEN FORUM

CONSENT CALENDAR

1. Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Regular Meeting of January 11, 2005 and Special Meeting of January 10, 2005.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Agreement with Snowline Hospice of El Dorado County, Inc. for a term commencing January 25, 2005 to provide ambulance transport for enrolled hospice patients.

RECOMMENDED ACTION: Approve.

3. Public Health Department recommending Chairman be authorized to sign Agreement with the City of Placerville Police Department designating said Department as an Automated External Defibrillation (AED) Service Provider and assuring compliance with the County AED Program.

RECOMMENDED ACTION: Approve.

4. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement 402-PHD1004 with El Dorado Hills Community Services District in an amount not to exceed \$11,269 for the term October 1, 2004 through September 30, 2005, to perform a fifth year of services with regard to Public Health's Drug-Free Communities Support Program Grant for the purpose of reducing substance abuse among youths, adults and their families. (Funding: U.S. Dept. of Justice Drug Free Communities Grant)

RECOMMENDED ACTION: Approve.

5. Mental Health Department recommending Chairman be authorized to sign Agreement 421-S0511 with Victor Treatment Centers, Inc. in an amount not to exceed \$75,000 for a *one year term*, with a provision to extend the term *for an additional 90 days*, for a day treatment and medication support program for Medi-Cal children. (Funding: Medi-Cal, Department 15, Mental Health)

RECOMMENDED ACTION: Approve.

6. Human Resources recommending job specifications for the modified classification of Mental Health Program Coordinator IA/IB/II; and adoption of Resolution re-designating the bargaining unit for said classification, effective the first full pay period following adoption of same.

RECOMMENDED ACTION: Adopt Resolution **013-2005** and approve changing the benefits for current regular Mental Health Program Coordinator IA/IB/II employees from those contained in the Professional Unit (PL) to those contained in the Supervisory Unit (SU).

Board adopted Resolution 013-2005 with the addition that said employees be granted 16 hours of Supervisory Leave effective the first full payperiod following adoption of same; and directed Human Resources and County Negotiators to meet with El Dorado County Employees Association, Local 1 concerning the issue of 32 hours of retroactive Supervisory Leave, and if approved, implementation of same. 12345

7. Human Resources recommending Resolution amending Authorized Personnel Allocation Resolution 313-2004 by **deleting** one Division Chief of Administration position, one Division Chief of Social Services position, one Public Guardian/Public Conservator position, one Housing, Community and Economic Development Manager position, one Nutrition Services Supervisor position, and **adding** one Assistant Director of Human Services position, two Program Manager I positions, one Administrative Services Officer position, and one Department Analyst position for implementation of the Human Services Management Restructuring Plan, effective February, 2005.

RECOMMENDED ACTION: Adopt Resolution **014-2005**.

8. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 333-S0511 with Christine Anne Scott dba Excel Professional Tutoring in an amount not to exceed \$20,000 for a two (2) year period for academic tutoring services for clients of Child Protective and Employment and Training Services. (Funding: Welfare to Work Program, 50% Federal, 35% State and 15% County)

RECOMMENDED ACTION: Approve.

9. Planning Department recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements with KFRD Investments, Inc. for the final map for Parcel Map P99-13 for the Barnett Business Park in the Shingle Springs area.
RECOMMENDED ACTION: Approve.

10. Transportation Department recommending Notice of Completion for asphalt concrete overlay for portions of Wilson Boulevard under contract to Delta Construction Company, Inc. (Contract No. PW04-24).
RECOMMENDED ACTION: Authorize Chairman to sign and said Notice be filed with Recorder-Clerk.

11. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-38) from James B. and Susan M. Greenwalt as Trustees of the Greenwalt Family Trust established on June 21, 2001 for a road right of way including underlying fee, landscape easement, and a slope easement located on Bass Lake Road (APN 115-040-04-100) in El Dorado Hills pursuant to the terms and provisions contained in the Bass Lake Hills Specific Plan Development Agreement to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.
RECOMMENDED ACTION: Adopt Resolution **015-2005**.

12. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-32) from Dat Vihn Ma for a road right of way including the underlying fee and slope easements located on Bass Lake Road (APN 108-130-14-100) in El Dorado Hills necessary to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.
RECOMMENDED ACTION: Adopt Resolution **016-2005**.

13. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-33) from Thomas P. Smiley, Gale D. Smiley, and J. Guy Farthing, as Trustee of the Farthing Family Living Trust dated October 17, 1986 for a road right of way including underlying fee, landscape easements and slope easements located on Bass Lake Road (APN 108-130-23-100) in El Dorado Hills pursuant to the terms and provisions contained in the Bass Lake Hills Specific Plan Development Agreement to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.

RECOMMENDED ACTION: Adopt Resolution 017-2005.

14. Transportation Department recommending Board authorize Right of Way Unit staff to proceed with the acquisition process for the following parcels or portions of parcels for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317: APN 327-130-12 (Kuldip Singh & Satkamaliit K. Birk); APN 327-13-13 (Roginson Fm. Trust of 8/5/97); APN 327-130-14 (McCreary Fm. Liv. Rev. Trust); APN 327-130-18 (Jesus Lemus & Maria Gonzalez); APN 327-130-19 (Shirley M. Stonebraker); APN 327-130-21 (Michael F. & Eugenia B. Wix); APN 327-130-22 (Phyllis Joan Rogers); APN 327-130-25 (Cody 1997 Fam. Rev. Trust); APN 327-130-28 (Michael L. & Nannette M. Lubinski); APN 327-190-34 (W. Jean Hall); APN 327-190-35 (Cecil L. & Pamela Sandefer); APN 327-190-36 (William & Victoria Katona); APN 327-290-58 (WRI Golden State LLC); APN 325-180-14 (Taff A. & Dorothy A. Freitas); APN 325-230-18 (Rizooly Rev. Trust of 7/6/2000); APN 325-230-23 (Trevor P. Thomas, Musante Liv. Trust & Gayle Summers); APN 327-211-01 (Bowman Rev. Trust of 5/14/97); APN 327-211-02 (Myrtle A. Dodgson); APN 327-211-03 (Roger Miller & Julie Clark); APN 327-130-35 (Jack in the Box Inc.); APN 327-130-41 (Washington Mutual Bank FA); APN 327-130-40 (Western Sierra National Bank); and APN 327-130-61 (Safeway Inc.) (Funding: State TIM Fees)

RECOMMENDED ACTION: Approve.

15. Transportation Department recommending Chairman be authorized to sign Agreement 04-754 with David Ford Consulting Engineers, Inc. in an amount not to exceed \$35,000 for a one year term with option for a one year extension to provide "as-needed" hydrologic and hydraulic engineering professional services specific to the Lake Tahoe Basin. (Funding: Various Tahoe Erosion Control Grants)
RECOMMENDED ACTION: Approve.
16. Chief Administrative Office, Procurement and Contracts Division, recommending the Board find it is more economical and feasible to "contract out" in accordance with County Ordinance 3.13, Section 3.13.030; and Chairman be authorized to sign Agreements with Tony's Tow and Transport, Inc. (369-S0511), G & O Body Shop, Inc. (370-S0511), Crystal View Enterprises, Inc. (371-S0511), and Johnson Investment Corporation, dba Extreme Towing (372-S0511) in the amount of \$20,000 each for a one year term for vehicle abatement services.
RECOMMENDED ACTION: Approve.
17. Chief Administrative Office, Procurement and Contracts Division, recommending Purchasing Agent be authorized to utilize the new bid with Western States Contracting Alliance (WSCA) for acquisition of computer hardware and related peripherals for use County-wide. (Funding: General Fund and Non-General Fund)
RECOMMENDED ACTION: Approve and authorize purchase orders on an "as-requested" basis with WSCA authorized contractors for a one year term. 32145
18. Chief Administrative Office recommending award of Bid 05-405-060 for propane at various West Slope County Departments. (Funding: General Fund and Non-General Fund)
RECOMMENDED ACTION: Authorize blanket purchase order to AmeriGas of Placerville, California in the amount of \$100,000 including sales tax for a twelve (12) month period and authorize an increase to same on an as-needed basis during the awarded period if funding is made available within the requesting department's budget.

19. Supervisor Paine, on behalf of the Early Care and Education Planning Council, recommending approval of membership information as outlined in letter dated December 9, 2004. (Continued 1/11/2005, item 60)
RECOMMENDED ACTION: Approve and authorize Chairman to sign membership document.

20. Supervisor Solaro recommending Proclamation recognizing Tom Davis, South Lake Tahoe City Councilman and past Mayor, upon his retirement after many years of community service to the City of South Lake Tahoe.
RECOMMENDED ACTION: Adopt Proclamation.

21. Supervisor Dupray recommending Certificate of Recognition for Karen Luis on the occasion of her retirement from the Department of Transportation.
RECOMMENDED ACTION: Approve.

22. Supervisor Baumann recommending the Board appoint Supervisor Sweeney to serve as the alternate El Dorado County representative to the "Central" subregion of the Sierra Nevada Conservancy Board.
RECOMMENDED ACTION: Approve.

23. Supervisors Baumann and Paine recommending the Board direct the Agricultural Commissioner to immediately establish and oversee the Agricultural Sign Committee; said Committee to be composed of one representative from each of the following organizations: Agricultural Council, El Dorado County Farm Bureau, El Dorado County Winery Association, Fair Play Winery Association, Apple Hill Growers, El Dorado County Christmas Tree Growers, El Dorado Wine Grape Growers Association and El Dorado County Planning Commissioner, John MacCready.
RECOMMENDED ACTION: Approve. Board directed the Agricultural Commissioner to report back on April 19, 2005 with a status report pertaining to same. 24135

24. County Service Area 010 recommending Chairman be authorized to sign Amendment 001 to Agreement 037-04/05 with R3 Consulting Group, Inc. extending the term to January 31, 2006 for audit services of El Dorado Disposal Services, Inc. and Western El Dorado Recovery Systems, Inc. (Funding: Non-General Fund)

RECOMMENDED ACTION: Approve.

25. Sheriff Department recommending Chairman be authorized to sign Budget Transfer 25060 transferring \$6,200 from the Asset Seizure Trust Fund to the Sheriff's operating budget to purchase thirty-five (35) copies of Microsoft MapPoint software for the mobile computer aided dispatch system. (Funding: Asset Seizure Trust Fund)

RECOMMENDED ACTION: Approve.

26. Human Resources recommending ratification of the Memorandum of Understanding (MOU) between the County of El Dorado and the County Counsel Association for the term from January 1, 2005 through December 31, 2008. (Funding: General Fund)

RECOMMENDED ACTION: Approve and authorize Chairman to sign. 34124

27. Fair Board of Directors inviting the Board of Supervisors for lunch on **Tuesday, February 8, 2005, at noon**, in the Board Room at the Fairgrounds.

RECOMMENDED ACTION: Accept invitation.

28. University of California Cooperative Extension (UCCE) recommending Chairman be authorized to sign Memorandum of Understanding (MOU) with The Regents of the University of California to provide funding to the County's UCCE Program for support to the Natural Resources and Animal Agriculture Program for the Division of Agriculture and Natural Resources (ANR) for a term effective upon execution and terminating in June 2007; and Chairman be authorized to sign Budget Transfer increasing estimated revenue by \$37,188 for fiscal year 2004/2005 for same. (4/5 vote required) (Funding: University Funding)

RECOMMENDED ACTION: Approve.

29. Agriculture, Weights and Measures Department recommending the submittal of up to six grant applications to renew the agreements with the California Department of Food and Agriculture for weed survey and eradication projects for fiscal years 2005/2006 and 2006/2007.

RECOMMENDED ACTION: Approve and said Department to return to the Board for approval upon notification of grant award.

30. Sheriff requesting authorization to sign a Contract with the El Dorado Union High School District for which the District will pay \$100,000 and Sheriff to fund the remaining \$100,000 with projected growth in Proposition 172 revenue for the 2004/2005 school year for two School Resource Officers at Oak Ridge and Union Mine High Schools.

RECOMMENDED ACTION: Approve, noting contract is retroactive as to term, however, the proposed budget assumed the elimination of this program and was subsequently funded in the final budget.

31. Transportation Department recommending award of contract to the lowest responsive, responsible bidder, Hanford Applied Restoration and Conservation in the amount of \$1,788,848.55 for the Angora Creek Stream Environment Zone Restoration Project JN95147. (Funding: California Tahoe Conservancy, Bureau of Reclamation and Tahoe Regional Planning Agency)
RECOMMENDED ACTION: Approve and authorize Chairman to sign Contract upon final approval by County Counsel and Risk Management.

END CONSENT CALENDAR

DEPARTMENT MATTERS: At the time the Board acts upon the Consent Calendar, it may select individual Department Matters to be moved to the Consent Calendar for approval, absent objections and/or requests of staff or the public to speak to those matters.

50. Mental Health Department providing presentation pertaining to the purpose and requirements of Proposition 63, the Mental Health Services Act, and outlining the initial planning steps to be taken by said Department with regard to same.
No action taken.

51. Public Health Department recommending the Board approve in concept granting the El Dorado County Community Health Center and the Department of Human Services \$950,000 and \$150,000 respectively, in Tobacco Master Settlement Agreement funding, previously set aside for "One Stop Safety Net Facilities" to assist with upgrades necessary with the expansion of said Center's medical facility to 7,000 square feet and in consolidating the Human Services staff in one location for one-stop access by the public.
BOARD ACTION - Approved. 25134

52. General Services recommending Chairman be authorized to sign Retroactive Amendment 004 to Agreement 366-S0311 with Environmental Stewardship and Planning, Inc. extending the term from December 31, 2004 to December 31, 2005, with no increase in compensation, for California Environmental Quality Act compliance services for the Bass Lake Regional Park Project.

BOARD ACTION - Approved. 14235

53. Chief Administrative Office recommending Chairman be authorized to sign Amendment 003 to Agreement 027-S0311 with Aramark Uniform and Career Apparel, Inc. increasing compensation by \$5,000 to an amount not to exceed \$45,000 for the term January 7, 2003 through January 6, 2005 for laundry and linen services on an "as-requested" basis County-wide. (Funding: General Fund and Non-General Fund)

ADDED TO CONSENT CALENDAR: Approved. 35124

54. Supervisor Paine recommending Supervisor Dupray be appointed as the Board's representative to the Sierra Economic Development District and the Sierra Planning Organization District Boards and Supervisor Sweeney be appointed as a member to the Local Agency Formation Commission and Supervisor Paine be appointed as alternate to same.

BOARD ACTION - Supervisor Dupray appointed as the Board's representative to the Sierra Economic Development District and the Sierra Planning Organization Boards; Supervisor Sweeney appointed as the Board's representative to the El Dorado County Transportation Commission, replacing Supervisor Paine; and Supervisor Paine to remain as a member to the Local Agency Formation Commission. 23145

55. Staff updating the Board on proposed changes to County Ordinance 8.08.070 concerning campfires and enforcement of same. (Refer 11/30/2004, item 56)

BOARD ACTION - Continued to **February 8, 2005.** 32145

56. Sheriff Department recommending Chairman be authorized to sign Retroactive Facility Lease Agreement with Peter Garibaldi in the annual amount of \$3,300 for the term November 22, 2004 through November 21, 2009 for use of a radio vault on his property in Fairplay, California, noting delay due to transition of lease administration between General Services and Sheriff Department. (Funding: General Fund)

ADDED TO CONSENT CALENDAR: Approved. 35124

57. Chief Administrative Office recommending the following:

(1) Find that it is more economical and feasible to contract out for services in accordance with County Ordinance 3.13, Section 3.13.030;

(2) Award Request for Proposal 05-405-016 to the sole qualified proposer, Hunt and Sons of Placerville, California for a commercial card lock fueling program; and

(3) Authorize Chairman to sign Agreement with same in an amount not to exceed \$5,000,000 for a five year term. (Funding: General Fund and Non-General Fund) (Item 56, 12/14/2004)

BOARD ACTION - Approved. 35124

58. Chief Administrative Officer updating the Board on the status of the Draft Vehicle Use and Procurement Policy. (Item 56, 12/14/2004)

BOARD ACTION - Board received and filed update and directed Chief Administrative Officer to return to the Board on **March 29, 2005** with said Policy. 34125

59. Sheriff Department recommending Board find that pursuant to County Charter Section 210b(6) this work can be more economically and feasibly performed by an independent contractor; and authorize Chairman to sign Agreement 367-S0511 with Michael W. Harris dba Harris and Harris Enterprises in an amount not to exceed \$20,000 for a term to expire April 30, 2005 for an updated needs assessment for the Placerville Jail. (Funding: Rural Counties State Grant)
ADDED TO CONSENT CALENDAR: Approved. 35124
60. Sheriff Department recommending Board find that pursuant to County Charter Section 210b(6) this work can be more economically and feasibly performed by an independent contractor; and authorize Chairman to sign Agreement 381-S0511 with Steven E. Reader dba Steven Reader Enterprises in an amount not to exceed \$25,000 for a term to expire December 31, 2005 for consulting services related to Criminal Justice facility programming, planning and liaison. (Funding: Accumulated Capital Outlay)
ADDED TO CONSENT CALENDAR: Approved. 35124
61. Sheriff Department recommending Purchasing Agent be authorized to encumber, and the Auditor-Controller to pay, the Sheriff's portion of the operating expenses in the amount of \$23,505 for the South Lake Tahoe Narcotics Enforcement Task Force (SLEDNET), noting retroactive as to term.
ADDED TO CONSENT CALENDAR: Approved. 35124
62. Auditor-Controller recommending Chairman be authorized to sign Budget Transfer 25062 appropriating \$45,150 from the Auditor's computer automation trust fund for the purchase of computer, monitors, and electronic imaging equipment and supplies; and further recommending Purchasing Agent be authorized to issue purchase orders to Dell, CDWG and CD International for said equipment, noting purchases authorized in accordance with Board Policy A-10.
BOARD ACTION - Board approved recommended purchases in accordance with Board Policy A-10. 32145

BOARD OF SUPERVISORS CONVENED AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY (IHSS) TO CONSIDER THE FOLLOWING:

70. Human Services Department recommending Chairman be authorized to sign Participation Agreement and Participating Employer's Approval of Plan Selection with Symetra Life Insurance Company for IHSS provider health benefits. (Funding: Federal, State, Local Revenue/fiscal impact of \$300,000 cost - County contributes \$60,000)
BOARD ACTION - Approved. 32145

IN HOME-SUPPORTIVE SERVICES PUBLIC AUTHORITY TO ADJOURN.

TIME ALLOCATION - 10:00 A.M.

80. Hearing to consider appeal of the Employee Relations Officer's determination pertaining to the proposed El Dorado County Management Association. **(Staff recommending item be continued to the March 1, 2005 Board of Supervisors Meeting)**
BOARD ACTION - Board approved request for continuance to **March 1, 2005.** 13245
81. Presentation by Waste Management, Inc. updating the Board on its progress in complying with the August 23, 2004 franchise agreement and implementation schedule; and requesting the County's cooperation in expediting permits for the modification and re-construction of its Materials Recovery Facility in Diamond Springs.
BOARD ACTION - Board directed the Environmental Management, Transportation and Development Services Departments to expedite their respective permit reviews that are applicable to Waste Management, Inc.'s Diamond Springs facility improvement plan. 31245

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

TIME ALLOCATION 2:00 P.M.

90. Hearing to consider appeal of Ray Larsen and Eugene Larsen on the Zoning Administrator's approval of Variance V03-0005 (APN 085-570-24) and Variance V03-0006 (APN 085-570-23) which would allow a reduction of the 200-foot agricultural setback from all property lines for said property located in the Camino area. (District III) (Applicants: Frank and Lynn Gaspar and Calvin Devnich)

BOARD ACTION - Board **denied the Appeal**, thereby upholding the Zoning Administrator's approval of V03-0005 (Gaspar) and V03-0006 (Devnich), with the caveat that Planning, County Counsel and the Recorder/Clerk confer as to the correct terminology pertaining to the "*Notice of Variance/Notice of Restriction*".

351 2(n) 4(n)

91. Hearing to consider the El Dorado County Bicycle Transportation Plan which encompasses the West Slope of El Dorado County from approximately the area of Pollock Pines west to the County line in El Dorado Hills.

BOARD ACTION - Hearing no protests, the Board adopted Resolution **027-2005** adopting the Mitigated Negative Declaration, Mitigation Monitoring Program in accordance with Section 15074(d) of the California Environmental Quality Act (CEQA) Guidelines, and the El Dorado County Bicycle Transportation Plan; thereby rescinding the El Dorado County Bicycle Master Plan adopted in 1979.

1524 3(n)

BOARD OF SUPERVISORS ADJOURNED IN MEMORY OF MARINE SERGEANT ZACHARIAH S. DAVIS WHO WAS KILLED IN THE LINE OF DUTY ON JANUARY 6, 2005 IN IRAQ.

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

January 25, 2005 - 8:00 A.M.

Board to meet in Closed Session to confer with or receive advice from Counsel on the following pursuant to Government Code Section cited:

Section 54956.9(a), Existing Litigation:

- El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case #CIV .S-02-1818 GEB DAD; and El Dorado County v. California Department of Transportation, et al. Superior Court of California-County of Sacramento. Case No. 03CS00003.
BOARD ACTION - On a unanimous vote, the Board authorized the filing of an appeal on all issues in this matter.
- Pacific Gas and Electric Company (PG&E) v. State Board of Equalization; County of Butte; County of El Dorado; County of Mariposa; County of Nevada; County of Placer; County of Plumas; County of Sierra and County of Yuba. Superior Court of California-County of Fresno. Case No. 05- CE CG 00003 MWS.
BOARD ACTION - On a unanimous vote, the Board authorized County Counsel to defend this matter and authorized the retention of Rutan and Tucker, in conjunction with Allen Haim, to provide defense in this matter.
- Citizens Organization for Responsible Development v. El Dorado Hills Community Services District, El Dorado County Superior Court Case No. PC20040584.
BOARD ACTION - On a unanimous vote, the Board authorized the Chairman to execute a Settlement Agreement, once the language and drafting is completed by County Counsel, pursuant to which the County will be dismissed from this lawsuit; said Community Services District will continue in this litigation.

Section 54956.8, **Conference with Real Property Negotiator:**

- Instructions to negotiator regarding real property described as APN 067-030-06. The persons with whom the negotiator may negotiate are Liz Stellar, Senior Land Agent for the State of California, and Jim Michaels, Associate Parks and Recreation Specialist. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Instructions to negotiator regarding real property described as APN 067301-05. The persons with whom the negotiator may negotiate are Timothy Lee Bolen and Lana J. Bertsch. Instructions to negotiator will concern price and terms of payment.
No action reported.

Section 54957.6, **Conference with Labor Negotiator:**

- County Negotiator: Robert Muszar, Industrial Employers and Distributors Association (IEDA).
Employee Organization: El Dorado County Employees Association, Local 1, Deputy Sheriff's Association Welfare Investigators, and Operating Engineers, Local 3.
No action taken that required reporting out under the Brown Act, however, directions were given to County negotiators and those directions are to be implemented through the communication and negotiation process with the Unions.
- County Negotiator: Director of Human Resources
Employee Organization: County Counsel Association, Criminal Attorney Association, El Dorado County Employees Association, Local 1
Unrepresented Employee: Department Heads, Executive Management.
No action reported.

Section 54957, **Public Employee Performance Evaluation:**

- Title: Director of Human Services.
No action reported.

