

**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, July 12, 2005 - 8:00 A.M.*

BOARD OF SUPERVISORS MEETING ROOM  
330 Fair Lane, Building A  
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

**VACANT**  
Fifth District

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 53, 57 and 58 added to the Consent Calendar for approval; Consent Calendar approved as modified. 1324

**PRESENTATION** of Certificate of Recognition to Cherie J. Vallelunga for over 20 years of service to El Dorado County.

**OPEN FORUM**

**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, June 28, 2005.  
**RECOMMENDED ACTION:** Approve.
2. Release of Lien (on file with the Clerk).  
**RECOMMENDED ACTION:** Approve.
3. Human Services, Social Services Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 560-S0410 with Shirley Mueller dba High Country Communications increasing compensation from \$10,000 for one year and \$20,000 for two years and extending the term to July 11, 2006 to provide after hours answering services for Child Protective Services and Public Guardian divisions. (Funding: Federal/State/Realignment, \$10,000 budgeted for each fiscal year)  
**RECOMMENDED ACTION:** Approve.

4. Human Services, Community Services Division, recommending Chairman be authorized to sign retroactive Amendment 01 to Contract CFC-0405-01-A with First 5 El Dorado extending the term to June 30, 2006 to enable the provider continued receipt of federal revenues from eligible Medi-Cal Administrative Activities (MAA), noting retroactive as to term, processing delayed pending receipt of expected new State policy concerning participating provider eligible matching funds. (Funding: Federal MAA Revenues, \$100,000 included in the fiscal year 2005/2006 budget request)  
**RECOMMENDED ACTION:** Approve.
5. Human Services, Community Services Division, recommending Resolution authorizing Chairman to sign Agreement AP-0506-29 and accompanying Certifications with the State Department of Aging in the amount of \$1,231,287 for the term July 1, 2005 through June 30, 2006 for Title III/VII and State Funded Community Based Services Programs (CBSP) for seniors; and Area Agency on Aging Director be authorized to administer said Agreement and execute subsequent documents relating to same that do not affect the dollar amount or term, noting retroactive as to term. (Funding: Federal and State Grant and Local)  
**RECOMMENDED ACTION:** Adopt Resolution **214-2005**.
6. County Service Area 10 consideration of Notice of Completion for the construction of the 3,000 square foot storage building at the Union Mine Landfill under contract with Vinciguerra Construction.  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
7. Planning Services submitting final map (TM95-1305R) for Ridgeview West, Unit 3 in El Dorado Hills; and recommending Chairman be authorized to sign the Agreement to Make Subdivision Improvements with Ridgeview West, LLC.  
**RECOMMENDED ACTION:** Approve.

8. General Services Department recommending the Board exercise the option to extend Facility Use Agreement 386-L0011 with Mother Lode Lions Club in the amount of \$1,500 per month for the use of the facility at 1741 Missouri Flat Road, Diamond Springs, California for the Senior Nutrition Program; said renewal extends the term for one additional year retroactive to July 1, 2005 through June 30, 2006, with the option of one additional year renewal thereafter. (Funding: Non-General Fund)  
**RECOMMENDED ACTION:** Approve.
9. General Services Director requesting authorization to sign Change Order No. 04 to Agreement 069-C0599 with M and H Builders, Inc. revising the scope and increasing compensation by \$21,604 for a total contract amount of \$5,178,059 for the construction of the El Dorado Hills Library, noting said Change Order increases scope for seismic strapping, skylight installation, weather protection for book return system, addition of shade pockets, change in register sizes, enlarging window frames, and changing slope of driveway encroachment. (Funding: Community Enhancement Funds, El Dorado Hills Community Facilities District Mello-Roos 1992-1)  
**RECOMMENDED ACTION:** Approve.
10. Recorder-Clerk/Registrar of Voters recommending Resolution authorizing the consolidation of local district elections with the upcoming Special Statewide Election to be held on Tuesday, November 8, 2005.  
**RECOMMENDED ACTION:** Adopt Resolution **215-2005**.
11. Treasurer-Tax Collector recommending the continuation of the following perpetual agreements: Bank of America, Bloomberg LP, BNY Western Trust, Columbia Ultimate (CUBS), Electronic Data Systems, Netvantage, Inc., Professional Consultancy Inc., (PCI), and Sympro, Inc. (Funding: Included in fiscal year 2005/2006 budget request)  
**RECOMMENDED ACTION:** Approve and authorize the Auditor-Controller to pay approved invoices.

12. Treasurer-Tax Collector recommending approval of the 457 Deferred Compensation Plan Statement of Investment Policies and Guidelines.  
**RECOMMENDED ACTION:** Approve.
13. Transportation Department recommending Resolution summarily vacating (AOE 2005-29) portions of four five-foot wide public utility easements located along the common boundary line of APNs 112-770-20-100 and 112-770-21-100, The Promontory Village No. 6, Unit 2A, Lots 83 and 84 as requested by Derrek L. Lee and Christina Lee to accommodate planned construction of improvements on subject lots.  
**RECOMMENDED ACTION:** Adopt Resolution **209-2005**.
14. Transportation Department recommending Resolution summarily vacating (AOE 2005-27) two five-foot wide public utilities easements and terminating and abandoning a rejected offer for two five-foot wide drainage easements located on the side boundary lines of APN 113-220-08-100, Village H El Dorado Hills Unit 3, Lot 145 as requested by Barton J. Cox and Holly P. Cox to accommodate construction of a retaining wall on subject lot.  
**RECOMMENDED ACTION:** Adopt Resolution **210-2005**.
15. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-17) from Kenneth D. Welsh and Eveline P. Welsh for a road right of way, including the underlying fee, a public utilities easement and a slope easement located along a segment of Hollow Oak Road (APN 108-120-20-100) in El Dorado Hills, pursuant to the terms and provisions outlined in the Bass Lake Hills Specific Plan Development Agreement to accommodate improvements to Hollow Oak Road.  
**RECOMMENDED ACTION:** Adopt Resolution **211-2005**.

16. Transportation Department recommending Resolutions accepting Irrevocable Offers of Dedication (IOD 2005-10) from William Kearns and Marcia Roth for a right of way easement, a public utilities easement and a slope easement located on Old Ranch Road (APN 105-190-22-100) in the unincorporated area of Placerville, said offer is necessary in order to satisfy a condition of approval for Certificate of Compliance COC04-75.  
**RECOMMENDED ACTION:** Adopt Resolutions **212-2005** and **213-2005**.
  
17. Transportation Department recommending Chairman be authorized to sign the Forest Highway Agreement AGMT 05-877 with the U.S. Department of Transportation, Federal Highway Administration, Central Federal Lands Highway Division (FHWA) to identify Forest Highway routes and formalize terms and conditions for project selection, project agreements, survey, design, construction, rights-of-way acquisition and maintenance of said highways in El Dorado County.  
**RECOMMENDED ACTION:** Approve.
  
18. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for work performed that are not expressly identified in County classifications and that the ongoing aggregate of work performed under this Agreement is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Agreement for Services AGMT 05-853 with Environmental Stewardship and Planning, Inc. in an amount not to exceed \$200,000 for a term to expire May 31, 2007 to provide "as-needed" environmental review services in support of projects included in the County's five-year Capital Improvement Program and other County activities as required, noting the process for selecting this vendor began in April, prior to the discussion of the vendor review and selection process. The panel for selecting the vendor was multi-departmental (DOT, and Development Services)(Funding: Impact fees and grants, funds included in 2006/2007 budget)  
**RECOMMENDED ACTION:** Approve.

19. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for work performed that is not expressly identified in County classifications and that the ongoing aggregate of work performed is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Agreement for Services AGMT 05-854 with North State Resources, Inc. in an amount not to exceed \$200,000 for a term of two years to provide "as-needed" environmental review services in support of projects included in the County's five-year Capital Improvement Program and other County activities as required, noting the process for selecting this vendor began in April, prior to the discussion of the vendor review and selection process. The panel for selecting the vendor was multi departmental in nature (DOT, and Developmental Services) (Funding: impact fees and grants, funds included in 2006/2007 budget)
- RECOMMENDED ACTION:** Approve.

20. Transportation Department recommending reduction of Performance Bonds 929332636 and 929332636-01 each in the amount of \$1,661,338.95 by \$1,068,945 leaving individual balances of \$592,393.95 for Serrano Village J3B, Unit 1 (TM 01-1376F) and Serrano Village K6, Unit 1 (TM 01-1387F).
- RECOMMENDED ACTION:** Approve.

21. Transportation Department recommending the following pertaining to the U.S. Highway 50/Missouri Flat Road Interchange Project 71317:

(1) Approve the month-to-month Commercial Lease Agreement with Randy Scheck, dba R and S RV;

(2) Authorize the Interim Director of Transportation to sign said lease agreement; and

(3) Authorize staff of said Department's Right-of-way Unit to proceed with the relocation of Randy Scheck, dba R and S RV. (Funding: State Traffic Impact Mitigation Fees)

**RECOMMENDED ACTION:** Approve.

22. Transportation Department recommending the following pertaining to U.S. Highway 50/Missouri Flat Road Interchange Project 71317:

(1) Approve the month-to-month Commercial Lease Agreement with Harold Miller dba H and S Gas Mart;

(2) Authorize the Interim Director of Transportation to sign said agreement; and

(3) Authorize staff of said Department's Right-of-way Unit to proceed with the relocation of Harold Miller dba H and S Gas Mart. (Funding: State Traffic Impact Fees)

**RECOMMENDED ACTION:** Approve.

23. County Counsel recommending Resolution setting a Special Election on November 8, 2005 to fill the District V vacancy on the Board of Supervisors, and consolidate the special election with the Statewide Election set for the same date, in conformance with Chapter Section 203.

**RECOMMENDED ACTION:** Adopt Resolution 216-2005.

24. Chief Administrative Office, Human Resources Division, recommending Chairman be authorized to sign the Memorandum of Understanding with Operating Engineers Local Union No. 3 representing employees in the Trades and Crafts Bargaining Unit for the term January 1, 2005 through December 31, 2007. (Funding: General Fund, additional costs are estimated at \$292,009.68 for fiscal year 2006/2007 and additional costs are estimated at \$195,170.30 for fiscal year 2007/2008)  
**RECOMMENDED ACTION:** Approve.
25. Chief Administrative Office requesting approval of the revised salary table for the Management Association's Memorandum of Understanding. (Refer 6/28/2005, Item 62)  
**RECOMMENDED ACTION:** Approve.
26. Chief Administrative Office, Procurements and Contracts Division, recommending award of Bid 05-863-140 for truck and heavy equipment tires and related services to be used by the Department of Transportation for maintenance work on the East Slope. (Funding: Non-General Fund/Road Fund)  
**RECOMMENDED ACTION:** Authorize blanket purchase order to Lilly's Tire Service, Inc. of South Lake Tahoe, California in the amount of \$25,000, including sales tax, for a twelve month period and authorize an increase to the blanket purchase order on an "as-needed" basis during the awarded period if funding is available within the requesting department's budget.
27. Chief Administrative Office, Procurements and Contracts Division, recommending an increase to Blanket Purchase Order 251098 with Tahoe Paradise Chevron in the amount of \$18,000 and extending the term an additional twelve months to June 30, 2006 for the purchase of fuel on an "as-needed" basis in South Lake Tahoe. (Funding: General Fund/Non-General Fund Department Budgets, fiscal year 2005/2006 funds to be included in budget addenda process)  
**RECOMMENDED ACTION:** Approve and authorize increase to blanket purchase order during the extended period if funding is available within requesting department's budget.

28. Chief Administrative Office, Human Resources Division, recommending Chairman be authorized to sign Letter of Agreement modifying Article 6, Section O of the Memorandum of Understanding (MOU) with the El Dorado County Deputy Sheriffs' Association representing employees in the Law Enforcement (SA) Bargaining Unit. (Funding: General Fund)

**RECOMMENDED ACTION:** Approve.

29. County Counsel recommending Chairman be authorized to sign Agreements (10) with Dain P. Weiner, Adam Weiner, James Stillman Clark, Peter Tiemann, Erik Schlueter, Michael B. Bigelow, John J. Castellanos, Paul I. Palant, Lori G. London, and Steven C. Bailey in the amount of \$5,775 payable monthly commencing fiscal year 2005/2006, \$6,179 payable monthly commencing fiscal year 2006/2007 and \$6,612 payable monthly commencing fiscal year 2007/2008 for conflict indigent defense services, noting the cost for fiscal year 2005/2006 is \$968,000 and is included in the proposed budget.

**RECOMMENDED ACTION:** Approve.

30. County Counsel recommending adoption of Resolution for the following:

(1) Calling for a Special Election on November 8, 2005 for voters in the affected areas to vote on the proposed incorporation of the City of El Dorado Hills and the related dissolution of the El Dorado Hills and Springfield Meadows Community Services Districts and detachment from County Service Area (CSA) 9;

(2) Calling for the election of City Council members to take office in the event the incorporation is confirmed by voters;

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(3) Providing for other matters related to the proposed incorporation; and

(4) Ordering the Special Election to be consolidated with the Statewide Special Election to be held on November 8, 2005, noting the Special Election in November is pending approval by the Governor and Legislature. It is anticipated that the total cost will be \$300,000. (Funding: General Fund)

**RECOMMENDED ACTION:** Adopt Resolution **217-2005**.

**Resolution adopted with language added to Section 1 of the Resolution to read:** *"Shall members of the City Council of the City of El Dorado Hills be elected in future elections at-large or by district?"*

**Select only one** of the following methods:

*City Council members shall be elected in the future At Large.*

*City Council members shall be elected in the future by District."*

1324

31. Supervisor Paine recommending the reappointment of Robert Brockman to the Assessment Appeals Board for District IV for a term to expire September 2008.

**RECOMMENDED ACTION:** Approve.

**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. Hearing to consider adoption of Resolution **205-2005** establishing delinquent mandatory refuse collection fees as special assessments and provide collection in the same manner as ad valorem property taxes for El Dorado Disposal Service, Inc. for the period May 1, 2004 through April 30, 2005 for the purpose of recording a lien against respective parcels within the Cameron Park Community Services District.

**BOARD ACTION** - Hearing no protests, Resolution **205-2005** adopted. 1234

51. Hearing to consider adoption of Resolution **206-2005** establishing delinquent mandatory refuse collection fees as special assessments and provides for collection in the same manner as ad valorem property taxes for South Lake Tahoe Refuse, Inc. for the period May 1, 2004 through April 30, 2005 for the purpose of recording a lien against respective parcels within the South Lake Tahoe Refuse, Inc. franchise area.

**BOARD ACTION** - Hearing no protests, Resolution **206-2005** adopted. 1324

52. Agricultural Commissioner, on behalf of the Agricultural Sign Committee, submitting a status update report and requesting direction pertaining to agricultural district signage, noting the Agricultural Sign Committee will provide the Agriculture Commission with samples of signage. (Refer 4/19/2005, Item 52)

**No formal action taken; however, the Agricultural Commissioner advised that he will return to the Board in a couple of months with an update and a finalized or a very good draft of the proposed signage.**

53. Public Health Department recommending Chairman be authorized to sign retroactive Amendment 02 to Agreement 360-PHD0504 with Barbara Aved dba Barbara Aved Associates with no increase in funding and extending the term to expire August 31, 2005 for review and evaluation services specific to the operations of the El Dorado County Community Health Center, retroactive as to term due to processing delays. (Funding: Public Health Realignment)

**ADDED TO CONSENT CALENDAR:** Approved.

1324

54. Library Director recommending Chairman be authorized to sign Budget Transfer 25194 increasing appropriations by \$10,000 for the purpose of opening the Pollock Pines Branch Library for an additional day in fiscal year 2005/2006, noting through the fundraising efforts of the Pollock Pines Friends of the Library, funds are available to open said Branch an additional day per week (Friday). (4/5 vote required)(Funding: Friends of the Library)

**BOARD ACTION** - Approved the acceptance of the \$10,000 for the opening of said Library for one additional day per week on Fridays.

2134

55. Adoption of Ordinance **4676** deleting Chapter 10.16 of Title 10 of the El Dorado County Ordinance Code in its entirety and replacing said Chapter and Title of the Code, commonly known as the Vehicle Abatement Ordinance. (Introduced 6/28/2005, Item 93)

**BOARD ACTION** - Ordinance **4676** adopted.

1234

56. Adoption of Ordinance **4677** deleting Chapter 2.20 of Title 2 of the El Dorado County Ordinance Chapter 2.20 of Title 2 of the El Dorado County Ordinance Code in its entirety and incorporating applicable provisions, with modifications, into Chapter 9.02, Title 9 of the Ordinance Code to provide County Code Enforcement staff with administrative citation authority and to create uniform procedures for administrative enforcement hearings and appeals and formalize the role of the Hearing Officer. (Introduced 6/28/2005, Item 92)

**BOARD ACTION** - Ordinance **4677** adopted.

3124

57. Adoption of Ordinance **4678** levying a special tax for fiscal year 2005/2006 and following fiscal years solely within and relating to Community Facilities District 2005-2 (Laurel Oaks). (Introduced 6/28/2005, Item 112)

**ADDED TO CONSENT CALENDAR:** Ordinance **4678** adopted.

1324

58. Transportation Department recommending the Board retroactively approve the purchase of plant mix asphalt concrete in the amount of \$52,709.79 from Tiechert Aggregates, noting there was a six-working day gap between the contract expiration date and the award of the new contract. Staff inadvertently referred to the purchase order expiration date instead of the contract expiration date. (Funding: Road Fund)

**ADDED TO CONSENT CALENDAR:** Approved.

1324

59. Transportation Department recommending the Board find that pursuant to Article II, Section 210b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under these Amendments that are not expressly identified in County classifications and that the ongoing aggregate of the work performed is not sufficient to warrant the addition of permanent staff; and Chairman be authorized to sign Amendment 02 to Agreement AGMT 03-30 with CALTROP Engineering Corporation dba CALTROP Corporation; and Amendment 03 to Agreement AGMT 03-31 with Kleinfelder, Inc. increasing compensation by \$500,000 each, to an amount not to exceed \$1,000,000 each and extending the term on each agreement to December 31, 2006 to provide "as-needed" construction management, geotechnical, geological, and environmental engineering services. (Funding: RIF, TIM, STIM and Developer Fees)

**BOARD ACTION -** Approved.

3214

60. Chief Administrative Office recommending adoption of the Contract Administration for Special Projects policy; and Chief Administrative Officer be directed to return to the Board November 1, 2005 with a status report concerning the implementation of same. (Change in Policy) (Continued 6/28/2005, Item 94)

**BOARD ACTION** - Approved, with direction that the Chief Administrative Officer return to the Board with a status report on **November 1, 2005.** 2314

61. Chief Administrative Office recommending the following pertaining to compensation technical changes and compensation for the Board of Supervisors:

(1) Adopt Resolution **207-2005** amending salaries for Unrepresented Management and Confidential groups, excluding classes which receive salary increases pursuant to Charter Section 504 and associated classes;

(2) Adopt updated salary schedules that include relationship adjustments for General, Professional and Supervisory groups and accelerated pay plan adjustments for the Environmental Health Specialist benchmark, and

(3) Adoption of Ordinance **4675** amending Section 2.57.030 of Chapter 2.57 of Title 2 of the County Ordinance Code adjusting Board of Supervisors salary. (Continued 6/28/2005, Item 97)

**BOARD ACTION** - Resolution **207-2005** adopted amending salaries for Unrepresented Management and Confidential groups; updated salary schedules adopted that included relationship adjustments for General, Professional and Supervisory groups and accelerated pay plan adjustments for the Environmental Health Specialist benchmark; and Ordinance **4675** adopted adjusting Board of Supervisors salary. 231 4(n)

62. Clerk of the Board of Supervisors submitting a list of committees/commissions on which Supervisor Solaro served as a member or alternate; and requesting Board direction with regard to same, noting staff seeks direction for filling committee assignments.

**BOARD ACTION** - Board directed that the alternate representatives as outlined in the letter to the Board dated July 6, 2005 continue to serve until the special election, with the exception of the Golden Sierra Job Training Agency to which Supervisor Paine was appointed as the alternate representative. 1324

**TIME ALLOCATION - 10:00 A.M.**

70. Transportation Department recommending the following pertaining to the 2004 General Plan Traffic Mitigation Fee Program Draft Program Development Report:

(1) Review the "Draft Program Development Report";

(2) Consider public input and provide direction to staff relative to a preferred scenario contained in said report; and

(3) Set a public hearing for **August 16, 2005** for consideration of the Final Program Development Report and adoption of Resolution to set impact fees.

**No formal action taken; however, by consensus, staff was directed to work with the Clerk of the Board to schedule a special workshop meeting during the week of August 22, 2005 for further review of the Program Development Report.**

**TIME ALLOCATION - 2:00 P.M.**

80. Hearing to consider the following pertaining to Green Valley Road/Silva Valley Parkway Intersection Improvements Project:

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

(2) Approve the Project as described in the CEQA document as modified by proposed mitigation measures; and

(3) Adopt the associated mitigation monitoring plan.

**BOARD ACTION** - Upon conclusion of the public hearing, the Board adopted the Mitigated Negative Declaration; approved the Project as modified by the proposed mitigation measures; and adopted the mitigation monitoring plan. 1423

**CAO REPORTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**July 12, 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.

**No action reported.**

**Section 54956.9(b), Anticipated Litigation:**

- Significant exposure to litigation, one potential case.

**No action reported.**

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

- Title: Chief Administrative Officer.

**No action reported.**

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

- **County Negotiator**, Human Resources Director  
**Employee Organization:** Sworn Management Association  
and Operating Engineers Local 3 - Trades and Crafts  
**No action reported.**

- **County Negotiator**, Chairman of the Board of  
Supervisors or Designee  
**Unrepresented Employee:** Chief Administrative Officer.  
**No action reported.**

**CLOSED SESSION - 3:00 P.M.**

Pursuant to Government Code Section 54957 regarding Public  
Employment. Title: **Director of the Department of  
Transportation.**

**No action reported.**