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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, November 6, 2001 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A

Placerville, California

530 621-5390

FAX 622-3645

<http://co.el-dorado.ca.us/bos>

PENNY HUMPHREYS

Fourth District

Chair

DAVID A. SOLARO

Fifth District
First Vice Chair

HELEN BAUMANN

Second District
Second Vice Chair

RUSTY DUPRAY

First District

CARL BORELLI

Third District

Clerk of the Board
Dixie L. Foote

Interim Chief Administrative Officer
Tom Soike

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 Thursday 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. - INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG
ADOPTION OF AGENDA
CLOSED SESSION REPORTS**

PRESENTATION proclaiming the week of November 4 - 10, 2001 as Key Club Week in El Dorado County. DBBaHS

CONSENT CALENDAR: Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar. Consent Calendar matters not approved in the omnibus Consent Calendar approval will be taken up at a time determined by the Chair.

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of October 30, 2001.

RECOMMENDED ACTION: Approve.

2. General Services Department recommending award of Bid 02-750-031 for road cinders for the Department of Transportation.

RECOMMENDED ACTION: Authorize Purchase Order to the sole bidder, Cinderlite Trucking Corporation of Carson City, Nevada in the amount of \$36,841 including sales tax and authorize additional orders for same on an "as needed" basis.

3. General Services Department recommending utilization of the Western States Contracting Alliance contract for computer equipment.

RECOMMENDED ACTION: Authorize Purchase Orders on an "as needed" basis to Dell Marketing L.P. of Round Rock, Texas.

4. General Services Department recommending Amendment 001 to Agreement 325-S0111 with the El Dorado County Chamber of Commerce in an amount not to exceed \$147,666 for film promotion, public services / information, and tourism promotion.

RECOMMENDED ACTION: Authorize Chair to sign. DBBaHS

5. General Services Department recommending Agreement 332-S0111 with GeneScreen, Inc. in the amount of \$40,000 for the term November 3, 2000 through November 1, 2002 for paternity testing for the Department of Child Support Services.

RECOMMENDED ACTION: Authorize Chair to sign.

6. Fair Manager recommending El Dorado County Fair 2002 Budget in the amount of \$962,047.
RECOMMENDED ACTION: Authorize Chair to sign.
Continued to November 20, 2001. BDBaHS
7. Environmental Management Department recommending Agreement 059-AS-01-02-11 with Sunrise Support Services, Inc. in an amount not to exceed \$21,783 in the first year to install updates and upgrades for the maintenance of the OTG Application Extender Software system to electronically store and retrieve vital records related to environmental health in the County.
RECOMMENDED ACTION: Authorize Chair to sign.
8. District Attorney recommending Resolution authorizing him to execute a Grant Award Agreement and related documents for the term July 1, 2001 through June 30, 2002 for the District Attorney Spousal Abuser Prosecution Program; and Budget Transfer 22044 increasing Revenue by \$5,000 for said Program. (4/5 vote required)
RECOMMENDED ACTION: Approve and adopt Resolution 287-2001.
9. Sheriff recommending Amendment 001 to Agreement 302-S0111 with Identix, Inc. in an amount not to exceed \$67,995.50 for placement of a LIVESCAN fingerprint machine at the Placerville Police Department; and Budget Transfer 22042 increasing Estimated Revenue by \$44,400 adjusting the LIVESCAN budget to reflect the full cost of maintenance contract as well as the offsetting revenue. (4/5 vote required)
RECOMMENDED ACTION: Authorize Chair to sign. BSDBaH
10. Transportation Department recommending Amendment 001 to Agreement PSS151 with Harding ESE, Inc., a wholly owned subsidiary of MACTEC, Inc. in an amount not to exceed \$50,000 for "as needed" geotechnical / geoenvironmental engineering and materials testing services in the Tahoe Basin.
RECOMMENDED ACTION: Authorize Chair to sign.
11. Planning Department recommending Avigation and Noise Easement and Certificate of Acceptance from Wayne L. Gibson and Robin E. Gibson for property in the vicinity of the Georgetown Airport.
RECOMMENDED ACTION: Authorize Chair to sign.

12. Planning Department recommending Avigation and Noise Easements and Certificates of Acceptance from Valdemar Da Rocha and Nichole Da Rocha, Harold R. Caddel and Rosemarie Caddel, and Mark D. McCutchan and Scott A. Weber for property in the vicinity of the Cameron Park Airport.

RECOMMENDED ACTION: Authorize Chair to sign.

13. County Counsel recommending Budget Transfer 22035 transferring \$25,000 from Contingency to fund legal services provided by Sheppard, Mullin, Richter and Hampton LLP regarding the California red-legged frog litigation. (4/5 vote required)

RECOMMENDED ACTION: Approve. BSDBaH

14. County Counsel submitting the Third Quarter Calendar Year 2001 Collection Report.

RECOMMENDED ACTION: Receive and file.

15. Administration recommending Sherril Jodar, Risk Program Manager be appointed as the Board representative to the California State Association of Counties (CSAC) Excess Insurance Authority and Sandy Green, Risk Analyst be appointed as the Alternate representative to same.

RECOMMENDED ACTION: Approve.

16. Supervisor Humphreys recommending November 2001 be proclaimed as Career Development Month in El Dorado County.

RECOMMENDED ACTION: Adopt Proclamation.

17. Supervisor Humphreys recommending Sierra Economic Development District be reimbursed for postage and envelope costs in an amount not to exceed \$1,700 for surveys to the communities of Garden Valley and Coloma/Lotus.

RECOMMENDED ACTION: Approve the reimbursement of the expenditure of promotional budget funds; said expenditure would be part of the 20 percent match funding by Sierra Economic Development District (SEDD) and the County for the Department of Agriculture - U.S. Forest Service Community Action Plan Grant awarded to said communities. SBaDBH

18. Environmental Management Department requesting County Service Area 010 Board of Directors authorize said Department to prepare a feasibility and economic analysis for a potential renewable energy project at the Union Mine site utilizing solar and/or wind energy.

RECOMMENDED ACTION: Approve and bring back to the Board for consideration. BaBDHS

19. Auditor-Controller and Interim Director of General Services recommending the responsibility for the administration of the El Dorado Hills Business Park Phase 001 and 002 Assessment Districts be transferred from the Department of General Services to the Auditor-Controller.

RECOMMENDED ACTION: Approve.

20. Social Services Department recommending the Board approve \$1,297.44 of County-only expense associated with the CalWORKS/Welfare to Work imprest checking account; and adopt Resolution rescinding Resolution 008-2000 that established the \$25,000 Welfare-to-Work imprest checking account.

RECOMMENDED ACTION: Adopt Resolution 288-2001.

Interim Chief Administrative Officer recommending closure of said account; Auditor-Controller review said Department's imprest checking account records and documents and report findings to the Board; and said Department be directed to deliver the account documents and records as requested by the Auditor-Controller to facilitate review.

21. General Services Department recommending award of Bid 02-775-030 for road salt for the Department of Transportation.

RECOMMENDED ACTION: Authorize purchase order to Cargill Salt of Newark, California in the amount of \$20,135 including sales tax and additional orders on an "as needed" basis.

BOARD ACTION - Consent Calendar approved with the exception of item 6 as noted (items 4, 9, 13, 17 and 18 also acted upon separately). BSDBaH

END CONSENT CALENDAR

OPEN FORUM

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. Social Services Director report on improvements to said Department's claims processing procedures. (Continued 10/23/01, Item 16)

No formal action taken by the Board; however, Supervisor Baumann requested the Director of Social Services to report back to the Board on this matter again on **December 11, 2001,** and in **mid January 2002.**

51. Supervisor Baumann recommending the Board open and define a recruitment process for the position of the Director of the Department of General Services.

BOARD ACTION - Staff directed to initiate a departmental promotional recruitment for the position.

SBaDBH

52. Supervisors Borelli and Baumann recommending the Board revisit and discuss the possible revision of Ordinance 4325 pertaining to the Water Supply and Demand Report.

BOARD ACTION - Planning Department will bring to the Board on **December 11, 2001,** the Year 2000 Water Supply and Demand Report for final approval by the Board; and Board directed that preparation of future, annual Water Supply and Demand Reports will be the responsibility of the County Water Agency. BBaDHS

53. Supervisor Borelli requesting Board consider costs associated with implementation, refinement, modifications and on-going maintenance of the County's proposed information web site for the General Plan and, after discussing same, determine whether to go forward with implementation of the proposed site. (Continued 10/30/01, Item 54)

Continued to November 20, 2001, at the request of Supervisor Borelli and by Board consensus.

54. Adoption of alternative responses to the 2000/2001 Grand Jury Report for those responses recommended by staff but not approved by the Board on September 25, 2001. (Continued 10/23/01, Item 17)

BOARD ACTION - By unanimous vote, the Board acted as follows: SBDBaH

Adopted the Response to the 2000/2001 El Dorado County Grand Jury Report as originally recommended by staff, with any amendments* added by Supervisors this date; directed County Counsel to prepare and the Board Chair to sign, a letter to the Grand Jury transmitting the responses to "Generic Objections" as set forth on pages 2 - 5 of County Counsel's memorandum dated November 1, 2001, said letter to include clarifications proposed in the County Counsel's memorandum of November 1, 2001 to specific concerns numbers 2, 3, 4, 7B, 7D and 7E; and, regarding the issue of record keeping of closed sessions, the Board appointed Supervisors Baumann and Solaro as a subcommittee to work on possible solutions and report back to the Board by **December 11, 2001**.

* The response to recommendation R1 on Page 8 of the Draft Response, regarding abuse of sick leave, is to be re-written to state the Board of Supervisors will implement the recommendation, the specifics of that to be developed by staff and brought back to the Board for approval.

Interim Chief Administrative Officer directed to establish a methodology to ensure that departments follow up on those recommendations for which the Board's Response stated follow up will occur.

TIME ALLOCATIONS - 10:00 A.M.

60. Senior Nutrition Program presentation by Community Services Department.
No action taken.

61. Supervisor Borelli recommending the Board consider a mobile home rent control ordinance and County Counsel's opinion regarding same.

BOARD ACTION - Conrad Montgomery, Director of Planning, and John Litwinovich, Director of Community Services, directed to work with County Counsel to provide the Board statistical data on rents over a seven-year period; said data to differentiate between rents for single-wide and double-wide mobile homes, and to include rent increases that have occurred, cost-of-living increases (COLAs) during that period, and differences between parks in the "pass through" of utility costs. County Counsel was also requested to provide a report on the financial impact a mobile home rent stabilization ordinance would have on the County.

BaDBHS

ITEMS TO/FROM SUPERVISORS

80. Supervisor Borelli requesting the Board decide the process to disburse Community Enhancement Funds, and if possible, disbursement of same at this meeting.

BOARD ACTION - The following allocations recommended by the District I, II and III Supervisors, totaling \$5,000,000.00, were approved with the understanding that where allocations are subject to contingencies and/or matching funds, formal agreements will be drafted and brought back to the Board for approval, and the District IV and V Supervisors have the opportunity to bring back their recommended allocations for approval by the Board: DBBaH S(n)*

* Supervisor Solaro clarified that he would have voted "yes" for the allocations for the El Dorado Hills Library, Pollock Pines Community Center Generator, Diamond Springs Fire Department Urban Search & Rescue Truck, Veterans Memorial and Veterans Hall had they been voted upon individually.

District I

\$1,000,000	Cameron Park Community Services District (CSD) Community Center
\$1,000,000	El Dorado Hills Library

District II

\$1,000,000	El Dorado Hills Library Fund, matching the \$1,000,000 allocated by District I for a total of \$2,000,000
\$ 150,000	Pollock Pines Community Center: <ul style="list-style-type: none"> • Disaster Center (generator, cots, blankets, and non-perishable food) • Mortgage Reduction
\$ 50,000	Three Forks Grange Kitchen Upgrade
\$ 200,000	Grizzly Flats Community Center / Fire Station Project, matching funds
\$ 100,000	Pioneer Park Completion Projects (basketball courts and parking)
\$ 40,000	Diamond Springs Fire Department - Countywide Urban Search & Rescue Truck Fund
\$ 50,000	Pioneer Community Area Library / Book-mobile Project
\$ 405,000	Trail Funding Program Establishment <ul style="list-style-type: none"> • Walk Paths and Trails
\$ 5,000	El Dorado County Veterans Memorial

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District III

\$ 300,000	Union Mine High School / YMCA Pool
\$ 210,000	City of Placerville Pool Upgrade/Grant Matching Funds
\$ 25,000	Transit Bathroom / Mosquito Road
\$ 25,000	El Dorado Community Hall
\$ 150,000	Skatepark, Fair Grounds
\$ 100,000	Diamond Springs Park
\$ 100,000	Boys and Girls Club / Building
\$ 40,000	Diamond Springs Fire Squad
\$ 25,000	Veterans Hall
\$ 20,000	El Dorado Western Railway Foundation
\$ 5,000	Veterans Memorial

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

November 6, 2001

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:**

- County of El Dorado vs El Dorado Irrigation District, El Dorado County Superior Court Case PC20010587; and
No action reported.
- El Dorado County vs First Federal Properties, Inc., a Nevada Corporation, et al, El Dorado County Superior Court Case Nos. PC20000299, PC20000303, PC20000305 (Consolidated under Case No. PC20000299).
No action reported.

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

- Title: Interim Director, General Services
No action reported.

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

- Employee Organization: Unrepresented Employees, El Dorado County Employees Association Local 001.
No action reported.

Section 54957, Public Employee Appointment:

- Director of Child Support Services
BOARD ACTION - By unanimous vote, the Board appointed Laura Roth to the position of Director of Child Support Services at Step 2 of the salary range.

Section 54956.9(b), Anticipated Litigation:

- Significant exposure to litigation.
No action reported.

Section 54956.8, Conference with Real Property Negotiator:

- To give instructions regarding real property described as APN 090-430-42. The person with whom the negotiator may negotiate is Tosco Corp. (representative Dick Mathews). Instructions to negotiator will concern price and terms of payment. Julie Duchscherer will be the negotiator on behalf of the County.
No action reported.

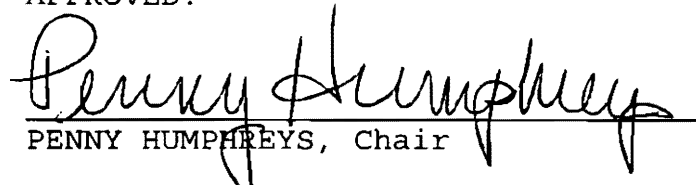
CLOSED SESSION ADDED TO THE AGENDA MIDWAY THROUGH THE MEETING AT THE REQUEST OF COUNTY COUNSEL: DBBaHS

El Dorado County Taxpayers for Quality Growth v. County of El Dorado (Missouri Flat litigation).

No action reported.

Board of Supervisors Meeting of November 6, 2001 attached hereto and approved by the Board on November 20, 2001.

APPROVED:


PENNY HUMPHREYS, Chair

ATTEST:

Dixie L. Foote, Clerk of the Board

By 
Deputy Clerk