

**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, April 16, 2002 - 10:00 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

**DAVID A. SOLARO**  
Fifth District  
Chair

**HELEN BAUMANN**  
Second District  
First Vice Chair

**RUSTY DUPRAY**  
First District  
Second Vice Chair

**CARL BORELLI**  
Third District

**PENNY HUMPHREYS**  
Fourth 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.*

**CALL TO ORDER**

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

**ADOPTION OF AGENDA**

**PRESENTATION** of awards to the winners of the Student Map Drawing Contest.

**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 Agendas (Minutes) of April 8 and 9, 2002.

**RECOMMENDED ACTION:** Approve.

2. Community Services Department recommending Resolution authorizing submittal of an application and \$300 application fee to the California Debt Limit Allocation Committee for an allocation in the amount of \$780,155 for 2002 Mortgage Credit Certificates (MCC), with authority for a Reissue Credit Certificate Program to be issued throughout El Dorado County.

**RECOMMENDED ACTION:** Adopt Resolution 098-2002 and authorize Director of said Department to approve any additions to or changes in the form of any cooperative agreements deemed necessary or advisable and is authorized to enter into additional agreements, execute documents, or take actions deemed necessary pertaining to same.

3. General Services Department recommending award of Bid 02-045-076 for a Fry Master deep fat fryer and a Blodgett convection oven for the Jail at South Lake Tahoe.

**RECOMMENDED ACTION:** Authorize purchase orders to Arrow Restaurant Equipment of Montclair, California in the amount of \$2,192, and Economy Restaurant Fixtures of Sacramento, California in the amount of \$8,407 including tax and delivery for same.

4. General Services Department submitting list of the awarded vendors for the Annual Fleet Vehicle Bid 02-070-064.

**RECOMMENDED ACTION:** Receive and file.

5. General Services Department recommending award of Bid 02-475-073 for disposable gloves for Central Stores.  
**RECOMMENDED ACTION:** Authorize blanket purchase order to National Environmental Inc., of Marietta, Georgia in the amount \$15,000 for a twelve month term, and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within the County's budget.
  
6. General Services Department recommending extension of Lease Agreement 238-L0111 with Pioneer Plaza, Ltd., for the term May 1, 2002 through October 31, 2002 for Mental Health Administration office space, located at 344 Placerville Drive, Suite 11, Placerville.  
**RECOMMENDED ACTION:** Approve.
  
7. General Services Department, on behalf of Supervisor Baumann, recommending Funding Agreement 557-F0211 with Pleasant Valley Grange No. 675 in the amount of \$5,000 in Community Enhancement Funds for a term to expire December 31, 2002 to repair said Grange building.  
**RECOMMENDED ACTION:** Authorize Chair to sign. BaDBHS
  
8. General Services Department, on behalf of Supervisor Borelli, recommending Funding Agreement 560-F0211 with El Dorado Western Railway Foundation in the amount of \$20,000 in Community Enhancement Funds for a term to expire June 30, 2003 to restore the Diamond & Caldor Shay No. 4 locomotive in Diamond Springs.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
  
9. General Services Department, on behalf of Supervisor Borelli, recommending Funding Agreement 556-F0211 with El Dorado Community Hall, Inc. in the amount of \$25,000 in Community Enhancement Funds for a term to expire December 31, 2002 to repair the Community building at 6139 Pleasant Valley Road, El Dorado.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
  
10. General Services Department, on behalf of Supervisor Borelli, recommending Funding Agreement 549-F0211 with El Dorado County Western Slope Boys and Girls Club in the amount of \$100,000 in Community Enhancement Funds for a term to expire December 31, 2002 for the construction of a multi-purpose room, "Education Technology Center", in the City of Placerville.  
**RECOMMENDED ACTION:** Authorize Chair to sign.

11. General Services Department, on behalf of Supervisor Humphreys, recommending Funding Agreement 558-F0211 with Rescue Community Center in the amount of \$3,700 in Community Enhancement Funds for a term to expire December 31, 2002 to repair the Community building at 4180 Green Valley Road, Rescue.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
12. General Services Department, on behalf of Supervisor Humphreys, recommending Funding Agreement 559-F0211 with Kelsey Community Association in the amount of \$1,000 in Community Enhancement Funds for a term to expire December 31, 2002 to repair and improve the kitchen facilities at the Kelsey School House.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
13. General Services Department, on behalf of Supervisor Humphreys, recommending Funding Agreement 548-F0211 with El Dorado County Western Slope Boys and Girls Club in the amount of \$30,300 in Community Enhancement Funds for a term to expire July 31, 2003 to establish, manage and operate a Boys and Girls Club satellite operation at the Black Oak Mine Union School District school site in Georgetown.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
14. General Services Department, on behalf of Supervisor Humphreys, recommending Funding Agreement 555-F0211 with Rescue Fire Protection District in the amount of \$40,000 in Community Enhancement Funds for a term to expire June 30, 2003 to repair and restore the Literary Society Hall in Rescue.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
15. General Services Department, on behalf of Supervisors Baumann, Borelli and Humphreys recommending Funding Agreement 468-F0211 with El Dorado Community Foundation in the amount of \$15,000 in Community Enhancement Funds for a term to expire June 30, 2004 to be used toward the construction of the El Dorado County Veterans Memorial.  
**RECOMMENDED ACTION:** Authorize Chair to sign. Approved with terms as clarified by the Director of General Services this date.  
HBaDBS

16. General Services Department recommending Resolution approving Records Disposition Schedule No. 3 for the Nursing Division of the Public Health Department.  
**RECOMMENDED ACTION:** Adopt Resolution 099-2002.
17. General Services Department recommending award of bid to NetVersant of Rancho Cordova in an amount not to exceed \$32,463.12 for cabling services between the Government Center and the Placerville Jail and in the amount of \$13,192.99 for cabling services in the South Lake Tahoe Basin.  
**RECOMMENDED ACTION:** Authorize Chair to execute both agreements upon final approval by County Counsel and Risk Management.
18. District Attorney recommending Proclamations honoring several financial institutions in El Dorado County for their involvement with El Dorado County Community Service and the California Community Partnership for the Prevention of Financial Abuse against the elderly and dependent adults.  
**RECOMMENDED ACTION:** Adopt Proclamations. DBaBHS
19. U.C. Cooperative Extension Department recommending the Interim Chief Administrative Officer be authorized to sign Agreement 01-01622X with The Regents of the University of California in an amount not to exceed \$19,748 for the term October 1, 2001 through June 30, 2002; said agreement funds one half of the 4-H Program Representative's salary which is vital for youth development programs.  
**RECOMMENDED ACTION:** Approve. BaDBHS
20. Building Department recommending the terms be extended to May 1, 2003 on the following agreements for plan review services on an "as requested" basis:
- (1) Amendment 002 to Agreement 417-S0111 with Linhart Petersen Powers Associates, Inc.;
  - (2) Amendment 002 to Agreement 415-S0111 with Thomas M. Jennings, dba Tom Jennings, P.E.; and
  - (3) Amendment 001 to Agreement 416-S0111 with Albert W. Kong, dba A W Kong Building Consultant.
- RECOMMENDED ACTION:** Authorize Chair to sign.

21. Library Director recommending Journal Entry transferring \$50,000 from Community Enhancement Fund to Bookmobile Fund to complete disbursement authorized November 6, 2001 to assist the Library in operating costs to fund community bookmobile stops. (4/5 vote required)  
**RECOMMENDED ACTION:** Authorize Interim Chief Administrative Officer to sign.
22. Social Services Department recommending Cheryl Benedickt be appointed at the fifth step of the Eligibility Work II salary range, effective March 9, 2002.  
**RECOMMENDED ACTION:** Approve. DBBaHS
23. Auditor/Controller requesting authorization to disburse excess proceeds from the November 3, 2000 tax deeded land sale to the following: California Asset Recovery; Norma L. Rimola Greenick; Ray E. Areshenko, Jr.; U.S. Small Business Administration; and Richard C. and Gloria A. Course.  
**RECOMMENDED ACTION:** Approve.
24. Environmental Management Department recommending Resolution supporting Earth Day on April 22, 2002; Earth Day is intended to alert common interest in the environment and encourage people to preserve and improve the environment in their local community.  
**RECOMMENDED ACTION:** Adopt Resolution 100-2002.
25. Environmental Management Department requesting authorization to submit grant applications to the California Integrated Waste Management Board for Used Oil and Household Hazardous Waste for the term June 30, 2002 through June 30, 2007.  
**RECOMMENDED ACTION:** Adopt Resolution No. 104-2002 authorizing Director of said Department to execute all necessary applications, payment requests, agreements and amendments to same.
26. Transportation Department recommending Notice of Completion for the Highway 49 and Pleasant Valley Road Intersection Realignment Project 73346 under contract to Yubacon, Inc.  
**RECOMMENDED ACTION:** Accept Project as substantially complete and authorize Chair to sign Notice of Completion.

27. Transportation Department extending an invitation to the Board of Supervisors to join them for lunch in celebration of National Public Works Week on Tuesday, May 21, 2002, at the Department of Transportation Office, 2441 Headington Road, Placerville.  
**RECOMMENDED ACTION:** Approve.
28. Transportation Department recommending Amendment 001 to Agreement PSS173 with Kleinfelder, Inc. increasing the compensation by \$300,000 and extending the term to November 30, 2002 for geotechnical engineering consultation and construction inspection services.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
29. Transportation Department recommending Easement Acquisition Agreement and Certificate of Acceptance with Norbert J. Dickman and Benjamin L. Blake, Trustees of the Robert Dickson Trust created December 19, 1995, as to an undivided one-half interest and Norbert J. Dickman, Trustee and Benjamin L. Blake, Trustee of the Scott Dickson Trust created December 19, 1995, as to an undivided one-half interest to acquire an easement on APN 18-090-59 and Easement Acquisition Agreement and Certificate of Acceptance with Norbert J. Dickman and Benjamin L. Blake, Trustees of the Roger Dickson Trust, an undivided one-half interest, and Norbert J. Dickman and Benjamin L. Blake, Trustees of the Scott Dickson Trust an undivided one-half interest, as to an undivided 90% interest, and Peggy Ebright Dickson, a Widow as to an undivided 10% interest to acquire an easement on APN 18-090-27 for the Cascade Erosion Control Project JN 95056.  
**RECOMMENDED ACTION:** Authorize Chair to sign.
30. Supervisor Borelli submitting request of the General Services Department to prepare one or more Change Orders to Construction Agreement 265-C0299 with Capitol Modular, Inc. for the St. Patrick's Food Kitchen Project not to exceed the amount of \$75,000.  
**RECOMMENDED ACTION:** Approve, to meet the grant deadline of April 30, 2002 for providing food. BHDBaS

**BOARD ACTION** - Consent Calendar approved with items 7, 15, 18, 19, 22 and 30 held off for separate action.

BHDBaS

**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. Library Director recommending April 16, 2002 be proclaimed Friends of the Library Bookmobile Day in El Dorado County.

**BOARD ACTION** - Proclamation adopted. BHDBaS

51. California Bureau of Automotive Repair presentation on Enhanced Smog Check II.

**BOARD ACTION** - (Refer Board action on Agenda item 60.)

52. Transportation Department Director requesting authorization to execute a Contract Change Order with Yubacon, Inc. in an amount not to exceed \$150,000 to provide all labor, equipment, materials and supplies necessary to complete the Scope of Work for the Route 050/Latrobe Road Eastbound Off-ramp Project; approve supplemental plans prepared said Department; and Chair be authorized to sign Contract Change Order cover sheet to the supplemental plans. (Continued 4/9/02, Item 52) (4/5 vote)

**BOARD ACTION** - Approved with the "not to exceed" amount of the Contract Change Order increased to \$170,000. HBaDBS

53. Child Support Services briefing on support services and the potential financial burden associated with federal penalties, and recommendations for participation in the statewide effort to convince Federal legislators to adopt and support legislation to provide relief to the State, and in turn the County, on the subject of said penalties.

**BOARD ACTION** - Report received and filed by order of the Chairman.



54. Community Services Department recommending Resolution authorizing the following pertaining to 2002 California Housing Finance Agency (CHFA) Application for Housing Enabled by Local Partnerships (HELP) Program Funds:

(1) Authorize submission of an application to CHFA to participate in the HELP Program for a \$2,000,000 loan allocation to lend to Mercy Housing California for acquisition of property and for the new construction of a 180-unit workforce family rental housing development as part of White Rock Village in El Dorado Hills;

(2) Authorize Director of said Department or the Interim Chief Administrative Officer to execute the application and, if the application is funded, to execute the loan documents and other documents required by CHFA for participation in the HELP Program, including any amendments;

(3) Authorize a loan to Mercy in the amount of \$150,000 for predevelopment expenses associated with the development and authorize the Interim Chief Administrative Officer to execute the loan agreement and other documents necessary to disburse the predevelopment loan proceeds to Mercy;

(4) Commit to Mercy 36 Section 8 Vouchers for ten years for the development; and

(5) Commit to the submission of an application for HOME Investment Partnership funds upon release of a Notice of Funding Availability by the California Department of Housing and Community Development in August, 2002.

**BOARD ACTION** - Approved and RESOLUTION NO. 101-2002 adopted authorizing submission of the application for a HELP Program loan at this time; however, due to litigation pending involving this project, if the application is approved, all loan documents are to be brought back to the Board for approval and signature authorization and all commitments, other than the loan application, are contingent upon all issues relating to the project being resolved.

HBDBaS

55. Interim Chief Administrative Officer (CAO) recommending review of suggested responses to the Grand Jury Report concerning the Grand Jury recommendation to restructure the CAO position along the lines of a Chief Executive Officer (CEO) with expanded powers and responsibilities; Board to determine appropriate response and provide further direction pertaining to same. (Continued 4/9/02/# 77)  
**BOARD ACTION** - Board approved the responses to the Grand Jury with one revision to the language in the Response to F3 on page 5, changing "The residents" to "Most residents", and authorized transmittal of same to the Presiding Judge; and Interim CAO to report back on **April 30, 2002** regarding information to be provided by Don Peterson of Peterson Consulting, Inc., in this regard, as requested by the Board in a workshop meeting on February 11, 2002.
56. Supervisors Baumann and Solaro recommending the Community Services and Social Services Departments and County Counsel be directed to develop a strategy to ensure that said Departments work in a coordinated effort to provide timely, responsive and efficient "continuum of care" services to the County's rapidly growing senior community; said strategy to include consideration of an organizational structure, methods to improve both program management and the utilization of staff time, all within the parameters established by current State statute, including applicable Welfare and Institutions Code; with direction that said Departments are to return to the Board with a plan on or before June 11, 2002.  
**BOARD ACTION** - Approved, and staff directed to return to the Board with a plan on **June 11, 2002**. BaSDBH

57. Supervisors Dupray and Baumann recommending the Board reconsider its action of April 9, 2002, taking into consideration Ordinance 4325, Sections 1 and 6, pertaining to the approval of the Final Map for Silver Springs Subdivision (TM97-1330F) in the Cameron Park area, Applicant: Bass Lake, a Joint Venture/Benson and Sedar Investments, a California Corporation.

**BOARD ACTION** - Board voted to reconsider the Final Map for Silver Springs Subdivision, in light of Ordinance 4325, on April 30, 2002, and County Counsel requested to take whatever actions they can to deal with the recorded map, i.e., to look at the issue of having a recorded map in existence right now and bring back to the Board on April 30, 2002, an analysis of issues relating to the Map and options available to the Board.

BaDBHS

**BOARD OF SUPERVISORS CONVENED AS THE EL DORADO COUNTY AIR POLLUTION CONTROL DISTRICT BOARD OF DIRECTORS TO CONSIDER THE FOLLOWING:**

60. Environmental Management recommending Resolution contingently adopting the Enhanced Smog Check (Smog Check II) for portion of the West Slope of El Dorado County.

**BOARD ACTION** - RESOLUTION NO. 102-2002 adopted. DBBaHS

**AIR POLLUTION CONTROL DISTRICT BOARD ADJOURNED.**

**TIME ALLOCATIONS - 11:00 A.M.**

70. General Services Department and County Counsel proposing conceptual approval of an arrangement by which Green Valley Mortuary would manage, maintain, and operate Mormon Island Cemetery as a public cemetery under a long-term agreement with the County; County cost would be incurred if, following conceptual approval, a final agreement is approved. (Administration recommending approval in concept, but instead of anticipating a transfer from General Fund Contingency to cover the anticipated cost of \$3,250, General Services Department could absorb the cost within its budget.) (Continued 1/15/02, Item 50)  
**STAFF REQUESTING CONTINUANCE TO JULY 16, 2002 AT 10:00 A.M.**  
**BOARD ACTION** - Continued to July 16, 2002, upon adoption of the Agenda. DBBaHS

71. Consideration of Proposed Response to Final Report of the 2001/2002 El Dorado County Grand Jury dated January 16, 2002.  
**BOARD ACTION** - Board approved the Response with deletion of the words "and two page list were" and insertion of the word "was" in its place in Response to F30 on page 13; and authorized transmittal of same to the Presiding Judge and the Grand Jury. BHDBaS

**ITEMS TO/FROM SUPERVISORS****CLOSED SESSIONS (to be held as time permits)****TIME ALLOCATIONS - 2:00 P.M.**

80. Hearing to consider an Appeal on the approval of Special Use Permit S01-19 for the Cambridge Mini-Storage Facility in the Cameron Park area (District I), Appellant: David L. Leippe. (Appellant requests continuance to May 7, 2002.)  
**BOARD ACTION** - At the request of the appellant the Board continued the hearing to May 7, 2002, noting that no further continuances of this matter will be granted. DBBaHS

81. Hearing to consider petition submitted by Richard Charles Paine to establish a new Agricultural Preserve (No. 284/Williamson Act Contract 01-01) in the Rescue area (District IV), and to rezone (A01-01) subject 25 acres from R-20, Residential Agricultural Twenty-acre to AE, Exclusive Agricultural. (Continued 2/12/02, Item 82)

**BOARD ACTION** - Hearing no protests, the Board adopted the mitigated Negative declaration as prepared, approved WAC011-01 and adopted RESOLUTION 103-2002 establishing Agricultural Preserve No. 284, and adopted ORDINANCE NO. 4597 approving the rezone, based on the findings of the Planning Commission.\* HBDBaS

\*Board did not act on the appellant's request for refund of the Planning Department processing fee of \$800 as the appellant withdrew said request this date.

82. Hearing to consider the following:

(1) Approve the introduction of the Ordinance revising the County Cemeteries Ordinance and establishing setback standards for grading and structures adjacent to cemeteries, waive reading, read by title only, and continue to April 30, 2002 for final adoption;

(2) Find the project approval to be exempt from the California Environmental Quality Act (CEQA) and permissible under the General Plan Writ;

(3) Review and take public comment on the draft Resolution listing known County cemeteries by category as required by the Cemeteries Ordinance, with a final Resolution to be presented for adoption concurrently with final adoption of the proposed Ordinance.

**BOARD ACTION** - Board did **not** introduce the Ordinance as written, and staff was directed to move forward quickly to bring back an Ordinance to the Board **no later than July 16, 2002** and, in the interim, Supervisors Humphreys and Baumann will meet with County Counsel and General Services staff on composition of a cemeteries task force and bring that proposal back to the Board very soon for approval.

HBaDBS

**CLOSED SESSION ROSTER****Regular Meeting of the Board of Supervisors**

April 16, 2002

10:00 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 54957, Public Employee Appointment**

- Title: Director of Social Services.

**BOARD ACTION** - Continued to April 30, 2002 upon adoption of the Agenda. DBBaHS

- Title: General Plan Project Leader.

**No action reported.**

**Section 54957.6, Conference with Labor Negotiator**

- County negotiator: Human Resources Director  
Employee organization: Deputy Sheriff's Association, Operating Engineers Local 3, El Dorado County Employees' Association Local 1, and All Unrepresented Employees.

**No action reported.**

**Section 54956.9(a), Existing litigation**

- El Dorado County vs First Federal Properties, Inc., a Nevada Corporation, et al, El Dorado County Superior Court Case Nos. PC200000299, PC20000303, PC20000305, (Consolidated under Case No. PC20000299) (Continued from 4/9/02).

**No action reported.**

- Citizens Against Roadway Encroachment vs El Dorado County, et al, El Dorado County Superior Court Case PC20000322.

**No action reported.**


**Section 54956.9(b), Anticipated litigation**

- Initiation of Litigation (1 potential case)

**No action reported.**

Board of Supervisors Meeting of April 16, 2002 attached hereto  
and approved by the Board on April 30, 2002.

APPROVED:



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DAVID A. SOLARO, Chair

ATTEST:

Dixie L. Foote, Clerk of the Board

By Margaret E. Moody  
Deputy Clerk