

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, September 10, 2002 - 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

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.

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**

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 August 27, 2002.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending approval in concept of the submission of an application to the State Department of Alcohol and Drug Programs to receive one of 30 awards of up to \$200,000 per project year for the first three years, commencing after October 1, 2002, with possible renewal for an additional two years contingent on shared costs and success of the Safe and Drug-Free Schools and Communities Program.

RECOMMENDED ACTION: Authorize solicitation of letters of support from local and County agencies and other documentation as the application requires and Director of said Department to execute any resulting Agreement and other documents required for said Program upon approvals per County policy, not to include amending the total funding or the term of the Grant.

3. Public Health Department submitting for introduction an Ordinance deleting Section 6.12.050 and adding Sections 6.12.050 through 6.12.052 of the County Ordinance Code pertaining to Dangerous and Vicious Dogs and a plan to educate the public regarding its responsibility to get involved and report incidents to the proper authorities.

RECOMMENDED ACTION: Waive reading, read by title only, and continue to **September 17, 2002** for adoption.

BaBDHS

4. Public Health Department Bi-annual Report - 2002 describing said Department's mission and vision, its role in the community, each of said Department's major Divisions, and key accomplishments of same over the past two years.

RECOMMENDED ACTION: Receive and file.

5. Public Health and Environmental Management Departments requesting a time allocation of **10:00 a.m., October 8, 2002** for a presentation on the West Nile Virus.
RECOMMENDED ACTION: Approve.

6. Mental Health Department recommending Resolution establishing imprest checking account in the amount of \$5,000 to be used for qualified children and families of the System of Care Program and the Wrap-Around Programs for emergency housing, food, clothing, activities and other therapeutic expenditures.
RECOMMENDED ACTION: Adopt Resolution 222-2002.

7. Mental Health Department recommending Agreement with Mono County for reimbursement to El Dorado County in an amount not to exceed \$24,400 for a one year term for psychiatric inpatient care to Mono County residents.
RECOMMENDED ACTION: Authorize Chair to sign.

8. Mental Health Department recommending Agreement 063-S0311 with Maxwell and Hallis LLP in an amount not to exceed \$17,050 for a one year term for professional accounting services for said Department.
RECOMMENDED ACTION: Authorize Chair to sign.

9. Mental Health Department recommending Amendment 002 to Agreement 269-S9911 with Computer Works, Inc. dba Albany Computerworks in the amount of \$17,595 for a term to expire November 9, 2002 for an additional 22 client licenses and one-year subscription for software maintenance for the InterTrac system of management of client data.
RECOMMENDED ACTION: Authorize Chair to sign.

10. General Services Department recommending the following pertaining to Bid 03-725-013 for telecommunication equipment for the Communications Division of said Department:

(1) Award to nine low qualified bidders;

(2) Authorize blanket purchase orders in an aggregate total amount of \$95,000 for a three month term following Board approval;

(3) Authorize an increase in the blanket purchase orders on an "as needed" basis during the awarded period if funding is available within the requesting department's budget; and

(4) Authorize an extension for an additional three months if mutually agreed upon by the County and the awarded vendors.

RECOMMENDED ACTION: Approve.

11. General Services Department recommending Request for Proposal 03-952-003 for Child Abuse and Neglect Prevention Intervention and Treatment Services and Community-Based Family Resource and Support Services be awarded to New Morning Youth and Family Services of Placerville.

RECOMMENDED ACTION: Authorize Chair to execute an Agreement for Services in an amount not to exceed \$87,925 upon approval by County Counsel and Risk Management.

12. General Services Department recommending a one year extension of Bid 02-405-022 to Sierra Energy of Colfax increasing the blanket purchase order in the amount of \$48,000 for lubricants to be used County wide.

RECOMMENDED ACTION: Approve and authorize an increase to blanket purchase order on an "as needed" basis during the awarded period if funding is available within the department's budget.

13. General Services Department recommending a one year extension of Bid 02-745-014 to Tahoe Asphalt Inc. of South Lake Tahoe increasing the blanket purchase order in the amount of \$265,457 for plant mix asphalt for the Department of Transportation.
RECOMMENDED ACTION: Approve and authorize an increase to the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the department's budget.
14. General Services Department recommending a one year extension of Bid 02-750-031 to Cinderlite Trucking Inc. of Carson City, Nevada increasing the blanket purchase order in the amount of \$36,841 for road cinders for the Department of Transportation.
RECOMMENDED ACTION: Approve and authorize an increase to the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the department's budget.
15. General Services Department recommending a one year extension of Bid 02-775-030 to Cargill Salt of Newark, California increasing the blanket purchase order in the amount of \$20,135 for road salt for the Department of Transportation.
RECOMMENDED ACTION: Approve and authorize an increase to the blanket purchase order on an "as needed" basis during the awarded period if funding is available within the department's budget.
16. General Services Department recommending Agreement 051-S0311 with Simplex Grinnell LP in an amount not to exceed \$13,810 or a term to expire June 30, 2003 for quarterly maintenance inspections on water based fire suppression systems for County-owned facilities in Placerville and South Lake Tahoe.
RECOMMENDED ACTION: Authorize Chair to sign.
17. General Services Department recommending Resolution amending the Records Disposition Schedule for the Probation Department.
RECOMMENDED ACTION: Adopt Resolution 223-2002.

18. General Services Department recommending Dr. Jeffrey Clark be appointed as the District V representative and Lysa Daniels be appointed as the Native American representative to the El Dorado County Cemetery Advisory Committee.

RECOMMENDED ACTION: Approve appointments.

19. Library recommending Amendment 004 to Agreement 069-V9911 with SIRSI Corporation in the amount of \$74,431 to purchase a turnkey server (SIRSI Unicorn) for operation of the Library computer system (previous vendor Data Research Associates was purchased by SIRSI Corporation).

RECOMMENDED ACTION: Make findings that independent contractor can more economically and feasibly perform work in accordance with County Ordinance Chapter 3.13, dispense with competitive bidding procedures, and authorize Chair to sign Amendment 004.

20. Treasurer/Tax Collector recommending Amendment 002 to Agreement with Moore Business Communication Services, a division of Moore North America, Inc. in a total amount not to exceed \$162,000 for an additional one year term through September 30, 2003 for printing, programming, and artwork to produce and mail annual secured and unsecured property tax bills.

RECOMMENDED ACTION: Authorize Chair to sign.

21. Auditor/Controller recommending Resolution establishing the 2002/2003 rate of the tax levy (ad valorem tax rates) for the taxing agencies in the County of El Dorado.

RECOMMENDED ACTION: Adopt Resolution 224-2002.

22. Auditor/Controller recommending Amendment 001 to Agreement 201-S0210 with Maximus, Inc. increasing compensation by \$3,000 to an amount not to exceed \$8,000 and extending the term from November 19, 2002 through November 18, 2003 for services necessary for the preparation of a cost allocation plan based on actual data from fiscal year 2001/2002 for use in fiscal year 2003/2004.

RECOMMENDED ACTION: Authorize Chair to sign.

23. Transportation Department recommending Resolution accepting Irrevocable Offers of Dedication (IOD2002-14) for public utility and slope easements for APN 112-700-06-100 from Rescue Union School District for Promontory Elementary School in El Dorado Hills. (Continued 8/27/02, Item 15)
RECOMMENDED ACTION: Adopt Resolutions 215-2002 and 216-2002.
24. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD2002-07) from Florence Bisagno, Successor Trustee of the John Bisagno, Sr. and Florence Bisagno August 1989 Trust to correct the right of way for a segment of Mosquito Road (APN 050-290-13-100); and Quitclaim Deed relinquishing the existing right of way for a segment of Mosquito Road. (Continued 8/27/02, Item 16)
RECOMMENDED ACTION: Staff recommending continuation to September 17, 2002.
25. Transportation Department recommending the Board approve the list of candidate El Dorado County projects, as outlined in Agenda Transmittal dated August 27, 2002, for programming by the El Dorado County Transportation Commission for Regional Surface Transportation Program (RSTP) funds.
RECOMMENDED ACTION: Approve.
26. Transportation Department recommending Joint Funding Agreement with the U.S. Geological Survey for monitoring for the Pioneer Trail III Erosion Control and Bike Lane Project (JN 95139); the County has obtained funding from the California Tahoe Conservancy for the County's 50% match of \$79,650 for said monitoring.
RECOMMENDED ACTION: Authorize Chair to sign.
27. Transportation Department recommending Resolution establishing a policy for the comment process for amending transit fares and/or service changes in South Lake Tahoe.
RECOMMENDED ACTION: Adopt Resolution 225-2002.

28. Transportation Department recommending Resolution authorizing said Department to claim \$690,571.87 of Transportation Development Act (TDA) Article 8 funds for fiscal year 2002/2003.

RECOMMENDED ACTION: Adopt Resolution 226-2002.

29. Transportation Department recommending the Board accept the Latrobe Road/Route 050 Eastbound Off-ramp Project 71318 as substantially complete.

RECOMMENDED ACTION: Authorize Chair to sign the Notice of Completion.

30. Transportation Department recommending the Board accept the Green Valley Road Interim Widening Commercial Area-Element A Project 72353 as substantially complete.

RECOMMENDED ACTION: Authorize Chair to sign the Notice of Completion.

31. Transportation Department recommending Streetlight and Landscaping Maintenance Agreement with the Promontory Community Association for collector roads in the Promontory Specific Plan.

RECOMMENDED ACTION: Authorize Chair to sign.

32. Transportation Department recommending Agreements on Conditions for Acceptance of Roads (2) for Promontory Villages 1-5 and 6, and Agreements on Conditions for Acceptance of Drainage (2) for Promontory Villages 1-5 and 6 of The Promontory Specific Plan.

RECOMMENDED ACTION: Authorize Chair to sign.

33. Transportation Department recommending the following for Serrano Village I, Lots F, G. and H (TM00-1367):

(1) Accept subdivision improvements as complete;

(2) Reduce Performance Bond 929203712 to \$138,095.40 to guarantee against defective work, labor done, or defective materials furnished and release in one year if no defect or warrantee claims; and

(3) Hold posted Laborers and Materialsmen Bond 929203712 in the amount of \$442,526.50 to guarantee payment to persons furnishing labor, materials or equipment, and release in six months if no claims.

RECOMMENDED ACTION: Approve.

34. Planning Department submitting Final Map for Serrano Village E1, Unit 005 (TM99-1361F) in the El Dorado Hills area; and Agreements to Make Subdivision Improvements, Conditions for Acceptance of Drainage Easements, Conditions for Acceptance of Roads with Centex Homes and Serrano Associates, LLC.

RECOMMENDED ACTION: Authorize Chair to sign. DBHS Ba(n) Staff was advised that in the future, final maps will not be approved by the Board without more detailed information provided by staff addressing issues such as water availability.

35. Planning Department submitting Final Map for Serrano Village E1, Unit 007 (TM99-1361F) in the El Dorado Hills area; and Agreements to Make Subdivision Improvements, Conditions for Acceptance of Drainage Easements, Conditions for Acceptance of Roads with Centex Homes and Serrano Associates, LLC.

RECOMMENDED ACTION: Authorize Chair to sign. DBHS Ba(n) Staff was advised that in the future, final maps will not be approved by the Board without more detailed information provided by staff addressing issues such as water availability.

36. Planning Department submitting Final Map for The Promontory, Village 002 (TM98-1356) in the El Dorado Hills area; and Agreement to Make Subdivision Improvements with Reynen and Bardis LLC, Russell-Promontory, LLC and AKT Promontory, LLC.
RECOMMENDED ACTION: Authorize Chair to sign. DBHS Ba(n) Staff was advised that in the future, final maps will not be approved by the Board without more detailed information provided by staff addressing issues such as water availability.
37. Planning Department recommending the Board accept as a gift from SAGE (Surveyors, Architects, Geologists, Engineers), a workshop on the Subdivision Map Act on September 13, 2002, which is being organized by SAGE on behalf of the Board of Supervisors, County Planning Commission, Placerville City Council Members and Planning Commissioners, and the City and County staff involved with subdivisions.
RECOMMENDED ACTION: Approve. HDBaBS
38. County Counsel submitting results of outside collection agency efforts through July 2002. (Referred August 13, 2002, Item 51)
RECOMMENDED ACTION: Continue with outside collection agency program as approved in 2001.
39. Human Resources Department requesting payment for fees and costs associated with the Employee Picnic not to exceed \$750.
RECOMMENDED ACTION: Approve.
40. Supervisor Borelli recommending ratification of the First Vice Chair's signature permitting on-stage fireworks at the Butterfly Concert which was held September 8, 2002.
RECOMMENDED ACTION: Ratify signature.
41. Supervisor Borelli recommending a variance be granted to Danny and Karen Ernst regarding the installation of an above ground pool installed 12.5 feet from their back fence.
RECOMMENDED ACTION: Approve.

42. Supervisor Humphreys requesting deferral of Traffic Impact Mitigation (TIM) fees for William Harmon, a disabled veteran who meets the definition of "very low income household", until the sale or transfer of ownership of his 725 square foot house (APN 84-040-41-00) located at 7021 Howards Crossing Road, Kelsey, California; said fee deferral will bear simple interest at a rate of 3% per annum.

RECOMMENDED ACTION: Approve.

43. Supervisor Humphreys recommending Surveyor be directed to issue a Certificate of Compliance for Raymond and Glenda Laird for property (APN 088-160-17) located at 7000 Kasha Lane, Garden Valley.

RECOMMENDED ACTION: Authorize Chair to sign.

44. Supervisor Solaro recommending Betty J. DellAnna be appointed to the Mobilehome Task Force.

RECOMMENDED ACTION: Approve.

BOARD ACTION - Consent Calendar approved with items 3, 34, 35, 36 and 37 acted upon separately; and Department Matters 53, 54, 55, 56 and 68 added. BDBaHS

END CONSENT CALENDAR

PRESENTATION of Certificate of Appreciation to Dave and Cindy Brazelton of Western Sign Company, Inc., for donation of a decorative County Seal to be accepted by the Board for permanent display in the Board of Supervisors Meeting Room.

BHDBaS

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. Presentation by the Northern California World Trade Center whose mission is to foster and stimulate economic growth and social betterment of the region by enhancing and promoting international commerce, educate the public and regional business community about our region's international trade capabilities and opportunities, and build alliances and partnerships with businesses and organizations worldwide enhancing the region's international commerce, competitiveness and image; Supervisor Baumann recommending Board consider entering into a partnership with the Northern California World Trade Center.

No action taken.

51. Presentation and invitation by the Department of Agriculture, Weights and Measures regarding the 2002 El Dorado County Harvest Fair.

No action taken.

52. General Services Department recommending the Board accept public comment regarding the County's application for Planning and Operations and Maintenance Grants from the State of California, Department of Parks Division of Off-Highway Vehicles for planning operations and maintenance assistance on the Rubicon Trail.

BOARD ACTION - Public hearing conducted as required during which no public comment was offered. No further action of the Board required at this time.

53. Public Health Department recommending Chair be authorized to sign Amendment 001 to Retroactive Agreement 265-PHD0502 with Craig Davidson, Consultant dba Fleet Management Solutions increasing compensation to an amount not to exceed \$32,750 for additional ambulance vehicle consulting services; Director of said Department requesting authorization to execute future minor changes to the Scope of Services in the new contract, not to include changes in overall funding or the term. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved. BDBaHS

54. Mental Health Department recommending Director of said Department be authorized to sign Retroactive Agreement 02-72076-000 with the State Department of Mental Health for the term July 1, 2002 through June 30, 2003; said Agreement is the assurance that the County will provide services that meet State standards and regulations; Director of said Department requesting authorization to execute subsequent documents relating to same. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved. BDBaHS

55. Community Services Department recommending Chair be authorized to sign Retroactive Memorandum of Understanding A-02-698 with the Area 4 Agency on Aging for the term July 1, 2002 through June 30, 2003 for Health Insurance Counseling and Advocacy Program (HICAP) services in El Dorado County. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved. BDBaHS

56. Community Services Department recommending Resolution 227-2002 authorizing the Chair to sign Amendment 003 to Retroactive Agreement FF-0102-29 with the State Department of Aging increasing the amount by \$6,810 to \$745,641, reflecting the accurate federal USDA reimbursement for Title III/VII Senior Services during the term July 1, 2001 through June 30, 2002; and Director of County Area Agency on Aging be authorized to continue to execute further documents relating to same. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved. BDBaHS

57. Community Services Department recommending Memorandum of Understanding with the Social Services Department to transfer administration and funding of the Adult Protective Services and In-Home Supportive Services Programs to the Community Services Department; and Resolution 206-2002 amending Authorized Personnel Allocation Resolution 261-2001 transferring 12 positions from the Social Services Department to Community Services Department to accomplish same. *(Continued from 8/20/02, Item 8)*

BOARD ACTION - Approved. HBDBaS

58. General Services Department recommending Chair be authorized to sign Amendment 001 to Lease 325-L9911 with the El Dorado County Fair Association in the amount of \$517 per month plus payment of utilities on a quarterly basis for the term September 15, 2002 through July 31, 2003 for training classrooms located on Ray Lawyer Drive; and Auditor/Controller be authorized to pay retroactive rent payment in the amount of \$3,500 for the period August 2001 through September 2002. *(For Policy Consideration of the Board of Supervisors)*

BOARD ACTION - Approved. DBBaHS

59. Auditor/Controller recommending Chair be authorized to sign Amendment 001 to Agreement 202-S0211 with Maximus, Inc. in an amount not to exceed \$51,750 for the term November 19, 2002 through November 18, 2003 for cost claiming services; and Budget Transfer 23007 increasing appropriation in Department 15 in the amount of \$27,000 for same.

BOARD ACTION - Continued to **September 17, 2002**. BaDBHS

60. Sheriff Department recommending Chair be authorized to sign Amendment 001 to Agreement 012-S0110 with Judicial Data Systems Corporation increasing compensation to an amount not to exceed \$12,000 and extending the term through June 30, 2003 for processing all parking and non-moving violation citations issued by said Department. (*For Policy Consideration of the Board of Supervisors*)

BOARD ACTION - Approved.

BHDBaS

61. Sheriff Department recommending Chair be authorized to sign Amendment 001 to Agreement 129-S0111 with Centric Group, LLC dba Keefe Commissary Network, LLC extending the term through August 31, 2005 for services necessary to implement a commissary network program to facilitate the ordering of commissary supplies by inmates of the Placerville and South Lake Tahoe Jail facilities. (*For Policy Consideration of the Board of Supervisors*)

BOARD ACTION - Approved.

DBBaHS

62. Sheriff Department recommending the following:

(1) Authorize blanket purchase order in the amount of \$40,000 with EcoLab Inc for cleaning supplies used in the jails for fiscal year 2002/2003;

(2) Direct Auditor/Controller to pay invoices for supplies provided since the prior blanket purchase order expired; and

(3) Find that, pursuant to Section 3.12.132 of the Purchasing Ordinance, competitive bidding for these supplies would produce no economic benefit to the County. *(For Policy Consideration of the Board of Supervisors)*

BOARD ACTION - Approved.

DBBaHS

63. Transportation Department recommending the Director of said Department be retroactively authorized to issue a contract change order for the final amount of \$76,875.64 to Yubacon, Inc. for all labor, equipment, materials, and supplies for the additional subgrade work for abutments for the Cedar Creek Bridge at Bridgeport School Road (Project 77108).

BOARD ACTION - Approved.

BaBDHS

64. Award of contract for the asphalt concrete overlay for portions of Lake Tahoe Boulevard and North Upper Truckee Road (PSS236) (August 13, 2002, Item 39)

BOARD ACTION - Contract awarded to the lowest responsive, responsible bidder, Don Garcia Paving, in the amount of \$564,789.00.

BHDBaS

65. Award of contract for bonded wearing course overlay for portions of Green Valley Road (PSS254) (August 13, 2002, Item 38)

BOARD ACTION - Being advised by the Department of Transportation that no bids were received, the Board authorized staff to re-bid the project for a bid opening on Monday, October 7, 2002 at 2:00 p.m. and award of bid on Tuesday, **October 15, 2002.**

HDBaBS

66. Transportation Department submitting update from County staff pertaining to inter-departmental coordination of development services activities. (Continued 8/20/02, Item 22)
No action taken.

67. Transportation Department (D.O.T.) requesting direction pertaining to the processing of Grading Permits and Grading Agreements in light of the Board of Supervisors action of July 16, 2002.
BOARD ACTION - Though the Board took no formal action, the Director of Transportation received Board members' concurrence on the following: D.O.T. will retain its authority to issue grading permits and execute grading agreements, but will forward to the Board on a case-by-case basis any individual permit or agreement it has reason to believe the Board may wish to review. As to the particular pending approvals set forth in the D.O.T. Director's letter dated 9/9/02, D.O.T. will process those pursuant to current procedures with the exception of Hollow Oak (TM94-1290) street and lot grading.

68. Transportation Department recommending ratification of the Amendment Letter to Joint Funding Agreement 2-4732-00370 with the U.S. Geological Survey retroactively increasing same by \$45,000 for the Pioneer Trail III Project (JN 95139).

ADDED TO CONSENT CALENDAR: Approved. BDBaHS

69. Building Department submitting Code Enforcement Committee status report pertaining to public nuisances. (Continued 8/27/02, Item 21)
No action taken.

70. Building Department submitting for introduction this date, and adoption on **September 17, 2002**, the following Ordinances:

(1) Ordinance repealing in its entirety Chapter 15.36 of Title 15 of the County Ordinance Code (Abatement of Dangerous Buildings) and replacing it with a new Chapter 15.36 pertaining to same;

BOARD ACTION - Board waived reading, read by title only and introduced the Ordinance for adoption on **September 17, 2002**. BHDBaS

(2) Ordinance adding Chapter 9.02 of Title 9 to the County Ordinance Code, creating a new and comprehensive Nuisance Abatement Ordinance; and

BOARD ACTION - Board waived reading, read by title only and introduced the Ordinance for adoption on **September 17, 2002**. BHDBaS

(3) Ordinance adding Chapter 2.20 of Title 2 creating a "Nuisance Abatement Hearing Board" empowered to hear appeals from nuisance abatement enforcement actions commenced under County Ordinance Code Chapters 15.36 and 9.02.

BOARD ACTION - Board waived reading, read by title only and introduced the Ordinance for adoption on **September 17, 2002**. BHDBaS

71. Administration and Risk Management Departments submitting staff report and associated letter and exhibits from Mercer Human Resources Consulting setting forth assumptions and actuarial findings pertaining to the County's Retiree Health Defined Contribution Program, requested by the Board on June 11, 2002; and staff recommending a working group be convened by the Interim Chief Administrative Officer (CAO) to include staff from the following Departments: Auditor/Controller, County Counsel, Risk Management, Human Resources, and Administration to review options for future funding of the program with the Interim CAO to return to the Board with recommendations prior to the 2003/2004 Proposed Budget.

BOARD ACTION - Approved with additional direction that staff invite one person from each employee bargaining unit (County Employees Association Local 1, Operating Engineers No. 3, Deputy Sheriffs Association and Unrepresented Management) to participate in the working group, and to report back to the Board in **sixty days (November 5 or November 26, 2002)**.

BHS D(n) Ba(n)

BOARD OF SUPERVISORS CONVENEED AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS TO CONSIDER THE FOLLOWING:

72. Environmental Management Department recommending appointment of Jean Klotz (Attorney Member), Thomas Fashinell (Medical Member), Enid Reeves (Public Member), Harold Prescott (Engineer Member) and David Sederquist to the El Dorado County Air Quality Management District Hearing Board for a three year term.

BOARD ACTION - Approved.

BHDBaS

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED.

TIME ALLOCATIONS - 10:00 A.M.

PRESENTATION of Proclamation recognizing Cecil Wetsel for being selected as California's Agriculturist of the Year by the State Fair Association. BaBDHS

80. Interim Chief Administrative Officer recommending the Board receive and file the Initial Draft Response to the 2001/2002 Grand Jury Report; and staff be directed to coordinate additional meetings, workshops, subcommittees, or Board hearings as required. (Continued 8/27/02, Item 80)

Continued to September 17, 2002 by order of the Chair.

81. Hearing to consider Resolution **228-2002** authorizing submission of a Community Development Block Grant application for a \$500,000 Microenterprise Assistance Grant to the State Department of Housing and Community Development; and Chair be authorized to act on behalf of the County in signing the Statement of Assurances and Director of Community Services be authorized to act on all matters pertaining to same and to execute and administer the standard agreement and amendments thereto that do not affect the dollar amount or the term and other related documents if funded.

BOARD ACTION - Hearing no protests, recommendations approved. HBDBaS

TIME ALLOCATION - 11:00 A.M.

82. Presentation by Mike Dikun, General Manager of the South Lake Tahoe Airport, on the South Lake Tahoe Airport Strategic Plan and the future of the Airport.
No action taken.

ITEMS TO/FROM SUPERVISORS

TIME ALLOCATIONS - 2:00 P.M.

100. Hearing to consider rezone (Z02-02) of property (Toogood Estate Winery) consisting of 40 acres in the Fairplay area from RA-40, Residential Agricultural Forty-acre zone to PA, Planned Agricultural zone (APN 094-010-73), requested by Paul Toogood, DVM.

BOARD ACTION - Board adopted the mitigated negative declaration as prepared and waived reading, read by title only and adopted ORDINANCE NO. 4606 approving the rezone, based on the findings of the Planning Commission. BaBDHS

101. Hearing to consider the Appeal filed by Art and Nancy Sommer on the Planning Commission's conditional approval of Special Use Permit S01-25 for Lucinda's Country Inn on approximately 11 acres (APN 094-030-04) in the Fairplay area (District II) Applicants: Lucinda and Daryl Sullivan).

BOARD ACTION - The Board granted the Appeal in part and denied the Appeal in part, i.e., the Board modified the action of the Planning Commission to grant the special use permit for the Bed & Breakfast but delete the approval for the special events and modified the conditions to delete those that relate solely to the special events. BaDBHS

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

September 10, 2002

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 vs Gale A. Norton, et al., United States District Court, Eastern District Case CIV.S-02.1818 GEB DAD.

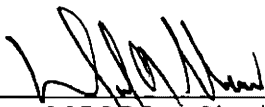
BOARD ACTION - By a unanimous vote the Board authorized the retention of the Diepenbrock firm to represent the County in that action, working with County Counsel in any related actions; County Counsel to return to the Board with the contract and the appropriate budgetary items

Section 54957.6, Conference with Labor Negotiator:

- **County Negotiator:** Director of Human Resources
Employee Organization: Unrepresented Management.
No action reported.

Board of Supervisors Meeting of September 10, 2002 attached hereto and approved by the Board on September 17, 2002.

APPROVED:



DAVID A. SOLARO, Chair

ATTEST:

Dixie L. Foote, Clerk of the Board

By 

Deputy Clerk