

A G E N D A   A D D E N D U M   N O .   1

Regular Meeting of the Board of Supervisors  
County of El Dorado

February 4, 2003 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM  
330 Fair Lane, Building A  
Placerville, California

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**CLOSED SESSION**

**Anticipated litigation** pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation.  
**No action reported.**

**Public employee performance evaluation** pursuant to Government Code Section 54957. Title: Library Services Director, Director of Department of Transportation and Veterans Service Officer.  
**No action reported.**

**DEPARTMENT MATTERS**

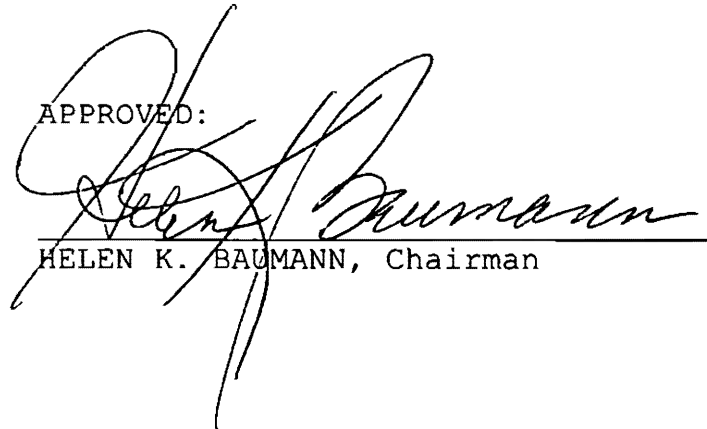
63. County Counsel recommending adoption of Ordinance **4621** repealing Chapter 2.29 of Title 2 of the El Dorado County Ordinance Code relating to the Cultural Resources Preservation Commission.

**BOARD ACTION** - Board waived reading, read by title only and introduced the Ordinance for adoption on **February 11, 2003.**

DPBaBS

Board of Supervisors Meeting of February 4, 2003 attached hereto and approved by the Board on February 11, 2003.

APPROVED:



HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By Margaret E. Moody  
Deputy Clerk

**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, February 4, 2003 - 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

**HELEN K. BAUMANN**  
Second District  
Chairman

**RUSTY DUPRAY**  
First District  
First Vice Chairman

**CARL BORELLI**  
Third District  
Second Vice Chairman

**CHARLIE PAINE**  
Fourth District

**DAVID A. SOLARO**  
Fifth District

Clerk of the Board  
Dixie L. Foote

Chief Administrative Officer  
James M. Bourey

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  
CLOSED SESSION REPORTS**

**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 Department Matter 53 continued to **February 11, 2003**; and Consent Calendar approved with the addition of Department Matters 52, 54 and 59, and with items 14, 15, 18 and 19 held off for separate action.

DBBaPS

**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of January 28, 2003.  
**RECOMMENDED ACTION:** Approve.
  
2. Public Health Department recommending the Health Alliance Update Report on the immediate and long-range action plans for the appropriation of the Tobacco Settlement Funds be brought back to the Board no later than **March 4, 2003**. (Referred 11/26/02, Item 50)  
**RECOMMENDED ACTION:** Approve.
  
3. General Services Department recommending a one-year extension of Bid 02-863-049 for truck tires and related services to Lilly's Tires of South Lake Tahoe, California for a term to expire February 24, 2004 for the Department of Transportation (DOT).  
**RECOMMENDED ACTION:** Authorize purchase order in the amount of \$32,000 and an increase to the blanket purchase order on an "as needed" basis if funding is available within DOT's road fund budget.

4. General Services Department recommending the following:

(1) Dispense with competitive bidding procedures in accordance with Section 3.12.130E of the County Ordinance Code;

(2) Approve extension of blanket purchase order BP220574 on behalf of the Department of Agriculture for the sole source purchase of Transline herbicide, surfactant and dye to the Placerville Fruit Growers Association for a term to expire June 30, 2004 in accordance with the State Food and Agriculture Grant Funded Agreement 01-0577;

(3) Authorize an increase to said purchase order by \$20,000; and

(4) Authorize an increase to same on an "as needed" basis during the extended period if funding is available within the requesting Department's budget (Non-General Fund).

**RECOMMENDED ACTION:** Approve.

5. General Services Department recommending Agreement 366-S0311 with Environmental Stewardship and Planning, Inc. in an amount not to exceed \$164,732 for a ten month term for California Environmental Quality Act (CEQA) compliance services for the Bass Lake Regional Park Project. (Funding from the Accumulated Capital Outlay Fund for Park Projects)

**RECOMMENDED ACTION:** Authorize Chairman to sign.

6. Transportation Department recommending Notice of Completion for the Salmon Falls Bridge Painting Project 77110 under contract to Jeffco Painting.

**RECOMMENDED ACTION:** Accept said Project as substantially complete and authorize Chairman to sign said Notice.

7. Transportation Department recommending Notice of Completion for the Highway, Bridge, Replacement and Rehabilitation Program (HBRR) - 2002 Bridge Approach Guardrail Replacement Project 77113 under contract to Apex Fence Company.

**RECOMMENDED ACTION:** Accept said Project as substantially complete and authorize Chairman to sign said Notice.

8. Transportation Department recommending the following pertaining to Rolling Hills Estates, Unit 1 Subdivision (TM96-1314):
- (1) Accept subdivision improvements as complete;
  - (2) Release Performance Bond 5947854 in the amount of \$1,887,000;
  - (3) Hold posted Laborers and Materialsmen Bond 5947853 in the amount of \$943,500 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance if no claims are made; and
  - (4) Hold posted Maintenance Bond 5947852 in the amount of \$188,870 and release one year after acceptance if no claims are made.
- RECOMMENDED ACTION:** Authorize Chair to sign.
9. Transportation Department recommending the following pertaining to Rolling Hills Estates, Unit 2 Subdivision (TM96-1314):
- (1) Accept subdivision improvements as complete;
  - (2) Release Performance Bond JZ7234 in the amount of \$825,654;
  - (3) Hold posted Laborers and Materialsmen Bond JZ7234 in the amount of \$412,857 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance if no claims are made; and
  - (4) Hold posted Maintenance Bond JZ7234 in the amount of \$82,566 and release one year after acceptance if no defect or warrantee claims are made.
- RECOMMENDED ACTION:** Approve.
10. Transportation Department recommending Amendment 002 to Agreement PSS220 with Blain Stumpf dba Blain Stumpf Trucking increasing the not to exceed amount from \$50,000 to \$150,000 and extending the term to December 30, 2003 for "as needed" material transportation services. (Funding from Road Fund)
- RECOMMENDED ACTION:** Authorize Chairman to sign.

11. Transportation Department recommending Resolution summarily vacating (AOE2002-44) five-foot wide public utilities easements on the sides of Lots 24, 25, 58, 59, 60, and 63 in Ridgeview Village Estates Unit 2 in El Dorado Hills for Kearns Company Builders and Developers, Inc.  
**RECOMMENDED ACTION:** Adopt Resolution 022-2003.
  
12. Transportation Department recommending Resolution summarily vacating (AOE2002-51) ten-foot wide public utilities easements and rescinding the Offer of Dedication for drainage easements located on the rear boundary lines of Lots 191, 192, 194, 195, 197, 198, 199, 201, 203, 250, 251, 260 and 276 in Serrano-El Dorado Hills Village D2 Unit 3 in El Dorado Hills for Warmington Homes CA.  
**RECOMMENDED ACTION:** Adopt Resolution 023-2003.
  
13. Planning Department recommending Agreements with El Dorado County and Georgetown Divide Resource Conservation Districts in the amount of \$42,488 each, plus billing, for fiscal year 2002/2003 for project reviews and separate billings for the Surface Mining and Reclamation Act (SMARA).  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
  
14. Human Resources Department recommending Resolution **026-2003** increasing the salary range and amending the salary table for the position of Assistant Chief Administrative Officer to be more competitive with adjacent agencies and eliminating eligibility for prior service credit for longevity pay entitlement specified in Section 1402.A of Salary and Benefits Resolution 323-2001.  
**RECOMMENDED ACTION:** Adopt Resolution 026-2003 effective the first full pay period following adoption. Resolution **not adopted**. Supervisors Baumann and Paine appointed as a subcommittee of the Board to take part in the hiring process, i.e., the interview of candidates and determination of terms of employment, salary and benefits. DBBaPS

15. Administration recommending public entity coverage through California State Association of Counties Excess Insurance Authority (CSAC EIA) for Local Agency Formation Commission (LAFCo), Air Quality Management District, Fair Association, Water Agency, Superior Court, and In-Home Supportive Services (IHSS).

**RECOMMENDED ACTION:** Authorize Chairman to sign "Request to Add Coverage for Public Entity" and Risk Manager be directed to assure these entities are provided the indicated coverage through CSAC EIA.

BaBDPS

16. Supervisor Baumann recommending Vicki Yorty be appointed as the District II representative to the Local Disaster Council for a term to expire January 1, 2005.

**RECOMMENDED ACTION:** Approve appointment.

17. Supervisor Paine recommending February 25, 2003 be proclaimed "Friends of NRA Gun Safety Day" in El Dorado County.

**RECOMMENDED ACTION:** Adopt Proclamation.

18. Supervisor Paine recommending General Services Department be directed to work with him, the Department of Water Resources (Resources Secretary), legislative delegations, the Coloma-Lotus Valley Community Association, non profit organizations and interested citizens to access \$10,000,000 in Proposition 50 funds (Californians for Clean Water and Coastal Protection Bond Act) for the acquisition, restoration, protection and development of river parkways and to acquire facilities necessary to provide flows to improve water quality.

**RECOMMENDED ACTION:** Approve and any formal grant application for this funding to be brought back for further Board approval.

PSDBaB



19. Supervisor Solaro, on behalf of the Child Abuse Prevention Council, submitting recommendations for the appointment of Jessica Dawson and Cathy Bean; and requesting allocation of funding from the Children's Trust Fund in the amount of \$28,000 for said Council's budget.

**RECOMMENDED ACTION:** Approve. Approved with clarification by Supervisor Solaro that the following details be provided: (1) Full reconciliation of the Children's Trust Fund by Social Services that includes the details of contributing sources, i.e., birth certificates and kids' license plate monies; and (2) Funds to be assigned as follows: \$9,500 for South Lake Tahoe Women's Center from Community Based Family Resources and Support (CBFRS), \$10,500 for Western Slope prevention programs from CBFRS, \$974 for Child Abuse Prevention Council from CBFRS, and \$7,026 for the Council from the Children's Trust Fund. SDBaBP

20. Supervisor Solaro requesting appointment to the Tahoe Coordinated Area Transit Board of Directors and Janet Postlewait be appointed as his alternate.

**RECOMMENDED ACTION:** Approve.

**END CONSENT CALENDAR**

**OPEN FORUM**

**CAO REPORTS/COMMENTS**

**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 Community Development Block Grant (CDBG) Application for \$500,000 housing acquisition grant to assist up to twelve eligible first-time homebuyers to purchase in unincorporated areas of the County; adoption of Resolution **024-2003** authorizing Community Services Department Director to act on all matters pertaining to said application and to execute and administer the agreement, and related documents if application is funded and to also approve an amendment to the County's Program Reuse Plan to allow for use of CDBG Program Income for housing acquisition activities and authorizes Director of said Department to sign Program Income Reuse Plan as amended.

**BOARD ACTION** - Hearing no protests, staff recommendations approved. SBDBaP

51. Community Services Department recommending Resolution **025-2003** authorizing Chairman to sign Amendment 001 to Agreement FC-0204-29 with State Department of Aging increasing federal Title III E allocation by \$36,832 to \$117,865, approving Title III E Budget Revision 1 to State Department of Aging and County Budget Revision reflecting an increase of \$48,789 including new federal one-time-only allocation, federal fiscal year 2002/2003 baseline funding not previously budgeted (\$11,807) and local program donations (\$150) for a total program budget of \$118,015, and including purchase of a color laser printer for Family Caregiver Support Program services for term July 1, 2002 through June 30, 2003, with contract term through June 30, 2004; said Resolution authorizing Area Agency on Aging Director to administer said Contract and execute subsequent documents relating to same that do no affect the dollar amount or term, and required fiscal and programmatic reports.

**BOARD ACTION** - Approved.

BPDBaS

52. Public Health Department recommending Budget Transfer 23107 increasing Estimated Revenue and Expenditure Appropriations by \$199,498 for the Proposition 36 Substance Abuse and Crime Prevention Program for fiscal year 2002/2003; and Director of said Department be authorized to execute any subsequent documents necessary to this program as appropriate and per County policy, not to include changes in overall funding or term. (4/5 vote required)  
**ADDED TO CONSENT CALENDAR:** Approved. DBBaPS

53. General Services recommending award of Bid 03-070-061 for annual purchase of vehicles for Fleet Management; and purchase orders to Harrell Motors of Placerville in the amount of \$166,498, South Shore Motors of South Lake Tahoe in the amount of \$431,006, Thompsons of Placerville in the amount of \$166,417, Senator Ford of Sacramento in the amount of \$172,150, and Maita Chevrolet in the amount of \$43,131 including applicable sales and tire tax with replacement vehicles being funded from the Fleet's Vehicle Replacement Reserve Fund (Non-General Fund), and new additional vehicles being funded within individual requesting department's budget for fixed assets; and additional orders as requested if funding is available within the requesting department's budget. (Continued 1/28/03, Item 6)  
**BOARD ACTION** - Continued to **February 11, 2003** upon adoption of the Agenda. DBBaPS

54. General Services recommending award of Bid 03-675-067 for herbicides for Department of Transportation (DOT); and blanket purchase order to Western Farm Services of Fresno, California in the amount of \$70,000 including sales tax, from DOT's Road Fund (Non-General Fund) for a twelve month term following approval and an increase to the blanket purchase order as needed during the awarded period if funding is available within the requesting department's budget. (Continued 1/28/03, Item 7)  
**ADDED TO CONSENT CALENDAR:** Approved. DBBaPS

55. General Services Department recommending award of Bid 03-760-068 for a Caterpillar Model 248 Skid Steer Loader for the Department of Transportation (DOT); and authorize purchase order to Holt of California in the amount of \$41,544, including sales tax from DOT's Road Fund (Non-General Fund). (Continued 1/28/03, Item 8)  
**BOARD ACTION** - Approved. BPDBaS
56. General Services Department recommending award of Bid 03-845-069 for test screeners (sieve shakers) for the Department of Transportation (DOT); and authorize purchase order to Gilson Company, Inc. of Lewis Center, Ohio in the amount of \$10,569, including sales tax, from DOT's Road Fund (Non-General Fund). (Continued 1/28/03, Item 9)  
**BOARD ACTION** - Approved. BPDBaS
57. General Services Department recommending award of Bid 03-070-070 for three new 4-wheel drive pick-up trucks for the Environmental Management Department; and authorize purchase order to Harrell Motors of Placerville in the amount of \$73,159 including applicable sales and tire tax from Environmental Management Department (Non-General Fund), County Service Area 010/Solid Waste and Litter Abatement Program, Special Revenue funds and authorize additional orders on an "as requested" basis if funding is available within the requesting department's budget. (Continued 1/28/03, Item 10)  
**BOARD ACTION** - Approved. DBBaPS
58. Adoption of Ordinance **4620** amending Section 544.050 through 5.44.100 of Chapter 5.44 of Title 5 of the County Ordinance Code adjusting fees for alarm permits. (Introduced 1/28/03, Item 15)  
**BOARD ACTION** - Ordinance 4620 adopted. BPDBaS

59. Transportation Department Director requesting authorization to issue Contract Change Order 1 in an amount not to exceed \$80,272 to Don Garcia Excavating and Paving, Inc. to provide compensation for all labor, equipment, materials and supplies necessary for the completion of the cold planning of the existing asphalt concrete not covered by the original contract specifications for the Lake Tahoe Boulevard and North Upper Truckee Contract PSS236. (For Policy Consideration of the Board of Supervisors)  
**ADDED TO CONSENT CALENDAR:** Approved. DBBaPS
60. Transportation Department recommending Pacific Gas and Electric Company New Business Application for Commercial/Industrial Service; Distribution Service and Extension Agreement; Agreement for Street and Highway Lighting; and Standard Department of Transportation Forms and Agreements; authorization for the Director of said Department to execute project forms and agreement packages up to \$100,000 with County Counsel approval; selection of the ten-year Refund Option of 50% Discount Option in the Distribution Service and Extension Agreement; and minor, non-substantive changes to the Standard Forms and Agreements with County Counsel approval.  
**BOARD ACTION** - Approved with clarification that included in this approval is authorization for the Chairman to sign all forms and agreements set forth in the letter to the Board, dated December 31, 2002, from the Assistant Director of Transportation. BDBaPS
61. Administration recommending the adoption of the 2003 Legislative/Regulatory Platform for El Dorado County.  
**BOARD ACTION** - Platform adopted as presented with the addition of the Board's action today (item 18) authorizing efforts to access \$10,000,000 in Proposition 50 (California for Clean Water and Coastal Protection Bond Act) funds. SDBBaP

62. Supervisor Dupray, on behalf of the Cameron Park Community Services District, recommending the Board consider a waiver of fees, totaling \$467.57, associated with the construction of a storage facility at 3200 Country Club Drive in Cameron Park to be used for storing files.

**BOARD ACTION** - Approved.

DBBaPS

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

70. Hearing to consider the adoption of the Mitigated Negative Declaration, Response to Comments, and Mitigation Measure Monitoring and Reporting Program, which together constitute the Final Mitigated Negative Declaration (F/MND) for the White Rock Road East Project.

**BOARD ACTION** - Hearing no protests, Board approved the Final Mitigated Negative Declaration for the White Rock Road East Project.

BPDBaS

**ITEMS TO/FROM SUPERVISORS**

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

80. Hearing to consider request by Cool Investments to change, or remove, the development limitation on Parcel Map 44/80 (P92-45C) to allow ministerial permits for properties identified as Assessor's Parcel Nos. 071-032-39 (primary parcel) and 071-030-37, -38, and -40 consisting of 253 acres in the Cool area. (District IV)

**BOARD ACTION** - Board certified the project is categorically exempt from the California Environmental Quality Act (CEQA) and approved amendment of recorded Parcel Map 44/80 to remove the requirement for discretionary permits, thereby allowing ministerial permits, on the following three parcels only: APNs 071-032-39 and 071-030-37 and -40.

PBBaS D(a)

81. Hearing to consider an Appeal on the conditional approval of Certificates of Compliance (COC) through 99-52 for ten parcels created by gift deed on January 18, 1982, pursuant to Section 66499.35 of the Subdivision Map Act, allowing the County to issue development permits authorized in the AE, Exclusive Agricultural Zone District (APNs 074-041-12 through -18, and -20 through -22) in the Georgetown area, Applicants: Larry and Karen Niegel, Stacy L. Reese (Niegel), Robert Travis Ellinghouse, Robert H. Ellinghouse, Lisa B. Niegel and Greg Niegel, Appellant: Steven Proe/El Dorado County Taxpayers for Quality Growth. (Continued 1/7/03, Item 80)

**BOARD ACTION** - Board denied the Appeal, thereby upholding the Zoning Administrator's conditional approval of COC 99-46 through 99-52. PBBaS D(a)

**ADJOURNMENT**

**CLOSED SESSION ROSTER****Regular Meeting of the Board of Supervisors****February 4, 2003 - 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 El Dorado Irrigation District, El Dorado County Superior Court Case #PC20010587.  
**No action reported.**

**Section 54956.9(c), Anticipated litigation:**

- Initiation of litigation. Title: El Dorado Irrigation District Approval of Bass Lake Tank #2.  
**No action reported.**

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

- This body will hold a closed session to give instructions to its negotiator regarding real property described as APN 107-020-16. The person or persons with whom the negotiator may negotiate is El Dorado Irrigation District, Larry Hull, Right of Way Agent. Instructions to negotiator will concern both price and terms of payment.  
**No action reported.**

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

- Clerk of the Board of Supervisors
  - Mental Health Director
  - Public Health Director
- No action reported.**