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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, March 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.*

*A copy of the Board of Supervisor's agenda packet is available for viewing in the lobby of Building A, 330 Fair Lane, Placerville.*

**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 the addition of one **new business** item (refer item 61) and with Department Matters 56 and 57 moved for consideration at 2:00 p.m. concurrently with item 91; and Consent Calendar approved with the addition of Department Matters 51, 52 and 55 for approval of recommended actions on same. BSDBaP

**PRESENTATION** of Resolution 043-2003 recognizing and honoring the Gold Bug Quilt Guild. BaDBPS

**PRESENTATION** proclaiming the week of March 9, 2003 as Small Business Week in El Dorado County. BSDBaP

**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of February 25, 2003.  
**RECOMMENDED ACTION:** Approve.
2. Release of Liens (on file with Clerk)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
3. General Services Department recommending the Board dispense with the competitive bidding procedures in accordance with Purchasing Ordinance 3.12.130, Section E and authorize the sole source purchase of weapons and ammunition for the Sheriff's Department.  
**RECOMMENDED ACTION:** Authorize purchase order to LC Action of San Jose, California in the amount of \$15,180 including sales tax.

4. General Services Department recommending Agreement 598-S0311 with Murray and Downs, AIA, Architects, Inc. in an amount not to exceed \$15,000 for a 30 day term for architectural services for tenant improvements at the new Mental Health Administration Office located at 6425 Capitol Avenue, Building 1, Diamond Springs, California. (Funding from Mental Health Department 2002/2003 budget/non-general fund.)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
5. General Services Department recommending award of Bid 03-290-079 for guardrail materials for the Department of Transportation.  
**RECOMMENDED ACTION:** Authorize blanket purchase order to Interstate Sales of Auburn, California in the amount of \$30,000 including sales tax from the Department of Transportation's Road Fund (Non-General Fund) for the term March 4, 2003 through March 3, 2004; and authorize increases to the blanket purchase order for said materials on an "as needed" basis during the awarded period if funding is available.
6. Sheriff Department recommending Budget Transfer 23136 transferring \$21,269 of the Local Law Enforcement Block grant and associated County match from the Sheriff's Budget to the Probation Department budget to purchase a case management system.  
**RECOMMENDED ACTION:** Approve.
7. Sheriff Department recommending Budget Transfer 23137 transferring \$6,307 in revenue and associated expenditure appropriations for the Marijuana Suppression Program grant from the District Attorney's budget to the Sheriff's budget.  
**RECOMMENDED ACTION:** Approve.
8. Transportation Department recommending Resolution summarily vacating (AOE2002-47) public utilities easements on the easterly portion of Lot 12 and the northerly portion of Lot 24 in Ridgeview West Unit 1 in El Dorado Hills, requested by Ridgeview West, LLC.  
**RECOMMENDED ACTION:** Adopt Resolution 042-2003.

9. Transportation Department recommending the following pertaining to Sierra View Estates Unit 2 Subdivision (TM87-1067):
  - (1) Accept improvements as complete;
  - (2) Adopt Resolution accepting streets into the County Maintained Mileage System;
  - (3) Hold posted Letter of Credit U-221278 in the amount of \$731,494.67 to guarantee against defective work, labor done, or defective materials furnished and release on February 8, 2004 if no claims are made; and
  - (4) Hold posted Letter of Credit U-221279 in the amount of \$335,280.96 to guarantee payments to persons furnishing labor, materials or equipment and release on July 8, 2003 if no claims are made.  
**RECOMMENDED ACTION:** Approve and adopt Resolution 044-2003.
  
10. Transportation Department recommending the following pertaining to the U.S. Highway 50/Missouri Flat Road Interchange Project:
  - (1) Determine that Carol J. Russell, Trustee of the Carol Russell Revocable Trust (APN 327-130-20-100, 6880 Perks Court, Placerville) qualifies for a Hardship Right of Way Acquisition pursuant to Section 5.03.00.00 of the CalTrans Right of Way Manual; and
  - (2) Authorize said Department to begin the acquisition process.  
**RECOMMENDED ACTION:** Approve.
  
11. Supervisor Borelli advising that he wishes to resign from the Board of Directors of the California Rural Home Mortgage Authority.  
**RECOMMENDED ACTION:** Accept resignation and appoint Supervisor Baumann to said Authority for a term to expire January 1, 2005.

12. Supervisor Borelli recommending Julianne van Leeuwen be appointed as his alternate to the El Dorado County Cemetery Advisory Committee.

**RECOMMENDED ACTION:** Approve appointment.

**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 disbursement of excess proceeds in the amount of \$5,857.26 to the Franchise Tax Board and \$21,575.31 to the Ford Motor Credit Company from Tax Deeded Land Sale on November 2, 2001 (APN 025-223-01-100).

**BOARD ACTION** - Hearing no protests, Board approved recommendations of Auditor-Controller. BPDBaS

51. Public Health Department recommending the following pertaining to the Health Alliance Needs Assessment and Strategic Planning Report on the immediate and long-range action plans for the appropriation of the Tobacco Settlement Funds:

(1) Adopt three Action Plan Areas and funding as outlined in Agenda Transmittal dated January 22, 2003;

(2) Direct staff to begin implementation of said Plan; and

(3) Direct staff to return quarterly to provide an update on the implementation process and once adopted, the Evaluation Plan. (Continued 2/4/03, Item 2) (Chairman recommending this matter be continued for consideration on March 18, 2003.)

**ADDED TO CONSENT CALENDAR:** Continued to **March 18, 2003.** BSDBaP

52. Public Health Department recommending Budget Transfer 23133 increasing estimated revenue and expenditure appropriations of \$77,289 for Fiscal Year 2002/2003 Alcohol/Drug Treatment and Prevention Programs due to changes adopted by the State in the revised budget for fiscal year 2002/2003. (4/5 vote required)

**ADDED TO CONSENT CALENDAR:** Approved.

BSDBaP

53. Community Services Department recommending Budget Transfer 23134 increasing estimated revenue by \$130,000 to adjust the revolving loan fund balance to include fiscal year 2002/2003 California Development Block Grant (CDBG) rehabilitation loan payoffs. (4/5 vote required)

**BOARD ACTION** - Approved.

BSDBaP

54. Community Services Department recommending the following to establish a fiscal year 2002/2003 In-Home Supportive Services (IHSS) Public Authority budget:

(1) Approve Budget Transfer 23144 establishing a \$510,020 fiscal year 2002/2003 budget within the El Dorado County IHSS Public Authority fund for the continued implementation and provision of said Authority services during fiscal year 2002/2003, with expenditures and corresponding revenues, including \$76,503 transferred from General Fund Contingency; said Transfer includes fixed assets in the amount of \$9,200 for one laptop personal computer, one color printer, and one server; (4/5 vote required) and

(2) Direct said Department to work with Administration to establish a means of addressing the immediate and ongoing cash flow needs of the Authority.

**BOARD ACTION** - Approved.

DBBaPS

55. Community Services Department recommending Agreement CFC-0203-01 with Children and Families Commission of El Dorado County for the term July 1, 2002 through June 30, 2003 to enable the local services provider to receive federal revenues for eligible Medi-Cal Administrative Activities services provided. (For Policy Consideration of the Board of Supervisors)

**ADDED TO CONSENT CALENDAR:** Approved.

BSDBaP

56. Transportation Department presenting Fiscal Year 2003/2004 Pre-Budget visioning and recommending Board:
- (1) Approve the 2003/2004 Surface Treatment Program which includes approximately 70 miles of chip seal work and 10 miles of asphalt overlay work;
  - (2) Direct staff to prepare an appropriation budget transfer to ensure all current-year Measure H funds are preserved for capital overlay projects, maximizing flexibility in budgeting non-Measure H revenues; and
  - (3) Provide said Department any feedback regarding the proposed approach to the Fiscal Year 2003/2004 Budget submittal.

**BOARD ACTION** - Approved.

BPDBaS

57. Transportation Department recommending the following pertaining to the National Pollution Discharge Elimination System:

- (1) Approve in concept the Tentative Storm Water Management Plan (TSWMP) for western El Dorado County;
- (2) Authorize Chairman and Director of said Department to sign the Notice of Intent to Comply with the United States Environmental Protection Agency rules for small municipal separate storm sewer system National Pollution Discharge Elimination System permit requirements;
- (3) Authorize staff to submit the TSWMP and Notice of Intent to the State with approximately \$6,250 in permit fees for the balance of fiscal year 2002/2003;
- (4) Authorize Chairman and staff to execute an amendment to the existing contract with URS Greiner to provide \$40,000 additional compensation, raising the total compensation to \$80,000, for post-TSWMP submittal public outreach and regulatory compliance activities, subject to review and approval by County Counsel and Risk Management, and referral to the Local 001 Employees Association; and
- (5) Direct the Transportation and Environmental Management Directors to work with the Chief Administrative Officer and return with recommendations regarding possible sources of funding for program costs in excess of the \$46,250 discussed herein by April 8, 2003.

**BOARD ACTION** - Approved.

SPDBaB

58. Administration recommending revisions to Policy D-2 pertaining to County credit cards; said revisions to be more comprehensive for department needs, and more consistent for administrative purposes. (Continued 2/25/03, Item 26)

**BOARD ACTION** - Continued to **March 18, 2003**, and CAO requested to provide for inclusion in the Board's packet that date for clarification purposes, a comparison of the existing policy to the proposed policy, and to mail a copy of same to the El Dorado County Taxpayers Association. BaPDBS

59. Administration submitting a *draft* of Goals for 2003. (Referred 1/28/03, Item 40)

**Board received CAO's report and took no action.**

60. Supervisor Baumann recommending Human Resources Department and County Counsel be directed to develop language to amend Resolution 258-2001 to extend the salary and medical benefits for an additional 365 days to eligible County employees called to active military duty, said amendment to include language making the new provisions applicable to County employees that have exhausted the benefit under the original 395 days; and County Counsel and Human Resources Department staff be directed to report back to the Board on **March 18, 2003** with said Resolution.

**BOARD ACTION** - Recommendation approved; staff to report back on **March 18, 2003**. PBDBaS



**NEW BUSINESS** (added to Agenda upon its adoption by a unanimous vote of the Board)

61. At the recommendation of County Counsel, the Chairman was authorized to sign a Subordination Agreement, and the Addendum thereto, between Mercy Housing California XXI ("Borrower"), the County of El Dorado (the "Junior Lender"), in favor of Bank of America, N.A., (the "Bank") for an acquisition loan to the "Borrower" in the principal amount of \$3,550,000.00 from the "Bank"; said approval subject to an agreement from Mercy Housing that the total amount to which the County is subordinating, i.e. this "acquisition" loan plus the ultimate "construction" loan, is not significantly different than the total construction loan that was anticipated originally (approximately \$17 million).

BSDBaP

**ITEMS TO/FROM SUPERVISORS**

**BOARD OF SUPERVISORS RECESSED AND CONVENEED AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD OF DIRECTORS TO CONSIDER THE FOLLOWING:**

70. Community Services Department recommending Chairman be authorized to sign Agreement 558-S0311 between the In-Home Supportive Services Public Authority and the Industrial Employers and Distributors Association dba IEDA in the amount of \$20,000 for the term March 16, 2003 through March 15, 2004 for consultation and advice on employer-employee relations to said Authority.

**BOARD ACTION** - Approved with caveat the cost will not exceed \$20,000. PSB D(n)Ba(n)

**DIRECTORS OF THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY ADJOURNED.**

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

90. Hearing to consider an Appeal on the Planning Commission's approval of Special Use Permit S02-16/Variance V02-04 for the Chile Bar Slate Mine (APNs 089-160-11 and 089-170-13) located on the east side of State Route 193, lying on the south side of the South Fork of the American River, north of the City of Placerville (District III), Applicant: Placerville Industries, Inc./The Nugget Partnership, Appellant: El Dorado County Taxpayers for Quality Growth/Steven Proe. (The Appellant has submitted a request to have this hearing continued.)

**BOARD ACTION** - Board denied the appellant's request for a continuance of this hearing; denied the Appeal, thereby upholding the Planning Commission's approval of Special Use Permit S02-16 and Variance V02-04 for the Chile Bar Slate Mine; and, at the recommendation of the Planning Department orally and in its memorandum to the Board this date, the Board approved amendment of the *Environmental Checklist Form and Discussion of Impacts, Aesthetics*, and the addition of the following condition of approval to the Special Use Permit: "The applicant shall submit a revised site plan indicating the specifications and location of the installed outdoor lighting. Said outdoor lighting shall comply with Section 17.14.170 of the County Code."  
BPDBaS

91. Transportation Department presenting information pertaining to the Draft Interim Capital Improvement Program; and requesting policy direction relating to the final preparation and implementation of a Five-Year Capital Improvement Program.

**No formal action taken by the Board.**

**ADJOURNMENT**

**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**March 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(b), Anticipated litigation:**

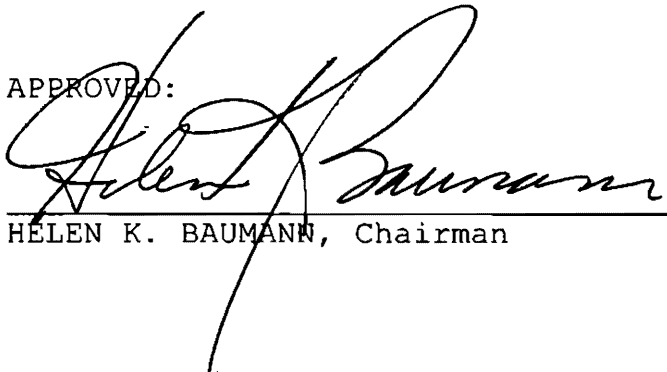
- Significant exposure to litigation. Title: Kemper Insurance Company vs El Dorado County  
**No action reported.**

**Section 54956.9, Conference with Real Property Negotiator:**

- This body will hold a closed session to give instructions to its negotiator regarding real properties described as APN 16-311-10 and APN 16-390-08. The person or persons with whom the negotiator may negotiate are Bernard G. Lovelace and Elizabeth Lovelace (APN 16-311-10) and David R. and France J. Reed, Trustees (APN 16-390-08). Instructions to negotiator will concern both price and terms of payment.  
**No action reported.**

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

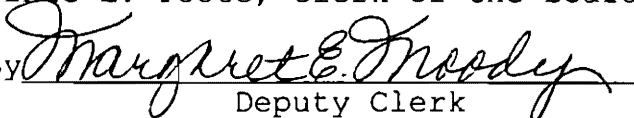
APPROVED:



HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By   
Deputy Clerk