

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, August 19, 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

JAMES R. SWEENEY
Third District

CHARLIE PAINE
Fourth District
Second Vice Chairman

DAVID A. SOLARO
Fifth District

Clerk of the Board
Dixie L. Foote

Interim Chief Administrative Officer
Laura S. Gill

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 (which includes supporting documents) 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**

ADVISORY NOTE: Pursuant to action of the Board this date (refer Agenda item 75), Board members' votes are now indicated numerically by their district number. The first number indicates the Supervisor making the motion, and the second number indicates the Supervisor that seconded the motion. A vote other than "aye" is indicated as follows:

n = no

np = not present

ab = abstain

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 items 44, 70, 71 and 73 continued off calendar; Department Matters 65, 67, 68, 69 and 85 added to the Consent Calendar; Department Matter 72 moved for consideration at 2:00 p.m. concurrent with item 102; and Consent Calendar items 4, 27, 30, 32, 39, 43, 47 and 53 pulled off for separate action. Consent Calendar approved as modified. 14235

PRESENTATION: 4-H Youth Development Japanese Exchange Program.

PRESENTATION of Certificate of Appreciation to Marshall Seaborn in recognition of his contribution toward the care and maintenance of the County Government Center grounds.

CONSENT CALENDAR

1. Approval of Board of Supervisors Conformed Agendas (Minutes) of the Regular Meetings of July 15 and July 22, 2003 and Special Meeting of August 6, 2003.

RECOMMENDED ACTION: Approve.

2. Releases of Lien (on file with Clerk)

RECOMMENDED ACTION: Authorize Chairman to sign.

3. Public Health Department recommending Chairman be authorized to sign the Declaration of Intent Not To Apply for Rural Health Services Program Funding for Fiscal Year 2003/2004 which passes the responsibility for administering indigent funding to the State.

RECOMMENDED ACTION: Approve.

4. Public Health Department requesting authorization to submit a grant application, solicit letters of support, and any other documentation required to the Health Resources and Services Administration for a Rural Health Network Development Grant and a Healthy Communities Access Program Grant in an amount between \$200,000 and \$300,000 for a maximum of three years from May 1, 2004 through April 30, 2007 to strengthen the health care delivery system of the poor and underserved populations of the County.

RECOMMENDED ACTION: Approve. **Continued to August 26, 2003.** 31245

5. Public Health Department requesting advance step placement of Joanne Shope, at Step 5 of the salary range for the position of Nurse Practitioner/Physician Assistant (NP/PA) Extra Help, effective August 25, 2003.

RECOMMENDED ACTION: Approve.

6. Mental Health Department recommending Denise Burke, Teri Kloefkorn and Douglas Metz be appointed to the South Lake Tahoe Council of the County Mental Health Commission.

RECOMMENDED ACTION: Approve.

7. Mental Health Department recommending Resolution authorizing the transfer of Medi-Cal funds in the amount of \$7,500 from the State Department of Mental Health to the California Mental Health Directors Association for services to County children in out-of-home placements outside of El Dorado County.

RECOMMENDED ACTION: Adopt Resolution 218-2003 and authorize the Director of said Department, in future years, to approve similar fund transfers, not to exceed \$7,500.

8. Mental Health Department recommending Agreement 042-S0411 with Richard Maxwell CPA in an amount not to exceed \$17,582 for the term September 10, 2003 through September 9, 2004 for accounting services.
RECOMMENDED ACTION: Authorize Chairman to sign.
9. Mental Health Department recommending Agreement 022-S0411 with Nevada County for the term July 1, 2003 through June 30, 2005 in the amount of \$60,000 to be paid to El Dorado County for psychiatric inpatient care for Nevada County residents.
RECOMMENDED ACTION: Authorize Chairman to sign.
10. Mental Health Department recommending Agreement 014-S0411 with River Oak Center for Children, Inc. in an amount not to exceed \$83,000 for a term to expire June 30, 2004, with a 90-day extension from July 1, 2004 to September 30, 2004 for day rehabilitation or intensive day treatment and medication services to County-authorized minors with serious emotional problems.
RECOMMENDED ACTION: Authorize Chairman to sign.
11. Community Services Department recommending Chairman be authorized to sign a Transmittal Letter to the State Department of Aging pertaining to the 2003/2004 Update of the Title III E Family Caregiver Support Program Area Plan Addendum.
RECOMMENDED ACTION: Approve, noting the description of changes to the area plan goals and objectives are contained in this item and changes include adding supplemental services to assist caregivers, extending the projected completion date for developing an in-home provider list to June 30, 2004, and the establishment of a quarterly newsletter for caregivers.
12. General Services Department recommending Resolution approving Record Disposition Schedule No. 2 for the Administration/Fiscal Unit of the General Services Department.
RECOMMENDED ACTION: Adopt Resolution 219-2003, noting proposed schedule amends item number seven, "direct billing backup".

13. General Services Department recommending the exercise of the third option of Lease Agreement 157-L0111 with Pacific States Development Corporation for one additional year commencing on September 15, 2003 for office space for the Sheriff's Department sub-station at 981 Governor Drive, Suite 104 in El Dorado Hills.
RECOMMENDED ACTION: Approve.
14. General Services Department recommending Lease Agreement 109-L0411 with Robert Earl Olson and Martha Waddell Olson in the amount of \$1,320 per month for the term September 1, 2003 through August 31, 2006, with options for three additional one year terms, for office space at 415 Placerville Drive, Suites S and T, Placerville to accommodate needs of the Bio-Terrorism Unit of the Public Health Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
15. General Services Department submitting report on the emergency status of the replacement of a control panel at the South Lake Tahoe Jail.
RECOMMENDED ACTION: Receive and file.
16. General Services Department recommending Budget Transfer transferring \$1,147 from the Historical Museum Trust Fund to the Museum's operating budget to fund the one-time costs to acquire a scale model of the Pino Grande Lumber Mill, deemed a valuable artifact by the El Dorado County Museum Commission.
RECOMMENDED ACTION: Approve.
17. General Services Department recommending equipment listed on Transfer Request 00602 be declared surplus and donated to the Sierra Foothills Aids Foundation.
RECOMMENDED ACTION: Approve, and authorize Chairman to sign enabling Agreement with Sierra Foothills Aids Foundation.
18. General Services Department recommending Agreement 044-S0411 with Johnson Controls, Inc., not to exceed \$11,800 for term to expire June 30, 2004 for maintenance and testing of the County's automatic temperature control systems.
RECOMMENDED ACTION: Authorize Chairman to sign.

19. General Services Department recommending Agreement 035-S0411 with Environmental Stewardship and Planning, Inc. in an amount not to exceed \$60,000 for a one year term for environmental services for Phase II of the Rubicon Trail Master Plan.
RECOMMENDED ACTION: Authorize Chairman to sign.
20. General Services Department recommending Resolution authorizing the Chairman to sign Agreement 130-00411 with the State Board of Corrections in the amount of \$4,020,000 for the construction of the South Lake Tahoe Juvenile Detention Facility.
RECOMMENDED ACTION: Adopt Resolution 224-2003 approving the Agreement, inclusive of Exhibits A-D, which provides assurances under the terms of the grant relating to expenditure cash flow projections by calendar quarter, and expenditure of County cash (hard) matching funds scheduled pro rata with expenditure of grant funds; and direct said Department to provide any and all construction bid/contract documents as specified by the Board of Corrections.
21. District Attorney recommending Resolution authorizing him to execute a Grant Award Agreement, including any extensions or amendments, for the continuation of funding of the Worker's Compensation Insurance Fraud Program for fiscal year 2003/2004.
RECOMMENDED ACTION: Adopt Resolution 220-2003.
22. Treasurer/Tax Collector recommending Resolution granting approval to sell tax-defaulted property as outlined in Agenda Transmittal dated August 4, 2003.
RECOMMENDED ACTION: Adopt Resolution 221-2003.
23. Elections Department submitting results of votes cast at mailed ballot election held July 15, 2003 for Tegra Road Zone of Benefit (CSA 009, Zone 98123).
RECOMMENDED ACTION: Approve.
24. Elections Department submitting results of votes cast at mailed ballot election held August 5, 2003 for Shadow Lane Community Services District.
RECOMMENDED ACTION: Approve.

25. Elections Department submitting results of votes cast at mailed ballot election held August 5, 2003 for Golden West Community Services District.

RECOMMENDED ACTION: Approve.

26. Elections Department submitting results of votes cast at mailed ballot election held August 5, 2003 for Georgetown Lighting and Landscaping Zone of Benefit 98585.

RECOMMENDED ACTION: Approve.

27. Elections Department requesting Purchasing Agent be authorized to initiate a Request for Proposal for voting equipment systems certified by the State.

RECOMMENDED ACTION: Approve. 15234

28. Agriculture, Weights and Measures Department recommending Resolution establishing an imprest change fund of \$15,000 for the County Harvest Fair.

RECOMMENDED ACTION: Adopt Resolution 225-2003.

29. Building Department recommending Amendment 001 to Agreement 281-S0311 with Linhart Petersen Powers Associates, Inc. increasing by \$30,000 to an amount not to exceed \$80,000 for term to expire October 21, 2003 for plan checking services if requested.

RECOMMENDED ACTION: Authorize Chairman to sign.

30. Transportation Department advising that an emergency situation exists pertaining to the roof at its facility at 1121 Shakori Drive in Meyers which would not permit the delay resulting from solicitation of bids, and replacement of the roof is necessary to respond to said emergency.

RECOMMENDED ACTION: Authorize Chairman to sign Agreement 03-378 with Murray and Downs, AIA, Architects, Inc. in an amount not to exceed \$20,000 for a term ending February 28, 2004 for architectural and engineering services to complete Construction Plans, Specifications and an Architect's Cost Estimate (PS&E); and authorize Director of said Department to sign an Agreement to be drafted by County Counsel with a contractor, and for an amount to be determined once the PS&E is complete. 54123

31. Transportation Department recommending Resolution authorizing said Department to claim \$342,854.86 of Transportation Development Act (TDA) funds for routine road maintenance projects in the County.
RECOMMENDED ACTION: Adopt Resolution 223-2003.
32. Transportation Department recommending Resolution summarily vacating (AOE2003-31) one ten-foot wide and two five-foot wide public utilities easements located on the side and rear boundary lines of Lot 146 I in Bar J Ranch Unit No. 2 in Cameron Park, requested by Jeffrey A. Sly.
RECOMMENDED ACTION: Adopt Resolution 226-2003.
3425 1(ab)
33. Transportation Department recommending a Quitclaim Deed to release the County's interest in portions of right of way located along the easterly side of Post Street in El Dorado Hills (APN 107-650-14-100) which were summarily vacated by Resolution 199-2003.
RECOMMENDED ACTION: Authorize Chairman to sign the Quitclaim Deed and convey title to Town Center East, L.P.
34. Transportation Department recommending Resolutions accepting Irrevocable Offer of Dedication (IOD 2002-35) from St. Stephens Lutheran Church, A California Corporation for a public utilities easement, slope easement and drainage easement along segments of El Dorado Hills Boulevard and Olson Lane, Lot H of Governor Village, Unit 4, in El Dorado Hills.
RECOMMENDED ACTION: Adopt Resolutions Nos. 227-2003, 228-2003, 235-2003 and 247-2003.
35. Transportation Department recommending Notice of Completion for the U.S. 50/Ponderosa Interchange Roadway and Signalization Project 53108 under contract to Granite Construction Company.
RECOMMENDED ACTION: Authorize Chairman to sign.

36. Transportation Department recommending Construction Responsibility and Reimbursement Agreement with El Dorado Irrigation District (EID) for the removal/relocation of EID facilities at Dry Creek Bridge on Green Valley Road (Project 77103).

RECOMMENDED ACTION: Authorize Chairman to sign.

37. Transportation Department recommending the following pertaining to the Dry Creek Bridge-Green Valley Road, El Dorado Irrigation District (EID) Pipe Relocation Project 77103:

(1) Find that due to construction costs exceeding \$25,000, State law requires the construction must be performed by an independent contractor through the use of a competitive bidding process;

(2) Set the Disadvantaged Business Enterprise (DBE) Goal at 10% for same;

(3) Approve Plans and Contract documents and authorize Chairman to sign Plans;

(4) Authorize said Department to advertise for bid opening on September 23, 2003 at 1:30 p.m.; and

(5) Award contract on **October 7, 2003.**

RECOMMENDED ACTION: Approve.

38. Planning Department recommending Avigation and Noise Easements and Certificates of Acceptance from Richard W. Elliott and Charla B. Elliott; Goldberg and Perry, LLC/G. Roland Perry and Valerie J. Perry, and Gary W. Goldberg and Gina Goldberg; Bridgeport Homes, Inc./Kenneth L. Kirby and Paula D. Kirby; Kevin Kirshner; and Darol B. Rasmussen, Trustee; for property in the vicinity of the Cameron Park Airport.

RECOMMENDED ACTION: Approve.

39. Planning Department submitting updated information on the Cultural Resources Preservation Ordinance.

RECOMMENDED ACTION: Receive and file. Information received and filed, and Interim Planning Director requested to investigate the matter further and report back to the Board in a short period of time. 31245

40. Planning Department recommending the following:

(1) Find that it is more economical and feasible to contract out service;

(2) Authorize Chairman to sign Agreement PLS-03-03 with Parsons Infrastructure and Technology Group, Inc. in an amount not to exceed \$150,000 for a term to expire June 30, 2005 for as-needed environmental impact assessment services; and

(3) Authorize Chairman to sign Budget Transfer 24006 transferring \$150,000 from the Department of Transportation to fund the Agreement with no net County cost.

RECOMMENDED ACTION: Approve.

41. County Counsel recommending Resolution discharging accountability of unpaid County debt.

RECOMMENDED ACTION: Adopt Resolution 222-2003.

42. Administration recommending Resolution accepting the proposed exchange of property tax increments for Local Agency Formation Commission (LAFCO) Project 98-12 annexing 602 acres (Green Springs Ranch) to El Dorado Irrigation District and the El Dorado Hills Community Service District.

RECOMMENDED ACTION: Adopt Resolution 229-2003, noting redistribution initially results in an annual loss of \$39,000 in property tax revenue that may be offset in the future if the property is developed as planned.

43. Adoption of Ordinance **4636** amending Section 17.14.180B (Ranch Marketing Ordinance) to include the new Agricultural Preserve (AP) Zone District (Rezone/Z03-03) with the caveat that ranch marketing activities would only be allowed through approval of a special use permit; amending Section 17.14.190 B.1 (Winery Ordinance) to state that approval of a special use permit would be required for wineries to be constructed in the Agricultural Preserve (AP) Zone District; and to ensure that new agricultural preserves are protected from incompatible uses, amendments to Section 17.06.050 (Definitions), Section 17.13.020A (Right to Farm), and Section 17.14.155C (Fencing). (Introduced 7/22/03, Item 83)
RECOMMENDED ACTION: Adopt Ordinance 4636. 43125
44. Public Health Department recommending Amendment 002 to Agreement 269-PHD0802 with Barbara Aved dba Barbara Aved Associates increasing compensation to \$40,000 and extending the term through June 30, 2004 for facilitation, education, and assistance with personnel issues pertaining to said Department's employees.
RECOMMENDED ACTION: Authorize Chairman to sign and Director of said Department to execute necessary amendments to adjust the Scope of Services, not to include changes in overall funding or term. **Continued off calendar** upon adoption of the Agenda. 14235
45. Mental Health Department recommending application for continued Federal McKinney Projects for Assistance in Transition from Homelessness (PATH) grant funds in the amount of \$18,198 for fiscal year 2003/2004 to assist the homeless population of El Dorado County.
RECOMMENDED ACTION: Authorize the Director of said Department to execute grant documents.
46. General Services Department recommending Amendment 002 to Agreement 086-S0210 with Stericycle, Inc. increasing compensation by \$15,000 to \$25,000 for a term to expire April 21, 2004 for the collection and disposal of medical and biohazardous waste County-wide. (General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign.

47. Supervisor Baumann recommending letter opposing Assembly Bill 1426 (Assemblyman Darrell Steinberg) and requesting the County be removed from the provisions of the Bill which sets a negative precedent with the state legislature establishing regional mandates for local government which are incompatible with El Dorado County's proposed General Plan alternatives and, if enacted, will complicate and delay the General Plan process.
RECOMMENDED ACTION: Authorize Chairman to sign. 13245
48. Supervisor Baumann recommending appointment of Ramona Tripp-Verbeck to the Cemetery Advisory Committee as the Proxy Native American Representative, with full voting privileges, on behalf of Lisa Daniels.
RECOMMENDED ACTION: Approve appointment until Ms. Daniels is able to return to fulfill her duties.
49. Supervisor Solaro recommending Resolution approving highway restrictions on State Highway Routes 50 and 89 for the Tour de Tahoe - Bike Big Blue event on Sunday, September 7, 2003, from 6:00 a.m. and 12:00 noon, between Stateline through South Lake Tahoe and the County-line at Tahoma.
RECOMMENDED ACTION: Adopt Resolution 230-2003.
50. Supervisor Solaro recommending Resolution supporting the 8th Annual Lake Tahoe Marathon to be held October 9-11, 2003.
RECOMMENDED ACTION: Adopt Resolution 231-2003.
51. Supervisor Solaro recommending Auditor/Controller be authorized to issue an advance to the Tahoe City Public Utility District not to exceed 85% of the District's anticipated property tax revenue for the fiscal year.
RECOMMENDED ACTION: Approve.
52. Supervisor Solaro recommending Certificate of Recognition for Detective Thomas McHale, New York-New Jersey Transit Authority Police Department.
RECOMMENDED ACTION: Authorize Chairman to sign.

53. General Services Department recommending the dissolution of the advisory committee for the Georgetown Lighting and Landscaping Zone of Benefit 98585 within County Service Area 9 in anticipation of dissolving said Zone after all debts are paid.
RECOMMENDED ACTION: Approve. 45123

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.

60. Hearing to consider disbursement of excess proceeds in the amount of \$1,131.72 to Ernest A. and Esmeralda Hernandez from Tax Deeded Land Sale on February 15, 2002 for APN 500-455-44-100.

BOARD ACTION - Hearing no protests, disbursement approved as recommended by the County Auditor-Controller. 35124

61. Hearing to consider adoption of Resolution **232-2003** approving the Cameron Park Community Services District's Capital Improvement Plan and Park and Recreation Impact Fees.

BOARD ACTION - Hearing continued to **September 9, 2003**, to allow further review of information presented, in particular the nexus study supporting the fee increases; and County Counsel requested to report back on that date regarding the process of the Board of Supervisors "approving" community services district fees rather than "receiving and filing" the information. 14235

62. Hearing to consider adoption of Resolution **233-2003** forming Shadow Lane Road Zone of Benefit (County Service Area 9, Zone 98101) to provide road maintenance and improvement services.
BOARD ACTION - Hearing no protests, Resolution 233-2003 adopted. 31245

63. Hearing to consider adoption of a Resolution representing Alternative A or B to amend the existing Interim Highway 50 Corridor Variable Traffic Impact Mitigation (TIM) Fee Program to include the recapture of funds advanced by the El Dorado County Transportation Commission for construction of the Highway 50 High Occupancy Vehicle (HOV) lanes west of the El Dorado Hills Boulevard Interchange.
BOARD ACTION - A motion by Supervisor Sweeney, seconded by Supervisor Solaro, to direct staff to leave the Highway 50 TIM fees as set by adoption of Resolution 124-2003 on June 3, 2003, with further consideration of these fees to be made only after adoption of the General Plan with the exception of cost-of-living increases, and to express the Board's intent that Resolution 124-2003 does not "sunset" or expire until a revised fee is adopted, **failed on a three-two vote.** Ayes: 3 and 5 Noes: 1,4 and 2

Board approved staff's **Alternative B**, adopting **Resolution 236-2003** amending the Interim Highway 50 Corridor Variable Traffic Impact Mitigation Fee Program to recapture the total amount of locally controlled funds advanced by the El Dorado County Transportation Commission for construction of the Highway 50 carpool (HOV) lanes west of the El Dorado Hills Boulevard Interchange; **Resolution 236-2003 effective sixty (60) days from date of adoption.**

Ayes: 1,4 and 2 Noes: 3 and 5

64. Hearing to consider the proposed uses of the Local Law Enforcement Block Grant (LLEBG) for federal fiscal year 2003; authorize the Interim Chief Administrative Officer (ICAO) to submit an application to the federal Office of Justice Programs, Bureau of Justice Assistance to obtain law enforcement equipment and security improvements as recommended; direct the ICAO to include through the addenda process LLEBG grant funding of \$63,954, plus a required grant match of \$7,106 for a total of \$71,060 in the County's fiscal year 2003/2004 budget; and authorize the departments receiving grant funds to initiate procedures and acquisitions for their projects.

BOARD ACTION - Hearing no protests, recommendations approved as presented with authorization given to the departments, working with the CAO, to resolve between them the recently announced 10% decrease in these grant funds. 51234

65. Public Health Department recommending Chairman be authorized to sign Agreement with Sweet Computer Services, Inc. dba Sweet, an Ortivus Company in the amount of \$6,800 for the term July 14, 2003 through July 13, 2004 for support of the Amazon Software System being used by the County Ambulance Billing Division. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved.

14235

66. General Services Department recommending the following pertaining to the funding of the Pine Hill Preserve Land Acquisition (APN 104-060-14):
- (1) Ratify the findings of the Planning Commission as outlined in Agenda Transmittal dated August 6, 2003;
 - (2) Authorize the Chairman to sign escrow instructions specific to said acquisition;
 - (3) Approve Budget Transfer in the amount of \$170,000 from funds specifically set aside for the acquisition of rare plant preserve parcels;
 - (4) Authorize the Auditor/Controller to issue a check to First American Title Company in the amount of \$170,000 from Index Code 292420, sub-object 6000; and
 - (5) Authorize said Department to deposit escrow instructions and monies with First American Title Company.
- BOARD ACTION - Approved.** 45123

67. Probation Department recommending Chairman be authorized to sign Amendment 002 to Agreement 110-S0211 with the County of Del Norte increasing the per month charge for a single ward accommodation to \$2,400 per month and each ward in excess of one to \$2,600 per ward for the housing of juvenile court wards at the Bar-O-Boys Ranch. *(For Policy Consideration of the Board of Supervisors noting Del Norte officials signed the contract on 6/30/03 and General Services received the signed contract on 7/29/03)*
- ADDED TO CONSENT CALENDAR: Approved.** 14235

68. Probation Department recommending Chairman be authorized to sign Agreement 150-S0411 with the State Department of Youth Authority in the amount of \$20,000 for the term July 1, 2003 through June 30, 2004 for diagnostic and treatment services and temporary detention for case referrals from El Dorado County Juvenile or Criminal Courts. *(For Policy Consideration of the Board of Supervisors noting the State delayed processing this contract in order to incorporate a rate increase)*
- ADDED TO CONSENT CALENDAR: Approved.** 14235

69. Probation Department recommending Resolution **234-2003** increasing the daily rate effective September 1, 2003 to \$15 per day charged for parental reimbursement for care and support services of minors placed or detained in the County juvenile hall facility, institution, or other location pursuant to Section 625 or to an order of the juvenile court, noting the current rate was set in 1990 at \$10 per day and the Welfare and Institutions Code does not allow for adjustments for this rate based on the Consumer Price Index (CPI).
ADDED TO CONSENT CALENDAR: Approved. 14235

70. Treasurer/Tax Collector recommending the Board approve the Deferred Compensation Committee's request that California Public Employees Retirement System (CalPERS) be the sole plan provider for the County's Deferred Compensation Plan. (Continued 7/22/03, Item 17)
BOARD ACTION - Continued off calendar upon adoption of the Agenda. 14235

71. Transportation Department recommending the following pertaining to White Rock Road (Phase 2) Road Improvement Agreement:

(1) Concur with the proposed deal points for same, including the connection of Silva Valley Parkway and White Rock Road; and

(2) Authorize Chairman to execute said Agreement for White Rock Road, Phase 2, improvements that includes similar language to the Road Improvement Agreement for White Rock Road, Phase 1, approved by the Board on July 15, 2003, modified by the proposed deal points and to be drafted and approved by County Counsel and Risk Management. (Continued 7/22/03, Item 63)

BOARD ACTION - Continued off calendar upon adoption of the Agenda. 14235

72. Transportation Department recommending Chairman be authorized to sign the Road Improvement Agreement for the Wilson Boulevard Intersection Improvements and Signalization Project, subject to minor, non-substantive changes approved by County Counsel and Risk Management.

BOARD ACTION - Upon adoption of the Agenda, the Board determined it would consider this matter at 2 p.m. concurrent with Agenda Item 102 and at that time staff's recommendation was approved. 14235

73. Interim Chief Administrative Officer reporting on progress of her review of the possible restructuring of the Human Resources Department. (Referred 7/22/03, Item 67)

BOARD ACTION - Continued off calendar upon adoption of the Agenda. 14235

74. Supervisor Sweeney recommending discussion pertaining to the status of department head vacancies, proposed reorganization of departments, and the position of the Chief Administrative Officer (CAO); the CAO position should be given top priority due to that individual's involvement with departmental organization and filling of department head vacancies.

BOARD ACTION - County Counsel requested to provide for the matter of appointment of a Chief Administrative Officer (CAO) on the Board's Agenda for **August 26, 2003**. 31245

75. Supervisor Sweeney recommending the following pertaining to the annotation of the vote of the Board of Supervisors on the Conformed Agenda (Minutes):

(1) District number to be used rather than the initial of the district supervisor; and
(2) "np" to be used for not present and "ab" for abstain.

BOARD ACTION - Approved. 35124

76. Supervisor Sweeney -recommending discussion and implementation of improvements to the receipt method currently used by staff in Building C; employees staffing the front counter in Building C should be trained to obtain requested information and have a cash register available to allow the issuance of receipts for "over the counter" documents, eliminating the need for senior staff involvement and a lengthy waiting period.

BOARD ACTION - No formal Board action; Acting Director of Planning assured Supervisor Sweeney that she, working with the Building Official, will "take care of it", and the Interim CAO advised she will provide the Board a status report in a **couple of weeks**.

77. Supervisor Sweeney recommending an annual review with each appointed department head in the County to be held in closed session, as a personnel issue, to evaluate and review each individual's performance; and requesting the Board provide an opportunity for the public and each department to publicly review the functions of that department in a special session of the Board specifically for this purpose on an annual basis.

BOARD ACTION - No formal Board action; Interim CAO asked to look at how department head reviews can be scheduled on a regular basis so department heads know which month is their month for review each year, and to see if there are any department heads that would like to volunteer to present a "show and tell" of their department and if so, to work with the Board Chairman or Board Clerk to schedule those.

78. Supervisor Sweeney requesting departmental costs associated with the General Plan; and recommending the Board approve the compilation, for future budgeting purposes, of each department's expenditures in association with the implementation of each alternative to the General Plan.

BOARD ACTION - No formal Board action; Interim CAO asked to cost out some "ballpark numbers" to feed into the County's five-year fiscal projections.

79. Supervisor Sweeney recommending discussion of the number of County positions currently funded by grants or one time funds and the number and type of positions on loan to local and/or State agencies and the funding pertaining to same; and recommending said figures should be made available to the Board prior to the fiscal year 2003/2004 budget hearing scheduled for September 2003, noting that it is imperative that positions not be made permanent that are subject to loss of funding.

BOARD ACTION - No formal Board action; Interim CAO will provide the information at the time of the Board's budget hearings in September.

80. Supervisor Sweeney recommending adoption of a protocol for power point or slide presentations at Board meetings, requiring that a hard copy of the visual presentation be provided to the Clerk of the Board prior to the Board meeting to ensure that the presentation is part of the public record allowing members of the public access to the materials presented.

BOARD ACTION - Protocol adopted requiring all speakers, County staff and the public, when approaching the podium to make a visual presentation, whether Power Point or transparencies, to provide the Clerk with the appropriate number of hard copies of that presentation for Board members and the audience.

3512 4(n)

81. Supervisor Sweeney requesting information on the costs associated with outside services El Dorado County provides and receives from other counties and the revenue which offsets these costs; and recommending the Chief Administrative Officer compile a comprehensive list, department by department, on an annual basis for presentation to the Board.

BOARD ACTION - No formal Board action; Interim CAO will provide the information at the time of the Board's budget hearings in September.

82. Supervisor Sweeney requesting an update on the status of the El Dorado County Court buildings and the Pat Riley Court Facility (Logan Building).

BOARD ACTION - No formal Board action; Supervisor Sweeney will work with General Services staff and the Courts Administrative Officer to determine progress on full utilization of the Logan Building.

83. Supervisor Sweeney recommending adoption of the following emergency contact procedures for members of the Board of Supervisors:

(1) Each member to notify the Clerk of the Board of proposed absence and contact information; and

(2) Clerk of the Board to notify the County Emergency Management Officer with said information.

BOARD ACTION - No formal action taken.

84. Supervisors Baumann and Solaro recommending the Chairman be authorized to sign a letter to United States Senator Barbara Boxer advising of the Board's formal opposition to the "California Wild Heritage Act of 2003", and specifically the language that proposes to designate Meiss Meadows and Caples Creek as "wilderness" areas.

BOARD ACTION - Supervisors Baumann and Solaro authorized to prepare such a letter and Chairman authorized to sign same. 14235

85. County Service Area 10 authorizing Chairman to sign Amendment 001 to Agreement 061-A-01/02-11 with Buren and Burke Law Firm increasing the amount by \$100,000 to \$175,000 for continued legal support to County Counsel and the Environmental Management Department for solid, liquid and hazardous waste matters, noting County has received an invoice for services rendered that exceeds current contract balance. (4/5 vote required)

ADDED TO CONSENT CALENDAR: Approved. 14235

TIME ALLOCATIONS - 10:00 A.M.

90. Presentation by Sherry Smith, Superintendent of Buckeye Union School District, acquainting the Board and members of the public with the accomplishments, exciting activities and plans for said District.
No action taken.

91. Interim Chief Administrative Officer recommending the Board receive and file the Initial Draft Response to the 2002/2003 Grand Jury Report and staff be directed to coordinate such additional meetings, workshops, subcommittees, or Board hearings if needed.
BOARD ACTION - Initial Draft Response received and filed and continued to **September 16, 2003** for opportunity for further Board comment. 14235

TIME ALLOCATIONS - 2:00 P.M.

ADVISORY NOTE: Pursuant to action of the Board this date (refer Agenda item 75), Board members' votes are now indicated numerically by their district number. The first number indicates the Supervisor making the motion, and the second number indicates the Supervisor that seconded the motion. A vote other than "aye" is indicated as follows:

n = no

np = not present

ab = abstain

Prior to convening hearings scheduled for 2:00 p.m., at the recommendation of County Counsel, the Board convened in **closed session**, pursuant to Government Code Section 54956.9(b), to discuss items that related to agenda items 100 and 101 regarding facts that exist with regard to potential litigation that could arise from these items.

100. Hearing to consider the following pertaining to El Dorado Hills Village Mini-Storage, Applicant: Peninsula Capital Group (District I):

(1) Ordinance **4637** rezoning (Z02-09) property consisting of 17.831 acres (APN 112-100-44) in the El Dorado Hills area from RE-5, Estate Residential Five-acre to C-PD, Commercial-Planned Development, and development plan (PD02-02) (Continued 7/22/03, Item 84); and

(2) Appeal of the Planning Commission's approval of Special Use Permit (S03-07) and Development Plan (PD02-02) for a mini-storage facility consisting of 15 buildings in the El Dorado Hills area, Appellant: Richard Conto.

BOARD ACTION - Board upheld the Appeal, and denied Rezone Z02-09 and Planned Development PD02-02.

1234 5(n)

101. Hearing to consider the following pertaining to the El Dorado Hills Self-Storage III, in the El Dorado Hills area, Applicants: Richard Conto and Brian McCarthy (District II):

(1) Appeal of the Planning Commission's denial of Special Use Permit (S02-35) for establishment of a 700-unit self-storage facility on 2.5 acres (APN 108-250-50); and

(2) Appeal of the Planning Commission's denial of Special Use Permit (S02-37) for development of two, two-story mini-storage buildings consisting of 27,500 square feet, excluding 4,400 square feet to be used for office/rental area, on 3.513 acres (APN 108-250-34).

BOARD ACTION - Board upheld the Appeals, approving Special Use Permits S02-35 and S02-37 based on findings and subject to amended conditions proposed by Planning Department staff.

15234

102. Hearing to consider Appeal of the Planning Commission's approval of Design Review (DR99-05S) for the Sterling Ranch Apartments on 14.904 acres (APN 107-260-01) allowing occupancy of twelve (12) apartments prior to installation of traffic signals at the corner of El Dorado Hills Boulevard and Wilson Boulevard. Appellant: John S. Scarlett. (District I)
- BOARD ACTION** - Board upheld the Appeal, denying occupancy of the apartments prior to satisfaction of condition #1 on Design Review DR99-05S. Condition #1 was amended to read as follows (*added language shown in italics*):

12345

"The project applicant shall install a traffic signal at the intersection of El Dorado Hills Boulevard and Wilson Boulevard and complete left turn lane improvements on Wilson Boulevard and El Dorado Hills Boulevard in compliance with the Department of Transportation's requirements. These improvements are included in the El Dorado Hills/Salmon Falls Area Road Impact Fee (RIF) Program. The applicant will be eligible for reimbursement and may enter into a reimbursement agreement with the County of El Dorado for this work. The traffic signals and roadwork shall be completed prior to occupancy of any apartment unit in Phase 1.

Note that temporary occupancy of the total apartment units may be issued if the applicant satisfies the following requirements:

1. *The applicant must enter into a Road Improvement Agreement with the County, including insurance and security provisions, for the completion of the ultimate traffic signal and intersection improvements as required by this condition.*
2. *The applicant must process a change order to the improvement construction contract providing for the installation of temporary traffic signals, for the review and approval of the Department of Transportation.*
3. *The temporary traffic signal must be installed and operational, together with adequate maintenance provisions, to the satisfaction of the Department of Transportation."*

ADJOURNMENT

CLOSED SESSION ROSTER
Regular Meeting of the Board of Supervisors
August 19, 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:

- Claim of Azevedo vs County of El Dorado, Worker's Compensation Claim Settlement, WCAB Unassigned, Claim No. 9500043;
No action reported.
- United States of America vs El Dorado County, et al, United States District Court, Eastern District of California, Case No. CIV.S-01-1520 WBS GGH;
No action reported.
- El Dorado County vs Gale A. Norton, et al, United States District Court, Eastern District Case No. CIV.S-02-1818 GEB DAD; and El Dorado County vs California Department of Transportation, et al, Superior Court of California-County of Sacramento, Case No. 03CS00003.
No action reported.

Section 54956.9(b), Anticipated litigation:

- Significant exposure to litigation. Title: Legal Issues regarding Highway 50 Variable TIM Fee Review.
No action reported.
- Significant exposure to litigation. Title: White Rock Road Expansion - Relocation Utilities.
No action reported.

Section 54956.9(c), Anticipated litigation:

- Initiation of litigation. Title: 77 Acre Fee-to-Trust Project - Bureau of Indian Affairs.
No action reported.

BOARD ACTION - County Counsel reported the Board on a unanimous vote authorized initiation of litigation on one matter, the nature and details of which will be available to the public on request once the litigation is filed.

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

This body will hold a closed session to give instructions to its negotiator regarding the following:


- Real property described as 541 Palomino Court, El Dorado Hills, California 95762 (APN 067-352-02). The person with whom the negotiator may negotiate is Marcia Sadlowski. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real property described as APN 067-030-06. The person or persons with whom the negotiator may negotiate is the State of California. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real property described as 670 Miller Road, El Dorado Hills, California 95762 (APN 067-301-05). The persons with whom the negotiator may negotiate are Timothy L. Bolen and Lana J. Bertsch. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real property described as 535 Palomino Court, El Dorado Hills, California 95762 (APN 067-352-01). The persons with whom the negotiator may negotiate are Albert and Jennifer Upchurch. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real property as shown on the U.S. Bureau of Reclamation drawing titled "Folsom Reservoir Project - Take Line Survey" dated October 10, 1958. The person or persons with whom the negotiator may negotiate is the United States Department of the Interior, Bureau of Reclamation. Instructions to negotiator will concern price and terms of payment.
No action reported.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Robert Muszar and Acting Principal Personnel Analyst
Employee Organization: El Dorado County Employees Association, Local 1.
No action reported.

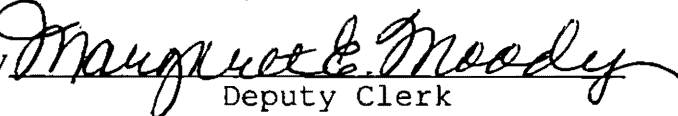
Board of Supervisors Meeting of August 19, 2003 attached hereto and approved by the Board on August 26, 2003.

APPROVED:


HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By 
Deputy Clerk