

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

September 30, 2003 - 8:00 A.M.

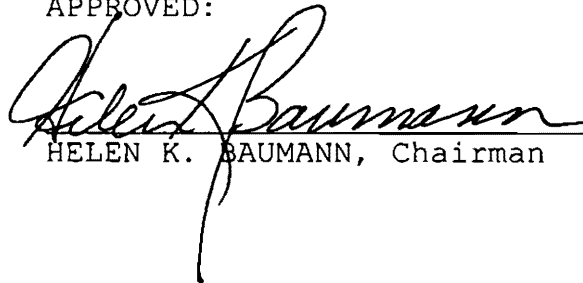
BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A
Placerville, California

CLOSED SESSION

Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. Title: Legal Issues Related to General Plan Initiative.
Continued to October 7, 2003.

Board of Supervisors Meeting of September 30, 2003 attached hereto and approved by the Board on October 7, 2003.

APPROVED:


HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By 
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, September 30, 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

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**

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 item 51 added to the Consent Calendar and items 4, 11, 13 and 16 pulled off Consent Calendar for separate action; Consent Calendar approved as modified. 15234

PRESENTATION of Certificates of Recognition to Tom Sullivan, Director, and Lois Patrick, Deputy Director of Social Services on the occasion of their retirement.

PRESENTATION proclaiming the month of October 2003 as Domestic Violence Awareness Month in El Dorado County. 52134

CONSENT CALENDAR

1. Approval of Board of Supervisors Conformed Agendas (Minutes) of September 18 and 23, 2003.

RECOMMENDED ACTION: Approve.

2. Mental Health Department recommending Agreement 005-S0411 with Charis Youth Center in an amount not to exceed \$300,000 for a term to expire June 30, 2004 for residential services, including rehabilitative day treatment and medication support services, for severely mentally disordered minors on an "as requested" basis. (Funding - Other: Psychiatric Medical Services)

RECOMMENDED ACTION: Authorize Chairman to sign.

3. Mental Health Department recommending Agreement 015-S0411 with Milhous Children's Services, Inc. in an amount not to exceed \$134,000 for a term to expire June 30, 2004 for residential services, including rehabilitative day treatment and medication support services, for severely mentally disordered minors on an "as requested" basis. (Funding: - Other: Mental Health Psychiatric Medical Services)

RECOMMENDED ACTION: Authorize Chairman to sign.

4. Community Services Department recommending Amendment 001 to Agreement 437-S0311 with HD Industries, Inc. increasing the amount from \$27,000 to \$47,000 for a term to expire June 30, 2004 for modifications on an "as needed" basis for said Department's program databases. (Funds are included in the fiscal year 2003/2004 budget request.)

RECOMMENDED ACTION: Authorize Chairman to sign, noting the Information Technology Department cannot provide technical support for this software. 14235

5. Community Services Department recommending Resolution authorizing the Director of said Department to sign and submit the CalHome Program application for a grant in the amount of \$500,000 (no County match is required) to the State Department of Housing and Community Development for housing rehabilitation loans to approximately thirteen households in the unincorporated area of the County.

RECOMMENDED ACTION: Adopt Resolution 277-2003 and if grant is received, authorize the Director of said Department to execute the Agreement and documents relating to same.

6. Area Agency on Aging recommending approval of the fiscal year 2002/2003 Area Plan Year-End Report.

RECOMMENDED ACTION: Authorize Chairman to sign transmittal letter for submission to the State Department of Aging.

7. Child Support Services Director requesting authorization to sign Agreement C-03-2-0228 with the State Department of Child Support Services in the amount of \$62,564.32 for the term October 1, 2003 through September 30, 2004 for the loan of one Child Support Supervisor to the State. (Funding: State reimbursement)

RECOMMENDED ACTION: Approve.

8. Sheriff Department recommending the Board modify its direction of July 1, 2003 (Item 36) and extend the blanket purchase order with EcoLab Inc. for the purchase of cleaning supplies used in the jails through January 31, 2004.

RECOMMENDED ACTION: Approve, noting current blanket purchase order expires September 30, 2003 and an extension until January 2004 allows for completion of the competitive bid process for the equipment and products.

9. Treasurer/Tax Collector and County Treasury-Policy Oversight Committee recommending the following amendments to the El Dorado County Investment Policy:

(1) Page 2, Section(c), Domestic Commercial Paper, change to reduce investment risk;

(2) Page 2, Section(g) a change to agencies to provide more flexibility and a potentially better rate of return; and

(3) Page 3 deleting a section pertaining to criteria for broker selection which no longer applies to counties.

RECOMMENDED ACTION: Approve.

10. Agriculture, Weights and Measures Department recommending introduction of Ordinance adding Sections 8.14.010 through 8.14.080 to Chapter 8.14 of Title 8 of the El Dorado County Ordinance Code and shall be known, and may be referred to as the Vine Mealybug Ordinance.

RECOMMENDED ACTION: Waive reading, read by title only and continue to **October 7, 2003** for adoption.

11. Environmental Management Department recommending Chairman be authorized to sign a letter to the California Environmental Protection Agency, the U.S. Environmental Protection Agency, and the Agency for Toxic Substances and Disease Registry, with copies to various State and Federal agencies, urging these agencies to supply the technical and financial resources to respond to public health concerns relating to naturally occurring asbestos in El Dorado County.

RECOMMENDED ACTION: Approve. Approved; additionally, the Environmental Management Director was requested to prepare letters to the County's representatives in the United States Congress and State Legislature requesting that these agencies fund and continue their efforts in this regard, and the Chairman was authorized to sign said letters. 34125

12. Transportation Department recommending Resolution summarily vacating (AOE2003-22) a portion of a ten-foot wide public utilities easement on APN 107-130-50-100 in El Dorado Hills, requested by Syers Properties III, LLC.

RECOMMENDED ACTION: Adopt Resolution 278-2003.

13. Risk Management recommending Amendment 003 to Agreement with Mercer Human Resource Consulting, Inc. in the monthly not to exceed amount of \$10,000 for on-going employee benefits consulting services pending completion of processing a Request for Proposals to consider whether to renew with Mercer or change to a different benefits consulting firm.

RECOMMENDED ACTION: Authorize Chairman to sign. 35124

14. Supervisor Sweeney recommending Certificate of Recognition for Kyle Matoba who has achieved the rank of Eagle Scout, Boy Scouts of America, Troop 460.

RECOMMENDED ACTION: Approve.

15. Supervisor Paine recommending Resolution authorizing General Services Department to apply for grant monies under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the purchase of land to complete the trail corridor along the South Fork American River from Salmon Falls to Highway 49 near Coloma, California.
RECOMMENDED ACTION: Adopt Resolution 279-2003.

16. Supervisor Solaro recommending Donna Terp be appointed as the Board of Supervisors liaison to the El Dorado County Child Care and Development Planning Council.
RECOMMENDED ACTION: Approve. 54123

17. Supervisor Dupray recommending reappointment of Douglas Bisbee as the District I representative to the Assessment Appeals Board for a term to expire the first Monday in September of 2006.
RECOMMENDED ACTION: Approve.

18. Supervisor Solaro recommending ratification of the Chairman's signature on Proclamation welcoming the Baikalsk, Lake Baikal, Siberia, Russian Exchange Students.
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 Resolution Nos. 280-2003 and 281-2003 approving Capital Improvements Plans and adopting Development Impact Fees for the El Dorado Hills and Georgetown Fire Protection Districts.
BOARD ACTION - Hearing no protests, Resolutions 280-2003 and 281-2003 adopted. 14235

51. County Counsel recommending award of a grant from the Alternative Dispute Resolution (ADR) Trust Fund to the Superior Court in accordance with the proposal submitted by the Court in response to the County's Request for Proposals. (Funding from ADR Trust Fund) (Continued 9/23/03, Item 59)

ADDED TO CONSENT CALENDAR: Approved. 15234

52. Chief Administrative Officer recommending from this date forward the policy of allocating property tax funds by Assembly Bill 8 Agreements to self funding enterprise districts be discontinued, noting adoption of this position would result in special enterprise districts accepting future annexations based on new enterprise-generated fees, rather than receipt of a portion of the incremental property tax.

BOARD ACTION - Continued to **November 4, 2003**, and staff directed to maintain the status quo for negotiations in progress now. 43125

53. Supervisor Baumann recommending a hearing be scheduled to consider whether new information received by the Department of Transportation satisfies the requirements of Resolution No. 160-2000 pertaining to the West Valley Village Tentative Map (TM99-1359) within the Valley View Specific Plan.

BOARD ACTION - Staff directed to bring back to the Board on **October 14, 2003**, preliminary findings on the traffic study submitted by MJM Properties, LLC, and a status report on progress in developing a process by which the County will proceed. 24135

54. Adoption of Ordinance adding Chapter 8.43 to the El Dorado County Ordinance Code which will increase the diversion of construction and demolition debris materials from landfills to assist the County in reaching the State mandated goal of 50% diversion. (Introduced 9/23/03, Item 61)

BOARD ACTION - Ordinance 4640 adopted. 54123

55. Establishing terms and conditions of employment, including compensation for public employee: Chief Administrative Officer. (Continued 9/23/03, Item 62)
BOARD ACTION - Resolution 283-2003 adopted approving Memorandum of Agreement with Laura S. Gill, Chief Administrative Officer, fixing compensation and benefits and addressing certain other terms of employment. 14235
56. Establishing terms and conditions of employment, including compensation for public employee: Agricultural Commissioner/Sealer of Weights and Measures. (Continued 9/23/03, Item 63)
BOARD ACTION - Having acted in closed session this date to appoint Mr. Bill Stephans to the position of Agricultural Commissioner/Sealer of Weights and Measures effective October 20, 2003 (refer Closed Session Roster attached), the Board established compensation as follows: Mr. Stephans is appointed at step 3 of the salary range and is eligible for all other benefits provided to department heads, with clarification that the current Resolution does not provide for longevity pay or other longevity items based on prior service, and Mr. Stephans will not be eligible for those longevity elements. 14235
57. Adoption of Fiscal Year 2003/2004 Budget.
BOARD ACTION - Board adopted Resolution 284-2003 adopting the Fiscal Year 2003/2004 County Budget as presented and amended this date, directing that reductions in net County cost approved by the Board this date be placed in the "Fund Balance". 34125

58. Sheriff and District Attorney recommending expenditure of funds from the Citizens Option for Public Safety (COPS) Program authorizing the District Attorney to use the State Supplemental Law Enforcement Services Fund (SLESF) allocation for a portion of the acquisition, installation and training costs of a document imaging system and automated discovery system, other hardware and software replacement, and installation of an air conditioning unit in the basement of the Computer Room; and Budget Transfer 24015 increasing estimated revenue and appropriations by \$54,120 adding COPS funds to the Sheriff and District Attorney budgets to accomplish same. (4/5 vote required) (Continued 9/23/03, Item 56)
- BOARD ACTION - Approved.** 15234

TIME ALLOCATION - 10:00 A.M.

60. Supervisor Baumann recommending Resolution 276-2003 endorsing policies to encourage investment in local telecommunications services in California, investment in local communities and increased employment opportunities.
- BOARD ACTION - Approved.** 24135

ITEMS TO/FROM SUPERVISORS

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to consider adoption of Resolution **282-2003** to establish a new Agricultural Preserve (No. 290/Williamson Act Contract 02-05) in the Somerset/Fairplay/Mt. Aukum area (District II), and Ordinance **4639** to rezone (Z02-07) subject 46.53 acres (APN 046-710-17) from RE-10, Estate Residential Ten-acre to AP, Agricultural Preserve, requested by Michel and Terrie Prod'hon.

BOARD ACTION - Board adopted the Negative Declaration as prepared; adopted Resolution 282-2003 establishing a Williamson Act Contract on subject property; and adopted Ordinance 4639 approving the requested rezone of the property; based on findings presented by staff.

4315 2(n)

81. Hearing to consider Appeal of the Planning Commission's denial of Temporary Use Permit TUP03-12 for outdoor recreational activities on large inflatable equipment at "Bouncetown", located on 0.86 acre (APN 083-182-03) in the Cameron Park area (District I), Appellants: Bill and Lynn Devey.

BOARD ACTION - Board denied the Appeal, thereby upholding the Planning Commission's denial of Temporary Use Permit 03-12, and directed Planning and code enforcement staff to extend the date of the cease and desist order to allow use of the outdoor inflatable equipment at the site through November 30, 2003.

13245

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

September 30, 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 Whisenhunt vs County of El Dorado, Worker's Compensation Claim Settlement, Bragg & Associates Claim No. 0000024, WCAB Claim No. SAC 0308702.
No action reported.
- Claim of Smith vs County of El Dorado, Worker's Compensation Claim Settlement, Claim No. 2002004669, WCAB No. SAC 0317051.
No action reported.

Section 54956.9(b), Anticipated litigation:

- Significant exposure to litigation. Title: White Rock Road Expansion - Relocation of Utilities.
No action reported.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Robert Muszar, Negotiator and Principal Personnel Analyst
Employee Organization: El Dorado County Employees Association, Local 1.
No action reported.
- County Negotiator: Chairman of the Board of Supervisors
Unrepresented Employee: Chief Administrative Officer.
Refer Agenda item 55 for action by the Board.
- County Negotiator: Chairman of the Board of Supervisors
Unrepresented Employee: Agricultural Commissioner/ Sealer of Weights and Measures
Refer Agenda item 56 for action by the Board.

Section 54957, **Public Employee Appointment:**

- Title: Agricultural Commissioner/Sealer of Weights and Measures.

BOARD ACTION - On a unanimous vote of the Board, Mr. Bill Stephans was appointed to the position of Agricultural Commissioner/Sealer of Weights and Measures effective October 20, 2003. (Refer Agenda item 56 for action in open session regarding compensation.)