

A G E N D A A D D E N D U M N O . 2

Regular Meeting of the Board of Supervisors
County of El Dorado

October 28, 2003 - 8:00 A.M.

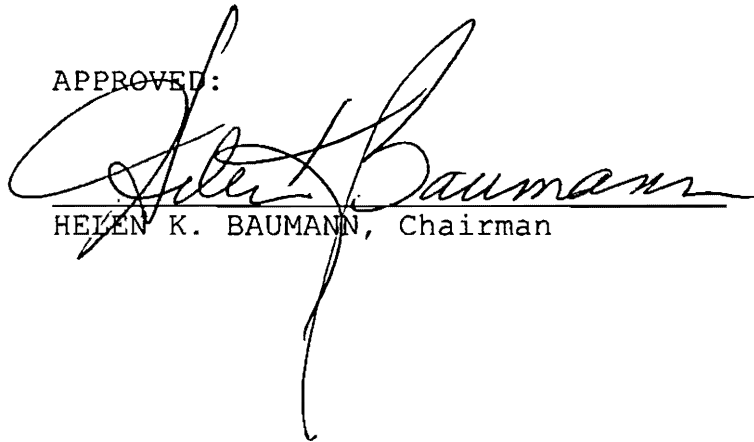
BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A
Placerville, California

CLOSED SESSION

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

Board of Supervisors Meeting of October 28 2003 attached hereto
and approved by the Board on November 4, 2003.

APPROVED:



HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By



Deputy Clerk

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Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. 2 Cases

- Title: El Dorado Hills Mini Storage
No action reported.
- Title: Legal Issues relating to the General Plan Process
No action reported.

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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, October 28, 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 - On a unanimous vote, the Board added one urgent item to the Agenda (refer agenda item 59). 54123

Agenda adopted with item 8 taken off calendar and direction to the CAO regarding same, and items 50, 51 and 55 added to the Consent Calendar for approval. Consent Calendar approved as modified. 15234

PRESENTATION honoring Robert D. Charny in appreciation of his service to the El Dorado County Transportation Commission, the Board of Supervisors, and the citizens of El Dorado County.

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of October 21, 2003.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending the following:
 - (1) Declare the Sierra Mobile Clinic to be "surplus to the needs of the County" under Government Code Section 25372(b)(5);
 - (2) Authorize the donation of the mobile medical clinic vehicle to the El Dorado Community Health Center;
 - (3) Designate the Chief Administrative Officer or her designee to execute the necessary documents effecting this transfer; and
 - (4) Authorize Chairman to sign Agreement 336-PHD0703 with El Dorado County Community Health Center allotting \$55,000 in Tobacco Settlement monies to convert the mobile medical clinic to a mobile dental van and to provide dental services to the County's low income and underserved population.

RECOMMENDED ACTION: Approve.

3. Mental Health Department recommending Amendment 003 to Agreement 454-S0210 with New Morning Youth and Family Services, Inc. in an amount not to exceed \$250,000 for a term to expire June 30, 2004 for a therapeutic treatment program for Medi-Cal children on an "as requested" basis. (Funding - Medi-Cal)
RECOMMENDED ACTION: Authorize Chairman to sign.
4. Mental Health Department recommending Agreement 161-S0411 with Mildred Russ dba Sun West Building Services in an amount not to exceed \$13,260 for a one year term for janitorial services for multiple Mental Health Department facilities. (Realignment funding)
RECOMMENDED ACTION: Authorize Chairman to sign.
5. Library Director recommending Agreement 258-S0411 with EBSCO Industries, Inc. dba EBSCO Publishing in an amount not to exceed \$22,250 for the term November 1, 2003 through October 31, 2004 for database licenses to index and access magazines and journals and online automobile repair manuals. (Funding - General Fund within 2003/2004 Budget)
RECOMMENDED ACTION: Authorize Chairman to sign.
6. General Services Department recommending award of Bid 04-055-041 for grader and truck chains for the Department of Transportation.
RECOMMENDED ACTION: Authorize purchase order to Pewag of Newcastle, California in the amount of \$26,637 including sales tax from the Department of Transportation's Road Fund. (Non-General Fund)
7. General Services Department recommending award of Bid 04-288-043 for plant mix asphalt for the Department of Transportation.
RECOMMENDED ACTION: Authorize blanket purchase order to Tahoe Asphalt of South Lake Tahoe, California in the amount of \$288,503 including sales tax from the Department of Transportation's Road Fund (Non-General Fund) for a twelve month term and an increase to same on an "as needed" basis if funding is available within the requesting department's budget.

8. General Services Department recommending Agreement 234-S0411 with Miles Treaster and Associates not to exceed \$11,673.25 for a 90 day term to design, assemble and install a circulation desk and back counter at the Georgetown Library. (Non-General Fund/Community Enhancement Contribution)
RECOMMENDED ACTION: Authorize Chairman to sign. Upon adoption of the Agenda, this item was **continued off calendar** and, as a separate matter, CAO was requested to report back to the Board on **November 25, 2003**, on purchasing procedures and opportunities for local vendors to participate in same.
9. Transportation Department recommending Resolution accepting a segment of North Star Drive, Seven Stars Unit 1 Subdivision (Hacienda de Estrellas) into the County Maintained Mileage System.
RECOMMENDED ACTION: Adopt Resolution 307-2003.
10. Transportation Department recommending Resolution sanctioning closure of Larsen Drive between North Canyon and Cable Roads and between North Canyon and Carson Roads, Barley Road between Larson Drive and Carson Road and one-lane closures on Cable Road (northbound), "D" Street (northbound), 2nd Street (eastbound), Carson Road (westbound) and North Canyon Road (north and east bound) on November 2, 2003, 8:00 a.m. to 11:15 a.m. for the Apple Hill Harvest Run.
RECOMMENDED ACTION: Adopt Resolution 308-2003.
11. Transportation Department recommending the following:
(1) Resolution accepting constructed street frontage improvements along Ponderosa Road, Rodriquez Parcel Map P-01-05 Street Frontage Improvements, adjacent to APNs 070-270-24, 070-270-25 and 070-270-26, into the County Maintained Road System;
(2) Release of Performance Bond 929177804 in the amount of \$68,552.50;
(3) Acceptance of Maintenance Bond 929177804 in amount of \$6,855.25 to be held one year to secure repair of defects in workmanship or materials; and
(4) Release of said Maintenance Bond one year after acceptance if there are no defect or warrantee claims.
RECOMMENDED ACTION: Approve; adopt Resolution 309-2003.

12. Transportation Department recommending findings be made that there are specialty skills required for the performance of work which are not expressly identified in County classification and approve Amendment 001 to Agreement PSS 252 with MDK, LLC, dba Western Environmental Testing Laboratory (WET LAB) increasing compensation by \$40,000 for a total not to exceed amount of \$115,000 and extend the term through October 31, 2004 for as-needed water quality testing and analyses. (Funding-Grant funds)
RECOMMENDED ACTION: Approve and authorize Chairman to sign.
13. Transportation Department recommending Agreement AGMT 03-425 with Willdan in an amount not to exceed \$39,000 for a term to expire October 27, 2004 with an option to extend for one additional one year period for as-needed plan check services. (Funding-Processing fees in the land development process)
RECOMMENDED ACTION: Authorize Chairman to sign.
14. Supervisor Solaro recommending Captain Rick Myers, South Lake Tahoe Fire Department, be appointed as the District V representative to the Local Disaster Council.
RECOMMENDED ACTION: Approve appointment.

END CONSENT CALENDAR**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. Public Health Department recommending Chairman be authorized to sign an Agreement with the City of South Lake Tahoe in the amount of \$120,750 for the term July 1, 2003 through June 30, 2004 for the County Animal Control Division to provide animal control services for the City. (Retroactive as to term)
ADDED TO CONSENT CALENDAR: Approved. 15234

51. Mental Health Department recommending Chairman be authorized to sign Amendment 001 to Agreement 090-S0411 with Mono County on a fee-for-services basis up to a maximum amount of \$48,400 for the term September 10, 2002 through September 9, 2004 to compensate El Dorado County for psychiatric inpatient care to Mono County residents. (Additional revenues have been budgeted this fiscal year) (*Retroactive - contract returned to Mono County for addition of HIPAA language*)

ADDED TO CONSENT CALENDAR: Approved.

15234

52. General Services Department recommending adoption of Resolution **310-2003** for Per Capita Grant Funds from the State Department of Parks and Recreation for the acquisition and development of park and recreation lands and facilities, noting that the County will receive \$1.2 million through this grant, which is earmarked for Bass Lake Park with the estimated date of completion to be Spring 2007 if work commences Spring 2004; and conditions of the grant include the County's obligation to provide sufficient funds to operate and maintain the park. (Funds for operations and maintenance will need to be included in the fiscal year 2007/2008 budget.)

BOARD ACTION - Approved.

13245

53. General Services Department recommending adoption of Resolution **311-2003** declaring APN 027-364-24 located at 1021 Takela Drive in South Lake Tahoe, California to be surplus to the needs of the County per Government Code Section 50569 and the intent to sell real property pursuant to Government Code Section 25520 et seq; and said Department be directed to provide written notification of the County's intent to offer the property for sale and set Tuesday, **February 3, 2004 at 11:00 a.m.**, for the opening and consideration of the sealed bids for the purchase of said property.

BOARD ACTION - Approved.

54123

54. Transportation Department recommending award of contract for the Dry Creek Bridge-Green Valley Road, El Dorado Irrigation District (EID) Pipe Relocation Project 77103. (Continued 10/21/03, Item 9)
BOARD ACTION - At the recommendation of the Department of Transportation, the Board found that the low bid from Talus Construction was unresponsive and rejected same; and awarded the bid to the lowest responsive, responsible bidder, Sierra National Construction, in the amount of \$430,494.00, and authorized the Chairman to sign the Contract Agreement with same. 43125
55. Transportation Department recommending the following pertaining to Ridgeview West Unit 1 Subdivision (TM95-1309):
(1) Authorize Chairman to execute an Extension to Agreement to Make Subdivision Improvements with Ridgeview West, LLC; and
(2) Reduce Performance Bond 8701965 by \$2,239,361 leaving a balance of \$600,000 which is the cost of the remaining improvements plus 10 percent of the completed work.
ADDED TO CONSENT CALENDAR: Approved. 15234
56. Supervisor Baumann recommending a parcel located in the Sly Park Hills Subdivision (APN 042-381-26-100) be removed from the County's annual public auction of tax-defaulted properties on Friday, November 7, 2003.
BOARD ACTION - Approved. 24135
57. Supervisor Baumann recommending discussion pertaining to the disposition of kitchen equipment in the cafeteria located at the Placerville Government Center, Building A, and if a determination is made, provide direction to staff.
BOARD ACTION - Board declared it's *intent* to place in the Veterans Memorial Building that equipment which is usable by same; determined that the Community Services Department have its choice of the remaining equipment; and requested General Services staff to report back on **December 2, 2003** on the cost of moving and installing the selected equipment, and the feasibility of using a portion of the vacated cafeteria space for an employee "break room". 34125

58. Chief Administrative Officer presenting proposed amendments to the County Charter recommended by the Charter Review Committee for consideration by the Board of Supervisors for its determination of which if any it chooses to place on the March 2, 2004 ballot for voter approval.

BOARD ACTION - Board set the matter for **January 13, 2004**, directing that it be the first 2:00 p.m. matter that date, and requested a report from the Charter Review Committee Chairman and staff that date that provides more information on the genesis of the recommendations and the arguments for and against them. 35124

59. Department of Transportation recommending Board authorize the loan of flow metering equipment to the City of South Lake Tahoe for period October 28, 2003 to October 28, 2004, to monitor rainfall runoff quantities for its Environmental Improvement Program.

BOARD ACTION - Approved. 54123

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

October 28, 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 Gale A. Norton, et al, United States District Court, Eastern District Case 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.
(Continued 10/21/03)
No action reported.

Section 54956.9(b), Anticipated litigation:

- Significant exposure to litigation.
(Continued 10/21/03)
No action reported.
- Significant exposure to litigation.
No action reported.

Section 54956.9(c), Anticipated litigation:

- Initiation of litigation.
BOARD ACTION - On a unanimous vote the Board authorized initiation of one item of litigation, the nature and identity of which will be available upon request once action is actually initiated.

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.