

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

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

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

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**CLOSED SESSION**

**Existing litigation** pursuant to Government Code Section 54956.9(a) regarding 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.

**No action reported.**

**Anticipated litigation** pursuant to Government Code Section 54956.9(c) regarding initiation of litigation. Title: 77 Acre Fee-to-Trust Project - Bureau of Indian Affairs.

**No action reported.**

**DEPARTMENT MATTERS**

60. Supervisor Baumann recommending letter to Congressman Mike Thompson formally opposing House Resolution (H.R. 3327) "California Wild Heritage Wilderness and Wild Rivers Act of 2003" and stating the Board's opposition to proposals that do not provide for a balanced and multi-use management of public lands.

**BOARD ACTION - Approved.**

25134

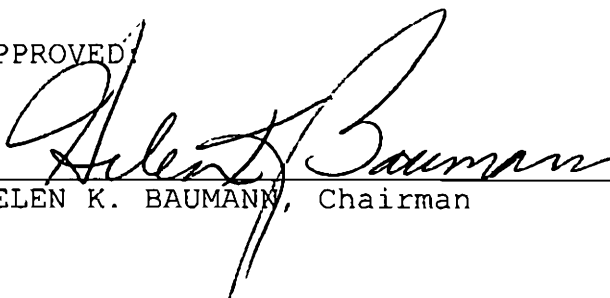
61. Sheriff Department recommending Chairman be authorized to sign Amendment 001 to Agreement with Public Communications Services, Inc. (PCS) making PCS responsible for the acquisition and installation of a new inmate telephone system no later than December 16, 2003.

**ADDED TO CONSENT CALENDAR: Approved.**

15234


Board of Supervisors Meeting of November 4, 2003 attached hereto and approved by the Board on November 25, 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, November 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

**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 items 53, 54, 56, 57 and 61 added to the Consent Calendar for approval, and items 16 and 25 pulled off the Consent Calendar for separate action. Consent Calendar approved as modified. 15234

**OPEN FORUM****CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of October 28, 2003.  
**RECOMMENDED ACTION:** Approve.
2. Releases of Lien (on file with Clerk)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
3. Public Health Department recommending advance step placement of Kenneth Bivens, at Step 5 of the salary range for the position of Physician Assistant, effective November 5, 2003. (Positions funded through Clinic revenue.)  
**RECOMMENDED ACTION:** Approve.
4. Community Services Department recommending Resolution authorizing the submittal of an application to the State Department of Housing and Community Development for \$250,000 under the Exterior Accessibility Grants for Renters (EAGR) Program for approximately 15 lower-income rental households with a disabled member, for exterior modifications to rental housing in unincorporated areas of the County to make that housing accessible to persons with disabilities. (Grant covers all costs associated with EAGR Program.)  
**RECOMMENDED ACTION:** Adopt Resolution 312-2003 authorizing the Director of said Department to submit said grant application and execute the agreement and accompanying documents relating to same, including amendments.

5. Community Services Department Director requesting authorization to sign and submit a grant application to the Marshall Foundation for Community Health in the amount of \$5,000 to provide assistance to 10 to 20 low-income individuals to enable them to participate in the Senior Day Care Program during a two year period. (Programs costs fully covered by grant.)  
**RECOMMENDED ACTION:** Approve.
  
6. General Services Department recommending competitive bidding procedures be dispensed with in accordance with Section 3.12.130E of the County Ordinance Code and sole source purchase be authorized for Leica Surveying Equipment for the Department of Transportation.  
**RECOMMENDED ACTION:** Authorize purchase order to Haselbach Surveying Instruments in the amount of \$40,198, including sales tax, from the Road Fund. (Non-General Fund)
  
7. General Services Department recommending award of Bid 04-570-044 for various types and sizes of steel for the east and west slope for the Department of Transportation.  
**RECOMMENDED ACTION:** Authorize blanket purchase order to the sole qualified bidder, American Metals of West Sacramento, California in the amount of \$26,493, including sales tax, from the Road Fund (Non-General Fund) for a 12 month period and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within the requesting department's budget.
  
8. General Services Department recommending competitive bidding procedures be dispensed with in accordance with Section 3.12.130E of the County Ordinance Code and sole source purchase be authorized for Opticom Emergency Vehicle Preemption Hardware for the Department of Transportation (DOT).  
**RECOMMENDED ACTION:** Authorize purchase order to Advanced Traffic Products of Everett, Washington in the amount of \$13,825, including sales tax, from DOT Road Impact Fees (Non-General Fund).

9. General Services Department recommending competitive bidding procedures be dispensed with in accordance with Section 3.12.130E of the County Ordinance Code and the Auditor/Controller be directed to issue a check to the State in the amount of \$23,267 for the County's required 20% share of the cost to purchase a natural gas vehicle (bus) and the full cost of a global positioning system to be used in the South Lake Basin. (Funding: Non-General Fund/Federal Transit Authority and Department of Motor Vehicles Air Quality Funds.)  
**RECOMMENDED ACTION:** Approve.
10. Sheriff Department recommending Budget Transfer 24031 increasing Estimated Revenue by \$421,997 and transferring same to appropriations as a result of the award of the State Homeland Security grant.  
**RECOMMENDED ACTION:** Approve.
11. Sheriff Department recommending Budget Transfer 24029 increasing Estimated Revenue by \$24,600 and transferring same to appropriations as a result of funding from the United States Attorney's Office to acquire a fiber optics remote control camera to be used by the El Dorado County Explosive Ordinance Disposal Unit.  
**RECOMMENDED ACTION:** Approve, and ratify the Undersheriff's signature on the Reimbursement Agreement executed on September 30, 2003 with the United States Department of Justice.
12. Sheriff Department recommending Budget Transfer 24030 increasing Estimated Revenue by \$9,764 from the Citizen Corps/CERT Program Grant from the Governor's Office on Service and Volunteerism for resources to develop a Citizen Corps Council to represent volunteer organizations sharing an interest in aid to disaster victims.  
**RECOMMENDED ACTION:** Approve.

13. Sheriff Department requesting authorization to submit an application for the Federal Fiscal Year 2003 Federal Emergency Management Agency Community Emergency Response Team grant in the amount of \$8,842; and adoption of Resolution authorizing the Sheriff, Assistant Deputy Director of the El Dorado County Office of Emergency Services, and the Sheriff's Director of Administrative Services to execute documents required to obtain financial assistance through the Community Emergency Response Team (CERT) Program and the Citizens Corps Program through June 30, 2005. (Funding: No County match)  
**RECOMMENDED ACTION:** Approve and adopt Resolution 313-2003.
14. Sheriff Department recommending Agreement 187-S0411 with Evan B. Sundby, Ph.D in an amount not to exceed \$25,000 for the term December 8, 2003 through December 7, 2004 for pre-employment and post-employment "fitness for duty" psychological examinations. (Funding: General Fund/Fiscal Year 2003/2004 Budget contains funds for these services.)  
**RECOMMENDED ACTION:** Authorize Chairman to sign and find that, pursuant to County Charter Section 210b(6) this work can be more economically and feasibly performed by an independent contractor.
15. Auditor/Controller submitting Reports of Allocations from the Supplemental Law Enforcement Funds (SLESF) for fiscal year 2002/2003.  
**RECOMMENDED ACTION:** Receive and file.
16. Elections Department submitting results of the votes cast at the Statewide Special Election held on October 7, 2003.  
**RECOMMENDED ACTION:** Approve. Approved with Elections Department staff commended for a job well done. 34125
17. Transportation Department recommending the Gilson Sieve Shaker (Serial No. 6046) and Mechanical Sand Equivalent Shaker be declared surplus and be traded for new laboratory equipment. (Funding: Road Fund)  
**RECOMMENDED ACTION:** Approve.

18. Transportation Department recommending Resolution summarily vacating (AOE2003-34) two five-foot wide public utility easements and terminating and abandoning a rejected offer for two five-foot wide drainage easements located on the side boundary lines of Highland View Unit 5, Lots 182 and 183 in El Dorado Hills, (APN 113-450-08-100 and -09); said action is necessary as a Condition of Approval of Boundary Line Adjustment (BLA03-33) and to accommodate construction of improvements, requested by Signature Properties, Inc.

**RECOMMENDED ACTION:** Adopt Resolution 314-2003.

19. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD2002-03) from Borgata Serrano, LLC for dedication of a road, in fee, and a public utilities easement along El Dorado Hills Boulevard in El Dorado Hills (APN 107-670-14-100); said dedication is a Condition of Approval of Design Review Application (DR00-25S - The Borgata at Serrano).

**RECOMMENDED ACTION:** Adopt Resolution 315-2003.

20. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD2003-26) from Lakehills Community Covenant Church for dedication of a road right of way, including the underlying fee, located along a segment of White Rock Road in El Dorado Hills (APN 107-130-21-100); said dedication to accommodate improvements related to the White Rock Road Improvement Project.

**RECOMMENDED ACTION:** Adopt Resolution 316-2003.



21. Transportation Department recommending Amendment 001 to Agreement PSS-240 with Harding ESE, Inc. which has merged and changed its corporate name to MACTEC Engineering and Consulting, Inc. increasing compensation by \$200,000 to an amount not to exceed \$385,000 for a term to expire October 31, 2004 for as-needed geotechnical/geoenvironmental services for various erosion control projects in the Tahoe Basin. (Funding: Grant funds from the California Tahoe Conservancy, Tahoe Regional Planning Agency, and United States Forest Service)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
22. Transportation Department recommending the following pertaining to the Angora Creek Stream Environmental Zone Restoration Project (JN 95147):
- (1) Certify and adopt the Mitigated Negative Declaration as adequate for said Project;
  - (2) Authorize said Department to carry out the Project as described in Section 1 of the Final Mitigated Negative Declaration (F/MND), including the proposed mitigation measures summarized in Attachment B of the FMND; and
  - (3) Authorize the Director of said Department, or his representative, to sign the Notice of Determination.
- RECOMMENDED ACTION:** Approve.
23. Planning Department recommending Noise and Avigation Easement and Certificate of Acceptance from Wally Schweitzer for property in the vicinity of the Lake Tahoe Airport.  
**RECOMMENDED ACTION:** Approve.
24. Planning Department recommending Noise and Avigation Easements and Certificates of Acceptance from David Jacobsen and Janice Jacobsen, Dewey C. Lee, Jr. and Dandaleen A. Lee; Hashem Khorasani and Zohreh Minoiefar, and Noel Paulson and Teresa Paulson for property in the vicinity of the Cameron Park Airport.  
**RECOMMENDED ACTION:** Approve.

25. Planning Department recommending the following pertaining to the construction of a branch library in El Dorado Hills:

(1) Receive and file the Notice of Award from the State Housing and Community Development Department for grant funds in the amount of \$723,538 for use in the construction of said library;

(2) Adopt Resolution authorizing the Interim Planning Director to execute the grant agreement and related documents required by the State for participation in the grant; and

(3) Approve Budget Transfer 24038 appropriating the grant funds within the Accumulated Capital Outlay fund.

**RECOMMENDED ACTION:** Approve and adopt Resolution 317-2003, noting funds must be encumbered by June 30, 2004, spent by June 30, 2006 and bi-annual reports must be sent through the term. **Recommendations approved with staff requested to report back on DECEMBER 2, 2003 on a plan for expenditure of grant funds within limitations on same.** (This report to be dovetailed with the General Services Department's report on the design and construction schedule.)

26. Human Resources Department recommending Amendment 001 to Agreement 504-S0310 with Curiale, Dellaverson, Hirschfeld, Kraemer and Sloan, LLP increasing the amount by \$20,000 to an amount not to exceed \$30,000 and extending the term to November 21, 2004 for legal services on an as-requested basis to advise and represent the County in employment and labor relations matters before the California Public Employment Relations Board. (Funding: General Fund/approved in fiscal year 2003/2004 budget)

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

27. Chief Administrative Officer recommending Fiscal Year 2003/2004 Title III Funding in the amount of \$9,682 to El Dorado County Fire Safe Council for a Fire Safety Education calendar for 2004.

**RECOMMENDED ACTION:** Approve.

28. Chief Administrative Officer recommending property tax redistribution for Local Agency Formation Commission (LAFCo) Project No. 03-08 (Johnston annexation to El Dorado Irrigation District); said boundary change will be reviewed by LAFCo at a later date. (Funding: Relinquishing approximately \$116 in property tax increment, revenue will be offset by annual property tax increases.)  
**RECOMMENDED ACTION:** Adopt Resolution 318-2003, noting the purpose of said annexation is new service to a failing well.
29. 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. (Continued 9/30/03, Item 52)  
**RECOMMENDED ACTION:** Continue to **December 9, 2003.**
30. Supervisor Dupray recommending Dan Polen be appointed to the Cameron Park Design Review Committee.  
**RECOMMENDED ACTION:** Approve appointment.
31. Supervisor Dupray recommending letter to the Bureau of Reclamation requesting an immediate analysis of the Folsom Dam Road be completed.  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
32. County Service Area 010 consideration of Agreement 008-03/04 with Decade Software Company, LLC in an amount not to exceed \$28,000 for the term December 1, 2003 through November 30, 2005 for the software product "Envision for Windows" which tracks, manages, issues and sorts data for various Environmental Management programs/projects. (Funding: General Fund Support Division for fiscal year 2003/2004, costs fully recovered through user fees)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.

**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. Hearing to consider adoption of Resolution **319-2003** for the General Vacation of a portion of Post Court located within Town Center East Unit 1, in the El Dorado Hills area. (Resolution of Intention adopted 10/7/03, Item 21.)

**BOARD ACTION** - Hearing no protests, Resolution 319-2003 adopted. 24135

51. Hearing to consider adoption of Resolution **320-2003** for the General Vacation of Town Center Boulevard and a portion of Post Street within Town Center East Unit 1, in the El Dorado Hills area. (Resolution of Intention adopted 10/7/03, Item 22.)

**BOARD ACTION** - Hearing no protests, Resolution 320-2003 adopted as amended, at the recommendation of Transportation Department staff, to provide for traffic signal operation and maintenance. 23145

52. General Services Department recommending the Board find that it is more economical and feasible to "contract out" in accordance with County Ordinance Code 3.13, Section 3.13.030; award Request for Proposal 04-961-030; and authorize Chairman to sign Agreement, upon approval by County Counsel and Risk Management, with Aon Consulting in an amount not to exceed \$450,000 for a three year term for employee benefits consulting services. (Funding: General Fund)

**BOARD ACTION** - Approved. 35124

53. Public Health Department recommending Chairman be authorized to sign Agreement 03-75368 and associated documents with the State Department of Health Services in the amount of \$62,142 for fiscal year 2003/2004 for a total amount of \$186,426 for the term July 1, 2003 through June 30, 2006 for preventive health care for the Aging Program; and Director of said Department requesting authority to sign an anticipated amendment to said Agreement to bring the total funding for fiscal year 2003/2004 up to the budgeted amount of \$78,198.

**ADDED TO CONSENT CALENDAR:** Approved.

15234

54. Community Services Department recommending Chairman be authorized to sign Agreement CFC-0304-01 with First 5 El Dorado formerly known as Children and Families Commission to enable this local service provider to receive federal revenues for eligible Medi-Cal Administrative Activities (MAA) services provided by that agency during the term July 1, 2003 through June 30, 2004. *(Retroactive as to term, State will compensate the County based on reported and documented activities, reported and payable 6 to 10 months after date of activity.)*

**ADDED TO CONSENT CALENDAR:** Approved.

15234

55. General Services Department recommending the Board find that it is more economical and feasible to "contract out" for services in accordance with County Ordinance 3.13, Section 3.13.030; award Request for Proposal 04-961-034; and authorize Chairman to sign Agreement, upon approval by County Counsel and Risk Management, with Maximus, Inc. in the amount of \$58,750 for a one year term to conduct a comprehensive user fee study for the Chief Administrative Office, noting Scope of Services include briefing meetings with departments and stakeholders at critical points in the process. (Funding: Budgeted and available in the Chief Administrative Office (\$51,750) and Sheriff Department (\$7,000 for additional booking fee component) budget for professional services.)

**BOARD ACTION** - Approved.

5413 2(n)

56. General Services Department recommending Chairman be authorized to sign Amendment 001 to Lease Agreement 159-L9911 with Takela Ltd transferring ownership to Ernest Fortino and Marie Fortino, Trustees or Successors of the 1994 Ernest Fortino and Maria Fortino Revocable Trust converting the lease to a month to month tenancy commencing November 1, 2003 for office space located at 1029 Takela, Suite 5, South Lake Tahoe for the Social Services Department's Job One Program. (Funding: Non-General Fund) (Retroactive as to term - expiration of current lease will occur prior to Board of Supervisors meeting.)  
**ADDED TO CONSENT CALENDAR:** Approved. 15234
57. Transportation Department recommending there is a need to continue the emergency action pertaining to the roof at said Department's facility located at 1121 Shakori Drive in Meyers, in accordance with Section 22050(c) of the Public Contract Code. (4/5 vote required)  
**ADDED TO CONSENT CALENDAR:** Approved. 15234
58. Chief Administrative Officer recommending approval of Budget Transfer 24023 transferring \$386,292 in General Fund Contingency to Accumulated Capital Outlay for parks construction carry-over projects designated by the General Services Department. (4/5 vote required)  
**BOARD ACTION -** Approved. 35124
59. Chief Administrative Officer recommending adoption of Resolution 321-2003 for property tax redistribution for Local Agency Formation Commission (LAFCo) Project 03-07, for the annexation of Smith Flat property to the City of Placerville; said boundary change will be consider by LAFCo at a later date.  
**BOARD ACTION -** Resolution 321-2003 **not** adopted, and City of Placerville requested to enter into discussions with the County on the tax distribution issue and to reapply once those discussions are concluded. 421 3(n)5(n)

**BOARD OF SUPERVISORS CONVENEED AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS TO CONSIDER THE FOLLOWING:**

70. Environmental Management Department recommending the Air Pollution Control Officer be authorized to sign and submit the Fiscal Year 2003/2004 Subvention Application to the State Air Resources Board for funds in the approximate amount of \$85,000.

**BOARD ACTION** - Approved.

35124

**AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS ADJOURNED AND BOARD OF SUPERVISORS RECONVENED.**

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

80. Supervisor Dupray recommending, at the request of the petitioners, John Hidahl and Norm Rowlet, adoption of Resolution **322-2003** to allow public hearings and public participation in the proposed incorporation of El Dorado Hills, noting the County is not to be financially responsible for any of the Local Agency Formation Commission (LAFCo) costs and fees associated with the proposed incorporation and the Resolution is not intended to support or oppose the application.

**BOARD ACTION** - This particular request for the incorporation application continued to **November 25, 2003**, with the caveat that it is the Board's intent to move this forward.

14235

**ITEMS TO/FROM SUPERVISORS**

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

90. Planning Department reporting on the status of the West Valley Village Tentative Map Traffic Analysis, pursuant to Resolution 160-2000, noting the substantive report to be placed on the Agenda for November 25, 2003. (Continued 10/14/03, Item 57)  
**No action taken.** Interim Director of Planning advised that a substantive report will be presented on **November 25, 2003.**
91. Hearing to consider Appeal on the Planning Commission's approval of Special Use Permit S03-05 for the El Dorado Hills Community Park Master Plan Revision on 39.5 acres (APN 112-120-23 and -24) in the El Dorado Hills area, Applicant: El Dorado Hills Community Services District; Appellant: James Campo. (District I)  
**BOARD ACTION** - Board denied the Appeal, thereby upholding the action of the Planning Commission conditionally approving Special Use Permit S03-05 based on the findings and subject to the mitigation measures and conditions recommended by the Commission.

12345

**ADJOURNMENT**



**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**November 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 54957.6, Conference with Labor Negotiator:**

- County Negotiator: Robert Muszar and Employee Relations Officer  
Employee Organization: El Dorado County Employees Association Local 1.  
**No action reported.**

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

- Significant exposure to litigation.  
**No action reported.**