

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, December 2, 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 6, 8, 13 and 20 pulled from the Consent Calendar for separate action, and items 50, 51, 52 and 54 added to the Consent Calendar for approval. Consent Calendar approved as modified. 15234

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of November 25, 2003.
RECOMMENDED ACTION: Approve.
2. Child Support Services recommending Amendment 001 to Agreement 253-S0311 with Edex Information Systems, Inc. increasing the amount by \$4,000 to the amount of \$22,000 and extending the term to December 2, 2004 for electronic filing of Workers Compensation claims with the State for said Department. (Funding: State and Federal allocations, no County funds to be utilized)
RECOMMENDED ACTION: Authorize Chairman to sign.
3. General Services recommending: 1) Application to the State Department of Transportation for Matching Grant Funds in the amount of \$9,900 for the FAA Airport Improvement Program at the Placerville Airport for Master Plan Study Update and Environmental Baseline Study; 2) Interim Director of General Services be authorized to execute said Application, as well as the Certification of Airport Eligibility for California Aid to Airports Program (CAAP) Funds; and 3) Auditor-Controller be authorized to complete and sign Part II-Financial Certification of Application. (Funding: If successful, County contribution will decrease from \$22,000 to \$12,100 or \$9,900.)
RECOMMENDED ACTION: Approve.

4. General Services recommending: 1) Application to the State Department of Transportation for Matching Grant Funds in the amount of \$10,395 for the FAA Airport Improvement Program at the Georgetown Airport for Master Plan Study Update and Environmental Baseline Study; 2) Interim Director of General Services be authorized to execute said Application as well as the Certification of Airport Eligibility for California Aid to Airports Program (CAAP) Funds; and 3) Auditor-Controller be authorized to complete and sign Part II - Financial Certification of Application. (Funding: If successful, County contribution will decrease from \$23,100 to \$12,705 or \$10,395.)

RECOMMENDED ACTION: Approve.

5. General Services recommending: 1) Application to the State Department of Transportation for Matching Grant Funds in the amount of \$29,975 for the FAA Airport Improvement Program at the Georgetown Airport to Rehabilitate Runway 16-34; 2) Interim Director of General Services be authorized to execute said Application as well as the Certification of Airport Eligibility for California Aid to Airports Program (CAAP) Funds; and 3) Auditor-Controller be authorized to complete and sign Part II - Financial Certification of Application. (Funding: If successful, County contribution will decrease from \$66,611 to \$36,636 or \$29,975.)

RECOMMENDED ACTION: Approve.

6. General Services recommending: 1) Amendment I to Agreement (#625-S0311) with Reinard W. Brandley for engineering services necessary for the Airport Facilities, expanding the scope of work to include Placerville and Georgetown Airport Master Plan Update Study & Environmental Baseline Studies, and increasing compensation by \$427,000 for a total amount not to exceed \$507,200 (Non-General Fund); and 2) Chairman be authorized to execute said Amendment. (CAO advises RFQ done in 2002 included the entire scope of work - engineering and master plan/environmental baseline studies - in the original contract and the proposed amendment.)

RECOMMENDED ACTION: Approve.

34125

7. General Services recommending: 1) Amendment III to Agreement (#400-S0310) with B & B Cleaning and Restoration Inc., a California corporation dba Service Team of Professionals, to provide County-wide cleaning, restoration and minor repairs caused by unforeseen emergencies such as flooding, increasing scope of services to include specialized "as requested" carpet cleaning with no increase in compensation; and 2) Chairman be authorized to execute said Amendment.

RECOMMENDED ACTION: Approve.

8. General Services, pursuant to County Ordinance Code Section 3.12.165, recommending: 1) Declaration of seven Public Health Department/Joint Powers Authority ambulances as surplus; 2) Authorization to sell three of the ambulances at auction, and donation of the remaining four to the Cameron Park Rotary Club, Georgetown Rotary Club and Georgetown Fire District; and 3) Director of General Services to be authorized to sign the required Agreements for use of donated surplus property. (CAO recommending approval contingent upon County Counsel and Risk Management review and approval of the required Agreements, and inclusion of appropriate release of liability language in said Agreements.)

RECOMMENDED ACTION: Approve.

34125

9. General Services, pursuant to County Ordinance Code Section 3.12.160, recommending: 1) Declaration of eleven 40-caliber handguns (Sigarms P226) with night sights and 40-caliber magazines as surplus; and 2) Authorization for Purchasing Agent to issue a purchase order to San Diego Police Equipment Company for the trade-in allowance of the surplus equipment in exchange for purchase of six HK MP-5 Conversion Kits and six Glock 22 Conversion Kits.

RECOMMENDED ACTION: Approve.

10. General Services recommending the exercise of the second option per the terms of Lease Agreement (#046-L9611) between the County and Briw Office Investors for office space at 3057 Briw Road in Placerville for the Department of Social Services for an additional one year term commencing January 1, 2004 and ending December 31, 2004. (Non General Fund)
RECOMMENDED ACTION: Approve.

11. Information Technologies recommending Chairman be authorized to sign Amendment I to Agreement (#048-S0311) with Xerox Corporation for maintenance of a DP 90 laser printer, changing the scope of services, term and compensation in an amount not to exceed \$40,000 for term of January 2004 through December 2006.
RECOMMENDED ACTION: Approve.

12. Information Technologies recommending Chairman be authorized to sign Amendment I to Agreement (#358-C0111) with Ascent Solutions, Inc., for software that allows compression of data before it is written to media or transferred over the network; said Amendment to effect name change from Ascent Solutions, Inc., to PKWare of Ohio, Inc.
RECOMMENDED ACTION: Approve.

13. Auditor-Controller recommending adoption of **Resolution 342-2003** amending Resolution 39-91 regarding policy for proof necessary to establish claim for excess proceeds from tax sale and processing; amendments to further refine and delineate the duties of the affected County officers and the proof necessary by a claimant to ensure appropriate and equitable claims.
RECOMMENDED ACTION: Adopt Resolution 342-2003. 14235

14. Transportation Department requesting authorization to enter into negotiations with the respective property owners (Hannaford APN 033-631-12, Tigmo APN 033-801-07, Banuelos APN 081-141-28, Pevarnick APN 081-152-01, Swartz APN 081-152-15, Grady 081-153-04 and Carnevale APN 081-153-09) and with owners whose properties are later determined to be necessary for the Apalachee Phase I Erosion Control Project (JN95054).
RECOMMENDED ACTION: Approve.

15. Transportation Department recommending Board: 1) Make findings pursuant to Article II, Section 210b(6) of the County Charter that there are specialty skills required for work performed under this Amendment that are not expressly identified in County classification, and that the ongoing aggregate of work performed under this Agreement is not sufficient to warrant addition of permanent staff; and 2) Authorize Chairman to sign Amendment I to Agreement for Services (#PSS 242) with Bender Rosenthal, Inc., to extend the term for one year to December 31, 2004, and provide an updated fee schedule and increase the not-to-exceed amount by \$20,000 to \$65,000. (Additional funding through road impact fees, transportation impact mitigation fees or State and Federal grants, whichever is applicable.)
RECOMMENDED ACTION: Approve.
16. Transportation Department recommending Board: 1) Make findings pursuant to Article II, Section 210b(6) of the County Charter that there are specialty skills required for work performed under this Amendment that are not expressly identified in County classification, and that the ongoing aggregate of work performed under this Agreement is not sufficient to warrant addition of permanent staff; and 2) Authorize Chairman to sign Amendment I to Agreement for Services (#PSS 244) with Universal Field Services to extend the term for one year to December 31, 2004, and provide an updated fee schedule and increase the not-to-exceed amount by \$27,000 to \$72,000. (Additional funding through road impact fees, transportation impact mitigation fees or State and Federal grants, whichever is applicable.)
RECOMMENDED ACTION: Approve.
17. Transportation Department requesting Auditor-Controller be authorized to make cash advances from the General Fund to the Erosion Control and Road Funds on an as-needed basis to prevent negative cash balances in those funds.
RECOMMENDED ACTION: Approve.

18. Environmental Management recommending Board: 1) Make findings in accordance with County Ordinance Code Section 3.13.030(2) that an independent Contractor/ Consultant/ Operator can more economically and feasibly perform the service; and 2) authorize Chairman to sign Agreement for Services (#010-02-03-00) with Ski Run Marina for operation of a bilge water pump-out unit and used oil collection center.
RECOMMENDED ACTION: Approve.
19. Supervisor Helen Baumann requesting ratification of Certificate of Recognition presented to Jane Cadwell on the occasion of her retirement from the Social Services Department at South Lake Tahoe. Ms. Caldwell retired with 20 years of service to the County.
RECOMMENDED ACTION: Approve.
20. General Services reporting on the El Dorado Hills Branch Library (Project #0309) Grant Spending Plan. (Referred 11/4/03 Item 25)
RECOMMENDED ACTION: Receive and file. 12345
21. Supervisor Rusty Dupray advising that Sandra Dodson has resigned as the District I representative on the Parks and Recreation Commission, and recommending appointment of Larry Ito to serve out her term which expires in January 2005. (Vacancy posted 11/19/03.)
RECOMMENDED ACTION: Approve.
22. Supervisor Jack Sweeney requesting adoption of Proclamation honoring Mr. Bill Rupley.
RECOMMENDED ACTION: Adopt Proclamation.

END CONSENT CALENDAR

CAO REPORT/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. El Dorado County Water Agency recommending Board of Supervisors grant a one-time limited waiver of the prohibition of operation of a motorboat on the Chili Bar Reach of the South Fork of the American River (County Ordinance Code 12.64.040) to the Sacramento Municipal Utility District (SMUD) and Pacific Gas & Electric Company (PG&E) for period December 8 - 13, 2003, to allow for use of a boat with a 15-horsepower outboard motor that does not discharge oil in the exhaust and has a very low noise level, for studies in support of their respective relicensing on the Upper American River Project (FERC Project No. 2101) and the Chili Bar Dam Project (FERC Project No. 2155).

ADDED TO CONSENT CALENDAR: Approved. 15234

51. Sheriff recommending Chairman be authorized to sign Amendment IV to Agreement (#382-S0201) with ChoicePoint Business and Government Services, Inc., for online access to various proprietary databases for investigative services, extending the term an additional six months, from October 31, 2003 through April 30, 2004. (*Retroactive as to term.*)

ADDED TO CONSENT CALENDAR: Approved. 15234

52. Human Resources recommending Amendment II to Agreement for Services(#623-S0311) with Amando Cablas, Ph.D., dba Cultural Constructs to assist departments in identifying organizational barriers experienced by limited- and non-English speaking consumers/clients needing to access County services; said Amendment to extend the Agreement through March 30, 2004.

ADDED TO CONSENT CALENDAR: Approved. 15234

53. Public Health Department recommending the following Safety Net Provider Network "Healthy Communities Access Program" grant activities and associated budget and personnel allocation adjustments:
1. Development and processing of Agreements and MOU's formalizing collaborative relationships among health care organizations in the County, and authorization for the Director of Public Health to sign the Agreements and MOU's upon approval by County Counsel as to form.
 2. Development and processing of Agreements for grant related services which will be brought back to the Board for execution.
 3. Approval of **Budget Transfer No. 24045** appropriating increase in estimated revenue of \$824,750 for the first year of the grant.
 4. Adoption of **Resolution 343-2003** amending Authorized Personnel Allocation Resolution 305-2003 to **add** 1.00 FTE Accountant I/II, 1.00 FTE Department Analyst I/II, 1.00 FTE Administrative Technician, 1.00 FTE Office Assistant I/II and 4.00 FTE Community Services Program Assistant positions to the allocation for the Department of Public Health.

BOARD ACTION - Approved.

15234

54. Transportation Department recommending Board: 1) Make findings pursuant to Article II, Section 210b(6) of the County Charter that there are specialty skills required for the work performed under this Amendment that are not expressly identified in County classification, and that the ongoing aggregate of the work performed under the Agreement is not sufficient to warrant the addition of permanent staff; and 2) Authorize Chairman to sign Amendment I to Agreement for Services (#PSS 243) with W. Tim Landes and Vicki Briggs dba Sierra West Valuation, for as-needed appraisal and real property acquisition services; said Amendment to extend term for one year, to December 31, 2004, provide for use of subconsultants, and provide an updated fee schedule and increase the not-to-exceed amount by \$35,000 to \$80,000. (Funding provided through road impact fees.)

ADDED TO CONSENT CALENDAR: Approved.

15234

55. General Services recommending approval of moving and installing selected kitchen equipment from the cafeteria in Building "A" of the County Government Center to the Veterans Memorial Building, consistent with the Board's stated intent on October 28, 2003 (Item 57); and requesting direction on use of the vacated cafeteria space. (Funding: Cost estimate of \$4,500 can be funded through the Accumulated Capital Outlay Fund; budget transfer will be brought back on **December 9, 2003**, if this item is approved.)

BOARD ACTION - Moving and installation of selected equipment approved, giving the department head discretion to take appropriate action to surplus remaining equipment, and stipulating that the Sheriff's Department will continue to fully utilize the vacated cafeteria space. 45123

56. Building Department recommending Amendment 001 to Agreement(443-S310) with Tricor America, Inc., in an amount not to exceed \$11,450.04 for a two-year term expiring December 8, 2004 for courier services on a daily basis to the Building Department between El Dorado Hills and Placerville. (Funding included in fiscal year budget.) (Continued 11/25/03 Item 26)

BOARD ACTION - Approved. 34125

57. Supervisor Charlie Paine proposing the following Measure Y Question be placed before the voters on the March 2004 ballot: "Shall any segment of Highway 50 between the Sacramento County line and the Ponderosa Road off-ramp be allowed to go to LOS (Level of Service) F (gridlock)?"

BOARD ACTION - Motion by Supervisor Paine, seconded by Supervisor Dupray, to place the question on the March 2004 ballot, **failed** by a two-three vote.

41 2(n)3(n)5(n)

TIME ALLOCATION - 10:00 A.M.

70. Sacramento Metropolitan Fire District presentation on its new Hazardous Materials Identification and Mitigation Program which provides a fully qualified Hazardous Materials Team 24 hours a day, 7 days a week to respond to the Sacramento region.

No action taken.

TIME ALLOCATION - 10:30 A.M.

71. Chief Administrative Officer presenting the FY 2004-05 and FY 2005-06 budget plan which also provides an updated five-year budget forecast, and recommending the matter be placed on the Board's agenda for December 9, 2003. (Report available December 1, 2003.)
- BOARD ACTION** - Board set a workshop (special meeting) for **Monday, January 26, 2004, at 1:00 p.m.**, and requested department heads to work with the CAO to bring the revenue shortfall to "zero" by providing reductions in their departmental budgets; said options would be illustrated in three-stage steps; and State-funded departments should also be preparing to look at cuts assuming 5% and 10% cuts to program funding by the State; this would be in addition to the balancing of the General Fund departments. Additionally, the Board directed the CAO, County Counsel and Human Resources to work with representatives of the various employee unions on putting together a labor-management team for this purpose and bring back the matter of such a committee for Board direction on **December 9, 2003.**
- 34125

72. Chief Administrative Officer presenting a proposal for restructuring the County's organization, and recommending the matter be placed on the Board's agenda for December 9, 2003. (Report available December 1, 2003.)
- No action taken by the Board this date; matter to be on the December 9, 2003 Agenda for further discussion.**

ITEMS TO/FROM SUPERVISORS

PLANNING MATTERS - 2:00 P.M.

80. Hearing to consider adoption of Resolution 344-2003 establishing a new Agricultural Preserve (No. 293 / Williamson Act Contract 03-02) in the Fairplay Area (District II), and Ordinance 4644 rezoning (Z03-14) subject 20.818 acres (APN 095-080-56) from Estate Residential Five-acre (RE-5) Zone to Agricultural Preserve (AP) Zone; Applicant: John L. Smith.

BOARD ACTION - Hearing no protests, Board certified that Williamson Act Contract 03-02 is categorically exempt pursuant to Section 15317 of the California Environmental Quality Act (CEQA) Guidelines; adopted the Negative Declaration as prepared for Z03-14; adopted **Resolution 344-2003** establishing **Agricultural Preserve 293**; and adopted **Ordinance 4644** approving the requested rezoning of subject properties; based on the findings and subject to the mitigation measures recommended by the Planning Commission. 14235

81. Hearing to consider adoption of Resolution 345-2003 establishing a new Agricultural Preserve (No. 294 / Williamson Act Contract 02-07) in the Gold Hill Area (District IV), and Ordinance 4645 rezoning (Z02-10) subject, approximate 41.5 acres (APNs 089-030-19 and portions of -18, -20 and -21) from Estate Residential Ten-acre (RE-10) Zone to Exclusive Agriculture (AE) Zone; Applicant: David Girard.

BOARD ACTION - Hearing no protests, Board found that Williamson Act Contract 02-07 is categorically exempt pursuant to Section 15317 of the CEQA Guidelines; adopted the Negative Declaration as prepared for Z02-10; adopted **Resolution 345-2003** establishing **Agricultural Preserve 294**; and adopted **Ordinance 4645** approving the requested rezoning of subject properties; based on the findings and subject to the mitigation measures/conditions recommended by the Planning Commission with modification of conditions 1 and 2 as recommended by Planning staff this date.43125

82. Planning Department recommending the Board of Supervisors hearing on the Spivey Pond Management Plan and finding of consistency with the County General Plan, set for this date and time, be continued to January 27, 2004 due to the Planning Commission's hearing on the matter being continued to December 11, 2003.

BOARD ACTION - Hearing continued to **January 27, 2004,**
at 2:00 p.m. 3425 1(np)

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

December 2, 2003 - 8:00 a.m.

Board to meet in Closed Session to confer with or receive advice from Counsel on the following pursuant to Government Code Section cited:

Section 54956.9(b), Anticipated litigation:

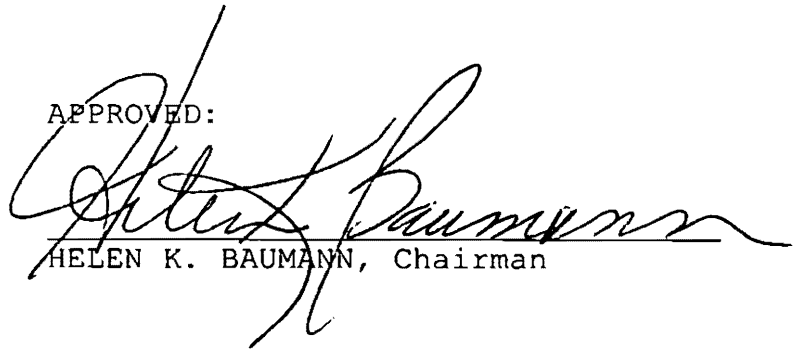
- Significant exposure to litigation.
Title: El Dorado Hills Mini Storage
No action reported.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Robert Muszar, Negotiator, and Deborah Kal, Employee Relations Officer.
Employee Organization: El Dorado County Employees Association Local 1.
Closed session cancelled.

Board of Supervisors Meeting of December 2, 2003 attached hereto and approved by the Board on December 9, 2003.

APPROVED:



HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By



Deputy Clerk