

Board of Supervisors Meeting of February 10, 2004 attached hereto and approved by the Board on February 24, 2004.

APPROVED:



RUSTY DUPRAY, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By Margaret E. Moody
Deputy Clerk

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

February 10, 2004 - 8:00 A.M.

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

CLOSED SESSIONS

Section 54956.9(a), **Existing litigation:**

- Neil O'Neill vs Correctional Officer Dan Rath, El Dorado County Superior Court Case No. PC20040037.
BOARD ACTION - On a unanimous vote by those present (Supervisor Solaro absent) the Board authorized County Counsel's intervention in the case and the filing of a Writ seeking a stay of proceedings.

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

- Significant exposure to litigation. (1 Case)
No action reported.

DEPARTMENT MATTERS

54. Grand Jury recommending Budget Transfer 24089 decreasing contingency by \$10,000 and transferring same to the Grand Jury's expenditure appropriation for consultant services for investigations, audits or examinations pursuant to the Grand Jury's efforts for fiscal year 2003/2004. (4/5 votes required)
BOARD ACTION - Approved. 4312 5(np)
55. Supervisor Sweeney requesting Board consideration and endorsement of a letter of support for the proposed Superior Court Facilities Project and the County's commitment to same.
ADDED TO CONSENT CALENDAR: Approved. 3412 5(np)

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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, February 10, 2004

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
co.el-dorado.ca.us/bos

RUSTY DUPRAY
First District
Chairman

HELEN K. BAUMANN
Second District

JAMES R. SWEENEY
Third District

CHARLIE PAINE
Fourth District
First Vice Chairman

DAVID A. SOLARO
Fifth District
Second Vice Chairman

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.

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 Monday 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 - One New Business item (#24) added to the Agenda Consent Calendar. 3412 5(np)

Agenda adopted with items 17 and 20 pulled from the Consent Calendar for separate action, and Department Matter 55 added to the Consent Calendar for approval. Consent Calendar approved as modified. 4213 5(np)

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting on February 3, 2004.

RECOMMENDED ACTION: Approve.

2. Releases of Lien (on file with Clerk)

RECOMMENDED ACTION: Authorize Chairman to sign.

3. General Services Department recommending Amendment 002 to Lease Agreement 042-L0011 with F and S Investment adjusting the rate to \$8,343 per month commencing April 1, 2004, or upon the completion of the installation of an American Disabilities Act (ADA) compliant wheelchair lift, and extending the term to January 31, 2009, with an option of one additional two year term for office space located at 1120 3rd Street, South Lake Tahoe for the Mental Health Department. (Non-General Fund)

RECOMMENDED ACTION: Authorize Chairman to sign, noting the installation of said lift will increase the square footage from 3,562 to 4,687 square feet, which increases the annual cost from \$82,774.00 to \$100,116.00, however, the cost per square foot decreases from \$1.94 to \$1.78.

4. General Services Department recommending the Board exercise the first option per terms of Lease Agreement 174-L9711 with Briw Office Investors extending the term one year commencing on April 1, 2004 through March 31, 2005 at a cost of \$106,105.70 for 9,056 square feet of office space for Child Support Services. (Non-General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign, noting an increase of \$1,781 (1.71%) for a cost of 97.6 cents per square foot.
5. General Services Department recommending Change Order No. 7 to Agreement 642-C0399 with United Construction Company increasing the scope of work and compensation by \$41,983 for a total amount of \$6,508,806 for the construction of the South Lake Tahoe Juvenile Hall Facility.
RECOMMENDED ACTION: Authorize Director of said Department to execute the Change Order, noting contingency balance upon approval will be \$217,507.
6. Treasurer/Tax Collector recommending Resolution approving the list of properties five or more years defaulted to be sold at a sealed bid sale scheduled for Friday, April 2, 2004.
RECOMMENDED ACTION: Adopt Resolution 037-2004.
7. Human Services Department recommending Amendment 001 to Agreement and Contract of Employment with David T. Hill extending the term and increasing compensation for his continued management support while the principal structural changes in the Social Services Division of said Department are completed.
RECOMMENDED ACTION: Authorize Chairman to sign and said Department to execute documents necessary to complete scope of work following approval by County Counsel and Risk Management, not to include increases or decreases in overall funding or extension of the term.

8. Public Health Department recommending the Board approve in concept, the submission of a 2004 Drug Court Discretionary Grant Application to the State Department of Justice, Bureau of Justice Assistance in the amount of \$450,000 over a three year period, to be used to implement an El Dorado County Adult Drug Court; and authority be delegated to said Department or the Probation Department to serve as representative of the County for said grant.
RECOMMENDED ACTION: Approve, and authorize submission of Letters of Support from other agencies and County departments who support said grant application.
9. Building Department recommending Amendment 001 to Agreement 322-S0411 with The Willdan Group of Companies correcting Exhibit A which inadvertently included payment percentages that were different from those originally quoted; all other portions remain unchanged for a period of one year at a cost not to exceed \$25,000 for plan checking services on an "as requested" basis.
RECOMMENDED ACTION: Authorize Chairman to sign.
10. Transportation Department recommending Resolution amending Resolution 250-81 sanctioning the installation of stop signs on all streets intersecting with Marshall Trail and High Meadow Trail in South Lake Tahoe.
RECOMMENDED ACTION: Adopt Resolution 039-2004.
11. Transportation Department recommending Resolution amending Resolution 245-81 sanctioning the installation of stop signs at Lake Tahoe Boulevard at its intersection with North Upper Truckee Road stopping the southbound leg in South Lake Tahoe.
RECOMMENDED ACTION: Adopt Resolution 040-2004.
12. Transportation Department recommending Resolution amending Resolution 247-81 sanctioning 25 miles per hour speed limits on Marshall Trail, Wagon Train Trail, High Meadow Trail, and Sierra House Trail in South Lake Tahoe.
RECOMMENDED ACTION: Adopt Resolution 041-2004.

13. Transportation Department recommending Agreement 03-01349V with The Regents of the University of California, Davis, Department of John Muir Institute of the Environment, in an amount not to exceed \$75,000 for a term ending February 9, 2006 for technical support services. (Funding: Grant funds from the California Tahoe Conservancy and the United States Forest Service, and funds budgeted by the Department for the National Pollutant Discharge Elimination Systems programs for the West Slope and Tahoe Basin, including approximately \$5,000 in General Fund monies.)
RECOMMENDED ACTION: Authorize Chairman to sign.
14. Risk Management recommending Amendment to the Health Insurance Portability and Accountability Act (HIPAA) Business Associate Agreement with Caremark assuring that Caremark's use of health information will be in accordance with Federal health information privacy regulations.
RECOMMENDED ACTION: Authorize Chairman to sign.
15. Chief Administrative Office recommending the Board accept the recommendation of the El Dorado County Fair Association Board of Directors and appoint Earl "Mick" McGuire as member and William "Bill" Mackay as alternate to the California Fairs Financing Authority Joint Powers Authority (dba California Construction Authority).
RECOMMENDED ACTION: Approve.
16. Chief Administrative Office recommending Board find, in accordance with County Ordinance Code Section 3.13.03, that it is more economical and feasible to obtain an outside contractor to provide an emergency call notification system for the Sheriff's Department and award Request for Proposal 04-725-064 to Simtel, Incorporated of Los Altos, California in the amount of \$32,200.25, plus applicable taxes. (State Homeland Security Grant)
RECOMMENDED ACTION: Authorize the Chairman to execute an Agreement upon approval by County Counsel and Risk Management.

17. Supervisor Dupray, on behalf of the El Dorado County University of California Cooperative Extension, recommending the creation of the El Dorado County Youth Commission and direct staff from the U.C. Cooperative Extension 4-H Program to work with County Counsel to bring back to the Board by March 23, 2004, a proposed resolution for same.

RECOMMENDED ACTION: Approve and appoint Supervisor Dupray to serve as the Board liaison with the Youth Council. 4213 5(np)

18. Supervisor Paine recommending approval of Certificate of Compliance for APN 074-280-13, requested by R.W. Osgood, on behalf of Mrs. Treadway.

RECOMMENDED ACTION: Approve and direct the Surveyor to issue said Certificate to the applicant.

19. County Service Area 10 consideration of Amendment 002 to Agreement 070-01/02 with Teris, L.L.C., a Limited Liability Company, dba MSE Environmental extending the term to expire March 4, 2005 for specialized outside services for the proper transportation and disposal of household hazardous waste.

RECOMMENDED ACTION: Authorize the Chairman to sign.

20. Auditor-Controller submitting the State Controller's Audit of the Court Revenues for the term July 1, 1998 through June 30, 2002.

RECOMMENDED ACTION: Receive and file and direct the Auditor-Controller to collect amounts due from the cities of Placerville and South Lake Tahoe and remit payment in the amount of \$99,705 to the State of California. **Board approved recommendation as revised by the Auditor-Controller:** (1) received and filed the Court revenues audit report; (2) directed the Auditor-Controller to remit the funds due the State of California; and (3) directed the Auditor-Controller to report back to the Board on **March 9, 2004**, regarding the collection of funds from the two cities.

3412 5(np)

21. Auditor-Controller requesting authorization to adjust the County's fixed asset records to reflect the results of the physical inventory performed by each County department as of June 30, 2003.
RECOMMENDED ACTION: Approve.
22. Supervisor Solaro advising that Billie Bridges is relinquishing her current position on the Commission on Aging as the District V Representative and recommending she be appointed as the Alternate and Margaret Novak be appointed as the Representative to said Commission.
RECOMMENDED ACTION: Approve.
23. General Services Department recommending Board approve bid documents for Government Center Buildings A and B HVAC Control Upgrade, Project 04-13B and authorize said Department to advertise for bids to be received no later than 2:00 p.m. on Thursday, April 1, 2004.
RECOMMENDED ACTION: Authorize Chairman to sign, noting said Project is funded through the Accumulated Capital Outlay Fund and completion of this Project will enable said Department to reduce operating expenses by \$80,000.
24. (New Business) Chairman be authorized to sign Permit to Enter and Construct with Serrano Associates, LLC, a Delaware Limited Liability Company, by Parker Development Company, A California Corporation, granting permission for County employees, consultants and contractors to enter upon land described as APN 107-010-32 and APN 107-041-03 for constructing improvements for the El Dorado Hills Boulevard/Route 50 Interchange Project, Phase 1.1, Soundwalls, as prepared by CH2M Hill and dated January 19, 2004.
ADDED TO CONSENT CALENDAR: Approved. 4213 5(np)

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. Chief Administrative Officer recommending Agreement 4CA33274 with the California Department of Forestry and Fire (CDF) Protection authorizing the use of \$140,000 in Title III Federal Forest Reserve Project funds for mutually beneficial pre-fire safety projects in the County for the term February 10, 2004 (retroactive) through June 30, 2005, and adoption of Resolution 038-2004 approving and authorizing the Chairman to sign same; and Amendment 004 to Agreement with the El Dorado Fire Safe Council to remove the Omo Ranch Fuelbreak Project from said Agreement due to its inclusion in the CDF Agreement preventing duplication of funding and project implementation.

BOARD ACTION - Approved, and **Resolution 038-2004** adopted. 4213 5(np)

51. Supervisor Dupray recommending review of the Board of Supervisors Goals for 2003 with recommendations for revision or modification to be provided to the Chief Administrative Officer and a date be set in March for review and adoption of the Goals for 2004.

BOARD ACTION - Determination made that each Board member will submit his/her goals to Chairman Dupray by February 24, 2004 who, with the assistance of First Vice Chairman Paine, will compile them into one document to bring before the Board for consideration on **March 2, 2004**. 3214 5(np)

52. Human Resources recommending adoption of Resolution 042-2004 amending the Salary and Benefits Resolution for Unrepresented Employees to add ten percent differential pay for incumbents in the classification of Assistant Chief Administrative Officer who perform complex and specialized lobbying functions on behalf of the County.

BOARD ACTION - Resolution 042-2004 adopted.

312 4(n) 5(np)

53. Chief Administrative Officer requesting the Board approve and authorize Step 5 placement for the new Assistant Chief Administrative Officer, James J. Wiltshire, effective with pay period number 7 beginning March 6, 2004.

BOARD ACTION - Approved.

312 4(n) 5(np)

54. (Refer Agenda Addendum attached.)

55. (Refer Agenda Addendum attached.)

TIME ALLOCATION - 10:00 A.M.

60. Presentation by Greg Himes, Superintendent of Gold Oak Union School District, acquainting the Board and members of the public with exciting activities and plans for said District.

No action taken.

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****February 10, 2004 - 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: Employee Relations Officer and Robert Muszar, Chief Negotiator
Employee Organization: Welfare Fraud Investigators/Deputy Sheriff Association.
No action reported.
- County Negotiator: Robert Muszar, Negotiator and Employee Relations Officer
Employee Organization: El Dorado County Employees Associations, Local 1.
No action reported.
- County Negotiator: Robert Muszar, Negotiator and Employee Relations Officer
Employee Organization: Operating Engineers Local No. 3 - Trades and Crafts Bargaining Unit.
No action reported.

Section 54956.9(a), Existing litigation:

- Estate of Steven Wallen, et al vs County of El Dorado, et al, United States District Court Case No. CIV.S-02-2144 DFL JFM.
No action reported.