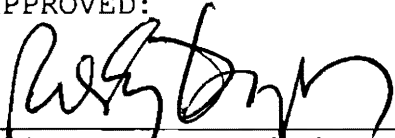


Board of Supervisors Meeting of March 9, 2004 attached hereto and approved by the Board on March 16, 2004.

APPROVED:



RUSTY DUFRAY, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By 
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

March 9, 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:**

- California Farm Bureau, et al, vs California Department of Forestry and Fire Protection, Andrea Tuttle as Director of the California Department of Forestry and Fire Protection, et al, Sacramento County Superior Court Case No. 04CS00225.
BOARD ACTION - On a 3-0 vote (Supervisors Baumann and Sweeney absent) County Counsel was authorized to engage in the defense of that action.

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

- **County Negotiator:** Employee Relations Officer
Employee Organization: Operating Engineers Local No. 3, El Dorado County Employees Association Local 1, El Dorado County Deputy County Counsel Association, El Dorado County Criminal Attorneys Association, and Deputy Sheriffs Association
Unrepresented Employee: All Unrepresented Employees.
CANCELLED at the request of Human Resources.
- **County Negotiator:** Employee Relations Officer
Employee Organization: Operating Engineers Local No. 3, El Dorado County Employees Association Local 1, El Dorado County Deputy County Counsel Association, and El Dorado County Criminal Attorneys Association
Unrepresented Employee: All Unrepresented Employees.
CANCELLED at the request of Human Resources.

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

March 9, 2004 - 8:00 A.M.

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

CLOSED SESSION

Section 54957, **Public Employee Appointment:**

- Title: Interim Director, Department of Transportation.
Refer Agenda item 59 for Board's action in this regard.

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, March 9, 2004 - 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

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.

A viewing copy of the Board of Supervisors' agenda packet 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 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. - CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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 50 and 53 added to the Consent Calendar for approval, item 54 added to the Consent Calendar for continuation to March 23, 2004, and items 11, 14, 18 and 20 removed from the Consent Calendar for separate action. Consent Calendar approved as modified.
45123

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of Regular Meeting held on March 2, 2004.
RECOMMENDED ACTION: Approve.
2. District Attorney recommending Resolution authorizing him to execute a Grant Agreement with the Office of Homeland Security/Office of Emergency Services in the amount of \$132,493 for the term October 1, 2003 through June 30, 2004 for the Victim Witness Assistance Program.
RECOMMENDED ACTION: Adopt Resolution 073-2004.
3. District Attorney recommending Resolution authorizing him to execute the Juvenile Accountability Incentive Block Grant Agreement with the Board of Corrections; and Budget Transfer 24097 increasing expected revenue and expenses by \$16,588 for the continued employment of a part time prosecutor to prosecute juvenile cases and to work with local schools to provide a better understanding of the juvenile justice system. (4/5 vote required)
RECOMMENDED ACTION: Approve and adopt Resolution 074-2004.

4. Probation Department recommending Agreement 372-S0411 with Redwood Toxicology Laboratory, Inc. in an amount not to exceed \$43,314 for a one year term for drug screen testing and detection of illicit drug and alcohol use on an "as requested" basis for the Probation and Sheriff's Departments. (Funding: Probation and Sheriff's Department budget)
RECOMMENDED ACTION: Authorize Chairman to sign.
5. Public Health Department recommending Amendment 01 to Agreement 270-PHD0802 with HLP, Inc. extending term to March 16, 2005 for technical support for "Chameleon" software installed at both Animal Control sites.
RECOMMENDED ACTION: Authorize Chairman to sign.
6. Public Health Department recommending Amendment 01 to the Prehospital Advanced Life Support and Dispatch Services Agreement with North Tahoe Fire Protection District which adds the Health Information Portability and Accountability Act (HIPAA) Business Associate Agreement, describes the new ambulance marking specifications, and provides for the County's Ambulance Billing Unit to assume the billing function for ambulance services to residents of County Service Area No. 3, Tahoe West Shore Area (Meeks Bay).
RECOMMENDED ACTION: Authorize Chairman to sign.
7. Human Services Department recommending Amendment 01 to Agreement 369-S0111 with Phipps & Hamilton, dba Green Valley Mortuary, Ltd. extending the term to September 30, 2004 in an amount not to exceed \$30,000 for mortuary services for indigents within the West Slope area.
RECOMMENDED ACTION: Authorize Chairman to sign.
8. Transportation Department recommending Resolution summarily vacating (AOE2004-07) a ten-foot wide public utilities easement located on the rear boundary line of the Amended Final Map for a portion of the Summit Unit No. 02, Lot 109 (APN 110-380-10-100), requested by Julian and Susan Fleming.
RECOMMENDED ACTION: Adopt Resolution 075-2004.

9. Transportation Department recommending Resolution summarily vacating (AOE2004-06) one ten-foot wide and two five-foot wide public utilities easements and terminating and abandoning a rejected offer of one ten-foot wide and two five-foot wide drainage easements located on the rear and side boundary lines of Village D El Dorado Hills Unit 1, Lot 28 (APN 114-073-03-100), requested by Janet S. and Craig A. Bell.

RECOMMENDED ACTION: Adopt Resolution 076-2004.

10. Transportation Department recommending Resolution summarily vacating (AOE 2004-03) a portion of a fifty-foot wide road and public utilities easement located on the westerly boundary line of APN 089-110-55-100 on Gold Hill Road, requested by Tom R. and Judith A. Dillon.

RECOMMENDED ACTION: Adopt Resolution 077-2004.

11. Transportation Department recommending the following pertaining to El Dorado Irrigation District (EID) Water Meter Purchase/Service Application for El Dorado Hills Interchange Project 71318, Phase 1.2A:

- (1) Find said purchase and installation is needed;
- (2) Authorize the Director of said Department to execute the Application and pay the water meter purchase fee in an amount not to exceed \$13,000.

RECOMMENDED ACTION: Approve. **Approved with additional direction to staff to begin some kind of mechanism to ensure communication with EID on these kinds of projects.**

24135

12. General Services Department recommending Amendment 03 to Lease Agreement 042-L0011 formerly with F & S Investment and now with Salem Samir Habash and Natalie Habash, as Joint Tenants, as to an undivided 75% interest and Samir S. Habash and Estear Habash, as Trustees of the Samir S. Habash and Estear Habash Revocable Trust, Dated, as to an undivided 25% interest, dated January 27, 1994, for office space located at 1120 Third Street, South Lake Tahoe for the Mental Health Day Treatment Program. (Non-General Fund)

RECOMMENDED ACTION: Authorize Chairman to sign.

13. Chief Administrative Office recommending award of Bid 04-575-088 for purchase of one "Logos" Digital Imaging System to be used in the field during bomb callouts to develop paperless x-ray images from the Sheriff's portable x-ray system. (Homeland Security Grant)
RECOMMENDED ACTION: Authorize purchase Order to Logos Imaging, LLC of Richmond, Indiana in the amount of \$22,870 including applicable sales tax.
14. Chief Administrative Office recommending Board dispense with formal bidding procedures in accordance with Purchasing Ordinance 3.12.132(C) and extend Blanket Purchase Order BP230884 with Donald Jacobs Distributing of Visalia, California in the amount of \$121,387 for term to expire December 31, 2004 for traffic paint for the Department of Transportation.
RECOMMENDED ACTION: Approve and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within said Department's Road Fund. (Non-General Fund) **Approved and CAO requested to work with Purchasing and bring back a discussion of the County policy and/or process for contract extensions.** 32145
15. Chief Administrative Office, Central Services Division recommending the following pertaining to County Ordinance Code Section 3.12.165, Surplus Property Availability to Community Organizations:
(1) Declare as surplus five IBM PC 300GL computers including monitors and keyboards;
(2) Authorize donation of said computers to the South Lake Tahoe Family Resource Center; and
(3) Authorize Purchasing Agent to sign the required agreements for the use of donated surplus property.
RECOMMENDED ACTION: Approve.
16. Supervisor Paine submitting, on behalf of the Child Care and Development Planning Council, resignations of Patricia Murphy, Community Representative, and Lois Denowitz, Community Agency designee (South Lake Tahoe Women's Center) and the Council's request to change its title to El Dorado County Early Care and Education Planning Council and to change the Mission Statement.
RECOMMENDED ACTION: Approve.

17. Auditor-Controller recommending a three-week continuance for his report on the matter of collecting from the Cities of Placerville and South Lake Tahoe, amounts due as the result of deficiencies in the Courts accounting system that resulted in overpayments to said cities and underpayments to the County General Fund and the County Emergency Medical Services Fund. (Referred February 10, 2004 / item 20.)
RECOMMENDED ACTION: Continue to **March 30, 2004.**
18. Supervisor Dupray, on behalf of the Bridlewood Homeowner's Association, recommending Resolution applying the provisions of the vehicle code of the State of California to the private roads and streets within Bridlewood Canyon Subdivision.
RECOMMENDED ACTION: Adopt Resolution 078-2004. 14235
19. Supervisor Baumann recommending the Board waive all County permit and impact fees applicable to the Special Use Permit Application submitted by the Golden West Community Services District (CSD) for the installation of a storage facility on CSD "common area" property (APN 092-183-01).
RECOMMENDED ACTION: Approve.
20. Transportation Department recommending the Board receive and file the National Pollution Discharge Elimination System (NPDES) Phase II Storm Water Program Status Report and concur with staff proposal to schedule a study session with the Board of Supervisors to review the Draft Storm Water Management Plan.
RECOMMENDED ACTION: Approve. Approved and CAO and Transportation Department staff requested to work with the Board's staff to set a date for the study session.

54123

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. General Services Department recommending the following for acquisition of real property for inclusion in the Pine Hill Ecological Preserve:

(1) Ratification of the findings of the Planning Commission that the acquisition of said property is exempt from the California Environmental Quality Act (CEQA) and consistent with the General Plan;

(2) Acceptance of title to real property described as Assessor's Parcel Number 069-280-64 and -65 from the American River Conservancy for inclusion in the Pine Hill Ecological Preserve; and

(3) Authorization for Chairman to sign escrow instructions, Certificate of Acceptance, and any other documents required to consummate the transfer of title.

ADDED TO CONSENT CALENDAR: Approved.

45123

51. Public Hearing pursuant to the Tax and Equity-Fiscal Responsibility Act (TEFRA) to consider adoption of Resolution 071-2004 approving issuance by the California Statewide Communities Development Authority of multi-family housing revenue bonds in the aggregate principal amount not to exceed \$2,700,000.00, the principal amount of which will be applied to the financing of the acquisition and rehabilitation of a 40-unit multi-family residential rental facility to be commonly known as The Green Valley Apartments located at 2640 La Crescenta Drive in Cameron Park; applicant: Micon Real Estate. (The obligations shall not constitute a debt or obligation of the County.)

BOARD ACTION - Hearing no protests, **Resolution 071-2004** adopted.

35124

52. Chief Administrative Office, Procurement and Contracts Division, recommending the following:
- (1) Award of Bid 04-725-071 for purchase of portable, mobile and hand-held radios for Sheriff's Department;
 - (2) Purchasing Agent be authorized to issue four blanket purchase orders as follows: Comtech Communications in the amount of \$80,000.00, Sierra Electronics in the amount of \$40,000.00, Telecom Engineering in the amount of \$125,000.00 and Timberline Communications in the amount of \$30,000.00;
 - (3) Purchasing Agent be authorized to extend the blanket purchase orders in three-month increments for a total of twelve months following Board approval; and
 - (4) Purchasing Agent be authorized to increase the blanket purchase orders on an "as needed" basis during the award period as long as funding is made available within the requesting department's budget. (Non-General Fund/State Homeland Security Grant.)
- BOARD ACTION** - Approved. 43125
53. Public Health Department recommending Chairman be authorized to sign Direct Service Contract (#217) with First 5 El Dorado Children and Families Commission, for three-year period retroactive to January 1, 2004, in amount of \$430,000 to be linked to tobacco settlement funding and new Healthy Communities Access Program Grant for expanding access to health care services for uninsured populations ineligible for public insurance programs; and Budget Transfer 24100 increasing revenues and appropriations for this Program by \$55,000 in fiscal year 2003-04.
- ADDED TO CONSENT CALENDAR:** Approved. 45123
54. Transportation Department submitting results of bid opening on March 2, 2004 for the El Dorado Hills Boulevard - Latrobe Road/U.S. Highway 50 Interchange Construction of the El Dorado Hills Interchange Improvements Project (#71318) Phase 1.1 Soundwalls, and making recommendation for award of same. (Funding from the El Dorado Hills/Salmon Falls Road Impact Fee Program.) (Referred 2/3/04, Item 9.)
- ADDED TO CONSENT CALENDAR:** Continued to **March 23, 2004.** 45123

55. Chief Administrative Office, Procurement and Contracts Division, recommending the Board take the following actions:

(1) Award Bid 04-070-057 for nine new full-size patrol sports utility vehicles to Harrell Motors of Placerville;

(2) Authorize Purchasing Agent to issue a Purchase Order in the amount of \$258,713 including applicable sales and tire tax from the Fleet's Vehicle Replacement Reserve Fund (Non-General Fund);

(3) Authorize Chairman to sign Budget Transfer No. 24063 increasing appropriations in Fleet Management budget for fiscal year 2003-04;

(4) Authorize Purchasing Agent to place additional orders for a twelve-month term following Board approval on an "as requested" basis so long as funding is made available within the requesting department's budget.

BOARD ACTION - Approved with County Counsel requested to review the matter of the status of the contract in light of the fact there has been a change in ownership of Harrell Motors since it was drawn; and the CAO was requested to report back to the Board on **May 4, 2004** on the issue of purchase and management of County vehicles. 54123

56. Chief Administrative Office recommending adoption of Resolution 072-2004 amending Authorized Personnel Allocation Resolution 305-2003 to delete 20.55 unfunded, vacant positions to accurately reflect the staffing levels in the following departments: District Attorney, General Services, Information Technologies, Mental Health, Sheriff, and the Procurement and Contracts Division of the CAO Department.

BOARD ACTION - Resolution No. 072-2004 adopted.

4215 3(np)

57. Chief Administrative Officer reporting on the proposed retirement incentive program that would provide two years of additional service credit benefits ("golden handshake") to specified classifications. (Continued 3/2/04, Item 52)

BOARD ACTION - Board received and filed the Notice of Intent to provide two years of additional service credit benefits to 44 specified position classifications and, as required by the Public Employees Retirement System (PERS), provided public notice of prospective costs of same. Staff will bring back to the Board for adoption on **March 23, 2004**, a resolution implementing the additional service credit provision. 4512 3(np)

58. Supervisor Dupray recommending adoption of the El Dorado County Board of Supervisors' Goals for 2004. (Continued 3/2/04, Item 53)

BOARD ACTION - Staff requested to bring back a final draft for adoption on **March 16, 2004**, incorporating revisions made by the Board this date. 1425 3(np)

59. Chief Administrative Officer recommending appointment of Elizabeth "Liz" Diamond as the Interim Director of the Department of Transportation effective March 18, 2004.

BOARD ACTION - Board approved the appointment of Elizabeth Diamond to serve as Interim Director of Transportation clarifying that in accordance with County policies, Ms. Diamond will be placed at step 5 of the salary range and will retain her civil service status, and the County will continue to contribute her component of the CALPERS contribution. 1245 3(np)

BOARD OF SUPERVISORS CONVENE AS THE EL DORADO COUNTY IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY TO CONSIDER THE FOLLOWING:

70. Human Services Department recommending Chairman be authorized to sign Amendment 01 to Agreement for Services (558-SO311) between the IHSS Public Authority and the Industrial Employers and Distributors Association, Inc. (IEDA) for consultation and advice on employer-employee relations to the IHSS Public Authority; said Amendment extends the term for one year through March 15, 2005, increases the maximum dollar amount from \$20,000 for one year to \$40,000 for the two-year term, changes the contract administrator to reflect the appropriate IHSS Public Authority Program Manager, and adds a mutual termination clause. (Estimated General Fund portion is \$8,000 over the two-year period.)
- BOARD ACTION - Approved.** 5214 3(np)

EL DORADO COUNTY IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY ADJOURNED AND BOARD OF SUPERVISORS TO RECONVENE.

TIME ALLOCATIONS - 10:00 A.M.

80. Presentation by Ed Robinson on a proposal for a three-day motorcycle rally, "The Big Blue Run", at Lake Tahoe June 11, 12 and 13, 2004.
No action taken.
81. Presentation by Suzanne King, Superintendent of Rescue Union School District, on exciting activities and plans for said District.
No action taken.

82. Presentation of Cultural Competency Barriers Assessment Report by Dr. Amando Cablas and adoption of recommendations pertaining to same.

BOARD ACTION - Board adopted the following recommendations presented by Dr. Cablas: 54123

- (1) Reiterate and confirm the Board of Supervisors' commitment to this endeavor (especially in light of current and projected budgetary constraints).
- (2) Cause to be created a written Countywide Cultural Competency Plan that outlines goals to be met on a countywide basis with annual review by the Board of Supervisors.
- (3) Contract for use of the AT&T Translation Line on a countywide basis.
- (4) Reorganize the Cultural Competency Committee to include representation from each department.
- (5) Direct Human Resources to add a video component related to cultural competency issues to the new employee orientation agenda.
- (6) Cause to be created partnerships with other county groups/agencies (e.g. ED Community Foundation, Latino Affairs Commission, Latino Community Focus Group) to further our goals.

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****March 9, 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 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 03CS00003.
BOARD ACTION - On a 4-0 vote (Supervisor Sweeney absent) County Counsel was authorized to file an Appeal of the decision in that action in which El Dorado County was only partially successful.
- Claim of Van Gordon vs County of El Dorado, Worker's Compensation Claim Settlement, WCAB Unassigned, Claim 0100041.
No action reported.
- Claim of Gendreau vs County of El Dorado, Worker's Compensation Claim Settlement, WCAB Unassigned, Claim 2002009217.
No action reported.
- Peninsula Capital Group, Inc. vs County of El Dorado, et al, Case PC20030678.
No action reported.

Section 54956.9(b), Anticipated litigation: (1 case)

- Significant exposure to litigation.
No action reported.

Section 54956.9(c), Anticipated litigation:

- Initiation of litigation. Title: 77 Acre Fee-to-Trust Project, Bureau of Indian Affairs.
No action reported.