

Board of Supervisors Meeting of March 23, 2004 attached hereto
and approved by the Board on March 30, 2004.

APPROVED:

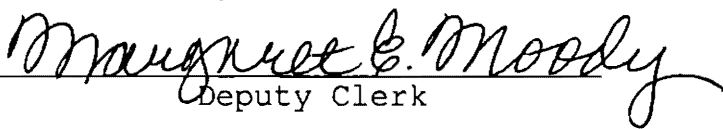


RUSTY DUPRAY, Chairman

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 23, 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:**

- 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.

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

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

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

- Significant exposure to litigation. Title: White Rock Road reimbursement agreement issues.
No action reported.

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C O N F O R M E D A G E N D A

**Regular Meeting of the Board of Supervisors
El Dorado County, California**

Tuesday, March 23, 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.

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 item 14 removed from the Consent Calendar for separate action, and item 51 added to the Consent Calendar for approval; and Consent Calendar approved as modified. 43125

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of Regular Meeting of March 16, 2004.
RECOMMENDED ACTION: Approve.
2. General Services Department recommending the Board exercise the second option to extend Lease Agreement 122-L0311 with Pioneer Plaza, Ltd. for the term May 1, 2004 through November 30, 2004; said lease includes provisions for two additional six month terms for office space located at 344 Placerville Drive, Suite 11, Placerville for the Mental Health Department.
RECOMMENDED ACTION: Approve.
3. General Services Department, on behalf of Supervisor Baumann, recommending Funding Agreement 266-F0411 with Latrobe Fire Protection District for Community Enhancement Funds in the amount of \$5,000 for a term to expire June 30, 2004 for the purchase of safety equipment for its volunteer firefighters.
RECOMMENDED ACTION: Authorize Chairman to sign.
4. General Services Department, on behalf of Supervisor Baumann, recommending Funding Agreement 238-F0411 with El Dorado Arts Council for Community Enhancement Funds in the amount of \$5,000 for a term to expire December 31, 2004 to support high-quality art projects throughout the County.
RECOMMENDED ACTION: Authorize Chairman to sign.

5. Mental Health Department recommending Agreement 287-S0411 with Plumas County to compensate El Dorado County in an amount not to exceed \$40,000 for a two year term for short-term psychiatric care for clients needing hospitalization at El Dorado County's Psychiatric Health Facility on a fee-for-services basis. (Plumas County funding)
RECOMMENDED ACTION: Authorize Chairman to sign.
6. Human Services Department recommending Amendment 001 to Agreement 619-S0311 with James and Mildred Russ dba Sun West Building Services in an amount not to exceed \$32,880 for a term to expire April 7, 2005 for janitorial services at 971 and 981 Silver Dollar and 1029 Takela, South Lake Tahoe. (General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign.
7. Public Defender recommending Agreement 164-S0411 with James R. Walton in an amount not to exceed \$17,500 for a one year term for legal research services on an "as requested" basis. (General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign.
8. Auditor/Controller analysis on the contractual obligations and projections of monies to be paid by home builders and deposited into the El Dorado Hills-Salmon Falls Road Improvement Fund. (Referred 1/13/04, Item 28)
RECOMMENDED ACTION: Continue to **May 4, 2004**.
9. Chief Administrative Office recommending Amendment 001 to Agreement 440-S0311 with Signal Service, Inc. increasing compensation by \$5,000 for a total amount not to exceed \$15,000 for a term to expire March 27, 2005 for maintenance and repair services for security and fire alarm systems located in various County departments. (General Fund and Non-General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign.
10. Supervisor Paine recommending appointment of John Turner as District IV representative on the Fish and Game Committee for a term to expire January, 2007.
RECOMMENDED ACTION: Approve.

11. General Services Department recommending appointment of members to various County Service Area 009 Zone of Benefit Advisory Committees as outlined in Agenda Transmittal dated March 10, 2004.

RECOMMENDED ACTION: Approve.

12. Environmental Management Department recommending the existing Retainer Contract with Bruen and Burke be terminated and any payments be processed up until and through the termination date; and Chairman be authorized to sign Agreement 017-03/04 for critical legal support pertaining to solid, liquid and hazardous waste matters with The Law Offices of Thomas M. Bruen in the amount of \$100,000 for the continued use of the principals of this firm and to recognize their new business name. (4/5 vote required)

RECOMMENDED ACTION: Approve.

13. Transportation Department recommending the Board approve the concept of the County acting as the applicant for the acquisition of regulatory permits through the Army Corps of Engineers and the U.S. Fish and Wildlife Service necessary for the construction of the planned improvements on Bass Lake Road.

RECOMMENDED ACTION: Approve and authorize the Interim Director of Transportation, or her designee, to sign the application forms to obtain the necessary permits.

14. Auditor/Controller advising that the State Board of Equalization completed an audit of the County's out of state vendor purchases and Jail Commissary sales for the period July 1, 2000 through June 30, 2003 which resulted in the County owing sales and use taxes.

RECOMMENDED ACTION: Authorize payment of \$17,810.77 in interest to the California State Board of Equalization. 35124

15. Supervisor Solaro recommending Proclamations recognizing Senator Dianne Feinstein, Congressman John Doolittle and Assemblyman Tim Leslie for convening the Lake Tahoe Wildfire Prevention Forum.

RECOMMENDED ACTION: Adopt Proclamations.

16. Transportation Department and Human Resources recommending Resolution amending Authorized Personnel Allocation Resolution 305-2003 **deleting** the Senior Right of Way Agent position, **adding** the Right of Way Program Manager position, and re-titling the Right of Way Agent as Associate Right of Way Agent.

RECOMMENDED ACTION: Adopt Resolution 080-2004 establishing the salary ranges and designating the bargaining units for said positions and approving the job specifications for same.

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. Transportation Department recommending award of bid for the El Dorado Hills Boulevard - Latrobe Road/U.S. Highway 50 Interchange Project (71318) Phase 1.1 Soundwalls. (Continued 3/9/04, Item 54)
BOARD ACTION - Continued to **March 30, 2004.** 35124

51. Information Technologies recommending Chairman be authorized to sign Amendment 001 to Agreement C23-007 with Computer Associates International, Inc. in the amount of \$134,138 for the term March 31, 2004 through March 31, 2007 for System software and license maintenance; and Purchasing Agent be authorized to issue a purchase order for same.

ADDED TO CONSENT CALENDAR: Approved. 43125

52. Chief Administrative Office recommending adoption of Resolution 081-2004 specifying the eligible classifications and establishing a window period during which eligible employees in specific classifications and departments identified shall retire and receive additional service credit ("golden handshake") pursuant to Government Code Section 20903; and recommending Chairman be authorized to sign the required Certificate of Compliance. (Ref. 3/9/04 #57)
BOARD ACTION - Board adopted **Resolution 081-2004 To Grant Another Designated Period for Two Years Additional Service Credit** and **Resolution 082-2004 To Grant Two Years Additional County Service Credit for Retiree Health Insurance**; and authorized Chairman to sign required Certificate of Compliance. 54123
53. Chief Administrative Office recommending the following:
- (1) Find that it is more economical and feasible to obtain an outside contractor to provide the design, purchase and installation of Herman Miller systems furniture in accordance with County Ordinance 3.13, Section 3.13.030 which states that all contracts with independent contractors shall be accompanied by facts to enable the Board to determine whether such contracts can be more economically and feasibly performed by independent contracts;
 - (2) Approve Amendment 001 to Agreement 655-S0311 with Miles Treaster and Associates extending same for one additional year and increasing compensation by \$200,000 primarily for projects currently in progress;
 - (3) Authorize one year extension to Blanket Purchase Order BP230943 for "workrite" brand keyboard trays increasing the total not to exceed amount by \$10,000 for a total of \$25,000; and
 - (4) Authorize Chairman to execute said Amendment. (General Fund and Non General Fund - funding source may vary by department)
- BOARD ACTION** - Continued to **March 30, 2004** for information requested of staff this date, i.e., specific justifications, pro or con on each one. 54123

54. Supervisor Dupray recommending adoption of Resolution creating the El Dorado County Youth Council which will provide a forum for the youth of the County to share views, ideas and recommendations on various issues with the Board of Supervisors.
BOARD ACTION - Continued to **June 8, 2004** at the request of Supervisor Dupray. 13245

55. Supervisor Dupray recommending discussion and possible action to determine funding for services for this year for the recipients of Measure H (Hotel/Motel Tax) funds; and Chief Administrative Officer (CAO) be directed to prepare a process for determining the distribution of said fund to the identified organization in the 2004/2005 budget and if approved, the CAO should have ready prior to next year's budget hearings approximate funding levels and provide, for Board approval, a process and method of allocation for distribution of said funds in a fair and equitable manner.
BOARD ACTION - CAO requested to work with representatives of veterans groups, the arts, the Farm Bureau and the County Chamber of Commerce, and bring back a recommendation to the Board on **April 20, 2004** on how the funds should be allocated. 43125

TIME ALLOCATIONS - 10:00 A.M.

60. Hearing to consider the following:

(1) Authorize Chairman to sign the new proposed Agreement with USA Waste Services, Inc. dba El Dorado Disposal Service, Western El Dorado Recovery Systems, Inc. and Waste Management, Inc.;

(2) Approve the new programs of Waste Management, Inc.;

(3) Find that the new proposed Agreement including the terms and new programs identified therein cure the Notice of Default issued to Waste Management, Inc. on July 17, 2002; and

(4) Adopt Resolution **083-2004** adjusting the solid waste collection rates for El Dorado Disposal Services, Inc. applicable to each Waste Management, Inc. customer only as the new services are implemented no earlier than April 1, 2004 and no later than October 1, 2004.

BOARD ACTION - Hearing continued to **May 4, 2004**, and Supervisors Sweeney and Paine appointed to work with the Environmental Management Department and community representatives and report back with their recommendation on that date. 45123

61. Environmental Management Department requesting authorization to begin negotiations with South Tahoe Refuse Company for a new Franchise Agreement that will incorporate the new Mixed Solid Waste Facility; and to bring a recommendation back to the Board by May 25, 2004.

BOARD ACTION - Approved. 54123

ITEMS TO/FROM SUPERVISORS**ADJOURNMENT**

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

March 23, 2004

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

10:30 A.M.

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 No. 1, El Dorado County Deputy County Counsel Association, El Dorado County Criminal Attorneys Association, and Deputy Sheriffs Association.
Unrepresented Employee: All Unrepresented Employees.
No action reported.