

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

May 11, 2004 - 8:00 A.M.

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

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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., Supervisor Court of California, County of Sacramento, Case No. 03CS00003.  
**No action reported.**
- *Foothill Residents for Appropriate Land Use v. El Dorado County, et al. (El Dorado Hills Mini Storage Project)* El Dorado County Superior Court Case #PC20040220.  
**BOARD ACTION** - On a unanimous vote County Counsel's office was authorized to defend the matter and to tender this to the project proponent under the indemnity clause in the settlement agreement.

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: *Legal issues relating to the General Plan Process.*  
**BOARD ACTION** - Continued to May 12, 2004, at 8:00 a.m., and no action reported at the conclusion of the session that date.

Section 54957, **Public Employee Appointment.** Title of position:  
Clerk of the Board of Supervisors.

**BOARD ACTION** - On a unanimous vote, Cindy L. Keck was appointed to the position of Clerk of the Board of Supervisors, at step 1 of the salary range, effective May 29, 2004.

#### **DEPARTMENT MATTERS**

53. Supervisor Sweeney recommending adoption of Proclamation recognizing and congratulating the City of Placerville upon the celebration of its 150<sup>th</sup> birthday.

**ADDED TO CONSENT CALENDAR:** Approved. 35124

54. Chief Administrative Officer (CAO) requesting Board appoint two of its members to serve on an Advisory Committee of the Compensation Study to be conducted by Fox Lawson and Associates.

**BOARD ACTION** - Supervisors Baumann and Paine appointed, and the Board made it clear that the purpose of said Committee is to advise the CAO, and all final decisions regarding compensation philosophy and comparator agencies will be made by the full Board of Supervisors. 31245

55. Chief Administrative Office, Risk Management Division, recommending Board direct staff to work with the Health Plan Advisory Committee to address cost containment ideas as part of the strategic planning process for the Fiscal Year 2005-06 plan year as approved on April 20, 2004.

**BOARD ACTION** - Approved. 34125

Board of Supervisors Meeting of May 11, 2004 attached hereto and approved by the Board on May 18, 2004.

APPROVED:

  
\_\_\_\_\_  
RUSTY DUPRAY, 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, May 11, 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 items 3,16 and 19 pulled off the Consent Calendar for separate action, and items 50 and 53 added to the Consent Calendar for approval; and Consent Calendar approved as modified. 35124

**PRESENTATION:** Supervisor Dupray recommending adoption of Proclamation recognizing May 10-16, 2004 as National Police Week, proclaiming May 15, 2004 Peace Officers Memorial Day, and authorizing flags at all County offices to be flown at half-mast on May 15, 2004. 51234

**PRESENTATION:** Board presenting awards to winners of the Student Map Drawing Contest hosted by the County and sponsored by a local organization of professional Surveyors, Architects, Geologists and Engineers (S.A.G.E.).

**OPEN FORUM**

**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of Regular Meeting of May 4, 2004.  
**RECOMMENDED ACTION:** Approve.
2. Release of Lien (on file with Clerk).  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
3. Supervisor Paine recommending Board proclaim May 10 - 16, 2004 as "Wildfire Awareness Week" in El Dorado County.  
**RECOMMENDED ACTION:** Adopt Proclamation. 24135

4. Human Services Department recommending Chairman be authorized to sign Amendment I to Agreement for Services (#665-S0311) with All West Coachlines for charter motorcoach transportation, coordination and reservation services on an "as requested by the Department basis" for groups of seniors to attend various activities; said Amendment extends the term for one year, increases the maximum dollar amount payable to \$260,000, and incorporates provisions for a change in ownership. (CAO notes the travel is funded through participant contributions.)  
**RECOMMENDED ACTION:** Approve.
  
5. Mental Health Department recommending Chairman be authorized to sign Amendment 1 to Standard Agreement (#03-73019-000) with the State Department of Mental Health for Fiscal Year 2003-04 Mental Health Managed Care; said Amendment implements new Federal Medicaid regulations and provides a corrected allocation of the maximum amount the County may receive under the Agreement.  
**RECOMMENDED ACTION:** Approve.
  
6. Public Health Department and the Emergency Medical Services Agency requesting adoption of Proclamation declaring May 16 - 22, 2004 Emergency Medical Services Week in El Dorado County.  
**RECOMMENDED ACTION:** Adopt Proclamation.
  
7. Public Health Department recommending Chairman be authorized to sign Inter-County Agreement for Temporary Health Officer Coverage between the Counties of Amador, Calaveras and El Dorado which provides terms and conditions under which one County's Health Officer may, upon request and depending on availability, temporarily provide services to one of the other two Counties during an absence of that County's Health Officer.  
**RECOMMENDED ACTION:** Approve.

8. Building Department recommending Chairman be authorized to sign Amendment I to Agreement for Services (#039-S0411) with Thomas M. Jennings, P.E., for plan checking services on an "as requested" basis, extending the term from June 16, 2004 to October 31, 2004 with no increase in total compensation.  
**RECOMMENDED ACTION:** Approve.
  
9. Sheriff requesting adoption of Resolutions (2) requesting the California Public Employees Retirement System (PERS) Board of Administration to approve an extension, through December 31, 2004, for the temporary employment of Richard Hutton, retired Police Sergeant, and James Enslin, retired Police Captain, now working as extra-help Sheriff's Deputies.  
**RECOMMENDED ACTION:** Adopt Resolutions 125-2004 and 126-2004, respectively, noting this allows experienced and retired law enforcement personnel to work as extra help and not reduce their monthly retirement benefits; and these extra-help retirees reduce overtime costs and are used for court security and waterway safety.
  
10. Sheriff requesting adoption of Resolution requesting the California Public Employees Retirement System (PERS) Board of Administration to approve an extension, through December 31, 2004, for the temporary employment of Tom Carroll, retired Parole Agent, now working as an extra-help Sheriff's Deputy.  
**RECOMMENDED ACTION:** Adopt Resolution 127-2004, noting this allows experienced and retired law enforcement personnel to work as extra help and not reduce their monthly retirement benefits; and extra-help retirees reduce overtime costs and are used for court security and waterway safety.
  
11. Transportation Department recommending adoption of Resolution of Vacation (AOE 2004-16) abandoning a ten-foot wide public utilities easement on the southerly lot line of Lot 18 (APN 070-393-04-100) in Cameron Valley Estates Unit No. 1, requested by Aimee C. and Thomas G. Anselmo to accommodate planned construction of a swimming pool.  
**RECOMMENDED ACTION:** Adopt Resolution 128-2004.

12. Transportation Department recommending the following for the Green Valley Road Project (#72354):
- (1) Authorize Chairman to sign Purchase and Sale Agreement (067-352-01-100) with Albert L. and Jennifer Upchurch for Assessor's Parcel No. 067-352-01;
  - (2) Authorize Chairman to sign Certificates of Acceptance for the Deeds associated with said Agreement.
  - (3) Authorize Interim Director of Transportation or designee to execute Escrow Instructions and any other related escrow documents pertaining to the transaction, including the payment of escrow fees.
- RECOMMENDED ACTION:** Approve.
13. Transportation Department recommending the following for the Green Valley Road Project (#72354):
- (1) Authorize Chairman to sign Purchase and Sale Agreement (067-352-02-100) with Marcia Sadlowski for a portion of Assessor's Parcel No. 067-352-02-100;
  - (2) Authorize Chairman to sign Certificates of Acceptance for the Deeds associated with the Agreement.
  - (3) Authorize the Interim Director of Transportation or designee to execute Escrow Instructions and any other related escrow documents pertaining to the transaction, including the payment of escrow fees.
- RECOMMENDED ACTION:** Approve.
14. General Services Department submitting list of surplus vehicles\* and recommending Board so declare and authorize disposal of same in accordance with procedures outlined in County Ordinance Code Section 3.12.050.B).
- \* Nineteen (19) vehicles and a tow motor listed as surplus:
- 8 are Sheriff's vehicles that have replacement vehicles in hand.
  - 1 Astro Van (vehicle #04-434) listed will be used to replace the Dodge Van (vehicle #99-343).
  - 1 Chevy Malibu (vehicle #15-769) will be replaced with vehicle currently used by Risk Management.
- RECOMMENDED ACTION:** Approve.



15. General Services Department recommending adoption of Resolution approving the following for grant funds to continue to address administrative and management issues regarding The Rubicon Trail:

- (1) Filing of application for the California State Parks Off-Highway Motor Vehicle Program;
- (2) Certification that said applicant has or will have available prior to commencement of any work on the project included in the application, sufficient funds to operate and maintain the project;
- (3) Use of County staff and resources to meet the 25% In-Kind matching contribution requirement; and
- (4) Appointment of the Director of General Services as agent of El Dorado County to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

**RECOMMENDED ACTION:** Adopt Resolution 129-2004.

16. General Services Department recommending the following for the El Dorado Hills Branch Library Project (#03-09):

- (1) Approve bid documents;
- (2) Authorize General Services to advertise for bids due no later than 10:00 a.m. on Friday June 18, 2004;
- (3) Find that the impacts of the project were fully analyzed in the Environmental Impact Report for the El Dorado Hills Specific Plan and Serrano Planned Development, adopt the attached Notice of Determination and direct General Services to post said notice for the period of 35 days as required by State statute;
- (4) Authorize Chairman to sign same.

**RECOMMENDED ACTION:** Approve. Recommendations approved as *modified* to have the bids due **Thursday, June 17, 2004 at 2:00 p.m.** 12345

17. Chief Administrative Office, Risk Management Division, recommending CSAC (California State Association of Counties) EIA (Excess Insurance Authority) Joint Powers Agreement, amending Article 3 to allow a member county to extend its coverage through the EIA to a non-profit entity whose main purpose is for the benefit of the member or the member and other public agencies; and Risk Manager be authorized to sign all required documents.

**RECOMMENDED ACTION:** Approve.

18. Chief Administrative Office, Procurement and Contracts Division, recommending:

(1) Award of Bid #04-070-096 for purchase of one Tactical Truck Body to Lodi Equipment of West Sacramento, CA; and

(2) Purchasing Agent be authorized to issue a purchase order to same in the amount of \$38,684 including sales tax from the Sheriff's Department's Homeland Security Grant (Non-General Fund).

**RECOMMENDED ACTION:** Approve.

19. Environmental Management Department recommending County Service Area No. 10 approval of Cooperative Agreement (#03A0959) with the State Department of Transportation (CALTRANS) whereby CALTRANS will reimburse said Department, in the amount of \$132,000.00, for solid waste and litter abatement along the shoulders of Highway 49 and 193 and in the median of Highway 50 from El Dorado Hills Boulevard east to the east side of Missouri Flat Road exit. (CAO notes the Department will use existing permanent and extra-help staff to perform the litter removal work.)

**RECOMMENDED ACTION:** Authorize Chairman to sign. 24135

20. Environmental Management Department recommending County Service Area No. 10 approval of the following actions for harvest of 45,000 yards of soil for landfill operations and upgrade of the spray fields at Union Mine Landfill:

(1) Finding be made that it is more economical and feasible to utilize an outside landfill maintenance and operations contractor in accordance with County Ordinance Code Section 3.13.030;

(2) Finding be made to dispense with competitive bidding procedures in accordance with County Ordinance Code Section 3.12.132;

(3) Finding be made that the work is critical grading, drainage, pipe laying, fencing and similar construction work necessary to maintain day-to-day landfill and waste disposal operations pursuant to Public Contract Code Section 20150.2 and 20121.1;

(4) Contract for Maintenance Services, Union Mine Disposal Site, (#020-PW-03/04) with Doug Veerkamp General Engineering, Inc., in an amount not to exceed \$360,033.00, for a two-year term, for the upgrade and expansion of spray fields at the Union Mine Disposal Site;

(5) Chairman be authorized to sign Budget Transfer No. 24145 increasing estimated revenues and appropriations for same (**4/5 vote required**); and

(6) Chairman be authorized to sign the Contract upon final approval.

(CAO notes maintenance/operations of landfills do not meet public project definition or competitive bid requirements.)

**RECOMMENDED ACTION:** Approve.

21. Environmental Management Department recommending County Service Area No. 10 approval of the following:

(1) Finding that an independent consultant can more economically and feasibly perform work in accordance with County Ordinance Code Section 3.13.030;

(2) Agreement (#029-03/04) with Nick J. Farros Sr., dba NJF Engineering in an amount not to exceed \$90,628 for a one-year term for the reporting of waste discharge to the Regional Water Quality Control Board;

(3) Chairman be authorized to sign the Agreement upon approval by County Counsel and Risk Management.  
(Funding: Non-General Fund)

**RECOMMENDED ACTION:** Approve.

22. Probation and Sheriff's Departments requesting:

(1) Authorization to use unspent Board of Corrections Standards and Training for Corrections (STC) funds in the Probation Department's Board of Corrections trust account; approximate balance of \$14,000 will be split between Probation and the Sheriff for mandated training needs in the upcoming 2004-05 fiscal year;

(2) Authorization for the departments to work with the CAO to increase revenue and expense for mandated training needs in fiscal year 2004-05. (CAO notes STC funds are State allocations restricted to law enforcement training.)

**RECOMMENDED ACTION:** Approve.

**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 Chairman be authorized to sign Funding Agreement for Title III Community Fire Plan with the Lake Valley Fire Protection District which provides for a County contribution of \$75,000 of Title III Funds to said Fire District for use solely to prepare and complete said Plan. The project, which is an offshoot of the Healthy Forest Initiative and the planning workshop held at South Lake Tahoe in March 2004, also benefits the Meeks Bay Fire Protection District and Fallen Leaf Lake Fire Department, and will help all of these communities qualify for additional federal funding to conduct public education, fuels reduction and management, and other activities designed to mitigate the risks and hazards of wildfire in the Tahoe Basin.  
**ADDED TO CONSENT CALENDAR:** Approved. 35124
51. Chief Administrative Officer reporting back on discussions with affected departments on the County's Bioterrorism and Homeland Security efforts. (Referred 5/11/04, item 67.)  
**No action taken.**
52. Chief Administrative Office, Human Resources Division, recommending Board consider modifications to Resolutions 258-2001 and 061-2003 with respect to continuation of salary and medical benefits/contributions to County employees who are called up to Federal active military duty. (Continued 5/4/04, item 76.)  
**BOARD ACTION** - Staff's recommendations approved and **Resolution 130-2004** adopted accordingly. 24135

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

60. Supervisor Paine requesting a contribution of \$280,000 from the \$1.7 million pool of unspent funds allocated to El Dorado County from a State bond measure for development of local recreation (Proposition 40), to be used for the acquisition and development of a Regional Trails Park on the South Fork of the American River; specifically, \$180,000 would be used to purchase a 40-acre portion of the Cronin Ranch, off Pedro Hill Road and Highway 49, for eventual development of an equestrian center and trail staging area, and \$100,000 would be in the form of a grant to the American River Conservancy to assist in the completed acquisition of the adjoining property and the design and construction of the trail system. (Continued 5/4/04, item 73.)

**BOARD ACTION** - Approved.

45123

Additionally, the Board directed the General Services Department to bring back a staff report and recommendations of the Parks and Recreation Commission on **June 8, 2004, at a time specific**, for complete discussion of parks and park funding.

34125

**TIME ALLOCATION - 11:00 A.M.**

61. Presentation by Mike Farr of El Dorado Hills on the dangers of carbon monoxide poisoning from marine engines when engaged in the popular boating activities known as "teaksurfing" or "boat bodysurfing"; and Supervisor Dupray recommending adoption of Resolution 124-2004 in support of Assembly Bill 2222, The Anthony Farr and Stacy Beckett Boating Safety Act of 2004, designed to educate the public and boat owners of these dangers.

**BOARD ACTION** - Resolution 124-2004 adopted.

12345

**ITEMS TO/FROM SUPERVISORS**

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

80. Hearing to consider the following for 4.08 acres (APN 083-350-03) on the south side of Sabana Drive, 0.2 mile east of the intersection with Hacienda Road, in Cameron Park (District IV) requested by Dave Rathkamp (AZ02-02):
- (a) Resolution 123-2004 approving Map Correction changing the land use classification from High Density Residential (HDR) to Commercial (C); and
- (b) Ordinance 4649 approving Rezone of same from Estate Residential Ten-Acres - Community Design Review (RE-10-DC) to Professional Office Commercial - Community Design Review (CPO-DC).
- BOARD ACTION** - Hearing no protests, the Board adopted the Negative Declaration as prepared and adopted Resolution 123-2004 and Ordinance 4649 based on the findings of the Planning Commission. 43125
81. Hearing to consider a Map Correction to amend the Final Map for Ridgeview West Residential Subdivision (TM 95-1309-C) Unit 1 Lots 18 through 24, and a portion of Parcel A of Parcel Map 48/56 to reconcile the maps with incorrectly placed property monuments involving seven parcels (APNs 107-750-18, -19, -20, -21, -22, -23 and -25) ranging in size from 0.415 to 0.597 acre and located on the west side of Via Fiori Court in the El Dorado Hills area (District I); applicant: Ridgeview West LLC, et al.
- BOARD ACTION** - Hearing no protests, the Board found the project statutorily exempt pursuant to Section 15268(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, and approved TM95-1309-C based on findings and subject to conditions presented by Planning Department staff. 23145

**ADJOURNMENT**

**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**May 11, 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:**

- **Claim of Schmidt vs County of El Dorado, Worker's Compensation Claim Settlement, WCAB #SAC 283976, Claim #9900042.  
No action reported.**

**Section 54957.6, Conference with Negotiator:**

- **County Negotiator: Robert Muszar, Chief Negotiator.  
No action reported.**
- **Employee Organization: United Domestic Workers of America.  
No action reported.**