


Minutes of the Board of Supervisors Meeting of June 15, 2004,
attached hereto and approved by the Board on June 29, 2004.

APPROVED:

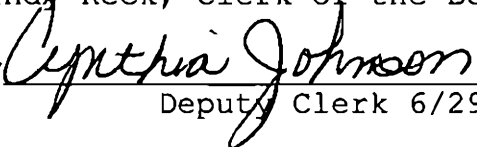


Rusty Dupray, Chairman 6/29/04

ATTEST:

Cindy Keck, Clerk of the Board

By



Deputy Clerk 6/29/04

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**

June 15, 2004

9:00 A.M. - Closed Session

**BOARD OF SUPERVISORS MEETING ROOM
330 FAIR LANE, Building A
Placerville, California 95667**

2:00 P.M. - Open Session

**Independent Order of Odd Fellow's Hall
6240 Main Street
Georgetown, California 95634**

DEPARTMENT MATTERS

55. Information Technologies recommending the following:
- (1) Find that pursuant to Section 3.12.132 of the County Purchasing Ordinance and Resolution 336-2000 procurement of Microsoft proprietary software licenses is exempt from competitive bidding;
 - (2) Approve Enterprise Enrollment Agreement with Microsoft to allow for the purchase of Microsoft product licenses and support;
 - (3) Authorize Purchasing Agent to sign all necessary documents upon final approval by County Counsel and Risk Management pertaining to same; and
 - (4) Authorize Purchasing Agent to issue purchase order to the County's Large Area Reseller of choice, on behalf of enrolling County departments, per the enrollment agreement documents. (Funding: Non-General Fund departments are participating - \$105,282 is the amount that other departments have budgeted for Microsoft Enterprise Agreement)
- BOARD ACTION** - Approved, with clarification that Software Assurance will be ordered, noting there are no guaranties that upgrades will be made and that product warranties are limited to one year from the date the enrolled affiliate installs the latest software version; additionally, the amount indicated on the Agenda Transmittal is approximately one-third of the actual cost incurred over the three-year term of said Agreement, however, staff advised that there is a "fiscal-out" clause if funding is not available.

34125

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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, June 15, 2004

9:00 A.M. - BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A
Placerville, California 95667

2:00 P.M. - INDEPENDENT ORDER OF ODD FELLOW'S HALL

6240 Main Street
Georgetown, California 95634

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
Cindy Keck

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.

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.

9:00 A. M. - BOARD OF SUPERVISORS MEETING ROOM, 330 FAIR LANE, PLACERVILLE

CALL TO ORDER AND CLOSED SESSIONS

2:00 P.M. - INDEPENDENT ORDER OF ODD FELLOW'S HALL GEORGETOWN

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 Item 11 pulled from the Consent Calendar for separate action. Consent Calendar approved as modified. 24135

PRESENTATION recognizing Jackie Morgan, Ray Griffiths, and Bob Fratini for their dedication and hard work on the Georgetown "Adopt-a-Pole" program.

OPEN FORUM

CONSENT CALENDAR

1. Approval of the Board of Supervisors Conformed Agendas (Minutes) of Special Meeting of June 2 and 3, 2004 and Regular Meeting of June 8, 2004.

RECOMMENDED ACTION: Approve.

2. Release of Lien (on file with the Clerk).

RECOMMENDED ACTION: Authorize Chairman to sign.

3. Public Health Department recommending Chairman be authorized to sign Agreement NNA09 with the State Department of Alcohol and Drug Programs in the amount of \$4,246,320 of which \$1,415,440 is for fiscal year 2004/2005, for the term July 1, 2004 through June 30, 2008 to fund basic alcohol and drug treatment services and administrative costs; and authorize the Director of said Department to execute related Alcohol and Other Drug Program (AOD) documents for fiscal year 2004/2005 as outlined in the Agenda Transmittal dated June 9, 2004, following approval by County Counsel and Risk Management, not to include increases or decreases in overall funding or extension of terms. (Continued 6/8/2004, item 38)

RECOMMENDED ACTION: Approve.

4. Sheriff Department recommending Chairman be authorized to sign Amendment 001 to Agreement 467-S0310 with Simplex Grinnell, L.P. increasing compensation in an amount not to exceed \$10,603 and extending the term to July 23, 2005 to provide semi-annual inspections, maintenance and repair services for fire prevention equipment at the Placerville Jail. (Funding: General Fund)

RECOMMENDED ACTION: Approve, noting contract provides for fire prevention, inspections and maintenance required by State and Federal law.

5. General Services Department recommending the Board find that it is more economical and feasible to obtain an outside contractor to perform work in accordance with County Ordinance 3.13, Section 3.13.03; and Chairman be authorized to sign Agreement 016-S0511 with Roy D. Hall dba as Elevator Services Company in an amount not to exceed \$13,032 for the term July 1, 2004 through June 30, 2005 for Countywide elevator maintenance services. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

6. Building Department recommending the Board find that an independent contractor can more economically and feasibly perform work in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and Chairman be authorized to sign Amendment 001 to Agreement 394-S0410 with Sunrise Support Services, Inc. increasing the not to exceed amount to \$35,000 and extending the term to November 30, 2004 for imaging services to archive individual, residential and commercial construction project plans and documents onto CD-ROM disks for said Department. (Funding: General Fund)
RECOMMENDED ACTION: Approve.

7. Sheriff Department recommending Budget Transfer 24169 reversing Budget Transfer 24030 approved on November 4, 2003 wherein the fiscal year 2002/2003 Citizen Corps/CERT grant was appropriated twice.
RECOMMENDED ACTION: Approve.

8. Chief Administrative Office recommending award of Bid 04-288-138 for CRS-2H emulsion for the Department of Transportation.
RECOMMENDED ACTION: Authorize blanket purchase order to the sole qualified bidder, Paramount Petroleum of Elk Grove, CA in the amount of \$60,467 including sales tax for a twelve (12) month period and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within the Department of Transportation's Road Fund. (Funding: Non-General Fund)

9. Chief Administrative Office recommending the Chairman be authorized to sign Funding Agreement 592-00411 with High Sierra Resource Conservation and Development Council for \$1,000 in matching Title III funds for a term to expire June 30, 2005 for the Finnon Lake Fuels Reduction Project.
RECOMMENDED ACTION: Approve.

10. Chief Administrative Office recommending award of Bid 04-240-133 for kitchen equipment for the Probation Department, South Lake Tahoe Juvenile Treatment Center.

RECOMMENDED ACTION: Authorize (2) two blanket purchase orders to San Diego Restaurant Supply of San Diego, CA in the amount of \$4,609 and to Kamran & Company, Inc. of Santa Barbara, CA in the amount of \$11,609 including sales tax, noting no local vendors provide these types of products.

11. Chief Administrative Office recommending adoption of Resolution supporting the Local Government Budget Package as proposed in Governor Schwarzenegger's May Budget Revision which includes two years of reductions to local governments (\$1.3 billion each year) linked to a long term constitutional protection measure that will be placed on the November ballot by a 2/3 vote of the Legislature.

RECOMMENDED ACTION: Adopt Resolution 179-2004. 23145

12. Chief Administrative Office recommending Chairman be authorized to sign First Amendment to Optum Services Agreement with United Healthcare Services, Inc. for 24-hour advice nurse service for participants in the County Blue Shield Health Plan.

RECOMMENDED ACTION: Approve, noting a rate increase of \$.02 per employee per month or \$336 which is the first rate increase since 1999; and alternatives to providing this service will be pursued with the strategic planning efforts for health insurance.

13. Supervisor Sweeney recommending adoption of Resolution authorizing Pyro Spectaculars, Inc. to conduct a pyrotechnic display at the El Dorado County Fairgrounds on June 20, 2004 during the annual Wheelbarrow Races.

RECOMMENDED ACTION: Adopt Resolution 174-2004.

14. Elections recommending the Board declare the results of votes cast at the special mailed ballot election held on June 8, 2004 for the Holiday Lake Community Services District.

RECOMMENDED ACTION: Approve.

15. Elections recommending the Board declare the results of votes cast at the special mailed ballot election held on June 8, 2004 for the Lynx Trail Road Zone of Benefit 98130.

RECOMMENDED ACTION: Approve.

16. Elections recommending the Board declare the results of votes cast at the special mailed ballot election held on June 8, 2004 for the River Pines Estates Road Zone of Benefit 98146.

RECOMMENDED ACTION: Approve.

17. General Services Department recommending adoption of Resolution calling for a landowner mailed ballot election on July 16, 2004 to consider an increase to the established special tax for the Hollow Oak Road and Drainage Zone of Benefit 98606 within County Service Area 009.

RECOMMENDED ACTION: Adopt Resolution **176-2004**.

END CONSENT CALENDAR

CAO REPORTS/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. Hearing to consider adoption of Resolution **136-2004** for the formation of the Highland View Unit 3A Zone of Benefit 98609 within County Service Area 009 (CSA 9) to provide for road and drainage maintenance and improvement services.

BOARD ACTION - Resolution 136-2004 adopted with the caveat that David Crosariol of Cooper Thorne and Associates meet with Mr. David Tierney, resident of Highland Village, Unit 2, in El Dorado Hills, to schedule a meeting with the neighborhood to discuss concerns raised by Mr. Tierney this date. 32145

51. General Services Department recommending adoption of Resolution **175-2004** calling for a landowner mailed ballot election on July 16, 2004 for establishment of a special tax to provide road and drainage maintenance and improvement services for Highland View Unit 3A Road and Drainage Zone of Benefit 98609 within County Service Area 009.

BOARD ACTION - Resolution 175-2004 adopted. 34125

52. Hearing to consider adoption of Resolutions **177-2004 and 178-2004** approving Capital Improvement Plans and adopting Development Impact Fees for Lake Valley and Rescue Fire Protection Districts, noting neither District is proposing an increase to its development impact fee schedule.

BOARD ACTION - Hearing no protests, Resolutions 177-2004 and 178-2004 adopted. 54123

53. Adoption of Ordinance **4652** amending the following Sections of Chapter 2.18 of Title 2 of the County Ordinance Code pertaining to the Agricultural Commission:

- (1) Section 2.18.030 (Ex-Officio Members);
- (2) Section 2.18.050 (Appointment of Members);
- (3) Section 2.18.060 (Meetings); and
- (4) Section 2.18.080 (Powers and Duties).
(Introduced 6/8/2004, item 10)

BOARD ACTION: Ordinance 4652 adopted.

24135

54. Chief Administrative Office recommending Chairman, Chief Administrative Officer, County Court Presiding Judge and Court Executive Officer be authorized to sign the Memorandum of Agreement between the County of El Dorado and Superior Court of California, El Dorado County outlining distribution of revenues between the Courts and the County; noting this agreement memorializes the existing practices and resolves remaining issues related to the implementation of the Lockyer-Isenberg Trial Court Fund Act of 1997 (AB233), the Trial Court Employment Protection and Governance Act of 2000 (SB 2140).

BOARD ACTION - Approved.

35124

**BOARD OF SUPERVISORS TO CONVENE AS THE EL DORADO COUNTY
PUBLIC HOUSING AUTHORITY (PHA) BOARD OF COMMISSIONERS TO
CONSIDER THE FOLLOWING:**

60. Executive Director of the Public Housing Authority (PHA) requesting authorization to sign and submit an application and accompanying certifications to the Department of Housing and Urban Development (HUD) for \$151,706 in Federal Fiscal Year 2004/2005 Family Self-Sufficiency (FSS) Coordinator funding noting, if approved, this amount would be used to fund the cost of two existing Program Coordinator positions and a new Program Coordinator position for the Family Self-Sufficiency Program.

BOARD ACTION - Approved.

52134

PUBLIC HOUSING AUTHORITY BOARD OF COMMISSIONERS TO ADJOURN.

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****June 15, 2004 - 9:00 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:

At the opening of the Meeting Assistant County Counsel announced the Closed Session pertaining to the Conference with Labor Negotiator with the United Domestic Workers of America employee organization be continued to June 22, 2004; and the Closed Session pertaining to Anticipated Litigation agendized as "Initiation of litigation - Title: Legal issues relating to the General Plan process" should have been agendized as "Significant exposure to litigation".

Section 54956.9(a), Existing Litigation

- El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case #CIV.S-02-1818 GEB DAD; and El Dorado County v. 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 54957.6, Conference with Labor Negotiator:

- County Negotiator: Principal Personnel Analyst
Employee Organization: Deputy County Counsel Association.
Unrepresented Employee: Unrepresented Management and Confidential Employees.
No action reported.

- County Negotiator: Robert Muszar, Industrial Employers and Distributors Association (IEDA) and Principal Personnel Analyst
Employee Organization: El Dorado County Employees Association, Local 1.
No action reported.

Section 54957, Public Employment:

- Public Employee Performance Evaluation
Title: Chief Administrative Officer
No action reported.

Section 54956.9(b), Anticipated Litigation

- Significant exposure to litigation. Title: Legal issues relating to the General Plan process.
No action reported.

BOARD OF SUPERVISORS TO CONVENE AS THE BOARD OF DIRECTORS OF THE IN-HOME SUPPORTIVE SERVICES FOR THE FOLLOWING:

Section 54957.6, Conference with Labor Negotiator

- County Negotiator: Robert Muszar, Negotiator and Employee Relations Officer
Employee Organization: United Domestic Workers of America.
Continued to June 22, 2004.