


Original Minutes of the Board of Supervisors Regular Meeting for September 14, 2004, attached hereto and approved by the Board on September 21, 2004.

APPROVED:



\_\_\_\_\_  
Rusty Dupray, Chairman  
September 21, 2004

ATTEST:

Cindy Keck, Clerk of the Board

By   
\_\_\_\_\_  
Deputy Clerk, September 21, 2004

**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**

**September 14, 2004 - 8:00 A.M.**

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

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**DEPARTMENT MATTERS**

63. Sheriff's Department recommending the following:

- (1) Remove the requirement imposed by the Board on July 13, 2004 that Hangtown Tow Service provide a copy of an auto dismantler's license;
- (2) Authorize Chairman to sign Amendment 002 to Agreement 066-S0311 with said tow service extending the term through October 30, 2004 and increasing the total compensation by \$25,000; and
- (3) Authorize the Auditor-Controller to process any invoices presented for the period July 13, 2004 through September 14, 2004.

**ADDED TO CONSENT CALENDAR: Approved.**

35124

**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**

**September 14, 2004 - 8:00 A.M.**

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

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**CLOSED SESSIONS**

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

- El Dorado County Taxpayers for Quality Growth, et al.  
v. El Dorado County, Sacramento County Superior Court  
Case #96-CS-01290.

**No action reported.**

**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, September 14, 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  
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.*

**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, 59, 62 and 63 added to the Consent Calendar; item 51 added to the Consent Calendar and continued to **October 12, 2004**; item 52 added to the Consent Calendar and continued **off calendar**; and items 60 and 61 continued to **September 28, 2004**. Consent Calendar approved as modified. 35124

**PRESENTATION** of Certificate of Commendation to Karl Falk, who has attained the rank of Eagle Scout, Boy Scouts of America, Troop 401.

**PRESENTATION** of Certificate of Appreciation to the El Dorado County Senior Day Care Center and the Alzheimer's Day Care Resource Center staff in recognition of their 15 years of dedicated service to the senior residents of El Dorado County.

**OPEN FORUM**

**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Regular Meeting of August 31, 2004 and Special Meetings of May 5, 12, June 17, and July 19, 2004.

**RECOMMENDED ACTION:** Approve.

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

**RECOMMENDED ACTION:** Approve.

3. Public Health Department requesting advance step placement of Jim Cleaves at Step 5 of the salary range for the position of Public Health Microbiologist, extra help, effective September 20, 2004.

**RECOMMENDED ACTION:** Approve.

4. Public Health Department requesting advance step placement of Barbara Waggoner at Step 5 of the salary range for the position of Public Health Nurse, extra help, effective September 20, 2004.  
**RECOMMENDED ACTION:** Approve.
  
5. Child Support Services Director recommending Chairman be authorized to sign Agreement with the Central Sierra Child Support Agency for the loan of one Child Support Attorney at South Lake Tahoe to said Agency on an as-needed basis for services required by Alpine County with El Dorado County to be compensated in the amount of \$75 per hour including travel costs.  
**RECOMMENDED ACTION:** Approve, noting the position would provide limited legal services for Alpine County Child Support Department to cover court appearances.
  
6. General Services Department recommending the Board find that it is more economical and feasible to obtain an outside contractor in accordance with County Ordinance 3.13, Section 3.13.03; and Chairman be authorized to sign Agreement 050-S0511 with Floyd Warren dba Plumas Science Research in an amount not to exceed \$25,000 for a two year term for asbestos consulting and training services for various projects on an "as-requested" basis. (Funding: Accumulative Capital Outlay Fund)  
**RECOMMENDED ACTION:** Approve.
  
7. Transportation Department recommending Chairman be authorized to sign Joint Funding Agreement with the U.S. Geological Survey, United States Department of the Interior, in the amount of \$74,900 for Federal fiscal year 2004/2005 for monitoring on the Pioneer Trail III Erosion Control and Bike Lane Project (JN95139). (Funding: California Tahoe Conservancy)  
**RECOMMENDED ACTION:** Approve.

8. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (2004-40) from Serrano Associates, LLC for a landscape easement and a slope easement (APN 113-090-07-100) to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.

**RECOMMENDED ACTION:** Adopt Resolution **282-2004**.

9. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (2004-55) from Rolling Hills Christian Church for a slope easement (APN 108-500-03-100) which is necessary for the White Rock Road Widening Project, Station 63+25 to Station 115+25 and as a Condition of Approval of the Euer Ranch Tentative Map TM96-1317.

**RECOMMENDED ACTION:** Adopt Resolution **283-2004**.

10. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter, that there are specialty skills required for the work performed under this Amendment that are not expressly identified in County Classifications, and that the ongoing aggregate of the work performed under this Amendment is not sufficient to warrant the addition of permanent staff; and Chairman be authorized to sign Amendment 002 to Contract AGMT 03-31 with Kleinfelder, Inc. to expand the Scope of Services to include additional specific environmental engineering services.

**RECOMMENDED ACTION:** Approve.

11. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (2004-58) from Borgata Serrano, LLC for a public service easement (APN 107-670-09-100) for the El Dorado Hills Boulevard/Saratoga Way Realignment Project 71318; and authorize the Auditor-Controller to make payment in the amount of \$1,500 to Borgata Serrano, LLC for same. (Funding: El Dorado Hills/Salmon Falls Road Impact Fee (RIF) program)

**RECOMMENDED ACTION:** Adopt Resolution **284-2004**.

12. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter, that there are specialty skills required for the work performed under this Amendment that are not expressly identified in County Classifications and that the ongoing aggregate of the work performed under this Amendment is not sufficient to warrant the addition of permanent staff; and Chairman be authorized to sign Amendment 002 to Contract AGMT 03-128 with URS Corporation to expand the Scope of Services to include additional specific environmental engineering services. (Funding: Restricted Revenue Sources)  
**RECOMMENDED ACTION:** Approve.
  
13. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Robert L. Ackley and Kevin W. Robertson, Sr.; Gilbert B. Bafus, Jerome L. Fischer, and Richard B. Mohr, Jr. and David A. Brown, Jr. and Linda M. Brown for property located in the vicinity of the Placerville Airport.  
**RECOMMENDED ACTION:** Approve.
  
14. Chief Administrative Office recommending Bid 04-405-031 with Hunt and Sons, Inc. of Placerville, California in the amount of \$50,000 including sales tax for a term to expire October 5, 2005 for various automotive and heavy equipment lubricants for Fleet Management and the Department of Transportation. (Funding: Non-General Fund/Department of Transportation Road Fund/Fleet Management Enterprise Fund)  
**RECOMMENDED ACTION:** Approve and authorize an increase to the blanket purchase order on an "as needed" basis during the awarded period if funding is available within each requesting department's budget. (Funding: Non-General Fund/Department of Transportation Road Fund/Fleet Management Enterprise Fund)



15. Chief Administrative Office recommending the following:

(1) Find that it is more economical and feasible to contract out for services in accordance with County Ordinance 3.13, Section 3.13.030;

(2) Award Request for Proposal 04-06 to the lowest qualified bidder, Martin General Engineering, Inc. of Folsom, CA in the amount of \$136,400 for the Human Services Parking Lot Repair Project 04-06; and

(3) Authorize the Chairman to sign Agreement with same in the amount of \$136,430 upon approval by County Counsel and Risk Management. (Funding: Non-General Fund - Accumulated Capital Outlay Funds for fiscal year 2004/2005 and 2005/2006)

**RECOMMENDED ACTION:** Approve.

16. Chief Administrative Office presenting list of property surplus to the needs of the County and recommending Board so declare and authorize disposal of same in accordance with the procedures outlined in Chapter 3.12 of the County Purchasing Ordinance.

**RECOMMENDED ACTION:** Approve.

17. Supervisor Dupray requesting staff be directed to prepare the necessary Funding Agreement with the Cameron Park Community Services District to release the remainder of Community Enhancement Funds set aside on November 6, 2001 for Phase I of the Cameron Park Community Center.

**RECOMMENDED ACTION:** Approve.

18. Supervisor Solaro recommending ratification of Resolution **281-2004** approving highway restrictions on State Highway Routes 50 and 89 for the 2<sup>nd</sup> Annual Tour de Tahoe-Bike Big Blue bicycling event held on Sunday, September 12, 2004.

**RECOMMENDED ACTION:** Ratify Resolution.

19. Supervisor Dupray requesting authorization to work with the People to People Group in acknowledging the 30<sup>th</sup> anniversary of El Dorado County's designation as "sister city" to Warabi, Japan and proposing to the Japanese Consulate that three dogwood trees be sent to Warabi as a gift to acknowledge said anniversary, subject to agriculture approval and assistance.  
**RECOMMENDED ACTION:** Approve.
20. Planning Department submitting final map for Serrano Village G, Unit 4 (TM01-1375) in the El Dorado Hills area; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Roads, and Agreement for Acceptance of Drainage Easements with Serrano Associates.  
**RECOMMENDED ACTION:** Approve.
21. Planning Department submitting final map for Serrano Village G, Unit 5 (TM01-1375) in the El Dorado Hills area; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Roads and Agreement for Acceptance of Drainage Easements with Serrano Associates.  
**RECOMMENDED ACTION:** Approve.
22. General Services Department recommending the Board certify the Addendum to the Negative Declaration for the El Dorado County Community Play Fields Project 04-03A (South Lake Tahoe Ballfields).  
**RECOMMENDED ACTION:** Approve and authorize the Interim General Services Director, or his designee, to sign same.
23. Supervisor Solaro recommending Resolution authorizing General Services Department to request grant funding from the California Tahoe Conservancy, Recreation and Public Access Grant Program, in the amount of \$125,000 for Phase I construction of a bike path which is a component of the El Dorado County Community Play Fields Project (South Lake Tahoe Ball Fields).  
**RECOMMENDED ACTION:** Adopt Resolution 285-2004.

24. Mental Health Department recommending Chairman be authorized to sign Agreement 535-S0411 with Shasta County Mental Health in an amount not to exceed \$200,000 for the term ending June 30, 2005 for utilization of El Dorado County psychiatric inpatient services for Shasta County clients. (Funding: Revenue from Shasta County)

**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. Recorder-Clerk, Registrar of Voters recommending retroactive approval of the "Help America Vote Act" Grant from the Secretary of State for voter education and poll worker training. (Funding: County may receive up to \$40,000 in State funds, no County match is required)

**ADDED TO CONSENT CALENDAR:** Approved and Recorder-Clerk, Registrar of Voters authorized to sign Grant for submittal to the State. 35124

51. Transportation Department recommending the following pertaining to the National Pollution Discharge Elimination System:

(1) Approve the Proposed Final August 2004 El Dorado County Western Slope Storm Water Management Plan; and

(2) Approve the submittal of said Plan to the Central Valley Regional Water Quality Control Board. (Funding: General Fund and Road Fund - included in the fiscal year 2004-2005 budget) (Continued 8/31/2004, item 15)

**ADDED TO CONSENT CALENDAR:** Continued to **October 12, 2004** upon adoption of the Agenda. 35124

52. Award of bid for the Cameron Park Drive Intersection Improvements at Meder Road Contract 73127. (Continued 8/24/04, item 5)

**ADDED TO CONSENT CALENDAR:** Continued **off calendar** upon adoption of the Agenda at the request of the Department of Transportation. 35124

53. County Counsel submitting revised deed containing language addressing fiscal issues pertaining to the Trail Easement Deed and Agreement between the Trust for Public Land and Georgetown Divide Recreation District transferring interest in easements (APNs 061-560-67-100, 061-560-66-100, 061-560-65-100 and 061-560-68-100) to said District to ensure long-term care and maintenance of trails on property located near the Georgetown Airport. (Referred 8/31/2004, item 16)

**BOARD ACTION** - Board approved the Trail Easement Deed and Agreement with language as modified by County Counsel in the "Ability to Perform" paragraph to include the wording "*and the County's financial obligations regarding the easement are subject to the discretion of the Board of Supervisors.*" 34125

Additionally, in a separate motion, the Board authorized the Chairman to sign a Certificate of Acceptance for same. 34125

54. Recorder-Clerk, Registrar of Voters submitting and certifying as sufficient the referendum petition entitled "REFERENDUM AGAINST A RESOLUTION PASSED BY THE BOARD OF SUPERVISORS-RESOLUTION NO. 235-2004 OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO ADOPTING THE EL DORADO COUNTY 2004 GENERAL PLAN: A PLAN FOR MANAGED GROWTH AND OPEN ROADS: A PLAN FOR QUALITY NEIGHBORHOODS AND TRAFFIC RELIEF".

**BOARD ACTION** - Board accepted the signatures on the referendum as qualifying for the March 8, 2005 special election; said election was called by the Board in Agenda Item No. 55 which was acted upon prior to this item. 34125

55. County Counsel submitting report as per Section 9111 of the Elections Code on the effects and impacts pertaining to the initiative measure entitled: "COUNTY CHARTER AMENDMENT PROHIBITING THE BOARD OF SUPERVISORS FROM ADOPTING A GENERAL PLAN ALLOWING TRAFFIC ON HIGHWAY 50 WEST OF PLACERVILLE TO EXCEED LEVEL OF SERVICE F, AND REQUIRING THE BOARD TO POSTPONE APPROVAL OF NEW SINGLE FAMILY RESIDENTIAL SUBDIVISIONS OF THREE OR MORE PARCELS UNTIL HIGHWAY 50 HAS BEEN WIDENED TO 8 LANES BETWEEN CAMERON PARK AND THE SACRAMENTO COUNTY LINE".

(Referred 8/17/04, item 81)

**BOARD ACTION** - Board accepted certification of the signatures, called for a special election for March 8, 2005, and directed County Counsel to prepare the ballot measure for said election. 43125

56. Chief Administrative Officer providing update concerning the fuel management package. (Continued 8/24/04, item 74)

**BOARD ACTION** - Fleet Management review and implementation plans and an update on the Request for Proposal for the fuel management package to be brought back to the Board on **October 12, 2004**. 53124

57. Supervisors Dupray and Baumann recommending the Parks and Recreation Commission consider outside funding sources as part of its priority process in determining park and recreation projects to the Board.

**BOARD ACTION** - Board directed that the Parks and Recreation Commission add another bullet to its "Principles to Prioritize Park Funding Requests" list dated June 2, 2004 to include the language that the Commission consider outside funding sources as part of its priority process in determining park and recreation projects to the Board. 12345

58. Supervisor Sweeney recommending Planning staff and the Chief Administrative Officer prepare a request to the Local Agency Formation Commission (LAFCo) to consider the following pertaining to the Notice of Preparation of the Environmental Impact Report for the incorporation of El Dorado Hills:

(1) Effect on the finances of El Dorado County;

(2) Effect of taking El Dorado Hills Business Park's use of highway capacity tax revenue from the County and others; and

(3) Preparation of said Notice **without** the inclusion of the El Dorado Hills Business Park.

**BOARD ACTION** - Staff directed to prepare information as set forth in this agenda item; and further directed that the Notice of Preparation include alternatives **with** and **without** the inclusion of the El Dorado Hills Business Park in said incorporation. 34125

59. Chief Administrative Office recommending Chairman be authorized to sign Letters of Agreement (3) with Operating Engineers, Local 3, the Criminal Attorney Association, and the Deputy County Counsel Association for the term September 17, 2004 through June 24, 2005 concerning additional leave benefits; further recommending adoption of Resolution **286-2004** amending the Salary and Benefits Resolution for Unrepresented Employees; and staff be directed to implement said leave benefits for the pay period effective September 17, 2004. (Funding: General Fund)

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

60. Supervisor Baumann recommending the Board adopt the Position Statement "white paper" highlighting the successful application of the designation of 15% of the annual allocation of funds under H.R. 2389 for the Title III provisions in the Secure Rural Schools and Community Self-Determined Act of 2000 to fulfill the national goals and objectives intended by Congress and to deliver substantial, on-the-ground project results that immediately benefit rural constituents and the two U.S. Department of Agriculture Forest Services agencies located within El Dorado County.  
**BOARD ACTION** - Continued to **September 28, 2004** upon adoption of the Agenda at the request of Supervisor Baumann. 35124
61. Supervisor Baumann recommending Chairman be authorized to sign a Web Services Agreement with the Association of Oregon and California Counties to promote successful El Dorado County Title III projects funded through the Secure Rural Schools and Community Self-Determination Act of 2000 (H.R. 2389), pending Risk Management and County Counsel approval.  
**BOARD ACTION** - Continued to **September 28, 2004** upon the adoption of the Agenda at the request of Supervisor Baumann. 35124
62. Chief Administrative Office recommending Chairman be authorized to sign Letter of Agreement with the El Dorado County Employees Association, Local 1, representing employees in the General, Professional, and the Supervisory bargaining units concerning additional leave benefits; and further recommending staff be directed to implement said leave benefits for the pay period effective September 17, 2004.  
**ADDED TO CONSENT CALENDAR:** Approved. 35124

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

70. Chief Administrative Officer recommending review and approval of the Final Draft Response to the 2003/2004 Grand Jury Report. (Continued 8/24/04, item 50)  
**BOARD ACTION** - Board adopted the Final Response to the 2003/2004 Grand Jury Report and authorized the submittal of same to the Presiding Judge. 25143

**12:00 NOON - 2:00 P.M.**

El Dorado County Veterans Affairs Commission hosted a luncheon meeting with the Board of Supervisors at the Veterans Memorial Building.

**ITEMS TO/FROM SUPERVISORS**



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

80. Consideration of the following pertaining to Meadow Oak Townhomes in the Cameron Park area, Applicant: Robert Mathewson (District I):

(1) Rezone (Z04-05) 0.57 acre (APN 082-391-09) from R2-DC, Limited Multifamily Residential-Community Design Review to R2-PD, Limited Multi-family Residential Planned Development and adoption of Ordinance for same; and

(2) Development Plan (PD04-04) and Tentative Map (TM04-1388) proposing to create one 3,156 square foot parcel, two 2,916 square parcels, and approximately 13,000 square foot common area. (Hearing closed and continued from 8/31/04, item 90)

**BOARD ACTION - Continued off calendar** with direction to staff to come back through the Planning Commission with a policy outlining the various uses of the Multi-family Residential designation as it pertains to this application. 32145

81. Transportation Department presenting the proposed Interim Capital Improvement Program (CIP) for fiscal years 2003/2004 through 2007/2008 and requesting direction pertaining to project priorities for same; and recommending the Board receive and file the CIP as a multi-year programming document. (Funding: Fiscal year 2004/2005 budget)

**BOARD ACTION - Received and filed the Capital Improvement Program as a multi-year programming document.** 32145

The Board of Supervisors adjourned in memory of Eva Schicke, Firefighter I, Columbia Helitac Crew 404, California Department of Forestry, who gave her life protecting the lives and property of others.

**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**September 14, 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 54956.8, Conference with Real Property Negotiator:**

- Instructions to negotiator regarding real property described as APN 108-030-10. The person with whom the negotiator may negotiate is Michael McDougall, MJM Properties, LLC, representing EDH 52. Instructions to negotiator will concern price and terms of payment.

**No action reported.**

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

- County Negotiator: Principal Personnel Analyst  
Employee Organization: Criminal Attorney Unit;  
Deputy County Counsel Unit.  
Unrepresented Employee: Confidential, Unrepresented Management.

**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, Industrial Employers and Distributors Association and Principal Personnel Analyst.
- Employee Organization: United Domestic Workers of America.

**Continued to September 28, 2004.**