

Original Minutes of the Regular Meeting of the Board of Supervisors on September 21, 2004, attached hereto and approved by the Board on September 28, 2004.

APPROVED:



\_\_\_\_\_  
Rusty Dupray, Chairman  
September 28, 2004

ATTEST:

Cindy Keck, Clerk of the Board

By   
\_\_\_\_\_  
Deputy Clerk, September 28, 2004

9-28-04

**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**

**Tuesday, September 21, 2004 - 10:00 A.M.**

**LAKE TAHOE GOLF COURSE  
2500 U.S. Highway 50  
South Lake Tahoe, California**

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**DEPARTMENT MATTERS**

57. Sheriff recommending Chairman and Sheriff be authorized to sign annual Financial and Operating Plan for Visitor Protection and Joint Operating and Financial Plan for Controlled Substances with the U.S. Department of Agriculture, Eldorado National Forest and the Lake Tahoe Basin Management Unit, for term October 1, 2004 through September 30, 2005, noting U.S. Forest Service provides funds each year to reimburse the Sheriff for visitor protection activities as well as operations to suppress manufacturing and trafficking of controlled substances on National Forest lands. (Funding: included in the Sheriff's 2004/2005 operating budget)  
**ADDED TO CONSENT CALENDAR:** Approved. 45123
58. Chief Administrative Office recommending placement of a display advertisement of the Final Response to the 2003/2004 Grand Jury Report in the Mountain Democrat and Tahoe Daily Tribune newspapers, noting said advertisement eliminates the tabloid publication. (Funding: General Fund)  
**ADDED TO CONSENT CALENDAR:** Approved. 45123

**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 21, 2004 - 10:00 A.M.*

**LAKE TAHOE GOLF COURSE**  
2500 U.S. Highway 50  
South Lake Tahoe, 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.*

*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.*

**CALL TO ORDER AND 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 items 4 and 25 pulled from the Consent Calendar for separate action; items 51, 52, 57 and 58 added to the Consent Calendar for approval; Consent Calendar approved as modified. 45123

**OPEN FORUM**

**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of September 14, 2004 and Special Meeting of May 3, 2004.  
**RECOMMENDED ACTION:** Approve.
  
2. Public Health Department recommending Chairman be authorized to sign Amendment 002 to Agreement with California Tahoe Emergency Operations Authority, the contracted ambulance provider for County Service Area 003, revises conditions that result in late penalties, corrects an error regarding standby services, appends a Health Information Portability and Accountability Act (HIPAA) Business Associate Agreement as required by law, clarifies Contractor's responsibilities with regard to its subcontractors and HIPAA compliance, and describes new ambulance marking specifications.  
**RECOMMENDED ACTION:** Approve.
  
3. Public Health Department recommending Chairman be authorized to sign Amendment 004 with El Dorado County Community Health Center providing the final payment amount of \$60,125 for the Health Center startup, support and operations costs, and amending insurance requirements. (Funding: Tobacco Settlement Funding)  
**RECOMMENDED ACTION:** Approve.

4. Human Services Department recommending approval of the El Dorado County Child Welfare System Improvement Plan (SIP) as required by the Child Welfare System Improvement and Accountability Act (Assembly Bill 636).

**RECOMMENDED ACTION:** Approve, noting the self-assessment notes the need for a comprehensive data tracking system, the need to improve outcomes concerning the preservation of family relationships (where appropriate) and the need to support emancipated youth as they transition to adulthood.

**Continued to September 28, 2004.**

32145

5. Human Services Department recommending retroactive Agreement 04-35086 with the State Department of Human Services in the amount of \$1,300,000 for the term July 1, 2004 through June 30, 2005 for claiming federal revenues for allowable Medi-Cal Administrative Activities (MAA). (Funding: Federal MAA revenues)

**RECOMMENDED ACTION:** Authorize Chairman to sign Agreement and accompanying certification Statements and Director of said Department to execute subsequent documents relating to same, including amendments that do not affect dollar amount or term, noting said Agreement was received from the State on August 11, 2004.

6. Human Services Department recommending Amendment 003 to Agreement 02-25672 with the State Department of Health Services increasing compensation by \$42,471 to an amount not to exceed \$1,565,574 for the term October 1, 2002 through September 30, 2005 for operation of the Supplemental Food Program for Women, Infants & Children (WIC). (Funding: Federal Grant - Federal Fiscal Year 2004/2005 allocation is \$566,562)

**RECOMMENDED ACTION:** Authorize Chairman to sign Agreement and Director of said Department to execute subsequent documents relating to same, including any amendments that do not affect the dollar amount or term, and required fiscal and programmatic reports.

7. Mental Health Department recommending the Board find that it is more economical and feasible to obtain an outside contractor for the provision of selected janitorial services in accordance with County Ordinance 3.13.030; and authorize Chairman to sign Amendment 001 to Agreement 162-S0411 with Paul Funk dba Pro Line Cleaning Service increasing compensation by \$27,120 to an amount not to exceed \$54,240 for the term September 23, 2003 through September 22, 2005 for janitorial services at the El Dorado County Psychiatric Health Facility. (Funding: Non-General Fund - Realignment Sales Tax)  
**RECOMMENDED ACTION:** Approve.
  
8. Auditor-Controller recommending Resolution establishing the 2004/2005 rate of the tax levy (ad valorem tax rates) for the taxing agencies in the County of El Dorado.  
**RECOMMENDED ACTION:** Adopt Resolution **287-2004**.
  
9. General Services recommending Budget Transfer increasing estimated revenue and appropriations by \$9,850 for Arrowbee Ranch Estates (\$6,895) and Hidden Lakes Estates (\$2,955) Road Zones of Benefit within County Service Area 002. (Funding: County Service Area 002 - clearing account fund balance from fiscal year 2003/2004)  
**RECOMMENDED ACTION:** Approve.
  
10. General Services recommending the following:
  - (1) Approve application to the State Department of Transportation for matching grant funds in the amount of \$16,650 for the Federal Aviation Administration Airport Improvement Program for the Georgetown Airport to install perimeter fencing/gates and 2-Box PAPI;
  
  - (2) Authorize Interim General Services Director to execute said Application;
  
  - (3) Authorize Auditor-Controller to complete and sign Part II of the Financial Certification of said application; and

Continued to Page 5

Continued from Page 4

(4) Adopt Resolution approving said application and accepting grant funds for same.

**RECOMMENDED ACTION:** Approve and adopt Resolution **288-2004**.

11. General Services recommending the following:

(1) Approve application to the State Department of Transportation for matching grant funds in the amount of \$40,175 for the Federal Aviation Administration Airport Improvement Program for the Placerville Airport to construct an east-end access road (30' x 3,600');

(2) Authorize Interim General Services Director to execute said Application;

(3) Authorize Auditor-Controller to complete and sign Part II of the Financial Certification of said Application; and

(4) Adopt Resolution approving Application and accepting grant funds for same.

**RECOMMENDED ACTION:** Approve and adopt Resolution **289-2004**.

12. General Services Department recommending Notice of Completion for the El Dorado County South Lake Tahoe Juvenile Detention Facility under contract by United Construction Company.

**RECOMMENDED ACTION:** Authorize Chairman to sign and said Notice be filed with the Recorder-Clerk.

13. Treasurer-Tax Collector recommending Resolution establishing an initial application fee of \$75 and an annual renewal fee of \$65 for vacation home rental permits and a \$10 fee for any modifications to said application. (Funding: General Fund)

**RECOMMENDED ACTION:** Adopt Resolution **290-2004**.

14. Treasurer-Tax Collector recommending the following nominations for a one year term to the Treasury-Policy Oversight Committee: Vicki Barber, EDD, Laura S. Gill, Chief Administrative Officer, and Ramona L. Gilmore.

**RECOMMENDED ACTION:** Approve.

15. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Alfred R. Bohlen III and Denise A. Bohlen; David Crites; Doug J. Auger/D&S Properties; Sheila Daley and Richard Mitchell; Bent Ericksen and June M. Harper Ericksen; Constance E. Fitzpatrick; Zita M. Greb; Ruth I. Gunther and Earl T. Gunther/Gunther Family Trust; Brian E. Jordan and Myka J. Jordan; Irene Klostermann; Donald S. Molnar and Dolores A. Molnar; James L. Moore and Pamela L. Moore; Craig Peer; Patricia G. Rezabeck; James R. Riddiough; Gary L. Sandler and Karen M. Sandler; Andrey Shalnev and Anna Shalnev; and Steve Meyer/L.A. Swanson Construction, Inc.; for property located in the vicinity of the Cameron Park Airport.

**RECOMMENDED ACTION:** Approve.

16. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Michael P. Kabour and Kirsten D. Kabour, and Peter L. Knudson for property located in the vicinity of the Lake Tahoe Airport.

**RECOMMENDED ACTION:** Approve.

17. Probation Department recommending Resolution establishing an imprest cash fund (per Government Code Section 29326) in the amount of \$200 for the South Lake Tahoe Juvenile Treatment Center. (Funding: General Fund)

**RECOMMENDED ACTION:** Adopt Resolution **291-2004**, noting the opening of the new facility requires an imprest cash fund.



18. Building Department recommending the Chairman be authorized to sign the following Amendments/Agreements for plan review services on an "as requested" basis:

(1) Amendment 002 to Agreement 039-S0411 with Thomas M. Jennings, dba Tom Jennings, P.E. increasing compensation by \$15,000 to an amount not to exceed \$35,000 for a term to expire June 15, 2005;

(2) Amendment 002 to Agreement 322-S0411 with The Willdan Group of Companies increasing compensation by \$25,000 to an amount not to exceed \$50,000, inclusive of all expenses, for a term to expire January 4, 2006;

(3) Agreement 126-S0511 with Carlton Engineering, Inc. in an amount not to exceed \$25,000, inclusive of all expenses, for a one year term with a one year extension, if mutually agreed between said parties, in writing, not less than thirty days prior to the expiration of the then current Agreement; and

(4) Agreement 127-S0511 with NAFFA International, Inc. in an amount not to exceed \$20,000, inclusive of all expenses, for a one year term with a one year extension, if mutually agreed between said parties, in writing, not less than thirty days prior to the expiration of the then current Agreement. (Funding: General Fund)

**RECOMMENDED ACTION:** Approve.

19. Transportation Department Director requesting authorization to execute Federal Transit Administration (FTA) Section 5311 Grant Agreement 644162 in the amount of \$10,704 for the El Dorado County Tahoe Paratransit Program to supplement operational costs.

**RECOMMENDED ACTION:** Approve.

20. Transportation Department recommending the Board approve the concept of the County of El Dorado 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 Latrobe Road and White Rock Road.

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

21. Supervisor Sweeney recommending Certificate of Commendation to Alexander Turney Postlewait for achieving the rank of Eagle Scout in the Boy Scouts of America, Troop 758.

**RECOMMENDED ACTION:** Approve.

22. Chief Administrative Office recommending award of Bid 05-288-011 to the lowest qualified bidder, QPR of Folsom, CA, in the amount of \$20,000 including sales tax for a twelve month term for Hydropatch-Cold Mix for the Department of Transportation. (Funding: Non-General 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 the Department of Transportation's Road Fund.

23. Supervisor Solaro recommending William R. Boehlke be appointed as the District V Alternate to the Veterans Affairs Commission.

**RECOMMENDED ACTION:** Approve.

24. Supervisor Solaro recommending Chairman be authorized to sign Cooperative Agreement with Tahoe Regional Planning Agency (TRPA) to implement and maintain neighborhood compatibility requirements for vacation rentals in the Tahoe Basin.

**RECOMMENDED ACTION:** Approve.

25. Supervisor Solaro requesting Board oppose Proposition 68 (Gaming Revenue Act of 2004) pursuant to Position Statement by California Association of Counties.  
**RECOMMENDED ACTION:** Approve. 5413 2(n)

**END CONSENT CALENDAR**

**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. Supervisor Solaro requesting Ed Knapp, Assistant County Counsel, update the Board on the status of the Shingle Springs Rancheria Casino litigation.  
**No action taken.**
51. Chief Administrative Office recommending adoption of Resolution **292-2004** increasing the court filing fee for the Law Library's portion of the El Dorado County Superior Court filing fees to \$26 effective January 1, 2005 and to \$29 effective January 1, 2006 for each event described in Sections 6321 and 6322 of the Business and Professions Code, noting said fee has not been increased since 1996 and civil litigants involved in cases above \$5,000 (not small claims) pay the law library filing fee.  
**ADDED TO CONSENT CALENDAR:** Approved. 45123

52. Sheriff requesting consideration of the request of the Deputy Sheriff's Association of El Dorado County that a "non-standard" plan for repayment of a payroll overpayment be approved and direction be provided to the Sheriff and Auditor-Controller as to the time period for recovering said overpayment, noting extending the "repayment" period beyond the period of overpayment is not consistent with the County's past practice, and should the Board choose to provide for an extended period beyond four pay-periods the employee should be required to sign an agreement to pay the balance in full prior to leaving County service.

**ADDED TO CONSENT CALENDAR:** Approved.

45123

**BOARD OF SUPERVISORS TO CONVENE AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD TO CONSIDER THE FOLLOWING:**

53. Air Quality Management District recommending the Board make findings that an independent consultant 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 First Amendment to Agreement 030-03/04 with Ray Kapahi, dba Air Permitting Specialists increasing compensation by \$40,000 to an amount not to exceed \$50,000 for technical assistance with various air quality regulatory issues for said District. (Funding: Non-General Fund)

**BOARD ACTION** - Approved.

54123

**AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS TO ADJOURN.**

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

54. Presentation by Carol Chaplin, President of the South Lake Tahoe Chamber of Commerce, on the goals and activities of the Chamber.

**No action taken.**

**TIME ALLOCATION - 11:30 A.M.**

55. Presentation by Tom Millham, Treasurer of Lake Tahoe Wildlife Care which is a non-profit volunteer organization that cares for orphaned and injured wildlife in and around the Lake Tahoe Basin.

**No action taken.**

56. Supervisor Solaro presenting Certificate of Recognition to Lake Tahoe Wildlife Care, Inc. Board of Directors, Executive Director, Cheryl Millham, and its volunteers for their remarkable contributions over the last 26 years.

**No action taken.**

**CAO REPORTS/COMMENTS**

**ITEMS TO/FROM SUPERVISORS**

**ADJOURNMENT**

City of South Lake Tahoe to host a luncheon for the Board of Supervisors at the Lake Tahoe Golf Course followed by a tour of the Lake Tahoe Wildlife Care Facility, 1485 Cherry Hills Circle, South Lake Tahoe.

**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

**September 21, 2004 - 10:00 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 54957, Public Employee Appointment**

Title: Director of Mental Health

**No action reported.**

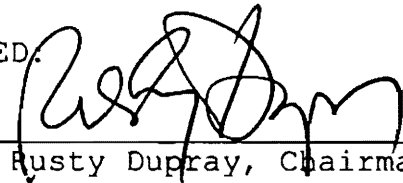
**Section 54957, Public Employee Appointment**

Title: Interim Director of Development  
Services

**BOARD ACTION** - On an unanimous vote, Bill Carey was appointed to the position of Interim Director of Development Services.

Original Minutes of the Special Meeting of the Board of Supervisors on September 21, 2004, attached hereto and approved by the Board on October 12, 2004.

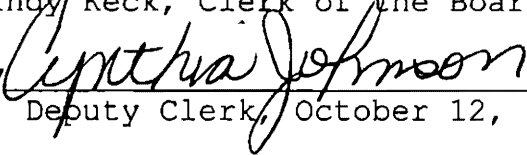
APPROVED



\_\_\_\_\_  
Rusty Dupray, Chairman  
October 12, 2004

ATTEST:

Cindy Keck, Clerk of the Board

By   
\_\_\_\_\_  
Deputy Clerk, October 12, 2004

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**C O N F O R M E D    A G E N D A**

**Continued Special Meeting of the Board of Supervisors**

*Tuesday, September 21, 2004 - 10:00 A.M.*

**LAKE TAHOE GOLF COURSE**  
2500 U.S. Highway 50  
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530 621-5390  
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**Public hearing on the 2004/2005 Budget for the County of El Dorado.**

**BOARD ACTION** - The Board accepted the changes presented this date and directed staff to prepare final budget documents for adoption on **September 28, 2004.** 54123

Additionally, in a separate motion, the Board formally closed the 2004/2005 budget hearings. 34125