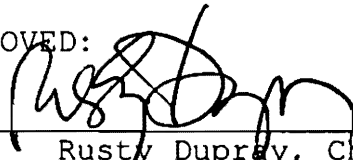


Original Minutes of the Meeting of the Board of Supervisors on October 5, 2004, attached hereto and approved by the Board on October 12, 2004.

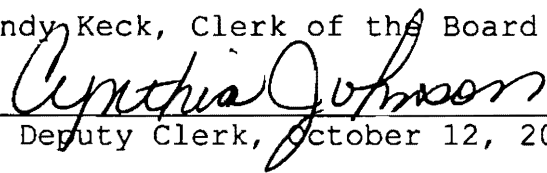
APPROVED:



Rusty Dupray, Chairman
October 12, 2004

ATTEST:

Cindy Keck, Clerk of the Board



Deputy Clerk, October 12, 2004

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**

October 5, 2004 - 8:00 A.M.

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

DEPARTMENT MATTERS

60. Recorder Clerk-Registrar of Voters recommending Budget Transfer 25009 increasing estimated revenue and expenditure appropriations by \$20,000 to administer the Help America Vote Act (HAVA) Grant for voter education and poll worker training assistance, noting purchases relating to this grant must be made prior to November 2, 2004.

ADDED TO CONSENT CALENDAR: Approved.

53124

✓

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, October 5, 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 item 19 continued off calendar; item 26 dollar amount corrected; items 52, 55 and 60 added to the Consent Calendar for approval. Consent Calendar approved as modified. 53124

PRESENTATION of Proclamation recognizing October 2004 as Cemetery Recognition Month in El Dorado County.

BOARD ACTION - Proclamation adopted. 32145

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Regular Meeting of September 28, 2004 and Special Meeting of September 27, 2004.

RECOMMENDED ACTION: Approve.

2. Interim Mental Health Director requesting authorization to sign Field Study Contract with California State University, Sacramento, Department of Counselor Education whereby students in the University's Counseling and Psychology Masters Program (Marriage and Family Therapy) may work for the Mental Health Department as unpaid trainees.

RECOMMENDED ACTION: Approve, noting use of students as unpaid trainees expands services at no cost.

3. Mental Health Department requesting advance step placement of Christine Kondo-Lister, LCSW at step 5 of the salary range for the position of Manager of Mental Health Programs-Quality Improvement Manager.

RECOMMENDED ACTION: Approve, noting position is critical for complying with new regulations for Medi-Cal Managed Care.

4. 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 Chairman be authorized to sign Amendment 001 to Agreement 160-S0410 with Mildred Russ dba Sun West Building Services increasing compensation by \$8,736 to an amount not to exceed \$17,472 for the term November 1, 2003 through October 31, 2005 for janitorial services at said Department's facilities located in South Lake Tahoe. (Funding: Realignment Sales Tax)
RECOMMENDED ACTION: Approve.

5. 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 Chairman be authorized to sign Amendment 001 to Agreement 161-S0411 with Mildred Russ dba Sun West Building Services increasing compensation by \$13,260 to an amount not to exceed \$26,520 for the term October 28, 2003 through October 27, 2005 for janitorial services at said Department's facilities in Placerville. (Funding: Realignment Sales Tax)
RECOMMENDED ACTION: Approve.

6. General services 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.
RECOMMENDED ACTION: Approve, noting nineteen vehicles are surplus (18 from the Sheriff) three of the 4X4 vehicles exceeded 100,000 miles.

7. General Services Department recommending Resolution ratifying results of the mailed ballot election held on September 17, 2004 setting a special tax for Highland View Unit, 3A Road and Drainage Zone of Benefit 98609 and Hollow Oaks Road and Drainage Zone of Benefit 98606 within County Service Area 009 for road and drainage maintenance and improvement services.
RECOMMENDED ACTION: Adopt Resolutions **299-2004** and **300-2004**.
8. Transportation Department recommending Resolution amending Resolution 250-81 sanctioning STOP signs on all streets intersecting with Camino Hills Drive and amending Resolution 247-81 sanctioning speed restrictions on the entire length of Camino Hills Drive. (Funding: Road Fund Discretionary)
RECOMMENDED ACTION: Adopt Resolutions **301-2004** and **302-2004**.
9. Treasurer/Tax Collector and the Treasury-Policy Oversight Committee recommending approval of the El Dorado County Investment Policy as amended.
RECOMMENDED ACTION: Approve.
10. Transportation Department recommending Resolution amending Resolution 245-81 sanctioning installation of STOP signs at the following specific sites: (Funding: Road Fund Discretionary)
 - (1) Cambridge Road at its intersection with Oxford Road;
 - (2) Embarcadero Drive at its intersection with Downieville Drive and Oak Tree Circle;
 - (3) French Creek Road at its intersection with Lorrain Street;

Continued to page 5

Continued from page 4

(4) French Creek Road at its intersection with Holly Drive (Non-County maintained roadway);

(5) Lorrain Street at its intersection with French Creek;

(6) Holly Drive at its intersection with French Creek Road; and

(7) Golden Foothill Parkway at its intersection with Suncast Lane.

RECOMMENDED ACTION: Adopt Resolution **304-2004**.

11. Transportation Department recommending Resolutions accepting Irrevocable Offers of Dedications (IOD 2004-09) (APN 108-120-05-100) from Upton A. Gassaway, Patrick V. Morrison and Cynthia S. Morrison and (IOD 2004-10) (APN 108-120-06-100) from Patrick V. Morrison, Cynthia S. Morrison, Franklin Carl Gassaway, Diane Elaine Gassaway and Upton A. Gassaway and (IOD 2004-12) (APN 108-120-08-100) from Franklin Carl Gassaway and Diane Elaine Gassaway for a road, in fee, public utilities and slope easements located along segments of Hollow Oak Road pursuant to the terms and provisions contained in the Bass Lake Hills Specific Plan Development Agreement to accommodate improvements to Hollow Oak Road.

RECOMMENDED ACTION: Adopt Resolutions **305-2004**, **306-2004** and **307-2004** respectively.

12. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-54) from Pulte Home Corporation for a landscape and slope easement (APN 113-090-12-100) to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.

RECOMMENDED ACTION: Adopt Resolution **308-2004**.

13. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-31) from Harris C. Greenwalt and Bettie C. Greenwalt (APN 108-130-13-100) for a road right of way, including the underlying fee, and a slope easement located on existing Bass Lake Road in El Dorado Hills to accommodate the construction of the Bass Lake Road Interim Improvements Project 71353.

RECOMMENDED ACTION: Adopt Resolution **309-2004**.

14. Transportation Department recommending summarily vacating (AOE 2004-36) two five-foot wide public utilities easements and a three-foot wide portion of one ten-foot wide public utilities easement located along the side and rear boundary lines of APN 115-152-06-100, Lot 61 of Pioneer Place, Unit 001, requested by Kevin E. and Robyn G. Wagenknecht to accommodate construction of retaining walls.

RECOMMENDED ACTION: Adopt Resolution **310-2004**.

15. Transportation Department recommending Resolution summarily vacating (AOE 2004-37) two five-foot wide public utilities easements located along the side boundary lines of (APN 113-500-26-100) Village I, Lots F, G, and H, Serrano, Lot 26, requested by Gerald C. and Dolores T. Legge, Trustees of the Legge Family Trust under declaration dated 11/16/87 for the construction of retaining walls.

RECOMMENDED ACTION: Adopt Resolution **311-2004**.

16. Transportation Department recommending the Auditor-Controller, Assistant Auditor-Controller or the Accounting Systems Administrator be authorized to make disbursements associated with said Department's Master Equipment Lease/Purchase Agreement (Lease) with Banc of America Leasing & Capital, LLC.

RECOMMENDED ACTION: Approve, noting approval will allow funds to be disbursed to the vendor from the Acquisition Fund for heavy equipment purchases.

17. Environmental Management Department recommending Resolution authorizing the Director of Environmental Management to submit the Waste Tire Amnesty Day Grant Fiscal Year 2004/2005 application to the California Environmental Protection Agency, California Integrated Waste Management Board. (Funding: County Service Area 10)
RECOMMENDED ACTION: Adopt Resolution **312-2004**, noting if the County is awarded said grant, estimated at \$36,000 the County match would be \$12,400 from County Service Area 10 funds.
18. Chief Administrative Office recommending adoption of Resolution implementing changes resulting from the fiscal year 2004/2005 final budget and incorporating amendments to the Authorized Personnel Allocation 203-2004 to become effective upon adoption; included in said Allocation is the reclassification of one employee in the Public Health Department and one employee in the Veteran's Affairs Department to be effective the first full pay period following adoption. (Funding: Costs incorporated in fiscal year 2004/2005 Final Budget)
RECOMMENDED ACTION: Adopt Resolution **313-2004**.
19. Chief Administrative Office recommending extension of award of Bid 04-207-008 to En Point Technologies, Inc. of El Segundo, California, in the amount of \$50,000 including sales tax for a twelve month term for Hewlett Packard print toner cartridges and related items for use County-wide. (Funding: General Fund and Non-General Fund) (Continued 9/28/2004, item 19)
RECOMMENDED ACTION: Approve. **Continued off calendar upon adoption of Agenda.** 32145
20. Supervisor Baumann recommending the District II Off-Site Board of Supervisors Meeting on October 19, 2004 commence at 10:00 a.m. at the Pacific Ranger Station, Eldorado National Forest, 7887 Highway 50, Pollock Pines.
RECOMMENDED ACTION: Approve.

21. Supervisor Dupray recommending Certificate of Recognition for Karen K. McHenry on the occasion of her retirement from the Social Services Department in South Lake Tahoe.
RECOMMENDED ACTION: Approve.
22. Supervisor Sweeney recommending the Board authorize the Building Department to issue a swimming pool permit for APN 092-070-3.
RECOMMENDED ACTION: Approve.
23. Supervisor Sweeney recommending Clement J. Boll be appointed to the El Dorado County Veterans Affairs Commission as the District III Alternate.
RECOMMENDED ACTION: Approve.
24. Supervisor Solaro recommending Kim Nida be appointed to the Child Abuse Prevention Council representing law enforcement/criminal justice.
RECOMMENDED ACTION: Approve.
25. Supervisor Solaro recommending adoption of Resolution of Intention requesting the El Dorado County Planning Commission consider amending Zoning Ordinance Code Chapter 17.20, Nonconforming Uses, pertaining to rear setback allowances.
RECOMMENDED ACTION: Adopt Resolution **314-2004**.
26. Supervisor Sweeney recommending Mother Lode Lions Club be refunded **\$1,259** for fees paid to the County for expansion of the "candy shack" located on its property at 4701 Missouri Flat Road, Placerville.
RECOMMENDED ACTION: Approve. 53124
27. Surveyor recommending continuation of perpetual Agreement C34-13; and Purchasing Agent be authorized to establish blanket purchase orders to process payments to ESRI of Redlands for fiscal year 2004/2005 for annual GIS software maintenance and licensing. (Funding: General Fund)
RECOMMENDED ACTION: Approve.

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. Hearing to consider adoption of Resolutions **315-2004** and **316-2004** superseding Resolutions 353-2000 and 354-2000 setting new ambulance service rates for County Service Area (CSA) 003 and 007 effective November 8, 2004.

BOARD ACTION - Hearing no protests, Resolutions **315-2004** and **316-2004** adopted approving staff's recommendations with the exception of the portion that applies to Alpine County being **continued off calendar**.

52134

51. Hearing to consider adoption of Resolution **317-2004** to create an Underground Utility District in Tahoe Paradise along Pioneer Trail between Washoan Boulevard and Busch Way.

BOARD ACTION - Hearing no protests, Resolution **317-2004** adopted.

53124

52. Public Health Department recommending Chairman be authorized to sign Retroactive Local Funding Agreement with State Department Health Services in an amount not to exceed \$229,853 for the term September 1, 2003 through August 31, 2004 for funding of Health Resources and Services Administration National Bioterrorism Hospital Preparedness Program; and Chairman be authorized to sign Budget Transfer increasing estimated revenue and expenditure appropriations by \$63,525 for said project for the current year.

ADDED TO CONSENT CALENDAR: Approved.

53124

53. Award of bid for the asphalt concrete overlay for portions of Cameron Park Drive. (Referred 8/24/2004, item 8)

BOARD ACTION - Board awarded the bid to the sole bidder, Delta Construction Company in the amount of \$574,640, and authorized the Chairman to sign Contract Agreement with same. 13245

54. Information Technologies Department recommending Purchasing Agent be authorized to encumber funds and purchase Cisco network equipment maintenance services in an amount not to exceed \$48,000 for fiscal year 2004/2005; and further recommending the Chief Administrative Officer be authorized to purchase future annual maintenance through October 2008 as defined by the terms to Amendment 001 of the Master Services Agreement with Cisco Systems, Inc., noting said Department to obtain a letter from Cisco acknowledging this extension and directed to report to the Board annually for said purchases consistent with perpetual contracts. (Funding: General-Fund)

BOARD ACTION - Approved. 32145

55. Agricultural Commissioner, Weights and Measures, on behalf of the Agricultural Commission, recommending the Board support in concept the following pertaining to the Fair Play Winery Association's request for directional signage within the Fair Play Agriculture District and County-wide:

(1) Group the wineries directional signage within said District;

(2) Locate two "Gateway" kiosks on commercial parcels within said District if the project meets current standards, policies and reviews by appropriate agencies within the County; and

(3) Establish a County sign committee to implement a County-wide Signage Program for all agricultural operations, with the initial focus on wineries.

ADDED TO CONSENT CALENDAR: Approved. 53124

56. Environmental Management Department requesting authorization to proceed with the necessary steps for a March 8, 2005 ballot measure for a special tax using the boundaries of County Service 007 (approximately 49,900 parcels on the West Slope) to potentially fund mosquito abatement services for the West Slope on an on-going basis.

BOARD ACTION - Board directed Environmental Management staff to return to the Board on **October 26, 2004** with the "pros and cons" of putting this issue for the West Slope on the ballot. 24135

57. Chief Administrative Officer recommending the Board find that it is necessary for the Fire Safe Council to contract with several vendors in addition to Mother Lode Rehabilitation Enterprises (M.O.R.E.) in order to perform the scope of services set forth in the program description for the Senior/Disabled Assistance for Defensible Space Program, as approved by the Board in Amendment III to its Agreement with the Fire Safe Council; and Auditor-Controller be authorized to pay claims for these services to vendors not named in the program description, at those vendors' current, published rates, noting that the rates may be higher than those specified in the contract, retroactive to April 1, 2004, until such time as the contract and program description are amended. (Funding: Non-General Fund. This is the entire amount of Federal Forest Reserve funds budgeted for this program)

BOARD ACTION - Continued to October 12, 2004. 34125

58. Supervisor Sweeney recommending the formation of a committee composed of County staff to study and make recommendations pertaining to the 2005 Board Meeting Calendar.

BOARD ACTION - Board directed Chief Administrative Officer to review the agenda process as discussed this date. 34125

59. County Counsel recommending adoption of Interim Ordinance **4659** extending the previous 45-day moratorium to 180 days, effective immediately, pertaining to the establishment or operation of medical marijuana dispensaries. (4/5 vote required)
BOARD ACTION - Continued to October 19, 2004 at the request of County Counsel who advised legal notice requirement had not been met. 32145

CAO REPORTS**ITEMS/TO FROM SUPERVISORS****TIME ALLOCATION - 2:00 P.M.**

80. Hearing to consider appeal of David J. Long on the Planning Commission's denial of Design Review DR03-0002A for a new 5,000 square foot warehouse building which exceeds the allowable floor-to-area ratio (FAR) on 0.25 acres (APN 083-111-14) in the Cameron Park area. (District I)
BOARD ACTION - After convening in Closed Session the Board reconvened in Open Session and County Counsel advised that there was no action taken, however, Counsel's recommendation was for the Board to continue this matter to **2:00 p.m., October 26, 2004** at which time Counsel will report on the floor-to-area ratio issue, legal issues raised pertaining to an estoppel, and a method for the Board to address same. **(Hearing closed)** 42135

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

October 5, 2004 - 8:00 a.m.

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

Section 54957.6, Conference with Labor Negotiator

- **County Negotiator: Principal Personnel Analyst.
Employee Organization: Deputy County Counsel
Association; Criminal Attorney Association.
Unrepresented Employee: Unrepresented employees.
No action reported.**