

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 26, 2004 - 8:00 A.M.

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

CLOSED SESSIONS

Section 54956.9(a), Existing Litigation:

- Citizens Against Roadway Encroachment v. El Dorado County, et al., El Dorado County Superior Court Case No. PC20000322.

No action reported.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Robert Muszar, Industrial Employers and Distributors Association (IEDA)
Employee Organization: Deputy Sheriff Association.

No action reported.

- County Negotiator: Robert Muszar, Industrial Employers and Distributors Association (IEDA)
Employee Organization: Operating Engineers, Local No. 3, Probation Unit.

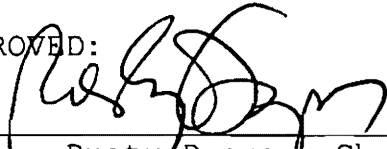
No action reported.

- County Negotiator: Robert Muszar, Industrial Employers and Distributors Association (IEDA)
Employee Organization: Operating Engineers, Local No. 3, Trades and Crafts Unit.

No action reported.

Original Minutes of the Regular Meeting of the Board of Supervisors on October 26, 2004, attached hereto and approved by the Board on November 2, 2004.

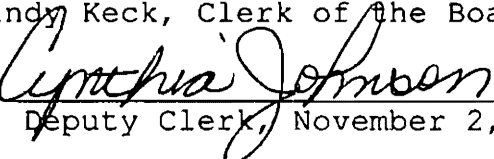
APPROVED:



Rusty Dupray, Chairman
November 2, 2004

ATTEST:

Cindy Keck, Clerk of the Board

By 

Deputy Clerk, November 2, 2004

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 26, 2004

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 REPSORTS

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 7 continued to **November 9, 2004**; and items 54, 55 and 56 added to Consent Calendar for approval; Consent Calendar approved as modified. 45123

PRESENTATION of Proclamation to the Dogwood Garden Club of Pollock Pines recognizing its extraordinary efforts on behalf of the Pollock Pines community. 45123

PRESENTATION by Karen Good, Executive Director, Marshall Foundation for Community Health on its new program, *Strength for the Journey*, which provides support in surviving sudden loss.

PRESENTATION by Ralph Friend, Interim Superintendent, Buckeye Union School District to acquaint the Board and members of the public with the accomplishments, exciting activities and plans for said District.

PRESENTATION of Certificate of Recognition to Tim Holcomb, Assessor, acknowledging the Merit Award earned by the Assessor's Office in the California State Association of Counties Challenge Award Competition.

OPEN FORUM

CONSENT CALENDAR

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of the October 19, 2004.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Agreement 392-PHD0904 with Marshall Medical Center for funding in the amount of \$9,000 for the California State Health Resources and Services Administration National Bioterrorism Hospital Preparedness Program Grant for storage trailers, food, and water supplies in preparation for any future substantial medical emergency. (Funding: Hospital Resources and Services Administration - Hospital Preparedness Grant)

RECOMMENDED ACTION: Approve.

3. Public Health Department recommending conceptual approval of the submission of a Grant Application to the State Department of Alcohol and Drug Programs for a Comprehensive Drug Court Implementation 2004/2005 Dependency Drug Court Grant in the amount of \$105,000 for a one year term.

RECOMMENDED ACTION: Approve, noting if grant application is successful an agenda item will be brought back for final approval.

4. Mental Health Department recommending the Board find that it is more economical and feasible to obtain an outside contractor in accordance with County Ordinance 3.13.030; and Chairman be authorized to sign Agreement 216-S0511 with Early Childhood Counseling Center in an amount not to exceed \$32,400 for a one year term for a therapeutic treatment program for Medi-Cal children on an "as-requested" basis. (Funding: Medi-Cal)

RECOMMENDED ACTION: Approve.

5. Mental Health Department recommending the Board find that it is more economical and feasible to obtain an outside contractor in accordance with County Ordinance 3.13.030; and authorized Chairman to sign Amendment 001 to Agreement 179-S0411 with Rupp Medical Corporation increasing compensation by \$111,000 to an amount not to exceed \$222,000 for the term November 23, 2003 through November 22, 2005 for psychiatric services to children who are residents of the South Lake Tahoe area. (Funding: Medi-Cal)
RECOMMENDED ACTION: Approve.

6. Human Services Department recommending Chairman be authorized to sign Agreement with California Association of Area Agencies on Aging (C4A) enabling said Department to facilitate and receive reimbursement of \$6.00 per capita for the application process encouraging eligible County residents to participate in Pacific Gas & Electric Company's California Alternate Rates for Energy (CARE) program for reduced utility rates. (Funding: C4A revenues)
RECOMMENDED ACTION: Approve.

7. General Services Department recommending Chairman be authorized to sign the following Lease Agreements with Marlon R. Ginney and Richard J. Kovach for the term November 1, 2004 through October 31, 2009 for County-owned real property located within the boundaries of the Sacramento-Placerville Transportation Corridor:

(1) Lease Agreement 230-L0511 (APN 90-040-32) in the amount of \$512.09 per month; and

(2) Lease Agreement 231-L0511 (APN 90-040-31) in the amount of \$125 per month. (Funding: Revenue fiscal year 2004/2005)

RECOMMENDED ACTION: Approve. **Continued to November 9, 2004** at the request of Supervisor Sweeney upon adoption of the Agenda. 45123

8. General Services Department recommending adoption of Resolution amending Resolution 317-2003 authorizing George W. Sanders, Interim General Services Director and/or his successors to execute the Application, Standard Agreement and all other documents required by the Department of Housing and Community Development to secure a Jobs Housing Balance Incentive Grant for the El Dorado Hills Library.

RECOMMENDED ACTION: Adopt Resolution **335-2004**.

9. Information Technologies (IT) recommending a Special Meeting of the Board of Supervisors be scheduled on Monday, November 8, 2004 at 1:00 p.m. to approve IT standards proposed in the Computer and Network Resource Usage Policies and Standards Guide and to discuss related issues.

RECOMMENDED ACTION: Approve.

10. Planning Department submitting Large-Lot Final Map for West Valley Village (TM99-1359F) in the El Dorado Hills area, Applicant: Cooper Thorne & Associates, Inc./Kevin Heaney.

RECOMMENDED ACTION: Approve.

11. Transportation Department recommending the following pertaining to the Angora Creek Stream Environment Zone Restoration Project JN95147:

(1) Find that construction must be performed by an independent contractor;

(2) Set the Disadvantaged Business Enterprise (DBE) goal at 10%;

(3) Allow Department of Transportation to modify the DBE provisions for this contract;

(4) Approve Bid Protest Procedure;

(5) Approve Plans and Contract documents and authorize the Chairman to sign Plans;

Continued from Page 5

(6) Authorize re-advertisement for construction bids on Friday, November 19, 2004 at 2:00 p.m. at the Department of Transportation (DOT) South Lake Tahoe Office, 924B Emerald Bay Road, South Lake Tahoe; and

(7) Allow DOT to work with the California Tahoe Conservancy to obtain a grant augmentation, should DOT determine there is a need for additional funding for project construction. (Funding: California Tahoe Conservancy, Bureau of Reclamation, State Water Resources Control Board, and Tahoe Regional Planning Agency Stream Environment Zone fund)

RECOMMENDED ACTION: Approve.

12. Transportation Department recommending Resolution sanctioning the full closure of Larsen Drive between North Canyon Road and Cable Road, Larsen Drive between North Canyon Road and Carson Road, and Harness Tract Road, and one lane closures on Barkley Road (eastbound) between Larson Drive and Carson Road, Cable Road (northbound) between Larsen Drive and Carson Road, "D" Street (northbound) between Carson Road and 2nd Street, and 2nd Street (eastbound) between "D" Street and Larsen Drive, Carson Road (westbound) between Larsen Road and North Canyon, and North Canyon Road (eastbound) between Carson Road and Larsen Drive on Sunday, November 7, 2004, between 8:00 a.m. and 11:15 a.m. for the Apple Hill Harvest Run.

RECOMMENDED ACTION: Adopt Resolution **336-2004**.

13. Transportation Department recommending the following pertaining to Serrano Village K1 and K2, Unit 001 (TM 01-1377F):

(1) Accept the subdivision improvements as complete;

(2) Hold Performance Bond 929313073 in the amount of \$352,033 to guarantee against any defective work, labor done, or defective materials furnished, and release one year after acceptance, if no claims are made; and

(3) Hold Laborers and Materialsmen Bond 929313073 in the amount of \$176,016.50 to guarantee payment to persons furnishing labor, materials or equipment, and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Approve.

14. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that the ongoing aggregate of work performed under this Agreement is not sufficient to warrant the addition of permanent staff; and Chairman be authorized to sign Agreement AGMT 04-678 with Willdan in an amount not to exceed \$70,000 for the term October 28, 2004 through October 27, 2005 for as-needed plan check services. (Funding: Developer Fund Time and Materials)

RECOMMENDED ACTION: Approve, noting El Dorado County Employees Association, Local 1 recommends this Agreement not be approved; rather the County resolve recruitment and retention issues to fully staff the development review unit; however, said Department is mandated by County Ordinance to conduct timely plan reviews.

15. Sheriff Department recommending Resolution authorizing the Sheriff, Assistant Deputy Director of the Office of Emergency Services and the Sheriff's Director of Administrative Services to execute applications for federal financial assistance under PL93-299 (Disaster Relief and Emergency Assistance Act of 1988) for reimbursement of staff time associated with the Hollow Fire in July 2004.

RECOMMENDED ACTION: Adopt Resolution **337-2004**.

16. District Attorney recommending the Board find that it is more economical and feasible to perform work in accordance with County Ordinance Chapter 3.13; and Chairman be authorized to sign Amendment 001 to Agreement 545-S0411 with Marshall Medical Center dba Marshall Hospital amending the Scope of Services to expand the drawing of body fluids to include, but not limited to, blood draws for purposes of DNA testing. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

17. Sheriff Department recommending the Purchasing Agent be authorized to encumber the County's annual payment of \$15,856 to South Lake Tahoe/El Dorado County Narcotic Enforcement Team (SLEDNET).

RECOMMENDED ACTION: Approve, noting the \$15,856 represents the County's share of annual costs to participate in SLEDNET. The Purchasing Agent needs Board authority to make funds available for that purpose.

18. Chief Administrative Office recommending a one year extension of Bid 04-288-043 for plant mix asphalt for the Department of Transportation (East Slope): (Funding: Department of Transportation's Road Fund)

RECOMMENDED ACTION: Authorize an increase of the blanket purchase order to Tahoe Asphalt, Inc. of South Lake Tahoe, California in the amount of \$77,000 for a term to expire October 27, 2005 and authorize an increase to same on an "as-needed" basis during the awarded period if funding is available within said Department's budget.

19. Chief Administrative Office recommending award of Bid 05-055-024 for grader and truck chains for the Department of Transportation. (Funding: Department of Transportation's Road Fund)
RECOMMENDED ACTION: Authorize blanket purchase order to sole qualified bidder, Quality Chain Corporation of Hillsboro, Oregon in the amount of \$10,829 including sales tax, for a twelve month period and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within said Department's budget.

20. Chief Administrative Office recommending Chairman be authorized to sign Amendment to Letter Agreement with the Criminal Attorney Association approving the implementation of a one-time lump sum payment of \$839 effective the pay period beginning October 16, 2004 to each regular permanent employee represented by this bargaining unit who was enrolled in the County health insurance program as of June 30, 2004 subject to any California Public Employees Retirement System requirements or restrictions, and not affiliated with any permanent salary increase either now or in the future, excluding extra help or temporary employees. (Funding: General Fund)
RECOMMENDED ACTION: Approve.

21. Supervisor Sweeney recommending Douglas A. Walker be appointed to the Cemetery Advisory Committee as the archeological representative.
RECOMMENDED ACTION: Approve.

22. Transportation Department recommending Chairman be authorized to sign Certificate of Acceptance to acquire a temporary construction easement on APN 083-211-01 from Richard M. Mora for the Cameron Park Drive Meder Road Intersection Signalization Project 73127; and Director of Transportation be authorized to make payment in the amount of \$1,500 to Mr. Mora for same. (Funding: Traffic Impact Mitigation fees and Regional Surface Transportation Program funds)
RECOMMENDED ACTION: Approve.

23. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement and Certificate of Acceptance with Sierra Investment Group, LLC to acquire an easement for a portion of APN 083-211-10 for the Cameron Park Drive/Meder Road Intersection Improvement Project 73127; and Interim Director of Transportation, or her designee, be authorized to execute escrow instructions and other related escrow documents pertaining to said transaction, including the payment of escrow fees. (Funding: Traffic Impact Mitigation fees and Regional Surface Transportation Program funds)
RECOMMENDED ACTION: Approve.
24. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement and Certificate of Acceptance with James W. Taylor to acquire an easement for a portion of APN 083-211-11 for the Cameron Park Drive/Meder Road Intersection Improvement Project 73127; and Interim Director of Transportation or her designee be authorized to execute escrow instructions and other related escrow documents pertaining to the transaction, including the payment of escrow fees. (Funding: Traffic Impact Mitigation fees and Regional Surface Transportation Program funds)
RECOMMENDED ACTION: Approve.
25. Library Director recommending Chairman be authorized to sign Amendment 001 to Agreement 258-S0411 with EBSCO Industries, Inc., dba EBSCO Publishing increasing compensation to an amount not to exceed \$44,500 for the term November 1, 2004 through October 31, 2005 for database licenses to index and access magazines and journals and online automobile repair manuals. (Funding: 2004/2005 Budget)
RECOMMENDED ACTION: Approve.

26. General Services Department recommending the following pertaining to the Play Fields Project at South Lake Tahoe:

(1) Resolution be adopted authorizing Chairman to sign Amendment of Grant of Easement documents amending the Easement for Land Coverage with the California Tahoe Conservancy;

(2) Chairman be authorized to sign Purchase and Sales Agreement with California Tahoe Conservancy in an amount of \$236,485, plus interest, for Land Coverage Rights;

(3) Chairman be authorized to sign Grant Agreement with the State of California (California Tahoe Conservancy) granting to the County \$125,000 for the construction of Play Fields Bicycle Trail; and

(4) Approve Budget Transfer increasing estimated revenue by \$125,000.

RECOMMENDED ACTION: Adopt Resolution 338-2004.

END OF 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. Environmental Management Department providing the Board with a brief presentation of hazardous materials incident response analytical equipment.

No action taken.

51. Environmental Management Department reporting on the "pros and cons" of putting a ballot measure on the March 8, 2005 ballot for a special tax using the boundaries of County Service Area 7 to potentially fund mosquito abatement services for the West Slope on an on-going basis. (Continued 10/5/04, item 56)
No formal action taken; however, the Board directed that items 52 and 53 be heard together.

52. Environmental Management Department recommending adoption of Resolution of Intention setting a public hearing for November 30, 2004 at 9:00 a.m. at the Board of Supervisors Meeting Room, 330 Fair Lane, Placerville to receive testimony prior to making a decision on amending the authority of County Service Area 7 to include mosquito abatement services.
BOARD ACTION - Resolution 342-2004 adopted setting a public hearing for November 30, 2004. 14235

53. Environmental Management Department recommending adoption of Resolution calling for a measure to be placed on the ballot of the March 8, 2005 special election to consider establishment of a special tax for the purposes of providing mosquito abatement services for a newly created Zone of Benefit within County Service Area 7.
BOARD ACTION - Continued adoption of Resolution to November 30, 2004. 14235

The Board was advised to re-open item 53 due to new information received from Environmental Management staff that the deadline for setting an item on the March ballot is Friday, October 30, 2004. 45123

A motion was made by Supervisor Dupray, and seconded by Supervisor Paine to adopt Resolution 343-2004 placing this measure on the ballot for March 8, 2005 to establish a special tax for the purpose of providing mosquito abatement services with a Zone of Benefit within County Service Area 7. 1425 3(n)

54. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement with El Dorado Union High School District in the amount of \$15,000 for the term September 1, 2004 through June 30, 2005 for onsite preventive health services at Independence High School, noting retroactive due to summer break and changes in leadership for the High School District. (Funding: Incoming funding from School District)
ADDED TO CONSENT CALENDAR: Approved. 45123
55. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement 384-PHD0604 with Sierra Foothills AIDS Foundation, Inc. in an amount not to exceed \$190,229 for the term July 1, 2004 through June 30, 2005 for Ryan White Title I C.A.R.E. Act services for individuals and families in El Dorado and Alpine Counties who are living with HIV/AIDS, noting retroactive due to processing delays. (Funding: Ryan White CARE funding Agreement with Sacramento County)
ADDED TO CONSENT CALENDAR: Approved. 45123
56. Transportation Department recommending award of construction contract for the Cameron Park Drive Intersection Improvements at Meder Road Project 73127 to the lowest responsive bidder Martin Brothers Construction, Inc. in the amount of \$560,717; and Chairman be authorized to sign Agreement for same subject to review and approval by County Counsel and Risk Management; and Interim Director of Transportation be authorized to issue necessary contract Change Orders in the amount of \$33,643 for the County's share of the supplemental items, noting subject to approval of right-of-way acquisitions and easements in previous Consent items.
ADDED TO CONSENT CALENDAR: Approved. 45123

BOARD OF SUPERVISORS TO CONVENE AS THE IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY (IHSS) TO CONSIDER THE FOLLOWING:

60. Human Services Department recommending the following:

(1) Receive and file the first annual In-Home Supportive Services Public Authority and IHSS Advisory Committee's 2003/2004 fiscal year report; and

(2) Amend IHSS Advisory Committee By-Laws to allow a stipend of \$10.00 per meeting for said Committee members.

BOARD ACTION - Approved.

54123

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY TO ADJOURN

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

TIME ALLOCATION - 2:00 P.M.

80. Consideration of 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) (Continued 10/5/2004, item 80)

BOARD ACTION - On an unanimous vote the Board made the finding that the Planning Commission's decision to deny Design Review application DR03-0002A based upon the project's inconsistency with Policy 2.2.1.5 is inappropriate; said project was remanded to the Planning Department with direction that staff perform the necessary environmental review for same and fully analyze the issue of parking and landscaping; and further directed that, due to the unique circumstances, staff shall apply the building coverage standard in the Zoning Ordinance rather than Policy 2.2.1.5 and that all other general plan, zoning and development standards shall apply and the Planning Director shall have the authority to act upon said application.

43125

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

October 26, 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 54956.9 (a), Existing Litigation:

- Claim of Sahaj-Myers vs County of El Dorado, Worker's Compensation Settlement, WCAB# SAC 0312814; 0316732.

No action reported.

Section 54956.9 (b), Anticipated Litigation:

- Significant exposure to litigation. Title: Long Design Review (DR 03-0002A).

No action reported.