

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**

November 9, 2004 - 8:00 A.M.

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

CLOSED SESSION

Section 54957.6, Conference with Labor Negotiator:

• County Negotiator:

Chief Administrative Officer

Employee Organizations:

El Dorado County Employee's Association, Local 1

Operating Engineers, Local 3

Deputy Sheriff's Association

Deputy County Counsel's Association

Confidential

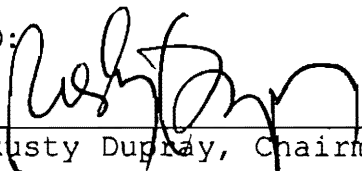
Unrepresented

Criminal Attorney's Association

No action reported.

Original Minutes of the Regular Meeting of the Board of Supervisors on November 9, 2004, attached hereto and approved by the Board on November 30, 2004.

APPROVED:

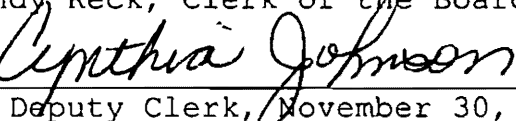


Rusty Dugray, Chairman
November 30, 2004

ATTEST:

Cindy Keck, Clerk of the Board

By



Deputy Clerk, November 30, 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, November 9, 2004 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane
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 and 54 continued to **November 30, 2004**; item 24 pulled from the Consent Calendar for separate action; items 51, 52, 53 and 57 added to Consent Calendar for approval. Consent Calendar approved as modified. 53124

PRESENTATION by Greg Himes, Superintendent of Gold Oak Union School District to acquaint the Board and members of the public with the accomplishments, exciting activities and plans for said District.

PRESENTATION proclaiming November 16, 2004 as "Prematurity Awareness Day" in El Dorado County. 24135

OPEN FORUM**CONSENT CALENDAR**

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

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Budget Transfer 25020 reflecting changes to the following Alcohol/Drug Treatment and Prevention Programs in fiscal year 2004/2005:

(1) Alcohol/Drug Treatment and Prevention Programs increase of \$137,263;

(2) Proposition 36 Substance Abuse and Crime Prevention Program shifting \$132,771 from Special Revenue Account 7740604 to operating index code; and

(3) CalWORKS AOD Treatment Services allocation reflecting a decrease in funding in the amount of \$15,925. (Funding: NNA, Drug MediCal, Proposition 36, CalWORKs)

RECOMMENDED ACTION: Approve, noting said Department uses subcontractors for these programs and due to funding changes the subcontractor agreements will need to be amended.

3. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement with Marshall Medical Center in the amount of \$177,872 for the term September 30, 2004 through September 29, 2005 (consistent with the term of the funding grant) for the El Dorado County Safety Net Technology Project Grant; and Budget Transfer 25018 increasing revenue and expenditure appropriations by \$177,872 for said Project, noting Marshall Medical Center is the fiscal agent and said Department processed as soon as possible following Marshall Medical Center's receipt of grant. (Funding: Incoming funding from Marshall Medical Center's Safety Net Health Information Technology Grant)

RECOMMENDED ACTION: Approve and authorize the purchase of \$7,000 in fixed assets.

4. General Services Department recommending Chairman be authorized to sign Lease Agreement 217-L0511 with Placerville Masonic Center Association, Inc. in the amount of \$7,057.38 per month for the term December 12, 2004 through December 11, 2007 for 7,000 square feet of office space located at 471 Pierroz Road, Placerville for the Probation Department. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

5. General Services Department recommending Chairman be authorized to sign Amendment 002 to Agreement 625-S0311 with Reinard W. Brandley extending the term from May 13, 2003 through November 13, 2007 with no increase in compensation for engineering services for various County airport facility projects.

RECOMMENDED ACTION: Approve, noting the extension of term is necessary to track with the estimated completion time for airport master plan activities.

6. 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) (Continued 10/26/2004, item 7)

RECOMMENDED ACTION: Approve.

7. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easement and Certificate of Acceptance from Lincoln Trust Company, FBO Sandra Mathews/Barry Coon for property located in the vicinity of the Placerville Airport.

RECOMMENDED ACTION: Approve.

8. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Gary A. Brooks and Cynthia L. Brooks, Oliver A. Heim, Walter W. Miller, Richard L. Munoz, Donald C. Nelsen, Julia A. Nystrom, Richard Shipman and Christine Shipman, and Scott A. Zutter and Sally L. Zutter for property located in the vicinity of the Cameron Airpark.
RECOMMENDED ACTION: Approve.

9. Planning Department recommending Chairman be authorized to sign Agreements with El Dorado County and Georgetown Divide Resource Conservation Districts in the amount of \$42,488 each, plus billings, for fiscal year 2004/2005 for project reviews and separate billings for the Surface Mining and Reclamation Act (SMARA). (Funding: General Fund - Department 15)
RECOMMENDED ACTION: Approve.

10. Building Department recommending the Board find that an independent contractor can continue to more economically and feasibly perform work already contracted in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and Chairman be authorized to sign Amendment 002 to Agreement 394-S0410 with Sunrise Support Services, Inc. extending the term from November 30, 2004 through April 30, 2005 for services to archive individual residential and commercial construction project plans and documents. (Funding: General Fund - \$35,000 is inclusive from Amendment 001 to the Contract and does not include new funding)
RECOMMENDED ACTION: Approve.

11. Transportation Department recommending Chairman be authorized to sign Amendment 001 to Agreement AGMT 03-495 with The California State University, Sacramento Foundation increasing compensation to an amount not to exceed \$475,000 for a term to expire February 9, 2006 for technical support services for said Department. (Funding: Grant funds from California Tahoe Conservancy and Department budgeted NPDES Program funds - Road Fund and General Fund)
RECOMMENDED ACTION: Approve, and authorize Chairman to sign Budget Transfer noting, this does not increase the General Fund obligation for fiscal year 2004/2005.
12. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (2004-39) from William W. Ross for a road right of way, including the underlying fee, landscape easements and slope easements located along Bass Lake Road (APN 108-130-24-100) in El Dorado Hills to accommodate construction of the Bass Lake Road Interim Improvements Project 71353.
RECOMMENDED ACTION: Adopt Resolution **344-2004**.
13. Transportation Department recommending Resolution summarily vacating (AOE 2004-40) one ten-foot wide public utilities easement and to terminate and abandon a rejected offer for one ten-foot wide drainage easement located on the rear boundary line of APN 113-132-11-100, Lot 37 of Village I and L, El Dorado Hills Unit 001, requested by Conrad C. and Dorothy J. Wiederhold to accommodate construction of landscape and deck improvements.
RECOMMENDED ACTION: Adopt Resolution **345-2004**.
14. Transportation Department recommending Resolution summarily vacating (AOE 2004-41) one ten-foot wide and two five-foot wide public utility easements located along the rear and side boundary lines of APN 112-683-06-100, Lot 26 of The Promontory Village 006, Unit 001, requested by Marti J. Hagberg to accommodate construction of a swimming pool.
RECOMMENDED ACTION: Adopt Resolution **346-2004**.

15. Transportation Department recommending the following pertaining to the Dry Creek Bridge Project 77103:

(1) Approve Purchase and Sale Agreement with Andre C. Capella in the amount of \$47,000 for a portion of APNs 069-040-37 and -38;

(2) Chairman be authorized to sign Purchase and Sale Agreement and Certificates of Acceptance for Grant Deeds associated with said Agreement;

(3) Chairman be authorized to sign Grant Deed and Easement from the County to Andre C. Capella for a portion of APN 069-040-45, considered to be excess right of way, in order to effect a boundary line adjustment;

(4) Chairman be authorized to sign Easement Deed from the County to El Dorado Irrigation District (EID) granting a waterline easement on APN 069-040-45 to EID;

(5) Authorize Interim Director of Transportation or her designee to execute escrow instructions and any other related escrow documents pertaining to the transaction including the payment of title and escrow fees; and

(6) Authorize Interim Director of Transportation or her designee to sign any application or other documents related to effecting the boundary line adjustment pursuant to the terms and conditions of the Purchase and Sale Agreement. (Funding: Highway Bridge Replacement and Rehabilitation funds, Regional Surface Transportation Program funds and West Slope Traffic Impact Mitigation fees)

RECOMMENDED ACTION: Approve.

16. Transportation Department recommending Chairman be authorized to sign Grant of Temporary Construction Easement (portion of APN 083-211-02) with Charlie O. Nicolos and Eloise L. Nicolos, CoTrustees of the Revocable Living Trust of February 10, 2004 for the Cameron Park Drive/Meder Road Intersection Signalization Project 73127. (Funding: Traffic Impact Mitigation fees and Regional Surface Transportation Program funds)
RECOMMENDED ACTION: Approve.

17. Transportation Department recommending Chairman be authorized to sign Escrow Agreement for Security Deposits In Lieu of Retention with Syblon Reid Construction, Inc. and American River Bank for the Green Valley Road at Dry Creek Bridge Replacement Project 77103.
RECOMMENDED ACTION: Approve.

18. Supervisor Sweeney recommending County Surveyor be authorized to issue a Certificate of Compliance for APN 325-180-13 requested by Joseph A. and Sonya H. Lujan.
RECOMMENDED ACTION: Approve.

19. Sheriff Department recommending adoption of Resolution authorizing the Chairman to sign Amendment 004 to the Joint Powers Agreement with the Cities of Placerville and South Lake Tahoe establishing a service authority for the abatement of abandoned vehicles.
RECOMMENDED ACTION: Adopt Resolution **349-2004**, noting Amendment eliminates the five-year "sunset" provision consistent with statutory changes relating to vehicle abatement.

20. Chief Administrative Office recommending Chairman be authorized to sign Amendment 001 to Memorandum of Understanding 183-M0511 with El Dorado Local Agency Formation Commission (LAFCO) for the provision of quarters, equipment, supplies, and services in accordance with the Cortese-Knox Hertzberg Act. (Funding: Revenue to County from LAFCO (estimated revenue). Actual revenue will vary depending upon service usage.)

RECOMMENDED ACTION: Approve.

21. Chief Administrative Office recommending Resolution amending the Salary and Benefits Resolution for Unrepresented Employees to provide a one-time lump-sum payment, as outlined in said Resolution, less the necessary and customary deductions required by law, for each regular permanent unrepresented employee employed by the County and who participated in the County Health Plan as of June 30, 2004 (excluding extra-help or temporary employees), subject to California Public Employees Retirement System requirements or restrictions, and not affiliated with any permanent salary increase or adjustment of the salary schedule. (Funding: fiscal year 2004/2005 impact will be approximately \$145,984 of which \$94,889.60 or 65% is General Fund and \$51,094.40, or 35% is Non-General Fund)

RECOMMENDED ACTION: Adopt Resolution 350-2004.

22. Supervisor Solaro recommending Joyce Blackstone be re-appointed to the Tahoe Resource Conservation District.

RECOMMENDED ACTION: Approve

23. Chief Administrative Office recommending award of Bid 05-070-027 for ten (10) Police Interceptor Vehicles for General Services, Fleet Management. (Funding: Fleet Operating Budget and State Grant to Sheriff)

RECOMMENDED ACTION: Authorize blanket purchase order to Placerville Ford of Placerville, CA, in the amount of \$248,538 including sales and tire tax, and authorize Purchasing Agent to place additional orders on an "as-requested" basis if funding is available within said Department's budget.

24. Consideration of the proposed changes to the County Purchasing Ordinance, including the delegated signature authority on contracts and limitations pertaining to same to be **continued off calendar**.

RECOMMENDED ACTION: Approve. **Staff directed to report back to the Board on December 7, 2004.** 24135

25. General Services Department recommending the following pertaining to El Dorado County Court Facilities Plan:

(1) Clarify the use of funds identified within said Facilities Plan and dedicate a portion of the funding of support costs associated with staff time and outside consultant services;

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

(3) Authorize Chairman to sign Agreement 298-S0511 with CYS Structural Engineers, Inc. in an amount not to exceed \$22,070 for a one year term for structural engineering services relating to seismic evaluation at the Main Street Courthouse Building; and

(4) Authorize Chairman to sign Budget Transfer increasing estimated revenue by \$125,000 including appropriations for outsourced consultant services and County staff services. (4/5 vote required)

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 **Resolution 347-2004** adding lighting related services to the Texas Hill Road Zone of Benefit 98112 within County Service Area 009.

BOARD ACTION - Continued to November 30, 2004 upon adoption of the Agenda at the request of the General Services Department which advised legal notice requirement had not been met. 53124

51. Public Health Department recommending Chairman be authorized to sign Retroactive Amendment 001 to Agreement 03-498-01 with QS Technologies, Inc. effective October 1, 2004 to restructure the time line and related payments for the Public Health Medical Clinic Management Insight Software System and add an additional component to the system CHDP Module required for California clients due to the State's inability to complete Health Information Portability and Accountability Act (HIPAA) complaint transactions prior to the mandated deadline of October 16, 2003, noting this additional module increases the contract by \$9,468. (Funding: Public Health Realignment)

ADDED TO CONSENT CALENDAR: Approved. 53124

52. Treasurer-Tax Collector recommending Chairman be authorized to sign Agreement 248-S0510 with Allen Haim in an amount not to exceed \$9,000 for a one year term to review deferred compensation plans for the County and make recommendations pertaining to same, noting County Counsel and Risk Management have disapproved this agreement due to a non-standard indemnity clause and lack of insurance provisions. The Board has approved similar agreements with this consultant in the past. (Funding: General Fund)

ADDED TO CONSENT CALENDAR: Approved. 53124

53. Library Director recommending Chairman be authorized to sign Budget Transfer 25016 increasing estimated revenue by \$26,000 for books for the El Dorado Hills Library, said transfer is necessary to meet the local funding requirements for eligibility for the State Public Library Fund. (4/5 vote required)
ADDED TO CONSENT CALENDAR: Approved. 53124

54. Supervisor Baumann, on behalf of Gary Figor, recommending adoption of Resolution of Intention authorizing Planning Department staff to proceed with a public hearing process to consider changing the General Plan land use designation and zoning for a portion of APN 099-160-13 from Low Density Residential and TPZ, Timber Production Zone to Commercial-Platted Lands, and APN 099-160-14 from Commercial and Planned Commercial to Low Density Residential and RE-5, Estate Residential Five-Acre, said change is necessary to correct an error made by staff when the Pleasant Valley Area Plan was adopted and has been carried through the adoption of the 1996 and 2004 General Plans.
BOARD ACTION - Continued to **November 30, 2004** at the request of Supervisor Baumann upon adoption of the agenda. 53124

55. Supervisor Sweeney requesting Board direction to Parks and Recreation staff pertaining to the management of the skateboard park constructed at the fairgrounds by the Placerville Rotary Club.
BOARD ACTION - Board referred this matter to County Parks and Recreation with direction that the El Dorado County Youth Commission be involved in this issue. 31245

56. Board may consider adoption of a Resolution declaring a local emergency if it is found that conditions of extreme peril to the safety of persons and property exists. (Item 54, 11/2/2004)
BOARD ACTION - Resolution **351-2004** adopted extending the declaration of local emergency for an additional three week period. 34125

57. Treasurer-Tax Collector recommending Purchasing Agent be authorized to issue a purchase order to Bank of America in the amount of \$22,944.48 for the term January through April 2004 for banking services. (Funding: Interest earnings)
ADDED TO CONSENT CALENDAR: Approved. 53124
58. Transportation Department recommending the Board uphold the finding of the denial of a credit for traffic impact fees by the Interim Director of Transportation to Gregory Kiefer and Amy Hoffman for property located in the Shingle Springs area (APN 087-170-08) is consistent with the Traffic Impact Fee Policy.
BOARD ACTION - Based on information provided this date, the Board denied the recommendation of the Interim Planning Director and granted the Appellants credit for traffic impact fees. 24135
59. Supervisor Baumann recommending two members of the Board of Supervisors be appointed to a subcommittee to develop recommendations for the creation of a County Agricultural Sign Committee to implement a County-wide signage program for all agricultural operations.
BOARD ACTION - Board appointed Supervisors Baumann and Paine to develop options and choices for Board approval with regard to the creation of said Committee. 23145
60. Chief Administrative Office recommending the following pertaining to award of Bid 05-207-043 for toner cartridges on an "as-needed" basis County wide:
- (1) Receive the results of said Bid;
 - (2) Authorize purchase order in the amount of \$150,000 for a twelve month period following Board approval to the awarded bidder; and

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(3) Authorize an increase to blanket purchase order on an "as-needed" basis during the awarded period if funding is available within each requesting department's budget. (Funding: General Fund and Non-General Fund)

BOARD ACTION - Board waived all irregularities and non-responsive bids and awarded Walker's Business Products and Services the bid for toner cartridges in the amount of \$150,000. 34125

TIME ALLOCATION - 10:00 A.M.

70. Supervisor Baumann requesting Chairman be authorized to sign a letter to the County Fire Marshall approving a request by Pyro Spectaculars, Inc. to conduct a private fireworks display on private property on Saturday, November 27, 2004, contingent upon full compliance of requirements, contracts and permits as directed by fire control authorities and local officials.

BOARD ACTION - Approved. 25134

TIME ALLOCATION - 10:30 A.M.

71. Chief Administrative Office recommending the following pertaining to the First Progress Report on Strategic Plan for Health Benefits Program:

(1) Approve in concept the recommendations presented in the "El Dorado County Health Plan Advisory Committee, October 6, 2004, First Progress Report on Strategic Plan for Health Benefits Program";

(2) Direct staff to continue the strategic planning process pertaining to same; and

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(3) Authorize staff to begin work for the implementation of said recommendations, more specifically, Human Resources to return to the Board for authority to initiate related employee negotiations and Risk Management to return to the Board with specific implementing recommendations, such as vendor contract amendments, subject to further review of said recommendations by the Health Plan Advisory Committee.

BOARD ACTION - Board thanked the Health Plan Advisory Committee for its work in this regard and approved recommendations as set forth. 3514 2(n)

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

72. Human Services Department recommending the following pertaining to Memorandum of Understanding (MOU) for independent IHSS providers:

(1) Authorize Chairman to sign MOU 2004-2007 with United Domestic Workers of America, NUHHCE, AFSCME, AFL-CIO for the term December 1, 2004 through November 30, 2007;

(2) Authorize Chairman to sign Budget Transfer 25017 increasing estimated State revenues and corresponding expenditures by \$300,000 to provide health benefits to IHSS providers in accordance with provisions of the MOU;

(3) Approve the fixed asset purchase of a multi-media projector in the amount of \$2,000 for training presentations and an image scanner in the amount of \$3,000 to automate document filing; and

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Continued from Page 15

(4) Authorize the Public Authority to submit a revised Consortium Rate for the remainder of fiscal year 2004/2005 to the State Department of Social Services. (Funding: State, Federal, Sales Tax Revenue)

BOARD ACTION - Approved.

2315 4(np)

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY TO ADJOURN

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

The Board of Supervisors adjourned in memory of Suzanne Reed who passed away on November 5, 2004.