

Original Minutes of the Regular Meeting of the Board of Supervisors on February 1, 2005, attached hereto and approved by the Board on February 8, 2005.

APPROVED:

*Charlie Paine*

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Charlie Paine, Chairman  
February 8, 2005

ATTEST:

Cindy Keck, Clerk of the Board

By *Cynthia Johnson*  
Deputy Clerk, February 8, 2005

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**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, February 1, 2005 - 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

**CHARLIE PAINE**  
Fourth District  
Chairman

**RUSTY DUPRAY**  
First District

**HELEN K. BAUMANN**  
Second District

**JAMES R. SWEENEY**  
Third District  
Second Vice Chairman

**DAVID A. SOLARO**  
Fifth District  
First 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 3, 4, 21 and 29 pulled from the Consent Calendar for separate action; and item 60 added to the Consent Calendar for approval. Consent Calendar approved as modified. 32145

**OPEN FORUM**

**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of January 25, 2005.  
**RECOMMENDED ACTION:** Approve.
  
2. Release of Lien (on file with the Clerk.)  
**RECOMMENDED ACTION:** Authorize Chairman to sign.
  
3. Public Health Department requesting authorization to provide letters of support and to collaborate with El Dorado Hills Community Vision, Inc. to provide assistance in obtaining a Substance Abuse and Mental Health Services Administration and Office of National Drug Control Policy (SAMHSA) Drug Free Communities Support Program Grant for drug free activities, tobacco education and prevention at the new Teen Center in El Dorado Hills.  
**RECOMMENDED ACTION:** Approve. 21345
  
4. Public Health Department requesting advanced step placement of Nina Huggett at Step 5 of the salary range for the position of Public Health Nurse II, effective February 7, 2005. (Funding: State Communicable Disease Program)  
**RECOMMENDED ACTION:** Approve. 23145

5. Public Health Department recommending Chairman be authorized to sign Amendment 001 to Agreement 197-S0511 with Koefran Industries of Sacramento in an amount not to exceed \$20,000 for a one (1) year period for disposal of small animal carcasses collected throughout the County by said Department's Animal Control Division. (Funding: General Fund)  
**RECOMMENDED ACTION:** Approve.
  
6. Public Health Department requesting authorization for payment of funds owed to Tahoe Youth and Family Services in the amount of \$7,329 as a result of the final Cost Report for services provided in Fiscal Year 2003/2004. (Funding: NNA Funding from the State)  
**RECOMMENDED ACTION:** Approve.
  
7. Human Services Department recommending Resolution authorizing Chairman to sign Contract 05B-5312 with the California Department of Community Services and Development in the amount of \$606,751 for the term January 1, 2005 through December 31, 2005 for Low-Income Home Energy Assistance Program (LIHEAP) services to eligible residents of El Dorado and Alpine Counties; and authorizing Director of said Department to execute further documents relating to same, including amendments thereto that do not affect maximum dollar amount or term, and subsequent required fiscal and programmatic reports and to perform any and all responsibilities pertaining to same. (Funding: Federal Grant Funds)  
**RECOMMENDED ACTION:** Adopt Resolution **018-2005**, noting retroactive Contract was received from the State on January 3, 2005.
  
8. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 376-S0511 with Henning Mehrens M.D. dba Tahoe Urgent Care Medical Clinic in an amount not to exceed \$20,000 for a two (2) year term for drug testing, including urinalysis collection and written analysis of test findings on an "as-requested" basis for clients of Child Protective Services and CalWORKS. (Funding: General Fund)  
**RECOMMENDED ACTION:** Approve.

9. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 330-S0511 with Jane B. Smith and Agreement 330-S0511 with Vanna E. Williams in an amount not to exceed \$20,000 each, for a two year term for "as-requested" therapeutic counseling services for participants of CalWORKS and Child Protective Services. (Funding: General Fund)

**RECOMMENDED ACTION:** Approve.

10. Human Services Department recommending the Board find it is more economical and feasible to perform work in accordance with County Ordinance Chapter 3.13; and Chairman be authorized to execute El Dorado County Public Guardian Usage License Agreement 478-S0411 with CompuTrust Software Corporation in an amount not to exceed \$39,861.21 for first year implementation and usage fees, with ongoing annual usage fees not to exceed \$12,624, exclusive of a potential annual noticed and indexed COLA. (Funding: General Fund, Federal MAA Earned Revenues)

**RECOMMENDED ACTION:** Approve, noting vendor liability is limited to amount of the annual license fees and said Department proposing a perpetual Agreement.

11. General Services Department recommending appointment of Linda Faircloth to the Fernwood Cothrin Road Zone of Benefit Advisory Committee (CSA 9 Zone 114).

**RECOMMENDED ACTION:** Approve.

12. General Services Department, Division of Airports, Parks, and Grounds, recommending Chairman be authorized to sign Assignment and Amendment of Airport Land Use Lease between Randy Johnson and Dan Hacker for a portable hangar at the Georgetown Airport.

**RECOMMENDED ACTION:** Approve.

13. Environmental Management Department recommending Resolution authorizing submittal of the 2004/2005 Waste Tire Enforcement Grant application to the State of California Environmental Protection Agency, California Integrated Waste Management Board. (Funding: CSA 10)  
**RECOMMENDED ACTION:** Adopt Resolution **019-2005**.
  
14. Transportation Department recommending Resolution acknowledging but rejecting Irrevocable Offer of Dedication (2004-68) from Promontory Investors, L.P. for a drainage easement located on properties identified as APN 830-05-100, -06, -07 on Lots 34, 35 and 36 of The Promontory Village 004, in El Dorado Hills necessary due to recent grading and the installation of new drainage facilities.  
**RECOMMENDED ACTION:** Adopt Resolution **020-2005**.
  
15. Transportation Department recommending Resolution acknowledging but rejecting Irrevocable Offer of Dedication (IOD 2004-67) from Promontory Investors, L.P. for a drainage easement located on properties identified as APN 112-830-02-100, -03, and 04 on Lots 30, 31, and 32 of the Promontory Village 004, in El Dorado Hills necessary due to recent grading and the installation of new drainage facilities.  
**RECOMMENDED ACTION:** Adopt Resolution **021-2005**.
  
16. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-14) from Asghar Agheli for a road right of way, including the underlying fee, and slope easement located on a segment of Hollow Oak Road (APN 108-120-15-100) in El Dorado Hills 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 Resolution **022-2005**.

17. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-66) for a road in fee from Rolling Hills Christian Church for property (APN 108-040-33-100) located on White Rock Road in El Dorado Hills necessary to accommodate road widening at the entrance to said Church.  
**RECOMMENDED ACTION:** Adopt Resolution **023-2005**.
  
18. Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD 2004-60) from Todd R. and Phyllis A. Prangley for a road right of way, in fee, and a public utilities easement located on Grizzly Flat Road (APN 093-110-34-100) necessary to satisfy a condition of approval for Certificate of Compliance COC 89-56.  
**RECOMMENDED ACTION:** Adopt Resolution **024-2005**.
  
19. Transportation Department recommending Resolution to summarily vacate (AOE 2004-44) one five-foot wide public utility easement and to terminate and abandon a rejected offer for a five-foot wide drainage easement located on the southerly boundary line of APN 107-750-04-100 Ridgeview West Unit 001, Lot 14, requested by Reef R. Mowers to accommodate planned construction of a retaining wall on said lot.  
**RECOMMENDED ACTION:** Adopt Resolution **025-2005**.
  
20. Transportation Department recommending Resolution to summarily vacate (AOE 2005-0001) to terminate and abandon the rejected Offer of Dedication for two ten-foot wide public utilities easements located along the side and rear boundary lines of APN 110-172-06-100, Lot 72 of The Summit, Unit 001, requested by Reza Kelantari necessary to accommodate planned construction of said lot.  
**RECOMMENDED ACTION:** Adopt Resolution **026-2005**.
  
21. Transportation Department submitting the General Plan Traffic Impact Mitigation Fee Program Progress Report.  
**RECOMMENDED ACTION:** Receive and file. 32145

22. Transportation Department submitting the annual Impact Fee Program Compliance Report for fiscal year 2003/2004 as required by Government Code Section 66006.

**RECOMMENDED ACTION:** Receive and file.

23. County Service Area 010 consideration of bid documents for the construction of Storage Building Project 013-PW-04/05) at the Union Mine Landfill.

**RECOMMENDED ACTION:** Approve, and authorize Chairman to sign bid documents and Environmental Management Department to advertise for bids to be received no later than 2:00 p.m., Tuesday, March 8, 2005.

24. Planning Department recommending the Board find that it is more economical and feasible to obtain an outside contractor for the preparation of an Environmental Impact Report (EIR) in accordance with County Ordinance 3.13.030 for the 76 Gas Station and Circle K Mini-Mart and Chairman be authorized to sign the following Agreements for same: (Funding: Applicant provides funding for EIR)

(1) Agreement with Pacific Municipal Consultants, in the amount of \$88,630 for a term to expire December 30, 2005 for preparation of said EIR;

(2) Reimbursement Agreement with ConocoPhillips Company in the amount of \$7,400 for funding of County costs for preparation of said EIR; and

(3) Reimbursement Agreement with ConocoPhillips Company in the amount of \$88,630 for funding of Consultant costs.

**RECOMMENDED ACTION:** Approve.



25. Chief Administrative Office recommending award of Bid 05-570-063 to the sole qualified bidder, Del Paso Pipe and Steel of Sacramento, California, in the amount of \$20,000 including sales tax, for a three month period for various types of steel for the Department of Transportation. (Funding: DOT Road Fund/Non-General Fund)

**RECOMMENDED ACTION:** Approve, and authorize Purchasing Agent to extend the blanket purchase order in three (3) month increments for a total of twelve (12) months if the vendor agrees to the extension with the same pricing, terms and conditions, and increase the blanket purchase order on an "as-needed" basis during the awarded period if funding is available within the requesting Department's budget.

26. Chief Administrative Office recommending Chairman be authorized to sign Funding Agreement with El Dorado Fire Safe Council in the amount of \$20,000 for a term to expire June 30, 2006 for the Residential Chipper Program. (Funding: General Fund)

**RECOMMENDED ACTION:** Approve.

27. Chief Administrative Office recommending award of Bid 05-293-058 for pipes and couplers for the Department of Transportation. (Funding: DOT Road Fund)

**RECOMMENDED ACTION:** Authorize blanket purchase order to the sole qualified bidder Blain Stumpf Trucking of Shingle Springs, California in the amount of \$13,496, including sales tax, for a twelve (12) month period and authorize an increase to same on an "as-needed" basis during the awarded period if funding is available within the requesting Department's budget.

28. Chief Administrative Office recommending award of Bid 05-115-061 for a hazardous material storage building for the Environmental Management Department. (Funding: Supplemental HHW Property Tax Assessment - Non-General Fund)

**RECOMMENDED ACTION:** Authorize purchase order to the low qualified bidder Ideal Environmental of Gilroy, California in the amount of \$15,080, including sales tax for same.

29. County Counsel recommending appointment of Michael Ciccozzi at Step 4 of the salary range for the position of Deputy County Counsel IV. (Funding: General Fund)  
**RECOMMENDED ACTION:** Approve. 35124

**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. Public Health Department recommending Resolution adopting the January 2005 Sacramento Sierra Valley Children's Health Initiative Regional Project Charter, thereby declaring the County as a formal member of its Governing Body; and recommending a representative or designee be appointed from El Dorado County Board of Supervisors to the Regional Governance Group.  
**BOARD ACTION** - Resolution 029-2005 adopted, and Supervisor Baumann was appointed as the Board's representative and Supervisor Sweeney was appointed as the alternate on said Group. 34125

51. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$8,230.07 to Frederic L. Dame Inc. and \$4,431.57 to Global Discoveries Ltd. from the sale of tax defaulted property (APN 108-030-05-100) on November 7, 2003.  
**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller. 51234

52. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$6,092.59 to Timothy Collins, Dennis Collins and Mary Jacobs from the sale of tax defaulted property (APN 076-112-04-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

53. Hearing to consider recommendation of Auditor-Controller disburse excess proceeds in the amount of \$15,603.10 to Brian A. Cutter from the sale of tax defaulted property (APN 041-531-09-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

54. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$29,673.80 to Rosanna Pantaleo and Mary Lou Valentine from the sale of tax defaulted property (APN 040-300-01-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

55. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$1,982.88 to Heavenly Valley Townhouses from the sale of tax defaulted property (APN 500-202-26-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

56. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$8,912.38 to the El Dorado County Auditor-Controller's Office and \$0 to Sammy Cemo from the sale of tax defaulted property (APN 108-275-14-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

57. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$302.94 to Jacob Bercu and Janie Workman from the sale of tax defaulted property (APN 500-030-85-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

58. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$3,376.47 to Allied Trustee Services, Inc. and \$1,044.06 to Joseph P. Garvin, \$313.15 to Barbara Ann LaBarbera, \$242.67 to Emery P. Fournier and \$7,031.27 to Unclaimed from the sale of tax defaulted property (APN 108-340-10-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

59. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$3,775.84 to Allied Trustee Services, Inc. \$762 to Joseph P. Garvin, \$288.55 to Barbara Ann LaBarbera, \$177.11 to Emery P. Fournier and \$3,820.18 to Unclaimed from the sale of tax defaulted property (APN 108-340-09-100) on November 7, 2003.

**BOARD ACTION** - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.

51234

60. Hearing to consider adoption of Resolution approving the Latrobe Fire Protection District Capital Improvement Plan and Development Impact Fees for same. **(Staff recommending item be continued off calendar)**  
**ADDED TO CONSENT CALENDAR:** Continued off calendar.  
32145
61. Supervisors Dupray and Baumann requesting the Board approve the proposed lease between the County of El Dorado and the El Dorado Hills Water/Fire Protection District for use of the former fire station on Lassen Lane in El Dorado Hills as a Senior Center; and recommending staff of the Human Services and General Services Departments be directed to initiate the appropriate process for preparing/remodeling of same. (12/14/04, item 58)  
**BOARD ACTION** - Approved, subject to County Counsel resolving any insurance issues. 21345
62. Supervisor Dupray, on behalf of several citizens represented by Mr. Van L. Dossey, recommending discussion regarding the publication of Grand Jury Reports.  
**BOARD ACTION** - Board directed staff to work with members of the Grand Jury and other interested parties to provide alternatives pertaining to publication and distribution of said Report and return to the Board with same on **March 29, 2005**. 31245
63. Chief Administrative Office presenting updated list of business and legislative memberships included in the County Budget for fiscal year 2004/2005. (Referred 11/30/04, item 43)  
**No formal action taken; however, by consensus, Chief Administrative Office was directed to clearly identify memberships, contributions and inter-governmental transactions in the budget documents.**

64. Chief Administrative Office recommending Chairman be authorized to sign the following Retroactive Funding Amendments for Federal Forest Reserve Title III Projects for Fiscal Year 2004/2005:

(1) Amendment 007 with El Dorado County Fire Safe Council increasing compensation by \$235,128 to an amount not to exceed \$684,380 and extending the term for one additional year through June 30, 2006; and

(2) Amendment 001 with Cameron Park Community Services District increasing compensation by \$40,000 to an amount not to exceed \$105,000 and extending the term for two additional years through June 30, 2006.

**BOARD ACTION** - Approved. 51234

65. Report on the formal policy pertaining to the fiscal review process of agenda items prior to being presented to the Board. (Referred 12/14/2004, item 67)  
**BOARD ACTION** - Board received and filed the draft "Fiscal Review Process" Policy B-12 and directed staff return to the Board with the final Policy on **March 1, 2005**. 52134

**TIME ALLOCATIONS - 10:00 A.M.**

70. Assessment and Community Facilities District Bond Screening Committee recommending adoption of the following Resolutions pertaining to the formation of El Dorado County Community Facilities District No. 2005-1 (Blackstone) (Valley View Specific Plan):

(1) Resolution approving Deposit and Reimbursement Agreement;

(2) Resolution approving Boundary Map;

Continued from Page 13

(3) Resolution of Intention to form said District and authorize levy of special tax and issuance of special tax bonds consisting of the following exhibits; and setting hearing for **Tuesday, March 8, 2005, at 10:00 a.m.** on the establishment of said District:

(a) Exhibit A - Description of Authorized Facilities;

(b) Exhibit B - List of Incidental Expenses;

(c) Exhibit C - Rate and Method of Apportionment

(4) Resolution Declaring Intention to Incur Bonded Indebtedness.

**BOARD ACTION** - Approved, and Resolution Nos. 030-3005, 031-2005, 032-2005, and 033-2005 adopted accordingly. 15234

71. Safety Net Provider Network and Public Health Department updating the Board on the progress to date with regard to The Health Alliance Strategic Plan Projects and the three Action Areas pertaining to the use of the Tobacco Master Settlement Agreement Funding/Action Plan Implementation. (ACCEL Initiative)  
**No action taken.** Board received and filed update.

#### CAO REPORTS

#### ITEMS TO/FROM SUPERVISORS

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

80. Hearing to consider an amendment (Z03-0004) to County Ordinance Code, Chapter 17.25, Flood Damage Prevention, which will bring said Code into consistency with federal law.  
**BOARD ACTION - Hearing continued off calendar. 31245**

**ADJOURNMENT**

**CLOSED SESSION ROSTER**



**Regular Meeting of the Board of Supervisors**

**February 1, 2005 - 8:00 A.M.**

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

**Section 54957, Public Employee Performance Evaluation:**

- Title: Director of Public Health  
**No action reported.**

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

- Foothill Residents for Appropriate Land Use v. El Dorado County, El Dorado County Board of Supervisors, El Dorado County Planning Commission, Peninsula Capital Group, Superior Court Case No. PC20040220.

**Continued to February 8, 2005.**