


Original Minutes of the Regular Meeting of the Board of Supervisors on February 15, 2005, attached hereto and approved by the Board on March 1, 2005.

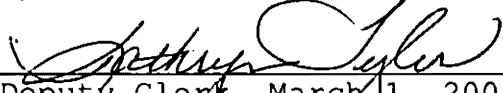
APPROVED:



Charlie Paine, Chairman
March 1, 2005

ATTEST:

Cindy Keck, Clerk of the Board

By 

Deputy Clerk, March 1, 2005

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 15, 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 13, 32, 33, 34 and 35 pulled from Consent Calendar for separate action; and Consent Calendar approved as modified. 35124

OPEN FORUM

CONSENT CALENDAR

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of February 8, 2005.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Budget Transfer 25080 increasing revenue and expenditure appropriations by \$21,000 in Fiscal Year 2004/2005 due to the receipt of a Grant from the Judicial Council of California Collaborative Justice Courts Project for "court-ordered" substance abuse services to juveniles in El Dorado County. (Funding: Judicial Council of California) (4/5 vote required)

RECOMMENDED ACTION: Approve.

3. Public Health Department recommending Chairman be authorized to sign Agreement 416-PHD0105 with El Dorado County Community Health Center in an amount not to exceed \$950,000 from Tobacco Master Settlement Agreement (MSA) funding previously set aside for "One Stop Safety Net Facilities" to assist with upgrades necessary with the expansion of said Center's medical facility; and Budget Transfer 25075 increasing Community Health Center appropriations by \$950,000 for said expansion. (Funding: Tobacco Master Settlement Agreement funds)

RECOMMENDED ACTION: Approve.

4. Public Health Department recommending Chairman be authorized to sign Amendment 002 to Agreement 372-PHD0504 with EDCA Lifeskills, Amendment 002 to Agreement 373-PHD0504 with Progress House, Inc., and Amendment 002 to Agreement 374-PHD0504 with Sierra Recovery Center adjusting allowable services to ensure that funding for Proposition 36 Alcohol and Drug Treatment Services for Fiscal Year 2004/2005 is available for services throughout the entire grant period.

RECOMMENDED ACTION: Approve.

5. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement 414-PHD1204 with Marshall Medical Center in an amount not to exceed \$40,000 for the term January 1, 2005 through December 31, 2005 for physician/consultant/liaison services in support of the requirements for the El Dorado County Safety Net Project in conjunction with ACCEL Initiative. (Funding: HRSA Community Access Program Grant)

RECOMMENDED ACTION: Approve, noting Agreement is retroactive due to change in method to acquire needed services.

6. Public Health Department recommending Chairman be authorized to sign Retroactive Agreement 403-PHD1004 with El Dorado Hills Community Vision, Inc. in an amount not to exceed \$18,480 for the term October 1, 2004 through September 30, 2005 to provide a Grant Coordinator for the fifth and last year of the grant with the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, Drug Free Communities for the purpose of addressing the drug problems of youth in the El Dorado Hills area. (Funding: Grant)

RECOMMENDED ACTION: Approve, noting Agreement is retroactive as to term due to delays in arranging insurance that meets County requirements.

7. Human Services Department recommending Chairman be authorized to sign Memorandum of Understanding 262-M0511 with El Dorado County Department of Human Services and El Dorado County Mental Health Department in the amount of \$325,000 for the term November 1, 2004 through June 30, 2005 for a total amount not to exceed \$1,229,000 through June 30, 2007 for Wraparound services (SB 163) to children and their families to reduce the number of children placed in out-of-home foster care and for promoting family reunification. (Funding: General Fund - 60% from Department 15, 40% from State - MOU includes \$452,000 per year for fiscal year 2005/2006 and 2006/2007)
RECOMMENDED ACTION: Approve.
8. Human Services Department recommending Chairman be authorized to sign Agreement 326-S0511 with Lori Ann Renfro in an amount not to exceed \$20,000 for a two year term for therapeutic counseling services for participants of CalWORKs and Child Protective Services. (Funding: General Fund/Realignment)
RECOMMENDED ACTION: Approve.
9. Human Services Department recommending Budget Transfer 25076 transferring \$3,600 from the Senior Services Fund to Fixed Asset Purchases for replacement of a Persona C25 Color Card Printer for Senior Nutrition participants' identification cards required for State mandated data reporting. (Funding: Senior Services State Grant funds)
RECOMMENDED ACTION: Approve.
10. Human Resources Division recommending Chairman be authorized to sign Amendment to the Memorandum of Understanding with El Dorado County Employees Association, Local 1 extending the term of the current labor agreement through **March 4, 2005**. (Continued 2/8/2005, item 5)
RECOMMENDED ACTION: Approve.

11. Human Resources Division recommending Chairman be authorized to sign Letter of Agreement with El Dorado County Employees Association, Local 1 (EDCA) extending employment provisions for Seasonal Senior Engineering Technician and Engineering Technician/Engineering Aide positions for a term to expire February 17, 2006 to allow for time to explore the possibility of expanding the program to the Tahoe Basin and making said program permanent, and incorporating modifications to address procedural and administrative concerns of the Department of Transportation. (Funding: General Fund - Costs included in DOT Fiscal Year 2004/2005 budget)
RECOMMENDED ACTION: Approve.

12. Auditor-Controller requesting authorization to remove fixed assets from the County's fixed asset records as outlined in Schedules A and B of Agenda Transmittal dated January 29, 2005.
RECOMMENDED ACTION: Approve.

13. Assessor recommending advance step placement of Edgar D. Brown and Peggy A. Bourland-Madison at Step 5 of the salary range for the positions of Senior Appraiser, Temporary Extra-Help.
RECOMMENDED ACTION: Approve, noting Ms. Bourland-Madison's approved hire date is retroactive to January 11, 2005. 12345

14. General Services Department recommending Notice of Completion for the Community Services Parking Lot Repair Project under contract with Martin General Engineering, Inc.
RECOMMENDED ACTION: Authorize Chairman to sign and said Notice be filed with the Recorder-Clerk.

15. General Services Department recommending Chairman be authorized to sign Amendment 001 to Agreement 032-S0511 with Brian Shinault Architect, Inc. increasing compensation by \$24,000 to a total amount not to exceed \$62,250 for additional services for the South Lake Tahoe Animal Control Remodel Project 04-15. (Funding: General Services Fiscal Year 1004/2005 CIP budget)
RECOMMENDED ACTION: Approve.

16. Planning Department submitting final map for Serrano Village G, Unit 9 (TM01-1375F) in the El Dorado Hills area; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Roads and Agreement for Acceptance of Drainage Easements with Serrano Associates.

RECOMMENDED ACTION: Approve.

17. Transportation Department recommending Chairman be authorized to sign Agreement 04-721 with Fehr and Peers Associates, Inc. in an amount not to exceed \$300,000 for a two (2) year term to provide traffic engineering services associated with transportation planning, development review and signal review on an "as-needed" basis. (Funding: Various) (Continued 2/8/2005, item 17)

RECOMMENDED ACTION: Approve.

18. Transportation Department recommending the following pertaining to the preparation of plans, specifications and estimates for the proposed improvements to the U.S. Highway 50/Missouri Flat Interchange:

(1) Find that pursuant to Article II, Section 210b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and that the ongoing aggregate of the work performed under this Amendment is not sufficient to warrant the addition of permanent staff;

(2) Authorize Chairman to sign Agreement AGMT04-671 with Quincy Engineering, Inc. in an amount not to exceed \$3,497,000 for a term to expire December 31, 2010; and

(3) Authorize Chief Administrative Officer to sign Amendments to said Agreement for additional services as may be required to perform future tasks necessary to complete said Project up to an amount not to exceed \$175,000. (Funding: State TIM Fee Fund)

RECOMMENDED ACTION: Approve.

19. Transportation Department recommending Resolution to summarily vacate (AOE 2004-42) one five-foot wide and one ten-foot wide public utilities easement and terminate and abandon a rejected offer for one five-foot wide and one ten-foot wide drainage easement located on the northerly side and westerly rear boundary lines of (APN 113-131-13-100) Lot 13 of Village I & L, El Dorado Hills Unit 001, requested by Michael H and Dana M. Hewitt as Co-Trustees of the Hewitt Living Trust, dated July 12, 2002 to accommodate planned construction of improvements on said lot.

RECOMMENDED ACTION: Adopt Resolution 035-2005.

20. Transportation Department recommending Performance Bond 929313098 be reduced by \$692,011.35 to \$212,578.65 for Serrano Village A Unit 6 Subdivision (TM00-1370)

RECOMMENDED ACTION: Approve.

21. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter, there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and that the ongoing aggregate of the work performed under this Agreement is not sufficient to warrant the addition of permanent staff; and Chairman be authorized to sign Agreement AGMT 04-752 with HDR Engineering, Inc. in an amount not to exceed \$300,000 for a one (1) year term for program/project management services for the development and delivery of projects on U.S. Highway 50 from the Sacramento County line east to the Placerville city limits. (Funding: Traffic Impact Fee Programs)

RECOMMENDED ACTION: Approve, noting work requires expertise in freeway geometry and state highway project management and represents peak in workload that will go away with project completion.

22. Transportation Department recommending Chief Administrative Officer be authorized to execute the following Amendments to "as-needed" equipment rental Agreements, subject to minor revisions and County Counsel and Risk Management approval:

(1) Amendment 001 to Agreement 03-254 with Advance Scaffold, Inc. and Amendment 001 to Agreement 03-269 with Spider, A Division of California SafeWorks, L.P., increasing compensation for Spider by \$5,000 and extending term for each agreement an additional three (3) years through February 28, 2008;

(2) Amendment 002 to Agreement 274-S0310 with Herrmann Equipment, Inc. and Amendment 002 to Agreement 373-S0310 with Hertz Equipment Rental Corporation and Amendment 002 to Agreement 339-S0310 with United Rentals Northwest, Inc. and Amendment 002 to Agreement 335-0311 with NationsRent West, Inc., increasing compensation for United Rentals by \$15,000 and for NationsRent by \$45,000 and extending term for each agreement an additional three (3) years through February 28, 2008; and

(3) Amendment 003 to Agreement 219-S0310 with Neff Rental, Inc., increasing compensation by \$45,000 and extending term for agreement an additional three (3) years through February 28, 2008. (Funding: Road Fund - \$100,000 total amount budgeted in 2005/2006, 2006/2007 and 2007/2008)

RECOMMENDED ACTION: Approve.

23. Transportation Department recommending Chairman be authorized to sign Road Improvement Agreement AGMT 04-601 with KFRD Investments, Inc. for the construction of a traffic signal and intersection improvements at Durock Road and Business Drive in accordance with the Barnett Business Park Unit II improvement plans. (Funding: Traffic Impact Fees)

RECOMMENDED ACTION: Approve.

24. Agriculture, Weights and Measures Department recommending Chairman be authorized to sign Budget Transfer 25074 increasing estimated revenues and expenditure appropriations by \$7,500 as a result of Economic Development Grant funding received from Pacific Gas & Electric Company for Fiscal Year 2004/2005 to offset implementation of the Agricultural Districts signage and for a complete analysis of Agricultural District Boundaries. (Funding: Grant) (4/5 vote required)

RECOMMENDED ACTION: Approve.

25. County Counsel recommending Chairman be authorized to sign Amendment 002 to Agreement with Barkett & Gumpert increasing the rate of compensation to \$175 per hour, and other non-substantive changes, commencing on January 1, 2005 for prosecution of the County of El Dorado v. First Federal Properties, et al. lawsuit.

RECOMMENDED ACTION: Approve.

26. Treasurer/Tax Collector recommending annual renewal of delegation of fiduciary authority to the Treasurer/Tax Collector to invest, re-invest, sell or exchange securities for the County.

RECOMMENDED ACTION: Approve.

27. Treasurer/Tax Collector recommending Resolution approving the list of properties five or more years defaulted to be sold at a sealed bid tax sale scheduled for Friday, April 29, 2005.

RECOMMENDED ACTION: Adopt Resolution 037-2005.

28. Chief Administrative Office recommending award of Bid 05-680-050 for two (2) infrared cameras for the Sheriff's Department. (Funding: Homeland Security Grant/Non-General Fund)

RECOMMENDED ACTION: Authorize purchase order to the sole qualified bidder DTC Communications, Inc. of Nashua, New Hampshire in the amount of \$38,396, including sales tax.

29. Chief Administrative Office recommending Chairman be authorized to sign Memorandum of Understanding with El Dorado County Local Agency Formation Commission (LAFCO) concerning employers/employee relations.

RECOMMENDED ACTION: Approve, noting Agreement reflects LAFCO's withdrawal from the County's Worker's Compensation Program.

30. Chief Administrative Office, Procurement and Contracts Division, recommending the Purchasing Agent be authorized to issue the following Blanket Purchase Orders utilizing the County Office of Education's Purchasing Contract in accordance with County Ordinance 3.12.12C for a term to expire December 31, 2005 and authorize an increase to same if funding is available in the Central Stores and Print Shop Inventory budget: (Funding: General Fund/Homeland Security Grant)

(1) Office Depot of West Sacramento, California in the amount of \$15,000 for white bond paper;

(2) Unisource Corporation of West Sacramento, California in the amount of \$75,000 for colored NCR and white bond paper;

(3) Unisource Corporation of West Sacramento, California in the amount of \$80,000 for janitorial goods and janitorial liners;

(4) J. C. Nelson Supply of Fairfield, California in the amount of \$10,000 for janitorial chemicals;

(5) J. C. Nelson Supply of Fairfield, California in the amount of \$10,000 for janitorial utensils; and

(6) All American Poly of Piscataway, New Jersey in the amount of \$10,000 for janitorial liners.

RECOMMENDED ACTION: Approve.

31. Supervisor Dupray requesting the Board approve an expenditure of \$130 to match the same amount pledged by the City of Placerville for artwork to be presented to officials in Warabi, Japan in recognition of the 30th Anniversary of the Sister City Program.
RECOMMENDED ACTION: Approve.
32. Supervisor Sweeney recommending the Board reaffirm his appointment as the representative and Supervisor Paine as the alternate to the El Dorado Water and Power Authority Negotiating Committee.
RECOMMENDED ACTION: Approve.
Board reaffirmed the appointment of Supervisor Sweeney as the representative and appointed Supervisor Baumann as the alternate to said Committee. 23145
33. County Service Area 10 recommending modifications to the Standard Terms and Conditions to Purchase Order 2500332 with Ingersoll Rand Energy Systems for the purchase of three microturbines and a three year service agreement for the gas-to-energy project at the Union Mine Disposal site. (Funding: CSA 10 Special Revenue Funding)
RECOMMENDED ACTION: Approve, authorize Purchasing Agent to issue an amended purchase order.
Approved, contingent upon review and approval by the Auditor/Controller. 12345
34. County Service Area 10 recommending the Board find that it is more economical and feasible to contract out services in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and Chairman be authorized to sign Amendment 001 to Agreement 005-04/05 with Chris Charrette, dba CDC Consulting increasing compensation by \$29,500 to a total amount not to exceed \$39,500 for assistance with solid and liquid waste management assessments and quality assurance/quality compliance procedures at the Union Mine Wastewater Facility. (Funding: Non-General Fund, Special Revenue Funds, \$29,500 CSA 10)
RECOMMENDED ACTION: Approve. 21345

35. Chief Administrative Office recommending Section 1418 of the Salary and Benefits Resolution for Unrepresented Employees be amended adding a new paragraph that provides a 5% pay differential for those employees in specific accounting-related classifications that possess a Certified Public Accountant General (CPA "G") Certificate.

RECOMMENDED ACTION: Approve, Resolution 041-2005 adopted. 12345

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 Community Development Block Grant application in the amount of \$500,000 for Economic Enterprise Fund Component Round 2 grant; and adoption of Resolution authorizing submission of said proposal to the State Department of Housing and Community Development, authorizing the Chairman to execute the Statement of Assurances, and the Director of Human Services Department to act on behalf of the County in all matters pertaining to said application and to execute an Agreement and Amendments that do not affect the dollar amount or term if the application is funded, noting the County's match is staff time valued at \$5,000. (Funding: State Grant, if funded)

BOARD ACTION - Hearing no protests, Resolution 039-2005 adopted. 53124

51. Hearing to consider recommendation of Auditor-Controller to disburse excess proceeds in the amount of \$33,515.32 to Cimarron Trustee Services and \$1,971.05 to CalPERS Investment Office from the sale of tax defaulted property (APN 085-262-07-100) on November 7, 2003.

BOARD ACTION - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.
15234

52. Hearing to consider recommendation of the Auditor-Controller to disburse excess proceeds in the amount of \$80,668.17 to Steven H. and Nancy L. Perry from the sale of tax defaulted property (APN 032-313-16-100) on November 7, 2003.

BOARD ACTION - Hearing no protests, Board approved disbursement as recommended by the Auditor-Controller.
15234

53. Mental Health Department recommending Resolution amending Authorized Personnel Allocation Resolution 313-2004 **adding** one .5 Utilization Coordinator position, one .5 Senior Medical Office Assistant position, one .25 Medical Office Assistant II position, one Program Manager position and one Administrative Technician position, and **deleting** one Administrative Secretary position for an increase in the Personnel Allocation by 2.25 positions at a total cost of \$66,026 for Fiscal Year 2004/2005 to support the planning and implementation of Proposition 63, the Mental Health Services Act (MHSA). (Funding: To be absorbed within current year budget if necessary, Prop 63 planning funds will be requested for Fiscal Year 2004/2005; and Prop 63 planning funds in fiscal year 2005/2006 and subsequent years are expected to cover increased staffing)

BOARD ACTION - Resolution 040-2005 adopted. 35124

54. Staff updating the Board on proposed changes to County Ordinance 8.08.070 concerning campfires and enforcement of same. (Continued 2/8/2005, item 50)

BOARD ACTION - Continued to **March 1, 2005** at the request of County Counsel. 12345

55. Supervisors Dupray and Sweeney recommending the Board consider requests from outside agencies pertaining to the donation of surplus ambulances; and further recommending staff report back to the Board on **March 15, 2005** with a process and timeline to determine donations or sales of said ambulances.

BOARD ACTION - Board requested the El Dorado County Regional Prehospital Emergency Services Operation Authority Board (Ambulance Joint Powers Authority) return to the Board in 30 days with a policy relating to the disposal of used ambulances on the following priority basis: (1) in County; (2) best service out of County; and (3) sell of said ambulances. 31245

56. Supervisor Baumann requesting the Board approve the final design for replacement signage and authorize the Fair Play Winery Association to upgrade the directional signage within the Fair Play viticultural area.

BOARD ACTION - Board approved the placement of upgraded directional signs within the designated areas as shown on the map presented this date; and directed the Development Services Director to expedite the approval process for the two kiosks. 24135

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

February 15, 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: Veterans Affairs Director
Continued to March 1, 2005.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Human Resources Director
Employee Organization: Operating Engineers, Local 3: Corrections, Probation, Trades and Crafts; Deputy Sheriffs Association; El Dorado County Employees Association, Local 1: General, Supervisory, Professional, Criminal Attorney's Association.
Unrepresented Employee: Unrepresented Management, Confidential, Elected, Unrepresented Department Heads.
No action reported.

A G E N D A A D D E N D U M N O . 1

Regular Meeting of the Board of Supervisors El Dorado County, California

Tuesday, February 15, 2005 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane
Placerville, California

CLOSED SESSION

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

- Foothill Residents for Appropriate Land Use vs El Dorado County, El Dorado County Board of Supervisors, El Dorado County Planning Commission, Peninsula Capital Group, Superior Court Case No. PC20040220.
BOARD ACTION - On a unanimous vote, the Board authorized the Chairman to execute a settlement agreement.
- El Dorado County Taxpayers et al. vs EDC (General Plan Lawsuit) Sacramento County Superior Court #96-CS-01290.
No action reported.

Section 54956.9(b) - **Anticipated Litigation:**

- Significant exposure to litigation.
Title: Claim by Cameron Park Airport District re ERAF funding.
No action reported.

Section 54956.9(c) - **Anticipated Litigation:**

- Initiation of litigation.
No action reported.

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

- Title: Director of Information Technology.
No action reported.