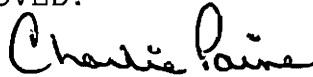


Original Minutes of the Regular Meeting of the Board of Supervisors on March 1, 2005, attached hereto and approved by the Board on March 8, 2005.

APPROVED:



Charlie Paine, Chairman
March 8, 2005

ATTEST:

Cindy Keck, Clerk of the Board

By 
Deputy Clerk, March 8, 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, March 1, 2005 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
co.el-dorado.ca.us/bos

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 item 21 pulled from the Consent Calendar for separate action; item 52 continued to March 8, 2005; and Consent Calendar approved as modified.

35124

PRESENTATION proclaiming March 1, 2005, as "Friends of NRA (National Rifle Association) Gun Safety Day" in El Dorado County.

BOARD ACTION - Proclamation adopted.

31245

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of February 15, 2005.
RECOMMENDED ACTION: Approve.

2. Public Health Department recommending said Department be authorized to act as Fiscal Agent to assist Barton Memorial Hospital and Marshall Medical Center in applying for Public Health Preparedness and Response to Bioterrorism Program Funding in the amount of \$213,640 for Fiscal Year 2004/2005 from the Health Resources and Services Administration (HRSA) Cooperative; and Chairman be authorized to sign Certification assuring that said funding will not be used to supplant funding for existing levels of public health activities. (Funding: Grant)
RECOMMENDED ACTION: Approve.

3. Mental Health Department recommending the Board find that an outside contractor can more economically and feasibly perform services in accordance with County Ordinance 3.13.030; and Chairman be authorized to sign Agreement 454-S0511 with 7th Avenue Center, LLC in an amount not to exceed \$75,000 for a one year term for long-term 24-hour special treatment for mentally ill adults on an "as-requested" basis for said Department. (Funding: Non-General Fund, Realignment Sales Tax)
RECOMMENDED ACTION: Approve.
4. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 405-S0511 with Progress House, Inc. in the amount of \$100,000 for a two (2) year term for therapeutic counseling services, substance abuse treatment, anger management and urinalysis testing on an "as requested" basis for participants of CalWORKs and Child Protective Services. (Funding: General Fund, Realignment)
RECOMMENDED ACTION: Approve.
5. Environmental Management recommending Resolution authorizing the submittal of the Local Government Waste Tire Cleanup Grant Program Application for Fiscal Year 2005 to the California Integrated Waste Management Board. (Funding: CSA 10)
RECOMMENDED ACTION: Adopt Resolution 042-2005.
6. General Services Department recommending Resolutions calling for a mailed ballot election set for May 3, 2005 to consider the establishment of a special tax for road maintenance and improvement services for Ryan Ranch Road Zone of Benefit 98102 and the Oak Leaf Circle Road Zone of Benefit 98113 within County Service Area 009.
RECOMMENDED ACTION: Adopt Resolutions 043-2005 and 044-2005.

7. Library Director recommending Chairman be authorized to sign Budget Transfer 25091 increasing allocation for the Literacy Program in the amount of \$6,169 as a result of monies received from the State Library Literacy Grant and increasing allocations to South Lake Tahoe Library in the amount of \$3,000 and to the Cameron Park Library in the amount of \$750 from donations by their respective Friends of the Library. (Funding: No General Fund Impact) (4/5 vote required)

RECOMMENDED ACTION: Approve.

8. Transportation Department recommending the following pertaining to Stonebriar, Unit 006 (TM 90-1200):

(1) Accept the subdivision improvements as complete;

(2) Reduce Performance Bond 3SM04464200 to \$214,380.10 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance, if there are no defect or warrantee claims; and

(3) Hold previously posted Laborers and Materialsmen Bond 3SM04464200 in the amount of \$1,069,574 to guarantee payment to persons furnishing labor, materials or equipment, and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Approve.

9. Transportation Department recommending Chairman be authorized to sign Agreement 04-717 with the City of South Lake Tahoe for the term March 1, 2005 to February 28, 2006 for the loan of flow monitoring equipment to the City of South Lake Tahoe for initial studies on the City's East Pioneer Trail Drainage Study Environmental Improvement Program (EIP) Project.

RECOMMENDED ACTION: Approve.

10. Transportation Department recommending adoption of Resolution of Vacation (AOE 2005-0002) to abandon portions of two five-foot wide public utilities easements located on the northwesterly and southeasterly boundary lines of the property identified as (APN 108-560-55-100) Stonebriar Unit 4, Lot 24 in El Dorado Hills, requested by Steven L. and Nancy A. Frost to accommodate the planned construction of a swimming pool.
RECOMMENDED ACTION: Adopt Resolution 045-2005.
11. Transportation Department recommending adoption of Resolution of Vacation (AOE 2004-25) to terminate and abandon the rejected Offer of Dedication for one ten-foot wide drainage easement located midway through (APN 067-763-08-100) Vista Del Lago Unit 1, Lot 19 in El Dorado Hills requested by Patricia E. Ryan and Kevin D. Procida to accommodate planned construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution 046-2005.
12. Transportation Department recommending adoption of Resolution of Vacation (AOE 2004-23) to terminate and abandon the rejected Offer of Dedication for one ten-foot wide drainage easement located in the northerly portion of the property and running in an easterly to westerly direction of (APN 067-761-02-100) Vista Del Lago Unit 1, Lot 2 in El Dorado Hills, requested by Mary E. McCaffrey to accommodate planned construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolution 047-2005.
13. Transportation Department recommending Right of Way Unit staff be authorized to proceed with the acquisition process of portions of the following parcels: Nina Brown (APN 327-190-32); Weldy Family Trust of May 20, 1999 (APN 327-211-04); and Northern California Conference Association of 7th Day Adventist (APN 327-140-02) for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317. (Funding: State Transportation Impact Mitigation Fees)
RECOMMENDED ACTION: Approve.

14. Transportation Department recommending reduction of subdivision securities for Serrano Village G, Units 1 through 9 by \$3,769,459.70 leaving individual balances of \$1,627,353.30 for Performance Bonds 929313093, 929313093-01, -02, -03, -04, -05, -06, -07 and -08.
RECOMMENDED ACTION: Approve.

15. Transportation Department recommending Resolution amending Resolution 245-81 sanctioning the installation of STOP signs at the following specific sites: (Funding: Road Fund Discretionary)

(1) Bancroft Drive at its intersection with Beechwood Drive;

(2) Brittany Way at its intersection with Mormon Island Drive;

(3) Country Club Drive at its intersection with Rustic Road;

(4) Park Drive at its intersection with Arches Avenue; and

(5) Mother Lode Drive at its intersection with Pleasant Valley Road.

RECOMMENDED ACTION: Adopt Resolution 048-2005.

16. Sheriff's Department recommending Board adopt Resolution continuing the state of local emergency (Fred's Fire) if it is found that conditions of extreme peril to the safety of person and property exists. (2/8/2005, item 53)

RECOMMENDED ACTION: Adopt Resolution 049-2005.

17. Auditor-Controller, on behalf of the County of El Dorado Assessment and Community Facilities District Screening Committee (Bond Screening Committee), recommending the following consultants to serve the County, as requested, for future proposed debt issuances and process for the formation of the Laurel Oaks Community Facilities District: Orrick, Herrington & Sutcliffe as Bond Counsel; Fieldman, Rolapp & Associates as Pricing Advisor; Economic & Planning Systems as Special Tax Consultant; Bender Rosenthal, Incorporated, Appraiser; Jones Hall as Disclosure Counsel; and Westhoff, Cone & Holmstedt as the Underwriters.

RECOMMENDED ACTION: Approve, and Chairman be authorized to sign contracts with same, subject to the approval of contract language by County Counsel and Risk Management.

18. Auditor-Controller, on behalf of the County of El Dorado Assessment and Community Facilities District Screening Committee (Bond Screening Committee), recommending the following consultants to serve the County, as requested, for future proposed debt issuances of the Community Facilities District 2001-1 (Promontory): Orrick, Herrington & Sutcliffe as Bond Counsel; Fieldman, Rolapp & Associates as Pricing Advisor; Economic & Planning Systems as Special Tax Consultant; Bender Rosenthal, Incorporated, Appraiser; Jones Hall as Disclosure Counsel; and Westhoff, Cone & Holmstedt as the Underwriters. (Funding: Cost borne by developers and CFD)

RECOMMENDED ACTION: Approve, and Chairman be authorized to sign contracts with same, subject to the approval of contract language by County Counsel and Risk Management.

19. Information Technologies recommending Chairman be authorized to sign Amendment 2 to Agreement 074-S0410 with El Dorado County Office of Education in an amount not to exceed \$29,500 for a two year term for the operation and maintenance of County television/video production equipment and production of live telecasts and/or video recordings of the Board of Supervisors meetings. (Funding: General Fund, Fiscal Year 2004/2005)
RECOMMENDED ACTION: Approve.
20. Chief Administrative Office, Procurement and Contracts Division, recommending a one-year extension of Bid 04-680-086 with Sierra Police Supply of Sacramento, California for soft body armor for the Sheriff's Department for a term to expire March 15, 2006.
RECOMMENDED ACTION: Authorize an increase to blanket purchase order in the amount of \$11,610 and increase blanket purchase order on an "as needed" basis during the awarded period if funding is available within said Department's budget. (General Fund)
21. Human Resources Division recommending the Board find that it is more economical and feasible to obtain an outside contractor for the provision of sexual harassment training in accordance with County Ordinance 3.13.030; and authorize the Purchasing Agent to execute an Agreement with Renne, Sloan, Holtzman and Sakai in an amount not to exceed \$10,000 upon approval by County Counsel and Risk Management. (Funding: General Fund - to be absorbed within Department budgets) (Continued 2/8/2005, item 20)
RECOMMENDED ACTION: Approve. 25134
22. Clerk of the Board submitting request of El Dorado County and Georgetown Divide Resource Conservation Districts for an informational luncheon meeting with the Board of Supervisors on **Tuesday, May 17, 2005**, from 12:00 noon to 2:00 p.m., in the Main Library Meeting Room.
RECOMMENDED ACTION: Approve.

23. Supervisor Dupray recommending the appointment of Larry R. Nelson as the District I representative to the Fish and Game Committee for a term to expire in January, 2009.

RECOMMENDED ACTION: Approve.

24. Supervisor Solaro recommending the Board waive the application fee for a variance for an encroachment into the rear yard setback; said variance to facilitate a solution to allow Jennifer Kracht to sell her South Lake Tahoe residence.

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 050-2005 approving the Capital Improvement Plan and adopting the Development Impact Fees for Latrobe Fire Protection District. (Funding: Planning Commission)

BOARD ACTION - Resolution 050-2005 adopted. 12345

51. Transportation Department recommending Chairman be authorized to sign the Reimbursement Agreement with Sterling Ranch Associates for the construction of a traffic signal and intersection improvements at Wilson Boulevard and El Dorado Hills Boulevard, noting reimbursement has been included in the updated El Dorado Hills/Salmon Falls Road Impact Fee account and at the time of the update, payment was to be made in Fiscal Year 2004-2005; however, under this agreement the payment is staggered over four years. (Funding: Road Impact Fee (RIF) and Road Fund, reimbursement of 50% third year and 50% fourth year from project acceptance date)

BOARD ACTION - Approved. 13245

52. Chief Administrative Office recommending Chairman be authorized to sign Amendment 1 to Agreement 569-S0411 with Fox Lawson & Associates with no increase in compensation and extending the term from May 24, 2004 through March 31, 2005 for the compensation study; and Auditor/Controller be directed to process the claim in the amount of \$39,000 for services rendered. (Funding: General Fund)

Continued to March 8, 2005 upon adoption of the Agenda at the request of the Auditor/Controller. 35124

53. Chief Administrative Office recommending appointment of Philip B. Dold as the Interim Director of Information Technologies with advanced step placement at Step 5 of the salary range for the position of Director of Information Technologies, effective February 21, 2005.

BOARD ACTION - Approved. 32145

54. Auditor-Controller and Chief Administrative Officer recommending the Board adopt Policy B-12, "Fiscal Review Policy", with changes that expressly exempts investment-related decisions made by the Treasurer-Tax Collector; and the Auditor-Controller to note the date the agenda items and all information regarding same are received that are affected by this Policy. (Referred 2/1/2005, item 65)

BOARD ACTION - Approved. 12345

55. Staff updating the Board on proposed changes to County Ordinance 8.08.070 concerning campfires and enforcement of same. (Continued 2/15/2005, item 54)

BOARD ACTION - Continued off calendar. 13245

TIME ALLOCATION - 10:00 A.M.

60. Hearing to consider appeal of the Employee Relations Officer's determination pertaining to the proposed El Dorado County Management Association. (Continued 1/25/2005, item 80)

BOARD ACTION - Board denied the appeal and confirmed the composition of the Bargaining Unit as proposed by the Director of Human Resources. 45123

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

80. Hearing to consider adoption of Ordinance 4663 amending the Right to Farm Ordinance (204-0006), Chapter 17.13, Section 17.13.020 (A) and (B) and adding Sections 17.13.060, 17.13.070 and 17.13.080 reflecting language changes pertaining to the notification of prospective buyers and land regarding agricultural protection setbacks required from agricultural land and timberland.

BOARD ACTION - The Board acted as follows:

- Found that the amendment is not a project as defined by Section 15378 of the California Environmental Quality Act (CEQA) Guidelines;
- Waived reading, read by title only and adopted ORDINANCE 4663 approving the rezone amending Chapter 17.13; and
- Referred the "Local Option Real Estate Transfer Disclosure Statement" to the Agricultural Commissioner to incorporate changes discussed this date with consultation with County Counsel.

32145

81. Chief Administrative Officer recommending the Board receive and file the Mid-Year Budget Status Report for fiscal year 2004/2005 and budget projection for fiscal years 2006-2010.

No formal action taken; however, by consensus the Chief Administrative Officer and Auditor/Controller were directed to return to the Board on March 15, 2005 with both a modified recommendation with regard to retiree health program charges for fiscal year 2005/2006 and a schedule of events between now and March 2006 pertaining to the establishment of a tax qualified trust fund and restructuring of the retiree health program.

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

March 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: Veterans Affairs Director
No action reported.

Section 54957.6, Conference with Labor Negotiator:

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

Section 54956.9(a), Existing Litigation:

- Stargazer Ranch LLC v. County of El Dorado
No action reported.

Section 54956.9(b), Anticipated Litigation:

- Significant Exposure to Litigation - Title:
Cameron Park Airport District
No action reported.