

Original Minutes of the Regular Meeting of the Board of Supervisors on May 3, 2005, attached hereto and approved by the Board on May 10, 2005.

APPROVED:

Charlie Paine

Charlie Paine, Chairman
May 10, 2005

ATTEST:

Cindy Keck, Clerk of the Board

By

Stephan Tyler

Deputy Clerk, May 10, 2005

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**

Tuesday, May 3, 2005 - 8:00 A.M.

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

CLOSED SESSION

Section 54956.9(a) - Existing Litigation:

- El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case CIV.S-02-1818 GEB DAD; and El Dorado County v. California Department of Transportation, et al., Superior Court of California-County of Sacramento, Case No. 03CS00003.

No action taken.

Section 54956.9(c) - Anticipated Litigation:

- Initiation of litigation: One case.

No action taken.

Clarification of Consent Calendar Item 15, (refer to Agenda 5/3/05, Page 5)

15. Auditor-Controller recommending the following pertaining to the TRAN (Tax and Revenue Anticipation Note) Program:

- (1) Authorize the Auditor-Controller to prepare the final program application for the 2005 California Statewide Pooled TRANS Program for an amount not to exceed **\$25,000,000;**
- (2) Adopt "local agency" Resolution 111-2005 authorizing the County's participation in the 2005 TRAN Program; and
- (3) Direct the Treasurer-Tax Collector to invest the proceeds of the TRAN in a separate and distinct pool and that investments be in conformance in all respects with the County's Investment Policy.

RECOMMENDED ACTION: Approve and adopt Resolution 111-2005.

DEPARTMENT MATTERS

53. Department of Transportation recommending award of construction contract for Cameron Park/Mira Loma Drive Intersection Improvements, Contract 73124 to the lowest responsive bidder Granite Construction Company in the amount of \$685,685.24; and Chairman be authorized to sign Agreement for same, subject to review and approval by County Counsel and Risk Management and Interim Director of said Department to issue necessary Contract Change Orders in the amount of \$41,200 for the County's share of supplemental items.

BOARD ACTION - Approved.

14235

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

May 3, 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 54957.6, Conference with Labor Negotiator:

- **County Negotiator: Director of Human Services
Unrepresented Employee: Confidential, County Counsel
Association, Sworn Management, Unrepresented
Management
No action taken.**

Section 54956.9(a), Existing Litigation:

- **El Dorado County Taxpayers et al. v. EDC (General Plan
Lawsuit) Sacramento County Superior Court 96-CS-01290.
No action taken.**

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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, May 3, 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 38 pulled from Consent Calendar for separate action; and items 50 and 51 continued to **May 17, 2005**. Consent Calendar approved as modified. 15234

PRESENTATION to Family Connections in celebration of the 25th Annual Diaper Bail fundraiser to be held Friday, May 6, 2005 for children and families' programs within El Dorado County. 13245

Board presenting awards to winners of the Student Map Drawing Contest hosted by the County and sponsored by a local organization of professional Surveyors, Architects, Geologists and Engineers (S.A.G.E).

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, April 26, 2005.

RECOMMENDED ACTION: Approve.

2. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 413-S0511 with Chemical Dependency Center for Women in an amount not to exceed \$20,000 for a two year period to provide alcohol/drug counseling services, testing, transitional housing, prevention/outreach, parenting skills counseling, and urinalysis on an "as-requested" basis for participants of CalWORKs and Child Protective Services. (Funding: General Fund, realignment)

RECOMMENDED ACTION: Approve, noting \$10,000 budgeted for each fiscal year.

3. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 335-S0511 with Monica B. Silva Ph.D. in an amount not to exceed \$20,000 for a two year period to provide therapeutic counseling to assist with social, psychological, chemical addiction, and/or medical problems on an "as-requested" basis for participants of CalWORKs and Child Protective Services. (Funding: General Fund, realignment)
RECOMMENDED ACTION: Approve, noting \$10,000 budgeted for each fiscal year.
4. Mental Health Department recommending Chairman be authorized to sign Agreement 543-S0511 with Sierra Recovery Center in an amount not to exceed \$277,480 for the term May 8, 2005 through June 30, 2007 to provide substance abuse services for the Tahoe Opportunity Project and the AB2034 Homeless Mentally Ill Program for said Department. (Funding: AB2034 funds)
RECOMMENDED ACTION: Approve, noting funding included in the Department's budget for fiscal year 2005/2007.
5. Mental Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement with ValueOptions, Inc. increasing compensation by \$6,000 for a total amount of \$15,000 to provide specialty Mental Health services for Medi-Cal beneficiaries who are minors and reside out-of-home and out of their county residence. (Funding: Medi-Cal, EPSDT and realignment)
RECOMMENDED ACTION: Approve, noting funding included in the Department's budget for fiscal year 2004/2005.
6. Mental Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement 452-S0411 with Amador County for the period July 1, 2004 through June 30, 2006 for the use of El Dorado County's Psychiatric Health Facility on a fee-for-service basis; said Amendment incorporates Health Insurance Portability and Accountability compliance language.
RECOMMENDED ACTION: Approve.

7. Mental Health Department recommending the appointment of Dianne Fiori to the Mental Health Commission's West Slope Council for a term to expire January 2008.
RECOMMENDED ACTION: Approve.
8. Probation Department recommending Chairman be authorized to sign Agreement 016-S0611 with Solano County Probation-Fouts Springs Youth Facility in the amount of \$3,500 per month per ward commencing July 1, 2005 to provide housing for wards of the juvenile court on an "as needed" basis. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
9. Public Defender's Office recommending Chairman be authorized to sign Agreement 548-S0511 with Ronald R. Homer dba Ronald R. Homer Polygraph and Investigative Services in an amount not to exceed \$20,000 for the term of one year to provide investigative services on an "as-requested" basis for the Public Defender's Office. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
10. Auditor-Controller recommending the Board receive and file report establishing \$10,000 as the capitalization threshold for leasehold improvements to be included in the annual financial reports.
RECOMMENDED ACTION: Receive and file.
11. Auditor-Controller recommending the Board receive and file report identifying each department's record of taking prompt payment discounts for the term November 2003 through June 2004.
RECOMMENDED ACTION: Receive and file.
12. Auditor-Controller submitting results of external audits performed by Bartig, Basler and Ray, Certified Public Accountants and Management Consultants, of the County's financial statements for the year ended June 30, 2004.
RECOMMENDED ACTION: Receive and file results.

13. Auditor-Controller recommending the Board receive and file report summarizing trust fund reconciliations for El Dorado County for fiscal year ended June 30, 2004.
RECOMMENDED ACTION: Receive and file.
14. Auditor-Controller recommending the Board select Bartig, Basler and Ray, CPAs, Inc. of Roseville, California to conduct the County's independent audit for fiscal year ending June 30, 2005.
RECOMMENDED ACTION: Approve and authorize Chairman to sign Amendment to Agreement 044-S0511 in an amount not to exceed \$68,280 upon final review by County Counsel and Risk Management. (Funding: General Fund, costs included in fiscal year 2005/2006 budget)
15. Auditor-Controller recommending the following pertaining to the TRAN (Tax and Revenue Anticipation Note) Program:
- (1) Authorize the Auditor-Controller to prepare the final program application for the 2005 California Statewide Pooled TRANS Program for an amount not to exceed **\$25,000,000**;
 - (2) Adopt "local agency" Resolution 111-2005 authorizing the County's participation in the 2005 TRAN Program; and
 - (3) Direct the Treasurer-Tax Collector to invest the proceeds of the TRAN in a separate and distinct pool and that investments be in conformance in all respects with the County's Investment Policy.
- RECOMMENDED ACTION:** Adopt Resolution **111-2005**.
16. Auditor-Controller recommending, on behalf of the County of El Dorado Assessment and Community Facilities District Screening Committee, that the Board approve the Deposit and Reimbursement Agreements for the future proposed debt issuances and the formation process of Community Facilities District 2005-2 (Laurel Oaks) and future proposed debt issuances of the Community Facilities District 2001-1 (Promontory).
RECOMMENDED ACTION: Authorize Chairman to sign Deposit and Reimbursement Agreements (2) with Pulte Home Corporation and AKT Development.

17. Transportation Department recommending that the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that the ongoing aggregate of work performed under this agreement is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Agreement AGMT 05-831 with BST Services, Inc., dba Blain Stumpf Trucking in an amount not to exceed \$150,000 for the period of one year for as-needed hauling services. (Funding: Road Fund, \$50,000 budgeted for 2004/2005 and \$100,000 budgeted for 2005/2006)
RECOMMENDED ACTION: Approve.

18. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that the ongoing aggregate of work performed under this Amendment is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Amendment 01 to Agreement AGMT 05-766 with Valley Clark Plumbing and Heating dba Clark Plumbing and Heating Company increasing compensation by \$8,000 to a total of \$18,000 for a one year term for as-needed plumbing and heating systems maintenance and repair services at said Department's Shakori Drive facility. (Funding: Road Fund)
RECOMMENDED ACTION: Approve.

19. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (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 Agreement is not sufficient to warrant the addition of permanent staff; and authorizing Chairman to sign Agreement AGMT 05-799 with Economic and Planning Systems, Inc. in an amount not to exceed \$50,000 for a term to expire May 9, 2006 for as-needed professional and technical support services for Capital Improvement Project funding mechanisms. (Funding: TIM, State TIM, Bass Lake PFFP Fees)

RECOMMENDED ACTION: Approve, noting services needed for the Missouri Flat Master Circulation and Funding Plan and Bass Lake Hills Public Facilities Financing Plan.

20. Transportation Department requesting Director of said Department be authorized to issue Change Order 004 in an amount not to exceed \$200,000 to Syblon-Reid General Engineering Contractors increasing scope of services and compensation for labor, equipment, materials and supplies necessary to place additional concrete for a revised structural section for the Green Valley Road at Dry Creek Bridge Replacement Project 77103. (Funding: HBRR, RSTP, TIM) (4/5 vote required)

RECOMMENDED ACTION: Approve.

21. Transportation Department recommending Resolution summarily vacating (AOE 2005-0009) two five-foot wide and one ten-foot wide public utilities easement; and terminate and abandon a rejected offer for two five-foot wide and one ten-foot wide drainage easements located along the side and rear boundary lines of APN 110-370-25-100, Rolling Hills Estates Unit 1, Lot 25, requested by Mark Nelson Ferry and Amie Louise Ferry to accommodate planned construction of improvements on the subject lot.

RECOMMENDED ACTION: Adopt Resolution 112-2005.

22. Transportation Department recommending Resolution summarily vacating (AOE2005-0010) two ten-foot wide public utilities easements located centrally on APN 116-720-01-100, Tract 1, RS 28/6, requested by L. Burton Novack and Manolita R. Novack, Co-Trustees of the Novack Family Living Trust dated November 4, 2002 to accommodate planned construction of improvements on subject lot.

RECOMMENDED ACTION: Adopt Resolution **113-2005**.

23. Transportation Department recommending Resolution accepting Irrevocable Offers of Dedication (IOD 2005-04) for road right of way easements, public utilities easements, and slope easements on APNs 094-130-27-100 and 094-070-37-100 located on Fairplay Road in Somerset, offered by Pines and Vines, L.L.C., a California Limited Liability Company and Leland L. Anderson and Vyvian B. Anderson to satisfy a condition of approval for Boundary Line Adjustment 2004-13.

RECOMMENDED ACTION: Adopt Resolution Nos. **114-2005** and **118-2005** (APN 094-070-37-100/Anderson) and Resolution Nos. **119-2005** and **120-2005** (APN 094-130-27-100/Pines and Vines L.L.C.).

24. Transportation Department recommending the following pertaining to the Missouri Flat Road/El Dorado Road Signalization Project 73125:

- (1) Approve Acquisition Agreement for Public Purposes affecting a portion of APN 325-220-12, owned by Robert A. Ybright and Georgia L. Ybright;
- (2) Authorize Chairman to sign Acquisition Agreement for Public Purposes and Certificate of Acceptance for Deed associated with said Agreement; and
- (3) Authorize Interim Director of said Department or designee to execute Escrow Instructions and any other related escrow documents pertaining to said transaction.

RECOMMENDED ACTION: Approve.

25. Transportation Department recommending the following pertaining to the Missouri Flat/El Dorado Road Signalization Project 73125:

- (1) Approve Acquisition Agreement for Public Purposes affecting a portion of APN 325-220-11, owned by Frederick J. Wentz, Sr. and Ethel E. Wentz, as Trustees;
- (2) Authorize Chairman to sign the Acquisition Agreement for Public Purposes and Certificate of Acceptance for Deed associated with said Agreement; and
- (3) Authorize Interim Directors of said Department or designee to execute Escrow Instructions and any other related escrow documents pertaining to said transaction.

RECOMMENDED ACTION: Approve.

26. Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 443-S0510 with Aramark Uniform and Career Apparel, Inc. increasing compensation by \$35,000 for a total not to exceed amount of \$45,000 for laundry and linen services on an "as-requested" basis County-wide. (Funding: General Fund and Non-General Fund)

RECOMMENDED ACTION: Approve.

27. Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 438-S0510 with Paul Simon dba El Dorado Linen Service increasing compensation by \$20,000 for a total not to exceed amount of \$30,000 for laundry and linen services on an "as-requested" basis County-wide. (Funding: General Fund and Non-General Fund)

RECOMMENDED ACTION: Approve.

28. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 05-290-081 for the purchase of guardrail materials for the Department of Transportation. (Funding: Non-General Fund, Road Fund)
RECOMMENDED ACTION: Authorize blanket purchase order to Interstate Sales of Auburn, California in the amount of \$99,962 including sales tax for a twelve month period from the Department of Transportation's Road Fund and increase the blanket purchase order on an "as-requested" basis during the awarded period if funding is available within the requesting department's budget.
29. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 05-204-103 for the purchase of Cisco Network Equipment to be used Countywide to replace outdated or defective equipment and to facilitate network growth and moves by County Departments to new facilities. (Funding: General and Non-General Fund)
RECOMMENDED ACTION: Authorize blanket purchase order to Level 4 Networks of El Dorado Hills, California in the amount of \$125,000 including sales tax for a twelve month period for the Information Technologies Department.
30. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 05-288-088 for the concrete coating for bridge maintenance projects. (Funding: Non-General Fund)
RECOMMENDED ACTION: Authorize blanket purchase order to D.M. Figley Company, Inc. of Menlo Park, California in the amount of \$10,500 including sales tax for a twelve month period, from the Department of Transportation's Road Fund and increase the blanket purchase order on an "as-requested" basis during the awarded period if funding is available within the requesting department's budget.

31. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 05-055-083 for purchase of child passenger safety seats for the Public Health Department. (Funding: Vehicle License Fees)

RECOMMENDED ACTION: Authorize blanket purchase order to Evenflo Company, Inc. of Kenmore, Washington in the amount of \$9,747 including sales tax for a twelve month period from Public Health Department Vehicle License Fee funding, and increase the blanket purchase order on an "as-requested" basis during the awarded period if funding is available within the requesting department's budget.

32. Chief Administrative Office, Procurement and Contracts Division, recommending the following pertaining to the award of Request for Proposal (RFP) 05-961-087 for household hazardous waste transport and disposal services:

- (1) Find that it is more economical and feasible to obtain an outside contractor to provide necessary equipment and services in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and
- (2) Authorize Chairman to execute an Agreement with Teris, LLC dba MSE Environmental of Camarillo, California in an amount not to exceed \$200,000 for same upon final approval by County Counsel and Risk Management. (Funding: Non-General Fund/Household Hazardous Waste Parcel Assessments)

RECOMMENDED ACTION: Approve.

33. Chief Administrative Office, Procurement and Contracts Division, recommending the following pertaining to the award of Request for Proposal (RFP) 05-575-066 for an image base remittance processing system for the Treasurer/Tax Collector's Office:

- (1) Find that it is more economical and feasible to obtain an outside contractor to provide necessary equipment and services in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and
- (2) Authorize Chairman to execute an Agreement with Netvantage, Inc. of Gaithersburg, Maryland in an amount not to exceed \$108,481.13 for same upon final approval by County Counsel and Risk Management. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

34. Supervisor Sweeney recommending Certificates of Compliance be issued for APNs 085-440-08 and 085-440-09; applicant shall provide the appropriate descriptions to County Surveyor.

RECOMMENDED ACTION: Authorize County Surveyor to prepare and sign the Certificates with the condition to require compliance with the "Fire Safe Regulations" as cited in Section 16.76.080 of the Certificate of Compliance Ordinance 4632, noting this action supersedes the Board action taken on April 19, 2005, item 35.

35. Supervisors Baumann and Sweeney recommending Certificates of Compliance be issued for APNs 093-032-38, -63, and -66 and for the combined parcels 093-032-37 and -62 for the Klare Family Ranch; applicant shall provide appropriate descriptions of said parcels and proof of access for each parcel to a County maintained road.

RECOMMENDED ACTION: Authorize County Surveyor to prepare and sign the Certificates with condition to require compliance with the "Fire Safe Regulations" as cited in Section 16.76.080 of Certificate of Compliance Ordinance 4632, noting this action supersedes the Board action taken on April 19, 2005, item 36.

36. Supervisor Solaro recommending Resolution to approve the use of Highways 89 and 50 for the 1st Annual Reno Tahoe Odyssey Relay Run Adventure; said event will be held along said the State Highways between the County line at Tahoma and South Lake Tahoe through Stateline between the hours of 8:00 p.m. on Friday, July 8, 2005 and 2:00 a.m. on Saturday, July 9, 2005.
RECOMMENDED ACTION: Adopt Resolution 115-2005.
37. Supervisor Solaro recommending Resolution approving and consenting to restrictions of State Highway 89 for the 10th Annual Lake Tahoe Marathon to be held between October 5-9, 2005 around Lake Tahoe and between Tahoe City and South Lake Tahoe from 6:45 a.m. to 1:30 p.m. in addition to the 3-day triathlon events beginning Thursday, October 6-8, 2005.
RECOMMENDED ACTION: Adopt Resolution 116-2005.
38. Supervisor Paine recommending May 5, 2005 be proclaimed as Agricultural Education Day in El Dorado County.
RECOMMENDED ACTION: Adopt Proclamation recognizing the importance of agriculture in our lives and the contributions made by farmers and ranchers in our community. 24135
39. Chief Administrative Office recommending the Board find that it is more economical and feasible to obtain an outside contractor for services in accordance with County Ordinance 3.13.030; and authorize Chairman to sign Agreement with Peterson Consulting, Inc. in an amount not to exceed \$60,000 for a term to expire January 1, 2007 for legislative advocacy services at the State Capitol. (Continued 4/19/2005, Item 54)
(Funding: General Fund, noting services provided at a cost of \$2,500 a month)
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. Chief Administrative Officer presenting final draft policy pertaining to contract administration. (Change in Policy) (Referred 4/19/2005, Item 53)

ADDED TO CONSENT CALENDAR: Continued to May 17, 2005.

15234

51. Supervisor Sweeney recommending the County contract with a project manager for activities within the Missouri Flat Financing Plan area; and the Chief Administrative Officer be directed to create contract specifications, locate, and hire said Project Manager for the Missouri Flat Road area. (Referred 4/19/05 #56)

ADDED TO CONSENT CALENDAR: Continued to May 17, 2005.

15234

52. Chief Administrative Office, Human Resources Division, recommending the following:

- (1) Make findings that it is more economical and feasible to obtain an outside contractor to supplement Human Resources staff to conduct recruitments to fill critical positions; and
- (2) Authorize Chairman to sign Amendment 01 to Agreement 373-S0510 with CPS Human Resource Services increasing compensation by \$28,000 (\$20,000 for professional fees, plus \$8,000 of approved estimated expenses), for a total not to exceed amount of \$38,000 for a term to expire January 4, 2006 for recruitments to fill critical positions. (Funding: Department of Transportation existing fiscal year 2004/2005 budget) (Referred 4/26/05, Item 26)

BOARD ACTION - Approved.

31245

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT