

Original Minutes of the Regular Meeting of the Board of Supervisors on October 18, 2005, attached hereto and approved by the Board on October 25, 2005.

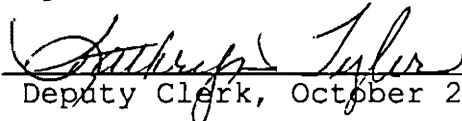
APPROVED:



Charlie Paine, Chairman
October 25, 2005

ATTEST:

Cindy Keck, Clerk of the Board

By _____
Deputy Clerk, October 25, 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
El Dorado County, California**

Tuesday, October 18, 2005 - 8:00 A.M.

BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane
Placerville, California

CLOSED SESSION

Section 54956.8 - Conference with Real Property Negotiator

- This body will hold a closed session to give instructions to its negotiator regarding real property described as portions of APNs 331-620-01 and -02. The persons with whom the negotiator may negotiate are Joyce Shinn, Scott Lawrence Shinn, Thomas Edson Shinn and/or Linda Lou Fine. Instructions to negotiator will concern both price and terms of payment. Negotiator for the County is the Director of General Services.

No action reported.

DEPARTMENT MATTERS:

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Clarification of Agenda Item 52 (refer Agenda Page 11)

52. Supervisor Baumann recommending the Development Services Director work with County Counsel to determine the steps necessary to process a General Plan amendment to revise the Floor Area Ratio and **Impervious Surface** requirements in the El Dorado Hills Business Park and report back to the Board on November 8, 2005 as to when and how this General Plan amendment will be accomplished.

BOARD ACTION - Staff directed to return to the Board on **November 8, 2005** with alternatives for floor area ratio and impervious surface requirements on a County-wide basis.

213 4(np)

54. Auditor-Controller recommending adoption of Resolution 314-2005 establishing the transfer of \$8,119.39 in unclaimed property tax refund to the County general fund in accordance with Revenue and Taxation Code Section 5102.

ADDED TO CONSENT CALENDAR: Resolution 314-2005
adopted. 123 4(np)

55. Supervisor Paine recommending Nancy Housel be appointed to the Child Abuse Prevention Council.

ADDED TO CONSENT CALENDAR: Approved. 123 4(np)

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, October 18, 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

VACANT
Fifth District

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 10 continued to **October 25, 2005**; item 11 pulled from Consent Calendar for separate action; item 23 **continued off calendar**; items 50, 54 and 55 added to the Consent Calendar for approval; and Consent Calendar approved as modified. 123 4(np)

OPEN FORUM**CONSENT CALENDAR**

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1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, October 4, 2005.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Agreement for Services 466-PHD0805 with Sierra Foothills AIDS Foundation, Inc. in the amount of \$34,600 for the term July 1, 2005 through June 30, 2006 to provide Housing Opportunities for Persons With AIDS (HOPWA) Program services to families living with AIDS in El Dorado County, noting Agreement retroactive as to term due to processing delays in granting vendor's request to include administrative costs in the funding amount. (Funding: Incoming funding contract from County of Sacramento)

RECOMMENDED ACTION: Approve.

3. Mental Health Department recommending Chairman be authorized to sign Agreement for Services 060-S0611 with River Oak Center for Children, Inc. in the amount of \$83,000 per year for a two-year term to expire June 30, 2007, for "as-requested" services for severely emotionally disturbed minors residing in said Center. (Funding: MediCal, EPSDT and Realignment Funds)

RECOMMENDED ACTION: Approve.

4. Mental Health Department recommending Chairman be authorized to sign Agreement for Services 177-S0611 with James and Mildred Russ dba Sun West Building Services of California in the amount of \$13,233.96 for a term of one year from date of execution for janitorial services at the Silver Dollar and Third Street Mental Health facilities in South Lake Tahoe. (Funding: Medi-Cal and realignment funds)
RECOMMENDED ACTION: Approve.

5. Human Services Department, Community Services Division, recommending Resolution approving a Linkages Program Targeted Case Management (TCM) Fee Schedule and Waiver Policy for Non-Medi-Cal Clients with annual income guidelines based on, and adjusted annually to Housing and Urban Development (HUD) income eligibility guidelines, with standardized circumstances for waiver or reduction of fees to be charged for face-to-face TCM encounters to be authorized by the Director of said Department or his designee. (Funding: Fees for Service)
RECOMMENDED ACTION: Adopt Resolution 309-2005

6. Human Services Department, Community Services Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 04-35086 with California Department of Health Services, allocating up to \$1,300,000 for Fiscal Year 2005/06 and \$1,500,000 for Fiscal Year 2006/07 and extending the term from July 1, 2004 through June 30, 2007 for claiming federal revenues for allowable Medi-Cal Administrative Activities (MAA) performed by the County; and Director of said Department be authorized to continue to execute documents, including amendments that do not alter dollar amount or term, noting retroactive as to term due to state processing delays. (Funding: Federal MAA Revenues)
RECOMMENDED ACTION: Approve.

7. District Attorney recommending Resolution establishing an imprest cash fund in the total amount of \$600, with \$300 each designated for the Placerville and South Lake Tahoe offices of the El Dorado County District Attorney.

RECOMMENDED ACTION: Adopt Resolution 305-2005

8. Development Services Department, Planning Services Division, submitting final map (TM01-1377) for Serrano Villages K1 and K2, Unit 3; and recommending Chairman be authorized to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Drainage Easements, and Agreement on Conditions for Acceptance of Roads with Serrano Associates, LLC, a Delaware Limited Liability Company. (District I)

RECOMMENDED ACTION: Approve.

9. Development Services Department, Planning Services Division, recommending the Board accept and authorize the recordation of the Notice of Deed Restriction and Covenant to Indemnify the County of El Dorado from Robert S. Larsen and Michelle C. Larsen for Tahoe Paradise, Unit 12, Lot 860, (APN 034-141-05). (District V)

RECOMMENDED ACTION: Approve.

10. Development Services Department, Planning Services Division, recommending introduction of Ordinance amending Title 17, of the El Dorado County Ordinance Code by adding Chapter 17.2.1 entitled Bass Lake Hills Specific Plan Supplemental Tentative Map Submittal Fee; schedule a public hearing to adopt said Ordinance and the companion Fee Resolution implementing said Ordinance and setting the fee amount, method and timing/phasing of payments, and reimbursement; said fees will become effective 60 days from the date of adoption, noting the proposed fee of \$99/dwelling unit will recover the cost of preparing and processing the environmental documents and the Specific Plan for 1,404 dwelling units.

RECOMMENDED ACTION: Waive reading, read by title only and schedule a public hearing on **October 25, 2005** for the adoption of said Ordinance and Resolution.

Introduction of said Ordinance continued to October 25, 2005 and public hearing rescheduled for November 1, 2005. 123 4(np)

11. Auditor-Controller recommending Chairman be authorized to sign Agreement for Services 392-S0611 with Larry D. Klaus in the amount of \$15,000 for a term effective October 18, 2005 through September 30, 2006 for "as-requested" programming services necessary for the modification and maintenance of various data base programs utilized by the Auditor-Controller. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

123 4(np)

12. General Services Department recommending Chairman be authorized to sign Community Enhancement Funding Agreement 340-F0611 with Boys and Girls Club of Lake Tahoe to utilize the unused sum of \$64,067.65 for a term to commence upon execution and expire on September 30, 2006 for the purchase of special athletic equipment and fixtures supporting said agency's operational and program needs. (Funding: Community Enhancement Fund)

RECOMMENDED ACTION: Approve.

13. Library Director recommending Chairman be authorized to sign Addendum 05 to Agreement 069-V9911 with SIRSI Corporation in the amount of \$4,192.50 for a one-time software license fee to complete the automated self-check system for the El Dorado Hills Library; and advising the Board of the perpetual nature of Agreements 069-V9911 and 393-S9911 with SIRSI Corporation and requesting Purchasing Agent be authorized to encumber funds in the amount of \$22,985 for annual maintenance and support of the Library's automated circulation system, member activity tracking database, and Marshall Medical Library's catalog and circulation software program. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
14. Probation Department recommending Chairman be authorized to sign Amendment 01 to Agreement for Services 546-S0511 with Tri-Signal Integrations, Inc., increasing the not to exceed amount to \$24,390 for a one year term commencing June 28, 2005 and increasing the scope of services to include the annual testing, inspections, monthly preventative maintenance, and repairs "as needed" on the CCTV camera, intercom and electronic door controls at the South Lake Tahoe Juvenile Treatment Center. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
15. Recorder-Clerk/Registrar of Voters recommending Resolution approving the application for grant funds available under the Help American Vote Act Elections Assistance for Individuals with Disabilities Section 261 Program; and further recommending ratification of the original application and authorize the Registrar of Voters to execute and administer the subsequent contract proposed by the Secretary of State to provide the County with federal reimbursement funds in the amount of \$18,798.57 designated for education, training and equipment necessary to bring the County into federal compliance.
RECOMMENDED ACTION: Adopt Resolution 306-2005.

16. Transportation Department recommending Resolution amending Resolution 252-1981 establishing parking prohibited zones pursuant to Section 10.12.010 of the County Ordinance Code by **adding** the following:
"No Parking Anytime" along both sides of Jewell Road (No. 2000) from the most northerly intersection with U.S. Highway 50 south for approximately 500 feet.
(Funding: Road Fund Discretionary)
RECOMMENDED ACTION: Approve Resolution 307-2005.
17. Transportation Department recommending Resolution amending Resolution 247-81 establishing speed restrictions pursuant to Section 10.08.020 of the County Ordinance Code by **deleting** Section "(bj) Black Bart Avenue (No. 1351) thirty (30) miles per hour from Pioneer Trail (No. 114) to Martin Avenue (No. 1325)"; and **adding** Section "(eu) Black Bart Avenue (No. 1351) twenty-five (25) miles per hour from Pioneer Trail (No. 114) to Martin Avenue (No. 1325)." (Funding: Road Fund Discretionary)
RECOMMENDED ACTION: Adopt Resolution 308-2005.
18. Transportation Department recommending the following pertaining to the U.S. 50/Missouri Flat Road Interchange Eastbound Ramp Improvements:
- (1) Authorize Chairman to sign the approved plans;
 - (2) Determine that the proposed work may be accomplished pursuant to Public Contracts Code, Section 20395(c);
 - (3) Authorize Director of Transportation to perform work at the earliest possible date using County staff/maintenance workers as day labor and with the work to be performed under the responsibility of a registered civil engineer;
 - (4) Authorize Chief Administrative Officer to amend, if necessary, existing Department of Transportation agreements to support the performance of the work effort including the current agreement for services with Republic Electric for traffic signal work.
(Funding: State Traffic Impact Mitigation Fee Program)
- RECOMMENDED ACTION:** Approve.

19. Transportation Department recommending Chairman be authorized to sign Amendment 03 to Equipment Lease Agreement with Nixon-Egli Equipment Company of Southern California, Inc. increasing the contract amount by \$10,000 to a total amount not to exceed \$160,000 with no extension as to term for the as-needed rental of equipment for road maintenance work, noting this equipment is needed to accomplish the U.S. 50/Missouri Flat Road Interchange eastbound ramp improvements. (Funding: CIP - State Traffic Impact Mitigation fees)

RECOMMENDED ACTION: Approve

20. Transportation Department requesting authorization to participate in the Lake Tahoe Basin 2006 Federal and State Grant Programs with the California Tahoe Conservancy (CTC), the State of California Department of Transportation (Caltrans), the Bureau of Reclamation (BOR), the United States Forest Service (USFS), and any other grant funding opportunities which may arise in the 2005/2006 grant cycle that facilitate Environmental Improvement Program implementation; if awarded, authorize the Director of Transportation or his designee to sign the USFS and BOR award letters, applicable certifications and associated documents required to execute the grants, subject to review by County Counsel; and adopt Resolutions supporting said Department's planning and site improvement grant requests to the CTC for work in the Tahoe Basin.

RECOMMENDED ACTION: Approve and adopt Resolutions 310-2005 and 311-2005.

21. Transportation Department recommending Board find, pursuant to Article II, Section 210b(6) of the El Dorado County Charter that specialty skills not expressly identified in County classifications are required for the work performed under Agreement for Services 05-920 and that the ongoing aggregate of the work performed under this Agreement is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Agreement for Services 05-920 with Radman Aerial Surveys, Inc. for a not-to-exceed amount of \$100,000 for a two-year term expiring October 17, 2007 for "as-needed" aerial surveys and topographic mapping services for West Slope area projects. (Funding: Traffic Impact Mitigation fee program)

RECOMMENDED ACTION: Approve.

22. Supervisor Baumann recommending the Board waive rental fees for the use of the main hall and kitchen areas at the Pioneer Community Park on Saturday, December 3, 2005 for the Indian Diggings Volunteer Club's "Christmas in the Park" fund raising event.

RECOMMENDED ACTION: Approve.

23. Supervisor Paine recommending the remaining portions of the Community Enhancement Funds (\$17,535.78) originally allocated to purchase a Community Services van for Senior Nutrition in December 2001, be reallocated to the Rescue Community Center for repairs to said Community Center's parking lot; and authorize the Director of General Services to execute a contract pending approval by County Counsel.

RECOMMENDED ACTION: Approve. Continued off calendar upon approval of the Consent Calendar. 123 4(np)

24. Chief Administrative Office, Risk Management Division, recommending Board designate Larry Costello, County Safety and Loss Analyst, as the Alternate representative to the California State Association of Counties (CSAC) Excess Insurance Authority (EIA).

RECOMMENDED ACTION: Approve.

25. Chief Administrative Office, Procurement and Contracts Division, recommending award of Request for Proposals (RFP) 06-840-017 and 06-840-018 for the purchase of one Microwave Video Surveillance System and one Portable CCTV Video Surveillance System to be used by the Sheriff's Narcotics Unit; and authorize Purchasing Agent to execute an agreement with TRON-Tek, Inc. of Tulsa, Oklahoma in the amount of \$47,000, plus sales tax and freight charges, for the design and manufacture of said systems, upon review and approval by County Counsel and Risk Management. (Funding: Homeland Security Grant)
RECOMMENDED ACTION: Approve.
26. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-961-014 for "as-requested" county-wide relocation and moving services; and authorize Chairman to sign Agreement with Mother Lode Van and Storage, Inc. in an amount not to exceed \$100,000 for a twelve month term commencing January 1, 2006, upon review and approval by County Counsel and Risk Management. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
27. Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 258-S0510 with Valley Hills Business Equipment, Inc. increasing compensation by an additional \$10,000 for a total amount not to exceed \$20,000 and extending the term one additional year to expire October 20, 2006 for "as-requested" typewriter maintenance/repair and fax machine repair services for departments County-wide. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
28. Chief Administrative Office, Procurement and Contracts Division, recommending Board declare as surplus various vehicles; and authorize Purchasing Agent to dispose of same in accordance with procedures outlined in County Ordinance, Chapter 3.12.
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.

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50. General Services Department recommending Board approve a one year Lease extension per the terms of Lease Agreement 139-L0111 with The Caso Trust at a total cost of \$10,316.25 for a term commencing October 1, 2005 and ending September 30, 2006 with options for two additional one-year terms for 1,667 square feet of office space located at 550 Main Street, Suite A, Placerville, for the El Dorado County Law Library; and authorize the Auditor-Controller to pay retroactive rent in the amount of \$1,146.25 for the month of October, 2005 to said Lessor. (Funding: General Fund)
ADDED TO CONSENT CALENDAR: Approved. 123 4(np)
51. County Counsel recommending the Board adopt the following pertaining to the re-licensing of the Upper American River Project pursuant to direction given on October 4, 2005 (Agenda Item No. 71):
- (1) Resolution **312-2005** approving the execution of the El Dorado - SMUD Cooperation Agreement and the El Dorado Intra-County Coordination Agreement and Notice of Exemption; and
- (2) Resolution **313-2005** approving the First Amendment to the Joint Powers Authority Agreement of the El Dorado Water and Power Authority.
BOARD ACTION - Resolution Nos. **312-2005** and **313-2005** adopted as amended. 213 4(np)

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52. Supervisor Baumann recommending the Development Services Director work with County Counsel to determine the steps necessary to process a General Plan amendment to revise the Floor Area Ratio requirements in the El Dorado Hills Business Park and report back to the Board on **November 8, 2005** as to when and how this General Plan amendment will be accomplished.
Refer Agenda Addendum (attached) for clarification of the request and action on same.

53. Clerk of the Board submitting request of the California State Association of Counties (CSAC) that the Board elect its representative and an alternate to serve on the CSAC Board of Directors in the Year 2006.
BOARD ACTION - Board appointed Supervisor Sweeney as its representative and Supervisor Baumann as the alternate representative. 213 4(np)

10:00 A.M. - TIME ALLOCATION

BOARD OF SUPERVISORS CONVENEED AS THE EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD TO CONSIDER THE FOLLOWING:

60. Public hearing to consider the following pertaining to Amendments to District-wide Fugitive Dust Rules:
- (1) Determine that the Rule amendments are categorically exempt from the California Environmental Quality Act (CEQA);

Continued to Page 13

Continued from Page 12

60.

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(2) Make findings of necessity, authority, clarity, consistency, nonduplication and reference as required by Health and Safety Code, Sections 40703 and 40727 for amended Rule 223-1 Fugitive Dust-Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and carryout and Trackout Prevention, Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, and Rule 610 Land Development Fees; and

(3) Adopt amended Rule 223-1, 223-2 and 610. (Referred 07/19/05, Item 80)

BOARD ACTION - Upon conclusion of the public hearing, the Board adopted amended Rules 223-1, 610 and 223-2 minus Section 223-2.6.A.2c with direction that Section 223-2.6.A.2c "Operating a regenerative air power sweeper with exhaust closed" be brought back to the Board at a later date. 123 4(np)

Additionally, by consensus, the Board directed that staff, in the future, schedule a time and date, preferably at 2:00 p.m., for a general discussion of asbestos issues and a specific discussion pertaining to rules and amendments.

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

2:00 P.M. - TIME ALLOCATION

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70. Planning Services advising that the Planning Commission on September 22, 2005, continued to October 27, 2005 its hearing on applications for Rezone (Z05-0002), Planned Development (PD05-0003), and Tentative Parcel Map (P05-0006) submitted by Bruce Wirtanen for property (APN 329-341-01) in the Diamond Springs area, and recommending Board of Supervisors continue its hearing on the matter off calendar or to December 6, 2005.

BOARD ACTION - Hearing continued to December 13, 2005.

213 4(np)

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

October 18, 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 54956.9(a), Existing Litigation:

- Title: El Dorado County v Gale A. Norton, et al, United States District Court, Eastern District Case No. 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 reported.

Section 54957, Public Employee Performance Evaluation:

- Title: Agricultural Commissioner.
BOARD ACTION - On a unanimous vote by the three Board members present, noting Supervisor Paine was absent, the Board accepted the performance evaluation thereby approving Mr. Stephan's increase from step 4 to step 5 of the salary range for the position of Agricultural Commissioner.

- Title: Public Health Director.

No action reported.

Section 54956.9(b), Anticipated Litigation: Significant exposure to litigation.

- Title: Legal issues associated with General Plan implementation.

No action reported.

- Title: Issues arising from the FERC relicensing of the Sacramento Municipal Utility District (SMUD) Project 2101, and 1957 and 1961 Agreements with SMUD regarding the UARP facilities use, and the Cooperation Agreement among the El Dorado Parties and SMUD.
No action reported.

Section 54956.96(b)

- Title: To receive, discuss, and take action concerning information obtained in closed session of the El Dorado Water and Power Authority Joint Agreement among the El Dorado Parties and SMUD.
No action reported.