

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, January 13, 2004 - 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

RUSTY DUPRAY
First District
Chairman

HELEN K. BAUMANN
Second District

JAMES R. SWEENEY
Third District

CHARLIE PAINE
Fourth District
First Vice Chairman

DAVID A. SOLARO
Fifth District
Second Vice Chairman

Clerk of the Board
Dixie L. Foote

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 Thursday 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. - INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG
CLOSED SESSION REPORTS**

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 19, 20, 21 and 22 pulled from the Consent Calendar for separate action, and item 50 added to the Consent Calendar for approval; and Consent Calendar approved as modified. 34125

OPEN FORUM**CONSENT CALENDAR**

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of January 6, 2004.
RECOMMENDED ACTION: Approve.

2. Community Services Department recommending Resolution authorizing the Chairman to sign Amendment 001 to Agreement FF-0304-29 with the State Department of Aging increasing the maximum amount by \$52,011 from \$739,048 to \$791,059 for the term July 1, 2003 through June 30, 2004 and the Director of the Area Agency on Aging to continue to administrate said Agreement and execute subsequent documents relating to same that do not affect the dollar amount or term and required fiscal and programmatic reports.
RECOMMENDED ACTION: Adopt Resolution 010-2004 and approve corresponding Area Plan Budget Revision No. 1 noting additional funds will be allocated among programs to support Older Americans Act Senior Services during fiscal year 2003/2004.

3. Community Services Department recommending Resolution authorizing the Chairman to sign Agreement 04B-5263 with the State Department of Community Services and Development in the amount of \$130,638 for the term January 1, 2004 through December 31, 2004 for Low-Income Home Energy Assistance Program (LIHEAP) services to eligible residents and the Director of said Department to execute documents relating to same, including amendments increasing the maximum dollar amount up to \$432,440 to the 2004 grant allocation amount of \$563,078 and other amendments that do not affect the maximum dollar amount or term and subsequent required fiscal and programmatic reports and to perform responsibilities pertaining to same. *(Agreement is retroactive as to term - Department received Agreement from the State on December 23, 2003 and expedited the processing.)*
RECOMMENDED ACTION: Adopt Resolution 011-2004.

4. Community Services Department recommending Resolution authorizing the Chairman to sign Agreement 04F-4435, including the cover page and Certification, with the State Department of Community Services and Development in the initial amount of \$43,968 for the term January 1, 2004 through December 31, 2005 for Community Services Block Grant funds and the Director of said Department to execute subsequent documents relating to same including amendments increasing the dollar amount up to \$129,588 to the 2003 grant allocation amount of \$173,556 and other amendments that do not affect the dollar amount or the term and required fiscal and programmatic reports. *(Agreement is retroactive as to term - Department received Agreement from the State on December 16, 2003.)*
RECOMMENDED ACTION: Adopt Resolution 012-2004.

5. Sheriff Department recommending Budget Transfer 24061 increasing Estimated Revenue in the amount of \$10,746 from the Federal Emergency Management Performance Grant Program and transferring same to Contingency Reserve.
RECOMMENDED ACTION: Approve.

6. Fair Board of Directors inviting the Board of Supervisors for lunch on Tuesday, February 3, 2004 at noon in the Board Room at the Fairgrounds.
RECOMMENDED ACTION: Accept invitation.

7. Treasurer/Tax Collector recommending annual renewal of the delegation to invest and re-invest County funds.
RECOMMENDED ACTION: Delegate fiduciary authority to the Treasurer/Tax Collector.

8. Assessor recommending Resolution amending Resolution 282-98 authorizing County Assessor, Tim Holcomb, to file the application report for open-space subvention entitlement pursuant to the Land Conservation Act of 1965.
RECOMMENDED ACTION: Adopt Resolution 013-2004.

9. Transportation Department recommending Agreement AGMT 03-491 with Sunrise Support Services, Inc. in an amount not to exceed \$50,000, inclusive of all expenses, for a term to expire January 5, 2005 for as-needed consultant services for document scanning and indexing service. (*Funding to be provided by the Road Fund.*)
RECOMMENDED ACTION: Authorize Chairman to sign, noting work would not commence without prior Chief Administrative Officer concurrence, Agreement contains 7-day termination clause, and County may choose to place an employee affected by possible reduction in force into said Department to perform this work.

10. Transportation Department recommending findings be made pursuant to Article II, Section 210B(6) of the County Charter that there are specialty skills required for the work to be performed that are not expressly identified in County classifications; and Chairman be authorized to sign Amendment 001 to Agreement PSS 222 with Cartwright Aerial Surveys, Inc. increasing compensation by \$20,000 to an amount not to exceed \$110,000 and extending the term through January 15, 2005 for as-needed aerial photography and topographic mapping services. (*Funding through erosion control funds in the Tahoe Basin or development fees on the West Slope.*)

RECOMMENDED ACTION: Authorize Chairman to sign.

11. Transportation Department recommending the following pertaining to The Promontory Village No. 1 (TM98-1356):

- (1) Accept the subdivision improvements as complete;
- (2) Accept street improvements along Sophia Parkway between Promontory Village No. 1 and Green Valley Road as complete;
- (3) Adopt Resolution accepting Sophia Parkway within The Promontory, Village No. 1 into the County Maintained Mileage System;
- (4) Reduce the onsite Performance Bond No. 929208252 in the amount of \$2,800,544.09 to \$352,816.55 and the offsite Performance Bond No. 01-929174667 in the amount of \$10,953,532.58 to \$1,302,458.38 to guarantee against any defective work, labor done, or defective materials furnished and release one year after acceptance, if no claims are made; and
- (5) Hold the posted onsite Laborers and Materialsmen Bond No. 929208252 in the amount of \$1,400,272.05 and the offsite Laborers and Materialsmen Bond No. 01-929174667 in the amount of \$5,476,766.29 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Approve and adopt Resolution 014-2004.

12. Transportation Department recommending the following pertaining to The Promontory, Village 3 (TM98-1356):

(1) Accept the subdivision improvements as complete;

(2) Adopt Resolution accepting Alexandra Drive, Elmores Way and Ambiance Way in The Promontory, Village 3 Subdivision into the County Maintained Mileage System;

(3) Reduce the onsite Performance Bond No. 92917466 in the amount of \$4,094,869.85 to \$650,949.64 and the offsite Performance Bond No. 929174667 in the amount of \$10,953,532.58 to \$1,302,458.38 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

(4) Hold posted onsite Laborers and Materialsmen Bond No. 929174666 in the amount of \$2,047,434.93 and the offsite Laborers and Materialsmen Bond No. 929174667 in the amount of \$5,476,766.29 to guarantee payment to persons furnishing labor, materials or equipment, and release six months after acceptance, if no claims are made.

RECOMMENDED ACTION: Approve and adopt Resolution 015-2004.

13. Transportation Department recommending Resolution amending Resolution 247-81 sanctioning speed restrictions on Loch Way, Pleasant Valley Road, Bass Lake Road and Wilson Boulevard.

RECOMMENDED ACTION: Adopt Resolution 016-2004.

14. Transportation Department recommending Resolution amending Resolution 245-81 sanctioning the installation of STOP signs on Lakehills Drive at Bonita Drive, Union Ridge Road at Hassler Road, Hassler Road at Union Ridge Road, Caldwell Drive at Eight Mile Road, and Warren Lane at Stanford Lane/Stoneman Way.

RECOMMENDED ACTION: Adopt Resolution 017-2004.

15. Transportation Department recommending Resolution amending Resolution 252-81 sanctioning NO STOPPING zones along Parkdale Lane.
RECOMMENDED ACTION: Adopt Resolution 018-2004.
16. Transportation Department recommending Resolution amending Resolution 252-81 sanctioning NO PARKING EXCEPT FOR DEPOSITING MAIL zone along Cambridge Road.
RECOMMENDED ACTION: Adopt Resolution 019-2004.
17. Planning Department recommending Noise and Avigation Easements and Certificates of Acceptance from Armando Arias and Wendy Ostrow, David Kindelt and Jane Mervine/Cambridge Self-Storage Group, LLC, Paul Stamos/Cimmarron/Cambridge, A California Limited Partnership, Jo Ann Epstein, Roland Hofmeister, Alfred O. Lohrmann and Sandra N. Lohrmann, Terry Monday and Joanne Monday, Daniel Wayne Polen and Tammi Catherine Polen, Kurt Rademacher and Rademacher, and James Smith for property in the vicinity of the Cameron Park Airport.
RECOMMENDED ACTION: Approve.
18. Planning Department recommending Noise and Avigation Easement and Certificate of Acceptance from Laura Reynolds for property in the vicinity of the Georgetown Airport.
RECOMMENDED ACTION: Approve.
19. County Counsel recommending Resolution authorizing the retention by County Counsel of 13% of those funds collected for Revenue and Recovery of staff person costs prior to the distribution to those departments requesting the collection.
RECOMMENDED ACTION: Adopt Resolution 020-2004.
Continued to January 27, 2004. 52134

20. Chief Administrative Office recommending Amendment 003, in the amount of \$248,254.00, to Funding Agreement for Federal Forest Reserve Funds (Title III) with the El Dorado Fire Safe Council incorporating Projects 16B, 22, 25, 26, and 28 into same for 2003/2004 to broaden community activities dedicated to fire safety and education, fuel reduction management, and wildfire prevention in critically fire sensitive areas of the County.
RECOMMENDED ACTION: Authorize Chairman to sign. 43125
21. Chief Administrative Office recommending property tax redistribution for LAFCO (Local Agency Formation Commission) Project 03-02, Euer Ranch annexation to El Dorado Irrigation District, El Dorado Hills Water District (Fire), and El Dorado Hills Community Services District; said boundary change will be considered by LAFCO at a later date.
RECOMMENDED ACTION: Adopt Resolution 021-2004, noting said Project is "in the pipeline" for annexation and the County will lose \$867 in property tax revenue which may be offset in the future by a gain in overall property tax revenue if the property is developed as planned. 32145
22. Chief Administrative Officer recommending Resolution superseding Resolution 229-2003 for property tax redistribution for LAFCO (Local Agency Formation Commission) Project 98-12, Green Springs annexation to El Dorado Irrigation District and El Dorado Hills Community Services District.
RECOMMENDED ACTION: Adopt Resolution 022-2004, noting said Project is "in the pipeline" for annexation and the County will lose \$39,000 in property tax revenue which may be offset in the future by a gain in overall property tax revenue if the property is developed as planned. 24135

23. Chief Administrative Office recommending Agreement 385-S0411 with El Dorado Arts Council, not to exceed \$11,271 for term July 1, 2003 through June 30, 2004, for promotional services to encourage participation in the arts. (*Retroactive as to term -budget deliberation and funding levels approved after beginning of contract which coincides with fiscal year.*)
RECOMMENDED ACTION: Authorize Chairman to sign.
24. Chief Administrative Office recommending ratification of the establishment of 96 hours of management leave for William J. Stephans who was appointed Agricultural Commissioner/Sealer of Weights and Measures effective October 20, 2003, and direct the Auditor-Controller's Office to add 48 hours of management leave for Mr. Stephans effective October 20, 2003.
RECOMMENDED ACTION: Approve.
25. Supervisor Dupray recommending Certificate of Recognition for Lana Hendricks on the occasion of her retirement from the Social Services Department with over 16 years of service to the County.
RECOMMENDED ACTION: Approve.
26. Supervisor Dupray recommending Certificate of Recognition for Joe Teeter on the occasion of his retirement from the Social Services Department with over 13 years of service to the County.
RECOMMENDED ACTION: Approve.
27. Supervisor Sweeney recommending that the replacement of a home at 4096 Missouri Flat Road (APN 327-140-05) in approximately the same footprint as the home that was demolished, meets the intent of the County Ordinances.
RECOMMENDED ACTION: Direct the reinstatement of Building Permit 140188 allowing the applicants, Dennis Nickson, Gary Peters and Harvey Hall, to proceed with construction of the replacement home.

28. Supervisor Sweeney recommending the Auditor-Controller be requested to analyze the current resources and obligation of the El Dorado Hills-Salmon Falls Road Improvement Fund and report back to the Board no later than **March 23, 2004** the contractual obligations and projections of monies to be paid by home builders and deposited into the Road Improvement Fund in the future.

RECOMMENDED ACTION: Approve.

29. General Services Department recommending award of Bid 04-425-059 for HON metal storage and filing products for use County-wide. (*Funding: General Fund and Non-General Fund.*)

RECOMMENDED ACTION: Authorize blanket purchase order to Walker's Business Products of Placerville in the amount of \$25,000 including applicable sales tax for a twelve month period and an increase to same on an "as needed" basis during the awarded period, noting items that may be purchased under this purchase order include new storage and filing equipment for the new juvenile hall facility.

30. Fair Manager recommending El Dorado County Fair 2004 Budget in the amount of \$948,938 approved by the Fair Board of Directors on October 8, 2003 and by the State Department of Food and Agriculture, Division of Fairs and Expositions, on December 11, 2003.

RECOMMENDED ACTION: Authorize Chairman to sign, noting that revenues and appropriations for bingo operations have been removed from the Fair Budget and said Budget does not include revenues or appropriations for a 2004 Harvest Fair.

END CONSENT CALENDAR

CAO REPORT/COMMENTS

DEPARTMENT MATTERS: At the time the Board acts upon the Consent Calendar, it may select individual Department Matters to be moved to the Consent Calendar for approval, absent objections and/or requests of staff or the public to speak to those matters.

50. Public Health Department recommending Chairman be authorized to sign a Grant Agreement with the California HealthCare Foundation retroactive to January 1, 2004 in the amount of \$49,500 for the El Dorado County Safety Net Provider Project/One-e-App Feasibility Study; said Grant supplements the Tobacco Settlement funding approved by the Board for implementation of the Health Alliance Action Plan adopted to address improvement of service delivery to the County's safety net population.

ADDED TO CONSENT CALENDAR: Approved. 34125

51. Human Resources Department recommending adoption of Resolution 023-2004 amending Authorized Personnel Allocation Resolution 305-2003, adopting the new job specifications for the Director of Human Services and establishing or amending salaries for the new and revised classifications as a result of the merger that eliminated the Community Services and Social Services Departments and established the Department of Human Services.

BOARD ACTION - Resolution 023-2004 adopted. 35124

52. Human Resources Department recommending adoption of Resolution 024-2004 establishing the new salary range for the classification of County Recorder/Clerk as a result of the merging of the Elections Department into the Recorder/Clerk's Office; said salary to be increased by 7.5%.

BOARD ACTION - Resolution 024-2004 adopted. 43125

53. Chief Administrative Office recommending adoption of Resolution 025-2004 for property tax redistribution for the Local Agency Formation Commission (LAFCO) Project 02-09, Woodall Annexation to El Dorado Irrigation District; said boundary change will be considered by LAFCO at a later date, noting El Dorado Hills Community Services District opposes said annexation and that the County will lose \$49 which may be offset in the future.
BOARD ACTION - Resolution 025-2004 adopted. 43125
54. Chief Administrative Office recommending adoption of Resolution 026-2004 for property tax redistribution for the Local Agency Formation Commission (LAFCO) Project 02-10, El Dorado Hills 52 Reorganization Annexation to El Dorado Irrigation District and El Dorado Hills Water District (Fire); said boundary change will be considered by LAFCO at a later date, noting El Dorado Hills Community Services District opposes said annexation and that the County will lose \$788 in property tax revenue which may be offset in the future by a gain in overall property tax revenue if property is developed as planned.
BOARD ACTION - Resolution 026-2004 adopted. 34125
55. Supervisors Dupray and Baumann recommending Planning Department and other appropriate staff be directed to begin a study of the Draft Mather Airport Master Plan to ensure that El Dorado County residents have representation and input into future operations.
BOARD ACTION - Approved. 24135
56. Supervisor Sweeney recommending discussion of Senate Bill 1049 pertaining to the levying or collection of Division of Forestry fees. (Continued 11/25/03, Item 71)
BOARD ACTION - County Counsel requested to prepare a letter for the Chairman's signature that illustrates the Board's resistance to the collection of these fees on the basis it may be unconstitutional. 34125

TIME ALLOCATIONS - 10:00 A.M.

70. California Fairs Financing Authority, a Joint Powers Authority (JPA) dba California Construction Authority, formed between the County of Solano, County of El Dorado, and the 22nd, 32nd and 46th District Agricultural Associations for the primary purpose of providing central administration for the common interests of its member entities and associate members for the financing and construction of satellite wagering facilities and capital construction projects for California Fairs, presenting information to the Board about the JPA and its current projects and upcoming issues.
- No action taken.**

71. Brent Harrington, President and CEO of the Regional Council of Rural Counties (RCRC), as part of RCRC's outreach to member counties, presenting an overview of RCRC programs and activities that benefit rural counties.
- No action taken.**

72. Supervisor Charlie Paine advising that the Lotus/Coloma community has repeatedly expressed concerns to Caltrans regarding the project proposed for the area north of the north end of the American River Bridge to the intersection of Highway 49 and Marshall Grade Road, scheduled for 2004, which will widen Highway 49 to add shoulder width and a continuous left turn pocket for the half-mile stretch of highway; and recommending Board direct the County Department of Transportation staff to meet with representatives of Caltrans, the Lotus/Coloma community and the County Transportation Commission to facilitate a design solution that meets the needs of both Caltrans and the community, and authorize the Chairman to notify El Dorado County's legislative representatives of the Board's concerns regarding subject project.
- BOARD ACTION - Approved.**

43125

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

80. Consideration of proposed amendments to the County Charter recommended by the Charter Review Committee for determination of which if any the Board chooses to place on the ballot for voter approval; continued to this date from October 28, 2003 (item 58) with the request that the Committee chairman and staff be present to provide information on the genesis of the recommendations and the arguments for and against them.

BOARD ACTION - Continued to **May 18, 2004** to allow opportunity for additional public review. 35124

81. Hearing to consider the Appeal of N.C. Brown Development, Inc., on Mitigation Measure 3 (retention of oak trees) and Condition 12 (sidewalk requirements) imposed by the Planning Commission when approving Tentative Parcel Map P01-02 which creates 10 parcels from 1.28 to 2.8 acres on 15.89 acres (APNs109-230-09 and -10) in the Cameron Park Area, (District I). (Continued January 13, 2004, Item 80)

BOARD ACTION - Hearing continued to **January 27, 2004**, with the concurrence of the applicant, for further review. 43125

82. Hearing to consider the following applications submitted by Pacific States Development Corporation pertaining to Meadow Lane Townhomes in the Cameron Park Area, (District I):

(1) Rezone (Z03-15) 24,150 square feet (APN 082-391-08) from R2-DC, Limited Multifamily Residential-Community Design Review to R2-PD, Limited Multifamily Residential-Planned Development and adopt Ordinance 4646 for same; and

(2) Development Plan (PD03-05) and Tentative Map (TM03-1385) proposing the creation of four townhome lots and a commonly owned open space lot with parking and landscaping.

BOARD ACTION - Hearing no protests, Board adopted the negative declaration as prepared, adopted **Ordinance 4646** approving the Rezone, and approved the Development Plan and Tentative Map, based on findings and subject to conditions recommended by the Planning Commission. 42135

83. Planning Department advising the Planning Commission on December 11, 2003, continued off calendar its hearing on applications for Rezone(Z03-13), Development Plan (PD03-04) and Tentative Map (P03-08) submitted by Quail Commerce Center, LLC, for property (APN 108-250-35) in the El Dorado Hills Area, and recommending Board of Supervisors continue its hearing on the matter off calendar also.

BOARD ACTION - Hearing continued off calendar as recommended by staff. 34125

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

January 13, 2004 - 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(b), **Anticipated litigation:**

- Significant exposure to litigation. (2 cases)
No action reported.

Section 54956.9(c), **Anticipated litigation:**

- Initiation of litigation.
No action reported.

Section 54957.6, **Conference with Labor Negotiator:**

- County Negotiator: Employee Relations Officer
Employee Organization: Welfare Investigators
Bargaining Unit.
No action reported.
- County Negotiator: Robert Muszar, Negotiator and
Employee Relations Officer
Employee Organizations: Operating Engineers Local No. 3,
Trades and Crafts Bargaining Unit, and El Dorado County
Employees Association, Local 1.
No action reported.