

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, April 26, 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 items 21, 26, 29 and 32 pulled from Consent Calendar for separate action; item 27 **continued off calendar**; items 50, 51 and 81 added to the Consent Calendar. Consent Calendar approved as modified.

12345

PRESENTATION of Certificates of Commendation to students participating in Student Council Government Day.

PRESENTATION by David Freeman, Superintendent of the Placerville Union School District updating the Board and the public on the recent activities and plans of said District.

Supervisor Dupray presenting a gift to El Dorado County from the City of Warabi in recognition of the 30th Anniversary of the Sister City Designation.

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, April 19, 2005.
RECOMMENDED ACTION: Approve.
2. Releases of lien (on file with the Clerk).
RECOMMENDED ACTION: Approve.

3. Public Health Department recommending Chairman be authorized to sign the following pertaining to Comprehensive Drug Court Implementation Program:

- (1) Retroactive Amendment to the Program Grant with the State Department of Alcohol and Drug Programs increasing dependency drug court funding by \$102,954;
- (2) Agreement 420-PHD0205 with Family Connections, Inc. in an amount not to exceed \$7,502;
- (3) Agreement 421-PHD0205 with Progress House, Inc. in an amount not to exceed \$21,000; and
- (4) Agreement 422-PHD0205 with Sierra Recovery Center in an amount not to exceed \$21,500. (Funding: Department of Alcohol and Drug Programs) (Retroactive due to late receipt of the State Amendment)

RECOMMENDED ACTION: Approve.

4. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 399-S0511 with EDCA Lifeskills in the amount of \$60,000 for a two year term to provide therapeutic therapy and drug testing on an "as requested" basis to participants of CalWORKs and Child Protective Services. (Funding: General Fund, realignment)

RECOMMENDED ACTION: Approve, noting \$30,000 budgeted for each fiscal year.

5. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 388-S0511 with Riding High Equestrian Program in the amount of \$20,000 for a two year term to provide psychotherapy counseling and equine-assisted therapy for participants of CalWORKs and Child Protective Services on an "as requested" basis. (Funding: General Fund, realignment)

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

6. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 363-S0511 with El Dorado County Transit Authority in the amount of \$20,000 for a two year term to provide transportation for employment related activities on an "as requested" basis to participants of CalWORKs and Child Protective Services. (Funding: General Fund, realignment)
RECOMMENDED ACTION: Approve, noting \$10,000 budgeted for each fiscal year.

7. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 362-S0511 with Stephen A. Collins, Ph.D. in the amount of \$20,000 for a two year term to provide psychotherapeutic counseling and psychosocial evaluation and reports on an "as requested" basis to assist participants of CalWORKs and Child Protective Services. (Funding: General Fund, realignment)
RECOMMENDED ACTION: Approve, noting \$10,000 budgeted for each fiscal year.

8. General Services Department recommending the Board approve an application for Federal Assistance in the amount of \$229,900 from the Federal Aviation Administration (FAA), Department of Transportation, for the FAA Airport Improvement Program for the Placerville Airport for crack seal, slurry seal and remark of Runway 5-23. (Funding: Grant)
RECOMMENDED ACTION: Approve and authorize the Director of said Department to sign and submit the application to the FAA.

9. General Services Department requesting authorization to exercise the third option to extend Lease Agreement 223-L9611 with Peggy A. Andruss Surber Revocable Trust in the amount of \$3,758.57 per month for the term May 1, 2005 through April 30, 2007 for 3,700 square feet of office space located at 2808 Mallard Road in Placerville for the Mental Health Department. (Funding: Non General Fund, Realignment)
RECOMMENDED ACTION: Approve.

10. General Services Department requesting authorization to exercise the second option to extend Lease Agreement 196-L9611 with Pioneer Plaza LTD, in the amount of \$7,822.90 per month for the term June 1, 2005 through May 31, 2007 for 7,567 square feet of office space located at 344 Placerville Drive, Suites 12-18 and 20 in Placerville for the Mental Health Department. (Funding: Non General Fund, realignment)
RECOMMENDED ACTION: Approve.

11. General Services Department recommending Chairman be authorized to sign Amendment 01 to Lease Agreement 122-L0311 with Pioneer Plaza LTD, in the amount of \$1,190.68 per month for the term June 1, 2005 through May 31, 2007, with an option of one additional two year term, for 1,162 square feet of office space located at 344 Placerville Drive, Suite 11 in Placerville for the Mental Health Department. (Funding: Non General Fund, realignment)
RECOMMENDED ACTION: Approve.

12. General Services Department recommending Chairman be authorized to sign bid documents for Buildings A and B Beam Repair and Exterior Paint Project 04-03/05-03. (Bid 05-968-194).
RECOMMENDED ACTION: Approve and authorize said Department to advertise for bids to be received no later than **2:00 p.m., on Wednesday, June 1, 2005.**

13. General Services Department recommending Chairman be authorized to sign Agreement 547-S0411 with Cascade Software Systems, Inc. in an amount not to exceed \$26,620 for a term to expire September 30, 2005 for a Cost Accounting Management System (CAMS) for the Fleet Management Division. (Funding: Fleet Fund)
RECOMMENDED ACTION: Approve.

14. Treasurer-Tax Collector recommending the Board find that it is more economical and feasible to "contract out" services in accordance with County Ordinance 3.13, Section 3.13.030; and authorize Chairman to sign Amendment 01 to Agreement 446-S0411 with Moore Wallace North America, Inc. in the amount of \$45,000 for the term April 15, 2005 through April 14, 2006 for printing, programming and artwork to produce and mail annual secured and unsecured property tax bills. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

15. Development Services Department, Building Division, recommending Chairman be authorized to sign Amendment 03 to Agreement 322-S0411 with Willdan Group of Companies increasing the not to exceed amount by \$50,000 to \$100,000 for a term to expire January 4, 2006 to provide plan review services on an "as requested" basis; and Amendment 01 to Agreement 127-S0511 with The NAFFA International Inc., increasing the not to exceed amount by \$50,000 to \$70,000 and extending the term to September 20, 2006 to provide plan review services on an "as requested" basis. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

16. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easement and Certificate of Acceptance from Gerald P. Gips for property located in the vicinity of the Lake Tahoe Airport.

RECOMMENDED ACTION: Approve.

17. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Vasily Chopovenko, Brandon Dennis and Rachel Dennis, James Ekenstedt and Elizabeth Ekenstedt, Michael Gundry and Sheryl Gundry, Roelf J. Hogen-Esch, Fred Kaping, Aline W. Kuntz, Richard Luce and Terry Luce, Cathleen A. McQuillan, Thomas Piper and Colleen Piper, Peter A. Puglia and Laura Curtis Puglia, Patrick Meyer and John M. Walker, John Voelke and Jean Voelke, and Marlon Ltd./David J. Long and Wichert Construction, Inc., a California Corporation/Craig Wichert for property located in the vicinity of the Cameron Park Airport.

RECOMMENDED ACTION: Approve.

18. Transportation Department recommending the following pertaining to Serrano Village "F" Units 1 and 3-8, Phases 1A and 1C-1F (TM01-1375):

- (1) Accept Subdivision Improvements as complete;
- (2) Reduce each respective Unit's Performance Bond by \$2,395,540.90, leaving individuals balances of \$835,671.10 to guarantee against any defective work, labor done, or defective materials furnished, and release one year after acceptance if there are no defects or warranty claims; and
- (3) Hold each respective Unit's posted Laborers and Materialsmen Bond each in the amount of \$2,508,959 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance if no claims are made.

RECOMMENDED ACTION: Approve.

19. Transportation Department recommending the following pertaining to Cameron Woods, Unit 8 (TM87-1061-8):

- (1) Accept Subdivision Improvements as complete;
- (2) Adopt Resolution accepting streets of said Subdivision into the County's Maintained Mileage System;
- (3) Release Letter of Credit No. 2003-032-2 in the amount of \$1,245,305;
- (4) Retain Letter of Credit No. 2003-034 in the amount of \$138,368 to guarantee against any defective work, labor done, or defective materials furnished, and release one year after acceptance if there are no defects or warranty claims;
- (5) Hold posted Letter of Credit No. 2003-033 in the amount of \$691,836 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 **104-2005**.

20. Transportation Department recommending the following pertaining to the Missouri Flat Road/El Dorado Road Signalization and Intersection Improvements Project 73125:

- (1) Find that due to the construction cost exceeding \$25,000 State law requires that construction performed by an independent contractor must be through the use of a competitive bid process;
- (2) Set the Disadvantaged Business Enterprise goal at eight percent (8%);

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(3) Approve the Plans and Contract documents and authorize Chairman to sign the Plans for same; and

(4) Authorize said Department to advertise for bids.
(Continued 4/19/05, Item 21)

RECOMMENDED ACTION: Approve.

21. Transportation Department recommending the Board receive and file report detailing the receipts and expenditures of the Vehicle License Fees as required by Measure H.

RECOMMENDED ACTION: Receive and file. 23145

22. County Counsel recommending Chairman be authorized to sign Assignment, Assumption and Consent of Transfer of the South Lake Tahoe Natural Gas Franchise from Avista Corporation to Southwest Gas Corporation.

RECOMMENDED ACTION: Approve.

23. Human Resources Division recommending Resolution amending the Employer/Employee Relations Resolution 112-86 adding the following bargaining units:

- (1) Deputy County Counsel Unit;
- (2) Criminal Attorney Unit;
- (3) Law Enforcement Sworn Management Unit; and
- (4) Management Unit.

RECOMMENDED ACTION: Adopt Resolution 106-2005.

24. Human Resources Division recommending Resolution acknowledging the El Dorado County Law Enforcement Management Association and the El Dorado County Manager's Association as recognized employee organizations representing employees in the Law Enforcement Sworn Management Unit and the Management Unit respectively.

RECOMMENDED ACTION: Adopt Resolution 107-2005.

25. Human Resources Division recommending Resolution amending Salary and Benefits Resolution 323-2001 establishing a new salary range for the classification of Labor Relations Manager.

RECOMMENDED ACTION: Adopt Resolution 109-2005.

26. Chief Administrative Office, Human Resources Division, recommending the Board find that it is more economical and feasible to obtain an outside contractor to supplement Human Resources staff in conducting recruitments to fill critical positions; and authorize Purchasing Agent to negotiate a contract with L.B. Hayhurst and **Associates** in an amount not to exceed \$47,000, including approved expenses, subject to the approval by County Counsel and Risk Management. (Funding: General Fund, Department of Transportation from fiscal year 2004/2005 budget)

RECOMMENDED ACTION: Approve and authorize Chairman to sign said contract, noting this item gives the Human Resources Director flexibility to negotiate price and the bundling of recruitments to reduce costs related to recruitments in the Department of Transportation.

No formal action taken; however, by consensus, Chief Administrative Officer and Human Resources Director were directed to bring back contract options with other firms or with CPS Human Resource Services on May 3, 2005 for the recruitment of five engineering positions for the Department of Transportation.

27. Chief Administrative Office, Human Resources Division, recommending that it is more economical and feasible to obtain an outside contractor for human resource consulting services in accordance with County Ordinance 3.13.030; and authorize Chairman to sign Amendment 01 to Agreement 373-S0510 with Cooperative Personnel Services, dba CPS Human Resource Services increasing compensation by \$35,000 to an amount not to exceed \$45,000 for the period of January 5, 2005 through January 4, 2006 for specialized, professional analytical consultant services. (Funding: General Fund - funding provided by departments needing recruitments)

RECOMMENDED ACTION: Approve, noting this item addresses a temporary spike in recruitments particularly in the Department of Developmental Services. **Continued off calendar** upon adoption of the Agenda at the request of the Chief Administrative Officer. 12345

28. Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 05-675-106 for pesticides for implementation of the Vine Mealybug Action Plan. (Funding: General Fund)

RECOMMENDED ACTION: Authorize blanket purchase order to Whitney Johnson of Woodland, California in the amount of \$25,353 including sales tax, for a twelve month period and authorize an increase to same 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 Request for Proposal 05-425-082 to the sole respondent, New Business Solutions, Inc. dba Walkers Business Products and Services of Placerville, CA; and find that it is more economical and feasible to obtain an outside contractor to provide design, purchase and installation of systems furniture in accordance with County Ordinance Chapter 3.13, Section 3.13.030. (Funding: General Fund and Non-General Fund)
RECOMMENDED ACTION: Approve and authorize Chairman to sign Agreement in the amount of \$300,000 upon review and approval by County Counsel and Risk Management.
15234
30. Chief Administrative Office recommending Chairman be authorized to sign Budget Transfers 25133, 25138 and 25139 reallocating Sales Tax Realignment, Interest, State-Local Program Realignment (SLPR) match and Vehicle License Fees (VLF) to special revenue funds (Fund Type 20) for the Public Health and Human Services Departments and an anticipated \$270,564 increase in Sales Tax Realignment for the Social Services Division. (4/5 vote required)(Funding: Sales Tax Realignment)
RECOMMENDED ACTION: Approve.
31. Chief Administrative Office recommending Chairman be authorized to sign Budget Transfer 25136 to budget fiscal year 2003/2004 Vehicle License Fee (VLF) revenues for the Public Health Department and the Social Services Division and fiscal year 2004/2005 estimated increases in Vehicle License Fee (VLF) revenues for the Public Health and Mental Health Departments, and Social Services Division. (4/5 vote required)(Funding: Vehicle License Fees-\$270,994.67 is fiscal year 2003/2004 VLF rollover in General Fund from appropriation to contingency)
RECOMMENDED ACTION: Approve.

32. General Service Department submitting, on behalf of Supervisor Paine, the Maintenance Agreement between the State of California, Department of Transportation (CalTrans) and El Dorado County Parks and Recreation Division for maintenance of the proposed pedestrian pathway at the South Fork of the American River to Marshall Road. (Funding: General Fund)
RECOMMENDED ACTION: Approve. 43125
33. Supervisor Solaro recommending Resolution approving highway restrictions on State Highway Routes 50 and 89 between Stateline through South Lake Tahoe from 6:00 a.m. to 12:00 noon and closure of Highway 89 from 6:30 a.m. through 8:30 a.m. on Sunday, June 5, 2005 for the 14th Annual America's Most Beautiful Bike Ride.
RECOMMENDED ACTION: Adopt Resolution 105-2005.
34. County Service Areas 002 and 009 consideration of appointments to various Road Zones of Benefit Advisory Committees as outlined in Agenda Transmittal dated April 13, 2005.
RECOMMENDED ACTION: Approve appointments.
35. County Service Area 10 consideration of Resolution authorizing the submittal of the Sustainable Building Tire Grant application to the California Integrated Waste Management Board to assist in the construction of the proposed 18,000 square foot indoor shooting range being built next to Church Mine at the Union Mine Landfill. (Funding: County Service Area 10)
RECOMMENDED ACTION: Adopt Resolution 110-2005.
36. Chief Administrative Office recommending Resolution for the Menton-Robinson reorganization and annexation (LAFCO Project 04-12) to the City of Placerville; said Resolution accepts the proposed exchange of property tax increments.
RECOMMENDED ACTION: Adopt Resolution 108-2005.

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. Transportation Department recommending the Board receive and file briefing pertaining to El Dorado County's participation in the Lake Tahoe Basin Federal and State Environmental Restoration Grant Programs.

ADDED TO CONSENT CALENDAR: Approved. 12345

51. Transportation Department requesting authorization to participate in the Lake Tahoe Basin 2005 Federal and State Grant Programs with the California Tahoe Conservancy (CTC) and the United States Forest Service (USFS); Director of said Department be authorized to sign the USFS award letter and applicable certifications; and Resolutions be adopted supporting said request for the following projects in the Tahoe Basin: (1) Resolution **100-2005** for proposed erosion control work; (2) Resolution **101-2005** for proposed stream environment zone restoration work; (3) Resolution **102-2005** for proposed public access and recreation work; and (4) Resolution **103-2005** for proposed wildlife enhancement program projects. (Funding: CTC, USFS)

ADDED TO CONSENT CALENDAR: Approved. 12345

52. 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 the Agreement that are not expressly identified in County classifications; and Chairman be authorized to sign Amendment 01 to Agreement AGMT 03-503 with ENTRIX, Inc. increasing compensation by \$2,000,000 to an amount not to exceed \$2,500,000 and extending the term to December 31, 2007 for as-needed planning, design and project management services for multi-year erosion control/water quality projects in the Tahoe Basin. (Funding: CTC, TRPA, USFS, BOR - \$1,400,000 will be budgeted in fiscal year 2005/2006; \$400,000 to be budgeted in fiscal year 2006/2007 from future grants)

BOARD ACTION - Approved.

53124

53. Transportation Department recommending the Board receive and file report on the Condition of the County Maintained Road System.
Board received and filed report; however, no formal action was taken.

54. Chief Administrative Officer and Director of Transportation recommending the Board reaffirm the existing fiscal year 2004/2005 transfer of \$1,750,000 from the General Fund to the Road Fund as previously required through provisions of Measure H (Initiative requiring a minimum of 50% of the non-realignment Vehicle License Fee revenue received by the County to be expended on "public roads, ways and highways for maintenance, repair and circulation, general road safety, and fire access"); and direct staff to include a similar allocation from the General Fund to the Road Fund in future years' proposed budgets absent the clear mandate of Measure H. (Funding: General Fund-Department 15)

BOARD ACTION - Approved.

13245

55. Chief Administrative Office recommending the Board approve a revision to Board Policy A-11, "Responding to Grand Jury Reports" and adopt policy as revised. (Funding: General Fund - No direct cost as a result of this action)

BOARD ACTION - Approved.

32145

56. Chief Administrative Office recommending the Board find that it is more economical and feasible to obtain an outside contractor for the purpose of obtaining an integrated agenda workflow system in accordance with County Ordinance 3.13.030; and authorize Chairman to sign Agreement 544-S0511 with Daystar Computer Systems, Inc. in an amount not to exceed \$95,144 for same. (Funding: General Fund)

BOARD ACTION - Approved.

13245

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to consider an Appeal approving Special Use Permit S04-0012 to allow an existing ranch house to be utilized as a three bedroom bed and breakfast inn facility and to be used to host wedding events at a maximum of two events per month with a maximum of 100 guests in attendance at each event on property identified as APN 317-341-13 consisting of 5.78 acres in the Placerville Periphery area; Applicant: B.O.B. Hereford Ranch Resort, Appellant: Douglas Bisbee. (District IV)

BOARD ACTION - The Board granted the Appeal in part and denied the Appeal in part, i.e., the Board modified the action of the Planning Commission to grant the special use permit for the Bed & Breakfast but deleted the approval of outdoor weddings; and further directed Planning staff to return to the Board on **May 10, 2005** with modified conditions relating to signage, septic issues and removal of the "hardship" mobilehome. 45123

81. Staff recommending the hearing to consider rezone (Z00-0012), Development Plan (PD00-0007), and Tentative Map (TM00-1371) for Hawk View be continued to **2:00 p.m., Tuesday, May 24, 2005.**

ADDED TO CONSENT CALENDAR: Hearing continuance approved. 12345

ADJOURNMENT

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****April 26, 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:

- Labor Negotiator: Bruce Heid, IEDA;
County Negotiator: Human Resources Director
Employee Organization: Operating Engineers, Local 3
- Trades and Crafts Unit and Probation Unit.
No action reported.

Section 54956.8, Conference with Real Property Negotiator:

- Real Property described as 3368 Lake Tahoe Boulevard, South Lake Tahoe, California 96150. The negotiator may negotiate with the State of California. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real Property described as 3321 Cameron Park Drive, Cameron Park, California 95682. The negotiator may negotiate with the State of California. Instructions to negotiator will concern price and terms of payment.
No action reported.
- Real Property described as 1354 Johnson Boulevard, Suites 1 and 2, South Lake Tahoe, California 96150. The negotiator may negotiate with the State of California. Instructions to negotiator will concern price and terms of payment.
No action reported.

- Real Property described as 495 Main Street, Placerville, California 95667. The negotiator may negotiate with the State of California. Instructions to negotiator will concern price and terms of payment.

No action reported.

- Real Property described as 2850 Fairlane Court, Placerville, California 95667. The negotiator may negotiate with the State of California. Instructions to negotiator will concern price and terms of payment.

No action reported.

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

- Significant exposure to litigation.
Title: Asbestos in El Dorado Hills.

No action reported.

- Significant exposure to litigation. (2 cases)

No action reported.