

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, June 14, 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 Supervisor Sweeney abstaining on item 3; item 11 **continued off calendar**; items 4, 12, 21 and 30 pulled from Consent Calendar for separate action. Consent Calendar approved as modified. 15234

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Regular Meeting of Tuesday, June 7, 2005.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Chairman be authorized to sign Agreement 425-0305 with California Forensic Medical Group, Inc. in the amount of \$1,939,052 for fiscal year 2005/2006 for the period July 1, 2005 through June 30, 2007 to provide medical services in the Placerville and South Lake Tahoe jails and juvenile detention facilities. (Funding: General Fund Dept. 15 and Public Health)

RECOMMENDED ACTION: Approve.

3. Public Health Department recommending Chairman be authorized to sign the following Agreements for High Risk Youth Services:

- (1) Agreement 434-PHD0405 with Tahoe Youth and Family Services in an amount not to exceed \$34,200 for the term July 1, 2005 through June 30, 2006;
- (2) Agreement 432-PHD0304 with New Morning Youth and Family Services, Inc. in an amount not to exceed \$79,200 for the term July 1, 2005 through June 30, 2006; and
- (3) Agreement 433-PHD0405 with New Morning Youth and Family Services, Inc. in an amount not to exceed \$45,000 for the term July 1, 2005 through June 30, 2006. (Funding: General Fund, Department 15, fiscal year 2005/2006)

RECOMMENDED ACTION: Approve.

NOTE: Upon adoption of the Agenda and approval of the Consent Calendar, Supervisor Sweeney advised that he would be abstaining from item 3.

4. Public Health Department recommending advanced step placement of Diana Nahouraii at Step 5 of the salary range for the position of Registered Nurse in the South Lake Tahoe Clinic, effective June 15, 2005. (Funding: Clinic Revenue, Step 5 has been budgeted for fiscal year 2005/2006)

RECOMMENDED ACTION: Approve.

53124

5. Public Health Department recommending introduction of Ordinance amending Section 6.16.010 of Chapter 16 of Title 6 of the County Ordinance Code to conform the new three (3) year dog license provision in the Animal Control Service Fee Schedule (Resolution 126-2005) to provide better coordination of dog licenses and rabies vaccinations and allowing the expiration of both on the same date.

RECOMMENDED ACTION: Waive reading, read by title only and continue to **June 21, 2005** for adoption of same.

6. Mental Health Department recommending Chairman be authorized to sign Agreement 010-S0611 with New Horizons Guest Homes, LLC in an amount not to exceed \$40,000 for the term July 1, 2005 through June 30, 2007 to provide Supplemental Residential Care Services for mentally disordered adults on an "as-requested" basis for said Department. (Funding: Realignment, \$20,000 budgeted in fiscal year 2005/2006 and \$20,000 budgeted in fiscal year 2006/2007).
RECOMMENDED ACTION: Approve.
7. Mental Health Department recommending Chairman be authorized to sign Agreement 002-S0611 with Charis Youth Center in an amount not to exceed \$600,000 for the term July 1, 2005 through June 30, 2007 to provide supplemental group home services for seriously emotionally disturbed minors on an "as-requested" basis for said Department. (Funding: Medi-Cal, EPSDT and Realignment Funds, \$300,000 budgeted in fiscal year 2005/2006 and \$300,000 budgeted in fiscal year 2006/2007)
RECOMMENDED ACTION: Approve.
8. Mental Health Department recommending Chairman be authorized to sign Agreement 011-S0611 with Sierra Family Services, a division of Sierra Boys Ranch in an amount not to exceed \$400,000 for the term July 1, 2005 through June 30, 2007 to provide 24-hour residential services for County-authorized minors with serious emotional problems on an "as-requested" basis for said Department. (Funding: Medi-Cal, EPSDT and Realignment Funds, \$200,000 budgeted in fiscal year 2005/2006 and \$200,000 budgeted in fiscal year 2006/2007)
RECOMMENDED ACTION: Approve.

9. Mental Health Department recommending Chairman be authorized to sign Agreement 542-S0511 with Family Resource Center in an amount not to exceed \$166,500 for the term July 1, 2005 through June 30, 2007 to provide services in support of the Tahoe Opportunity Project (TOP), the AB2034 Homeless Mentally Ill Program for said Department. (Funding: AB2034 Funds, i.e. TOP grant, \$83,250 budgeted in fiscal year 2005/2006 and \$83,250 budgeted in fiscal year 2006/2007)
RECOMMENDED ACTION: Approve.
10. Developmental Services Department requesting relief from accountability for a \$21 cash shortage in Building Services. (Funding: General Fund)
RECOMMENDED ACTION: Approve and authorize Director of said Department to submit a claim for a warrant to the Auditor/Controller charging Special Department Expenses to replenish said funds.
11. Agriculture Commission recommending the Board adopt the Best Management Practices as outlined in the letter to the Board dated May 25, 2005 to help agriculture entities to minimize soil erosion and sedimentation pursuant to General Plan Objective 7.1.2., Policy 7.1.2.7.
RECOMMENDED ACTION: Approve. **Continued off calendar upon adoption of the Agenda.** 15234
12. Information Technologies Department recommending the Board find that it is more economical and feasible to contract out services in accordance with County Ordinance 3.13.030; and authorize Chairman to sign Agreement 030-S0611 with the County of Sacramento, Office of Communications and Information Technology OCIT, in an amount not to exceed \$82,200 for the term July 1, 2005 through June 30, 2006 to provide the exchange of criminal justice information between OCIT and El Dorado County criminal justice agencies. (Funding: General Fund)
RECOMMENDED ACTION: Approve. 15234

13. Sheriff's Department requesting relief of accountability for a \$100 cash shortage in the South Lake Tahoe Jail Inmate Trust fund. (Funding: General Fund)

RECOMMENDED ACTION: Approve and authorize the Sheriff to submit a claim for a warrant to the Auditor/Controller to replenish the account.

14. Sheriff's Department recommending **Sheriff** be authorized to sign Agreement 2005-17 with the Drug Enforcement Administration of the United States Department of Justice (DEA) in the amount of \$15,000 for the period January 1, 2005 through December 31, 2005 to defray the costs relating to the eradication and suppression of illicit marijuana.

RECOMMENDED ACTION: Approve.

15. Sheriff's Department recommending Chairman and Sheriff be authorized to sign the Federal Equitable Sharing Agreement for a term to expire September 30, 2008 for participation in the federal equitable sharing program.

RECOMMENDED ACTION: Approve and authorize the Chief Administrative Officer to sign the Annual Certification Report, noting this agreement allows the County to receive a share of assets forfeited in cases that the Sheriff participates with Federal Agencies.

16. Sheriff's Department recommending Chairman be authorized to sign the Boating Safety and Enforcement Financial Aid Program Contract in the amount of \$261,766 for the term July 1, 2005 through June 30, 2006 to provide extra-help Deputy Sheriffs to patrol rivers and lakes in the unincorporated areas from May through September. (Funding: Grant Funds)

RECOMMENDED ACTION: Approve.

17. Sheriff's Department requesting authorization to submit an application to the United States Department of Justice for a 2005 Justice Assistance Grant in the amount of \$33,479 for the term July 1, 2005 through June 30, 2006 to partially offset the cost of a staff position to develop an Internet-based public awareness program for said Department. (Funding: Grant funding of \$33,479, County Contribution \$49,156)
RECOMMENDED ACTION: Approve.

18. Transportation Department recommending Chairman be authorized to sign the following amendments pertaining to the California Tahoe Conservancy Soil Erosion Control Program:
 - (a) Amendment 04 to Agreement CTA-99022 with California Tahoe Conservancy increasing grant amount by \$1,920,00 to a total amount of \$8,035,200 for the construction of the Apalachee and Pioneer Trail III Erosion Control Projects (ECP) (JN 95185);
 - (b) Amendment 03 to Agreement CTA-00011 with California Tahoe Conservancy increasing grant by \$421,000 for a total amount of \$1,541,400 for planning the Christmas Valley/Grass Lake Road Project (95159) and Angora III Erosion Control Project (JN 95160) and the Angora Creek SEZ Restoration Project;
 - (c) Agreement CTA-04019 with California Tahoe Conservancy in the amount of \$369,000 for planning the Montgomery Estates Phase II Erosion Control Project (JN95155); and
 - (d) Amendment 02 to Agreement CTA-99025 with California Tahoe Conservancy increasing grant amount by \$90,000 to a total amount of \$241,000 for the acquisition of real property or interests, therein for the Apalachee Phase 2 Right-of-Way Project (JN95085). (Funding: California Tahoe Conservancy grants, funding is included in the fiscal year 2005/2006 Erosion Control Budget)

- RECOMMENDED ACTION:** Approve, subject to minor modifications and review and approval by County Counsel.
19. Transportation Department recommending the appointment of Mike Young, Annette Jacobsen, Jim Martin, and Mark Michilizzi to serve on the Tegra Road Zone of Benefit Advisory Committee (County Service Area 09, Zone 123).
RECOMMENDED ACTION: Approve.
20. Transportation Department recommending Chairman be authorized to sign the Aerial to Underground Conversion Agreement 05-780 with Pacific Bell Telephone Company dba SBC California to provide work specific to the Green Valley Road Widening and Green Valley Road Phase III Underground Project. (Funding: Monies approved by the Board 12/9/2003 and included in project budget)
RECOMMENDED ACTION: Approve.
21. 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 agreement is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Agreement AGMT 05-842 with David Evans and Associates, Inc. in an amount not to exceed \$350,000 for a term to expire December 31, 2006 to provide "as-needed" survey support services for the Tahoe Engineering Division. (Funding: CTC, USFS, TRPA, \$180,000 will be budgeted for fiscal year 2005/2006 and \$150,000 for fiscal year 2006/2007)
RECOMMENDED ACTION: Approve. 53124
22. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the El Dorado 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 05-838 with Republic Electric in an amount not to exceed \$75,000 for the term July 1, 2005 through June 30, 2006 to provide maintenance and repair of County traffic signals and

associated equipment for said Department. (Funding: Discretionary Road Fund)

RECOMMENDED ACTION: Approve.

23. Transportation Department recommending the following pertaining to White Rock Road Phase 2 Project 72349:

(1) Approve the Purchase and Sale Agreement with EDH 52, a California General Partnership in the amount of \$620,000, plus County's share of costs, fees, and expenses pursuant to this Agreement for APN 108-030-10;

(2) Authorize Chairman to sign Agreement and the Certificates of Acceptance for the Deeds associated with said Agreement; and

(3) Authorize Interim Director of said Department or her designee to execute Escrow Instructions and any other related escrow documents pertaining to the transaction, including the payment of escrow fees. (Funding: El Dorado Hills Road Impact Fees and Silva Valley Interchange Fund)

RECOMMENDED ACTION: Approve.

24. Transportation Department recommending adoption of Resolution 162-2005 summarily vacating (AOE 2005-0021) one ten-foot wide and two five-foot wide public utilities easements located along the rear and side boundary lines; and Resolution 163-2005 terminating and abandoning a rejected offer for a one ten-foot wide storm drainage easement located approximately midway of APN 112-692-04-100, The Promontory Village 6 Unit 1, Lot 9 requested by Kevin V. Emamian and Mehrnoosh H. Emamian to accommodate planned construction of a swimming pool.

RECOMMENDED ACTION: Adopt Resolutions 162-2005 and 163-2005.

25. Transportation Department recommending Resolution of Vacation (AOE 2005-26) abandoning two five-foot wide public utilities easements located along the former common boundary line of properties identified as APN 108-250-63-100 and 108-250-64-100, PM No. 48/31, Parcels A & B, Golden Foothill Parkway, El Dorado Hills, as requested by Foothill Corporate Center I, LLC, a California Limited Liability Company, and Belvedere Associates, LLC, a California Limited Liability Company, necessary due to a boundary line adjustment and to accommodate planned construction of improvements.

RECOMMENDED ACTION: Adopt Resolution **164-2005**.

26. Chief Administrative Office, Procurements and Contracts Division, recommending award of Bid 05-288-125 for the purchase of asphalt cracksealer for repair and maintenance projects throughout the County for the Department of Transportation. (Funding: Department of Transportation's Road Fund)

RECOMMENDED ACTION: Authorize blanket purchase order to Tri-American, Inc. of Milpitas, California in the amount of \$37,484, including sales tax, for a 12 month period, and authorize an increase to same on an "as-needed" basis during the awarded period if funding is available within the requesting department's budget.

27. Chief Administrative Office recommending Resolution 166-2005 accepting the exchange of property tax increments for the annexation of an additional 13 acres of the Euer Ranch property (APN 108-040-33) to El Dorado Hills Community Services District - Local Agency Formation Commission boundary modification for Project 03-02.

RECOMMENDED ACTION: Adopt Resolution **166-2005**.

28. Chief Administrative Office recommending Resolution 167-2005 accepting the exchange of property tax increments for the annexation of 26 acres of Bannon property (APN 050-010-22) to the El Dorado Irrigation District - Local Agency Formation Commission Project 05-05.

RECOMMENDED ACTION: Adopt Resolution **167-2005**.

29. Chief Administrative Office recommending Budget Transfer 25169 appropriating \$467,420 to the Sheriff's Department and \$26,990 to the District Attorney's Office for a total amount of \$494,410 in accordance with County Charter Section 504 (Proposition A) Salary Increases. (Funding: General Fund, included in fiscal year 2004-2005 budget)

RECOMMENDED ACTION: Approve.

30. Chief Administrative Office recommending the following pertaining to the Promotion Fund Request for Proposal Application:

(1) Approve \$418,117 for Promotional program funds that will be awarded for contractual services and;

(2) Approve the Request for Proposal for Promotion Funds for fiscal year 2005-2006. (Funding: General Fund, this amount is \$48,000 or 13% higher than that allocated last year)

RECOMMENDED ACTION: Approve.

53124

31. Auditor-Controller on behalf of the Assessment and Community Facilities District Bond Screening Committee recommending Resolution 168-2005 ordering change to the Rate and Method of Apportionment of Special Taxes for Community Facilities District 2001-1 (Promontory Specific Plan).

RECOMMENDED ACTION: Adopt Resolution 168-2005.

32. Supervisor Baumann recommending Resolution permitting Pyro Spectaculars, Inc. to conduct a pyrotechnic display at the Placerville Speedway, at the El Dorado County Fairgrounds for the annual "4th of July Celebration" on Monday, July 4, 2005, contingent upon said Company's full compliance of necessary requirements, insurance, contracts and permits as directed by fire control authorities and local officials.

RECOMMENDED ACTION: Adopt Resolution 165-2005.

33. Supervisor Baumann recommending the appointment of Dr. G. William King to serve as the representative for District II on the Fish and Game Committee for a term to expire January 2009.

RECOMMENDED ACTION: Approve.

34. Supervisor Paine requesting authorization to execute a letter, on behalf of the Board of Supervisors, to the National Trust for Historic Preservation for the submission of a grant application for funding to hire a Fund Raising Consultant to assist with short and long-term fundraising goals and plans for the Bayley House Restoration Project.

RECOMMENDED ACTION: Approve.

END CONSENT CALENDAR

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

50. Hearing to consider adoption of Resolution **160-2005** approving the El Dorado Hills Community Services District's Capital Improvement Plan and Park and Recreation Impact Fees.

BOARD ACTION - Hearing no protests, Resolution **160-2005** adopted. 12345

51. Development Services, Building Services Division, recommending the Board waive reading, read by title only and introduce Ordinance deleting Chapter 2.20 of Title 2 of the El Dorado County Ordinance Code in its entirety and incorporating applicable provisions, with modifications, into Chapter 9.02, Title 9 of the Ordinance Code to provide County Code Enforcement staff with administrative citation authority and to create uniform procedures for administrative enforcement hearings and appeals and formalize the role of the Hearing Officer; and further recommending adoption of same to be set for **June 21, 2005**.

BOARD ACTION - Board referred matter back to staff for language corrections as discussed this date and continued introduction of same to **June 28, 2005**. 31245

52. Sheriff's Department recommending Board waive reading, read by title only and introduce Ordinance deleting Chapter 10.16 of Title 10 of the El Dorado County Ordinance Code in its entirety and replacing said Chapter and Title of the Code, commonly known as the Vehicle Abatement Ordinance; and further recommending adoption of same be set for **June 21, 2005**.
BOARD ACTION - Board referred matter back to staff for language corrections as discussed this date and continued introduction of same to **June 28, 2005**. 13245
53. Sheriff's Office recommending Resolution **161-2005** adding a fee for vehicle abatement hearings and revising the current fee for recovery of costs.
BOARD ACTION - Resolution **161-2005** adopted. 52134
54. Information Technologies Department recommending the Board find that the purchase of the Ironport email antivirus and antispam appliance will save significant amounts of administrative time and provide advanced antivirus and antispam protection for County data systems; and further recommending Chairman be authorized to sign Product and Services Sales Agreement with IronPort Systems, Inc. for a three year term for update and support services, payable annually through the term of said Agreement and Purchasing Agent be authorized to encumber funds for said purchase.
BOARD ACTION - Approved. 1524 3(np)
55. Chief Administrative Officer presenting the proposed budget for fiscal year 2005/2006; and recommending the Board receive and file same and schedule the public hearings for said budget for the week of **September 12-16, 2005**.
BOARD ACTION - After hearing presentation by the Chief Administrative Officer, the Board continued proposed budget to **June 28, 2005**. 1524 3(np)

TIME ALLOCATION - 10:00 A.M.

BOARD OF SUPERVISORS TO CONVENE AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD TO CONSIDER THE FOLLOWING:

60. Hearing to consider testimony for amendments to the following District-wide rules as required by Health and Safety Code, Sections 42311(e); and said hearing to be continued to **July 19, 2005** for adoption:

(a) Rule 601 Stationary Source Fees;

(b) Rule 609 Hourly Rate; and

(c) Rule 610 Land Development Fees.

BOARD ACTION - After hearing testimony, Board continued the hearing for the adoption of said Rules to **July 19, 2005**. 15234

AIR QUALITY MANAGEMENT DISTRICT BOARD TO ADJOURN

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

June 14, 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 54956.8, Conference with Real Property Negotiator:

- Instructions to negotiator regarding real property described as APN 067-030-06. The persons with whom the negotiator may negotiate are Liz Steller, Senior Land Agent for the State of California, and Jim Michaels, Associate Parks and Recreation Specialist. Instructions to negotiator will concern price and terms of payment.

No action reported.

Section 54957.6, Conference with Labor Negotiator:

- Title: County Negotiator: Director of Human Resources
Employee Organizations: Management Unit and Operating Engineers Local 3, Corrections Unit.

No action reported.

Section 54956.9(b), Anticipated Litigation:

- Significant exposure to litigation.

No action reported.