

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, August 16, 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 items 23, 24, 25, 40, 54 and 60 pulled from Consent Calendar for separate action; item 50 continued to **August 30, 2005**; items 75 and 76 added to Consent Calendar for approval. Consent Calendar approved as modified. 3124

PRESENTATION by Child Support Services and adoption of Resolution **230-2005** recognizing August 2005 as "Child Support Awareness Month" in El Dorado County.

BOARD ACTION - Resolution adopted. 3124

OPEN FORUM**CONSENT CALENDAR**

1. Approval of the Board of Supervisors Conformed Agendas (Minutes) of Special Meeting of Monday, July 18, 2005 and the Regular Meeting of Tuesday, July 19, 2005.
RECOMMENDED ACTION: Approve.
2. Release of liens (on file with the Clerk).
RECOMMENDED ACTION: Approve.
3. Public Health Department recommending Resolution approving the 2005 Revision of the El Dorado County Emergency Medical Services Trauma Plan; and authorizing Chairman to sign Base Hospital Service Agreements with Barton Memorial Hospital and Marshall Medical Center for pre-hospital and hospital trauma care in El Dorado County for a term of five years. (Change in Policy)
RECOMMENDED ACTION: Adopt Resolution **231-2005**.

4. Public Health Department recommending Chairman be authorized to sign Amendment 01 to Contract No. EMS-4057 with California State Emergency Medical Services Authority extending the term to October 31, 2005 for the purpose of developing and implementing El Dorado County Programs for pediatric illness, injury and trauma. (Funding: State EMS Authority Grant, unspent grant funding will be rolled in the Department's fiscal year 2005/2006 budget)
RECOMMENDED ACTION: Approve.
5. Public Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement 120-PHD0006 with Medical Priority Consultants, Inc. in the amount of \$7,150 for a one-year term to add one ProQA Software license at the City of South Lake Tahoe dispatch location and one at the California Department of Forestry Camino dispatch location. (Funding: County Service Areas 3 and 7)
RECOMMENDED ACTION: Approve.
6. Public Health Department recommending Chairman be authorized to sign Agreement 010-500-0306-301-1 with First 5 El Dorado Children and Families Commission retroactive to July 1, 2005 to provide \$211,000 in funding to collaborate with First 5 in developing a Special Needs Project to provide services to children from birth to age five who are identified as having disabilities and other special needs. (Funding: Grant)
RECOMMENDED ACTION: Approve.
7. Public Health Department recommending the continuation of the current perpetual Agreements for Services as outlined in Agenda Transmittal dated July 22, 2005; and Purchasing Agent be authorized to establish blanket purchase orders to process the fiscal year 2005/2006 payments required.
RECOMMENDED ACTION: Approve.

8. Public Health Department recommending Chairman be authorized to sign Agreement for Services with the County Office of Education in the amount of \$5,928 for the term September 1, 2005 through June 30, 2006 to reimburse said Department for services provided by the El Dorado County School Attendance Review Board (SARB) in 2005/2006. (Funding: Office of Education)
RECOMMENDED ACTION: Approve.
9. Public Health Department recommending Chairman be authorized to sign retroactive Agreement with El Dorado Union High School District for incoming funding in the amount of \$22,000 for the term July 1, 2005 through June 30, 2006 for on site preventive health services at El Dorado Union High School.
RECOMMENDED ACTION: Approve.
10. Public Health Department recommending Chairman be authorized to sign retroactive Agreement 010-500-0306-217-2 with First 5 El Dorado Children and Families Commission in the amount of \$71,357 for the term July 1, 2005 through June 30, 2006 for Safe and Healthy Homes Project services. (Funding: Grant)
RECOMMENDED ACTION: Approve.
11. Public Health Department recommending Chairman be authorized to sign retroactive Agreement 454-PHD0605 with Barton Memorial Hospital and Agreement 455-PHD0605 with Marshall Medical Center in an amount not to exceed \$10,000 per fiscal year at either hospital for the term July 1, 2005 through June 30, 2007 for miscellaneous testing and laboratory services for occupational and indigent health needs on an "as-requested" basis. (Funding: Discretionary)
RECOMMENDED ACTION: Approve.

12. Public Health Department recommending Chairman be authorized to sign retroactive Agreement 452-PHD0505 with Community Services Planning Council in the amount of \$34,241 for the term April 1, 2005 through June 30, 2006 for development of a computer based immunization monitoring and follow-up system for use by the Shots for Tots KIDS Regional Coalition and selected primary health care providers.
RECOMMENDED ACTION: Approve.
13. Public Health Department recommending Chairman be authorized to sign retroactive Agreement 459-PHD0605 with El Dorado County Community Health Center for \$36,000 in Immunization Program funding for fiscal year 2005/2006, noting Agreement allows said Center to receive State funding for immunizations before the start of school. (Funding: State Department of Health Services Immunization Branch Agreement)
RECOMMENDED ACTION: Approve.
14. Human Services Department recommending adoption of Resolution approving the El Dorado County Child Abuse Prevention, Intervention and Treatment, Community-Base Family Resource Support, and Promoting Safe and Stable Families Three-year Plan for submission to the California Department of Social Services; and further recommending Chairman be authorized to sign the Notice of Intent to contract with public or non-profit agencies to provide services in accordance with said Plan. (Funding: Federal/State Grant Funds)
RECOMMENDED ACTION: Adopt Resolution 232-2005.
15. Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 400-S0511 with Drug Detection Laboratories in an amount not to exceed \$20,000 for a two-year term for urinalysis collection and testing services for participants of CalWORKs and Child Protective Services, noting \$10,000 budgeted for each fiscal year. (Funding: Realignment/Federal/State)
RECOMMENDED ACTION: Approve.

16. Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement FCED-0506-01 with Family Connections El Dorado, Inc. to enable this local service provider to receive federal revenues for eligible Targeted Case Management services provided during the period July 1, 2005 through June 30, 2006. (Funding: Federal/State Revenues)

RECOMMENDED ACTION: Approve.

17. Agriculture, Weights and Measures Department recommending Chairman be authorized to sign Agreement 05-0238 with the State Department of Food and Agriculture in the amount of \$32,729 for fiscal year 2005/2006 for exotic insect pest trapping for El Dorado and Alpine Counties. (Funding: State)

RECOMMENDED ACTION: Approve.

18. Development Services Department, Planning Services, recommending adoption of the following Ordinances rezoning (Z90-60) properties from Exclusive Agriculture (AE) to Estate Residential Ten-acre (RE-10) and Planned Agriculture (PA) 30-acre minimum in the Pleasant Valley/Oak Hill/Sly Park area; said rezone was approved by the Board on April 9, 1991; however, an Ordinance for the site specific zone was never adopted:

(1) Ordinance **4680** rezoning 60.30 acres (APN 046-270-16) petitioned by Linda Westwood;

(2) Ordinance **4681** rezoning 20.10 acres (APN 046-270-18) petitioned by Joseph F. and Carol A. Herrlie; and

(3) Ordinance **4682** rezoning 85.43 acres (APN 046-270-19) petitioned by Gumball Holdings, LLC.

RECOMMENDED ACTION: Adopt Ordinance 4680, 4681, and 4682.

19. Development Services Department, Planning Services, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Kim L. Cameron and James Cameron; Janet Coit and Gregory Coit; Michael Collom; Matthew Doyle; Kathryn Gilfillan; Frank Hill and Gennieve Hill; Kenneth Development/Shawn Johnson; Ellen Martin, Trust; Daniel A. Pinski and Katherine A. Pinski; Richard J. Polster and Dorothy J. Polster; Craig Sandberg and Julie Sandberg; S-C Property Development, LLC/Kerry R. Scott; and Aaron W. York and Kathryn E. York for property in the vicinity of the Cameron Park Airport. (District I and IV)
RECOMMENDED ACTION: Approve.
20. Development Services, Planning Division, recommending Chairman be authorized to sign Avigation and Noise Easement and Certificate of Acceptance from Sheri Baer for property in the vicinity of the Placerville Airport. (District III)
RECOMMENDED ACTION: Approve.
21. Development Services, Planning Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Jonathan Marcellus and Jennifer K. Marcellus; James Mathews and Erika Mathews; and Steve Novobilski for property in the vicinity of the Lake Tahoe Airport. (District V)
RECOMMENDED ACTION: Approve.
22. Development Services, Planning Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Shirley Elaine Eastus, and Theodore A. Goppert, Linda M. Goppert and Jennifer C. Goppert for property in the vicinity of the Georgetown Airport. (District IV)
RECOMMENDED ACTION: Approve.

23. District Attorney recommending adoption of Resolution authorizing him to file an application with the State Office of Emergency Services for the Elder Abuse Vertical Prosecution component of the Vertical Prosecution Grant for fiscal year 2005/2006 and authorizing him to execute the Agreement and any extensions to same. (Funding: Grants)
RECOMMENDED ACTION: Adopt Resolution **233-2005.** 3214
24. District Attorney recommending adoption of Resolution authorizing him to file an application with the State Office of Emergency Services for the Anti-Drug Abuse Task Force Grant for fiscal year 2005/2006 and authorizing him to execute the Agreement and any extensions to same. (Funding: Federal funds)
RECOMMENDED ACTION: Adopt Resolution **234-2005.** 3214
25. District Attorney recommending adoption of Resolution authorizing him to execute the Grant Award Agreement, and any extensions or amendments to same, with the State Department of Justice for fiscal year 2005/2006 for the Spousal Abuser Prosecution Program. (Funding: State Department of Justice)
RECOMMENDED ACTION: **235-2005.** 3214
26. General Services Department recommending Chairman be authorized to sign Amendment 02 to Agreement 095-S0511 with Mother Lode Van and Storage, Inc. increasing compensation by \$50,000 to an amount not to exceed \$95,000 and extending the term through December 31, 2005 for relocation services for departments county-wide on an "as-requested" basis. (Funding: General and Non-General Fund)
RECOMMENDED ACTION: Approve.

27. General Services Department recommending the Board find that it is more economical and feasible to "contract out" for services in accordance with Section 3.13.030 of the County Purchasing Ordinance; and authorize Chairman to sign Agreement 145-S0611 with CYS Structural Engineers, Inc. in an amount not to exceed \$31,600 to provide structural engineering services relating to a seismic evaluation of the Superior Court Building in South Lake Tahoe. (Funding: ACO Budget)

RECOMMENDED ACTION: Approve.

28. General Services Department recommending Chairman be authorized to sign Amendment 02 to Lease Agreement 070-L0211 with Douglas C. and Fredericka T. Hansen in the amount of \$6,250 per month for 5,500 square feet of leased space located at 4327 Golden Center Drive, Suite 1, Placerville for the term September 1, 2005 through September 30, 2008, with three additional three-year terms, and assigning said lease to Public Health Department to sublease to the El Dorado County Community Health Center, a California Non-Profit Public Benefit Corporation, who will assume all responsibility for payment of rents, maintenance, and utility costs.

RECOMMENDED ACTION: Approve.

29. General Services Department recommending Chairman be authorized to sign Amendment 02 to Joint Use Agreement 120-L0011 with El Dorado Union High School District for a branch library at Oak Ridge High School located at 1120 Harvard Road, in El Dorado Hills to convert to a month to month tenancy in the amount of \$4,600 commencing on September 1, 2005 and ending upon completion of the new El Dorado Hills Library in December 2005. (Funding: Non-General Fund)

RECOMMENDED ACTION: Approve.

30. Transportation Department recommending Chairman be authorized to sign Resolution of vacation (AOE 2005-28) to terminate and abandon the rejected offer for one fifteen-foot wide drainage easement located centrally on the property identified as APN 067-591-05-100, Southpointe, Lot 5, as requested by R. David Young; and Resolution acknowledging, but rejecting Irrevocable Offer of Dedication (IOD 2005-11) for a replacement drainage easement located along the rear and side boundary lines of APN 067-591-05-100 necessary to accommodate planned construction of improvements on subject lot.
RECOMMENDED ACTION: Adopt Resolutions **236-2005** and **237-2005**.
31. Transportation Department recommending Chairman be authorized to sign Resolution to terminate and abandon Irrevocable Offer of Dedication for a road right of way, in fee, and public utilities easement located on the properties identified as APN 060-011-45-100 and 060-011-46-100 owned by Gregory D. Wheeldon, Diane E. Wheeldon, Dwight C. Jividen, William H. Fox and Lorene Fox; and Resolution accepting (IOD 2005-05) for a road right of way, in fee, a slope easement and a public utilities easement located on subject properties, necessary in order to satisfy a condition of approval for Conditional Certificate of Compliance COC04-64.
RECOMMENDED ACTION: Adopt Resolutions **238-2005** and **239-2005**.
32. Transportation Department recommending Chairman be authorized to sign Resolution of Vacation (AOE 2005-33) vacating one five-foot wide public utility easement located along the side boundary line and one ten-foot wide public utility easement located along the rear boundary line of property identified as APN 112-372-02-100 in Governor Village Unit 8, Lot 20 as requested by Daniel N. Plummer and Brenda Plummer to accommodate planned construction of a retaining wall on subject lot.
RECOMMENDED ACTION: Adopt Resolution **240-2005**.

33. Transportation Department recommending Chairman be authorized to sign Resolution of Vacation (AOE 2005-35) vacating and abandoning one ten-foot wide public utility easement located along the rear boundary line of APN 070-371-01-100 in Cameron Woods Unit 5, Lot 102 as requested by Debora J. DeMoff to accommodate planned construction of a swimming pool on subject lot.

RECOMMENDED ACTION: Adopt Resolution **241-2005**.

34. Transportation Department recommending Chairman be authorized to sign Resolution of Vacation (AOE 2005-31) vacating and abandoning one ten-foot wide public utilities easement located along the rear boundary line of APN 110-203-05-100 in Waterford Unit 3, Lot 185 as requested by Eric R. Zetlin and Susanne Zetline to accommodate planned construction of a swimming pool on subject lot.

RECOMMENDED ACTION: Adopt Resolution **242-2005**.

35. Transportation Department recommending the Board find that pursuant to Article II, Section 210 (b) of the El Dorado County Charter that the ongoing aggregate of the work performed under this Amendment is not sufficient to warrant the addition of permanent staff; and authorize Chairman to sign Amendment 01 to Agreement AGMT 04-675 with All Clean Commercial Janitorial Services increasing compensation amount by \$14,040 for a total amount of \$28,080 and extending the term to August 31, 2006 to provide janitorial services at said Department's Headington Road facility. (Funding: Discretionary Road Fund)

RECOMMENDED ACTION: Approve.

36. Transportation Department recommending Chairman be authorized to sign Agreement AGMT 05-875 with Vaughn Johnson, CPA in the amount of \$7,800 for a term to expire December 31, 2008 to provide financial and compliance audits of the South Lake Tahoe Transit Program. (Funding: Transportation Development Act Funds)

RECOMMENDED ACTION: Approve.

37. Transportation Department recommending the following pertaining to Serrano Village M, Unit 1 (TM010-1381):

- (1) Accept the Subdivision Improvements as complete;
- (2) Reduce Performance Bond 929332653 by \$427,089.50 to \$117,602.10, to guarantee against any defective work, labor done, or defective materials furnished, and release one year after acceptance if there are no defects or warrantee claims; and
- (3) Hold Laborers and Materialsmen Bond 929332653 in the amount of \$272,345.80 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance if no claims are made.

RECOMMENDED ACTION: Approve.

38. Transportation Department recommending the following pertaining to Serrano Village A, Unit 6 (aka Phase 13):

- (1) Accept the Subdivision Improvements as complete;
- (2) Reduce Performance Bond 929313098 by \$122,119.65, to \$90,459 to guarantee against any defective work, labor done or defective materials furnished, and release one year after acceptance if there are no defects or warrantee claims; and
- (3) Hold Laborers and Materialmens Bond 929313098 in the amount of \$452,295 to guarantee payment to persons furnishing labor, materials or equipment and release six months after acceptance if no claims are made.

RECOMMENDED ACTION: Approve.

39. Transportation Department recommending the following pertaining to The Promontory, Village 6, Phase 2A (TM97-1333):

- (1) Accept the Subdivision Improvements as complete including the following:
 - (a) The Promontory Village 6 Phase 2A (both onsite and offsite);
 - (b) The Promontory Collector Roads;
 - (c) The Promontory Offsite Water Phase 1 T-Main;
 - (d) The Promontory Offsite Sewer and Water North;
 - (e) The Promontory Offsite Sewer South;
 - (f) The Promontory Lift Station No. 1; and
 - (g) Olson Drive Lane Widening (including traffic signals at El Dorado Hills Boulevard);
- (2) Adopt Resolution accepting Beatty Drive into the County Maintained Mileage System;
- (3) Reduce Onsite Performance Bond 103597270 by \$2,531,913.30 to \$326,163.70 and the Offsite Performance Bond 103597269 by \$2,483,271.20 to \$1,365,764.80 to guarantee against defective work, labor done, or defective material furnished and release said bonds one year after acceptance, if there are no defects or warrantee claims; and
- (4) Hold Onsite Laborers and Materialsmen Bond 103597270 in the amount of \$1,429,038.50 and the Offsite Laborers and Materialsmen Bond 103597269 in the amount of \$1,924,518.00 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 **243-2005**.

40. Transportation Department recommending award of construction contract work for the Silvertip Phase 2 Erosion Control Project 95141 to the lowest responsible bidder. (Funding: CTC, TRPA, Caltrans, RSTP)

RECOMMENDED ACTION: Approve. **Board rejected all bids.**

1324

41. Transportation Department recommending the Board authorize the Right-of-way Unit to proceed with the acquisition process for the Green Valley Road/Silva Valley Parkway Intersection Improvements Project 73312 for parcels identified as APN 067-450-13, Thomas J. Hair and Darleen A. Hair; APN 067-450-14, Dean L. DeCourcy and Sandra K. DeCourcy; APN 067-450-15, Darcy Christensen and Minh Ngoc T. Nguyen; APN 067-622-01, Bernard Browne and Beverly A. Browne, Trustees of the Browne Family Trust dated November 29, 1993; APN 067-622-24, George L. Anderson and Carol V. Anderson, Trustees of the George L. Anderson Family Trust established February 11, 1992; APN 067-481-05, Arie Van Den Akker and Kathleen D. Van Den Akker.

RECOMMENDED ACTION: Approve.

42. Recorder-Clerk/Registrar of Voters recommending adoption of Resolution urging the State to reimburse local governments for the associated costs of the November 2005 Special Election.

RECOMMENDED ACTION: Adopt Resolution **244-2005.**

43. Recorder-Clerk/Registrar of Voters recommending the Board approve the results of the votes cast for the mailed ballot election held August 2, 2005 for Rising Hill Road Community Services District.

RECOMMENDED ACTION: Approve.

44. Recorder-Clerk/Registrar of Voters recommending the Board approve the results of the votes cast for the mailed ballot election held August 2, 2005 for West El Largo Community Services District.

RECOMMENDED ACTION: Approve.

45. Chief Administrative Office recommending adoption of Resolution to set aside 15% of fiscal year 2005/2006 Forest Reserve Funds and to dedicate 100% of the set-aside amount for projects authorized under Title III Law 106-393, the Secure Rural Schools and Community Self-Determination Act of 2000; approve the allocation of fiscal year 2005/2006 Title III funds for Search, Rescue and Emergency Services projects and Fire Prevention and County Planning projects; and authorize solicitation of proposals for the Fire Prevention and County Planning projects. (Funding: Federal Forest Reserve Funds)
RECOMMENDED ACTION: Adopt Resolution **245-2005**.
46. Chief Administrative Office recommending adoption of Resolution amending the Memorandum of Agreement with the Chief Administrative Officer setting her salary at Step 4 of the salary range, effective July 9, 2005. (Funding: General Fund)
RECOMMENDED ACTION: Adopt Resolution **246-2005**.
47. Chief Administrative Office recommending adoption of Resolution amending Salary and Benefits Resolution 323-2001 for Unrepresented Employees adding Section 1421 to provide for a management leave offset for elected Department Heads. (Funding: General Fund)
RECOMMENDED ACTION: Adopt Resolution **247-2005**.
48. Chief Administrative Office, Procurements and Contracts Division, recommending award of Bid 06-289-009 and issuance of three blanket purchase orders to Western Pacific Signal, LLC of San Leandro, California in the amount of \$14,963, Jam Services, Inc. of Livermore, California in the amount of \$3,288, and Tesco Controls, Inc. of Sacramento, California in the amount of \$6,693 for a twelve month period with an increase to same on an "as-needed" basis during the awarded period if funding is available within the requesting department's budget for traffic signal equipment for the Department of Transportation. (Funding: Capital Improvement Project Budget)
RECOMMENDED ACTION: Approve.

49. Supervisor Sweeney recommending traffic impact mitigations fees be waived for a modular classroom unit to improve classroom facilities at the Cedar Waldorf School site on Gold Meadows Road in Placerville.

RECOMMENDED ACTION: Approve. Board referred request for waiver of fees to the Chief Administrative Officer. 3124

50. Supervisor Sweeney, on behalf of Serina and Nathan Provencal, recommending the Board allow the expansion of the Provencal residence (APN 331-221-16-100) without requiring applications other than a building permit.

RECOMMENDED ACTION: Approve. Continued to August 30, 2005. 3124

51. County Service Area 010 to make findings that an independent consultant can more economically and feasibly perform work in accordance with County Ordinance Chapter 3.13, Section 3.13.030; and authorize Chairman to sign Amendment 02 to Agreement 005-04/05 with Chris Charrette dba CDC Consulting to increase the amount by \$30,000 to a total amount not to exceed \$69,500 to provide assistance with solid and liquid waste management assessments and quality assessment and quality control procedures at the Union Mine Wastewater Facility. (Funding: Non-General Fund/Special Revenue Funds)

RECOMMENDED ACTION: Approve.

52. General Services Department recommending Chairman be authorized to sign Amendment 01 to Agreement 131-L0311 with Raymond C. and Patricia J. Presgrave in the amount of \$6,555 per month for 5,340 square feet of office space located at 630 Main Street, Placerville commencing September 1, 2005 through August 31, 2010, with three additional two year terms after the initial Lease expiration, and transferring fiscal responsibility of said subject lease from the Department of Human Services to the Public Defender's Office. (Funding: General Fund)

RECOMMENDED ACTION: Approve.

53. General Services Department recommending the Auditor-Controller be authorized to make cash advances from the General Fund to the Accumulated Capital Outlay (ACO) Funds for Facilities and Parks and to the Airport Capital Improvement Funds for Placerville and Georgetown, on an "as-needed" basis to prevent negative cash balances in these funds; the advanced funds are to be reimbursed with interest as determined by same.
RECOMMENDED ACTION: Approve.
54. Treasurer-Tax Collector recommending Resolution discharging accountability for unpaid County debts.
RECOMMENDED ACTION: Adopt Resolution **248-2005.** 3214
55. Chief Administrative Office, Procurements and Contracts Division, recommending rescinding and Award of Bid 05-204-103 to Level 4 Networks of El Dorado Hills, California; and authorize blanket purchase order to the next lowest, responsive bidder Delta Wireless of Sacramento, California in the amount of \$76,500 for a term to expire May 2, 2006 for the purchase of Cisco Network Equipment to replace outdated or defective equipment, noting Vendor has not performed as required under the terms of the bid in that used equipment was provided. (Funding: General Fund)
RECOMMENDED ACTION: Approve.
56. Chief Administrative Office recommending Resolution accepting the proposed exchange of property tax increments for APN 067-051-06, for the annexation of Chartraw to El Dorado Hills County Fire District (CDW)- LAFCO Project 05-07.
RECOMMENDED ACTION: Adopt Resolution **249-2005.**

57. Transportation Department recommending the Board find that pursuant to Article II, Section 210 b (6) of the County Charter that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County classifications, and that the ongoing aggregate of work performed under this Agreement is not sufficient to warrant the addition of permanent staff; and authorize the Chairman to sign Agreement AGMT 05-796 with DMJM+Harris, Inc. in an amount not to exceed \$1,000,000 for a term to expire August 16, 2007 to provide engineering and construction support services on an "as-needed" basis for said department. (Funding: Traffic Impact Mitigation Fees)

RECOMMENDED ACTION: Approve.

58. Supervisor Sweeney recommending the Board authorize \$5,000 from the Transit Occupancy Tax (TOT) Funds to be forwarded to the American Legion Post 119 to assist with the sponsorship of the "American Legion Logging Show" to be held at the Veteran's Memorial Hall on August 28, 2005 at 11:00 a.m.

RECOMMENDED ACTION: Approve. **Staff directed to bring back a budget transfer to reflect the \$5,000 transfer from the General Fund rather than Transit Occupancy Tax funds.**

3124

59. Public Health Department recommending Chairman be authorized to sign retroactive Amendment 02 to Agreement 300PHD0503 with Elizabeth Bell dba Edge Consulting extending the term through June 30, 2006 with no increase in compensation to provide general meeting facilitation services to the Public Health Department, noting retroactive as to term due to certificates. (Funding: Public Health Realignment, unspent funding to be carried over to fiscal year 2005/2006).

RECOMMENDED ACTION: Approve.

60. Public Health Department recommending Chairman be authorized to sign Amendment 01 to Grant and Reimbursement Agreement 396-PHD1004 with El Dorado County Community Health Center to provide an additional \$300,000 in Tobacco Settlement funding to be used for Health Center operations costs, and either extending the period of time for repayment of the original grant with no repayment, noting the additional \$300,000 comes from Tobacco Settlement dollars received prior to July 1, 2005. Under County Board of Supervisors direction, these funds are restricted for health related programs. (Funding: Tobacco Settlement Funding - Health Alliance Projects)
RECOMMENDED ACTION: Approve. Board approved the amendment to the existing Grant and Reimbursement Agreement of November 2004 extending the term for reimbursement to three years and awarded the \$300,000 grant. 2134

61. Human Services Department, Community Services Division, recommending Resolution increasing the existing petty cash fund for Senior Nutrition Services from \$160 to \$240; said increase to facilitate the day-to-day program operations at each of the eight meal sites by increasing petty cash from \$20 to \$30. (Funding: Participant donations)
RECOMMENDED ACTION: Adopt Resolutions 250-2005.

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.

70. Chief Administrative Office recommending the Board receive and file the Initial Draft Response to the 2004-2005 Grand Jury final report and direct staff to coordinate such additional meetings, workshops, subcommittees, or board hearings that the Board may require.
BOARD ACTION - Received and filed. 3214

71. Chief Administrative Office recommending advanced step placement of Ms. Jacqueline K. Nilius at Step 5 of the salary range for the position of Director of Information Technologies effective September 6, 2005.
BOARD ACTION - Approved. 1324
72. Child Support Services recommending the Board receive and file the report on the upcoming transition of child support collections to a Statewide Distribution Unit (SDU).
BOARD ACTION - Received and filed. 3124
73. Public Health Department, on behalf of El Dorado County Regional Prehospital Emergency Services Operations Authority, would like to invite the Board to participate in a workshop given by the Joint Powers Authority (JPA) Board to discuss financial and budgetary issues; and request that one member of the Board of Supervisors attend this workshop along with the Director of Public Health, Emergency Medical Services (EMS) Agency staff, and the JPA Finance Committee, noting a representative of the Chief Administrative Office should attend and participate in the workshop and report back to the Board.
BOARD ACTION - Board directed that a representative of the Chief Administrative Office attend and participate in said workshop. 1234

TIME ALLOCATION - 2:00 P.M.

80. Hearing to consider an Appeal on the approval of Special Use Permit (S04-0044) to allow a commercial kennel permit for a Commercial Animal Establishment for the specific intent of breeding and selling dogs on property consisting of 40.14 acres (APN 087-190-02) in the Latrobe area (District II); Applicant: Hot Shot Retrievers; Appellant: Colleen Foley.

BOARD ACTION - Board denied the Appeal, upholding the decision of the Planning Commission; directed Planning staff to add the condition that Animal Control staff be directed to conduct a random inspection on a quarterly basis of said kennel; Condition 4 amended to limit the maximum number of dogs to 15 until staff determines this restriction may be lifted to allow a maximum of 26 dogs; and Condition 6 amended to include the installation of an additional six-foot sound wall on the south side of the facility in order to enclose the entire kennel. 1423

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT**

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****August 16, 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(b), Anticipated Litigation:

- Significant exposure to litigation.
No action reported.

Section 54956.9(c), Anticipated Litigation:

- Initiation of litigation, one (1) potential case.
BOARD ACTION - On a unanimous vote, the Board authorized the Chief Administrative Officer to execute a contract, with the concurrence of County Counsel, with Erickson, Beasley, Hewitt and Wilson LLP to represent and advise the County in connection with the preparation, initiation and conduct of eminent domain proceedings, if necessary, with regard to the Missouri Flat Interchange Phase I Project and other related legal services as required. Said firm is currently engaged by the County under another contract with regard to eminent domain proceedings and the terms and rates charged are essentially the same.

Section 54957.6, Conference with Labor Negotiator:

- County Negotiator: Director of Human Resources and Bruce Heid, Industrial Employees and Distributors Association (IEDA).
Employee Organization: Operating Engineers, Local 3, Corrections; El Dorado County Local 1; Deputy Sheriff's Association, Welfare Investigators.
Unrepresented Employee: Sworn Management.
No action reported.

Section 54956.9(a), **Existing Litigation:**

- Title: Marilyn May Shields vs. Deputy Sheriff Tracy, et. al., U.S. District Court Case Number CIVS 03-1614 EJG/PAN.

No action reported.

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

No action reported.

- Title: Department of Conservation v. El Dorado County, et. al., Loring Brunius, Real Party in Interest v. California Mining Association, et. al., Interveners, California Supreme Court Case No. S116870, Third Appellate District Case No. C039428, El Dorado County Superior Court Case PV002958/002959.

No action reported.

Section 54957, **Public Employee Appointment:**

- Title: Director of the Department of Transportation

No action reported.