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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, July 22, 2003 - 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

HELEN K. BAUMANN

Second District
Chairman

RUSTY DUPRAY

First District
First Vice Chairman

CHARLIE PAINE

Fourth District
Second Vice Chairman

DAVID A. SOLARO

Fifth District

Clerk of the Board
Dixie L. Foote

Interim 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.

A copy of the Board of Supervisor's agenda packet (which includes supporting documents) is available for viewing in the lobby of Building A, 330 Fair Lane, Placerville.

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 the follow modifications: recommended action for Consent Calendar items 1 and 17 changed to continue those items to August 19, 2003; Consent Calendar items 6 and 12 pulled for separate action (item 6 to be heard concurrently with Department Matter 51); Department Matters 50, 52, 53, 56, 57, 58, 69, 70 and 72 added to the Consent Calendar for approval; Department Matter 63 moved to the 2 p.m. calendar; and Department Matter 67 moved to follow item 74.

DSBP

PRESENTATION of Proclamation recognizing Norman L. Miller on the occasion of his retirement from the Probation Department.

DSBP

CONSENT CALENDAR

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of Regular Meeting of July 15, 2003.
RECOMMENDED ACTION: Continue to **August 19, 2003.**
2. Public Health Department recommending the revised Drug Diversion (PC1000) Program and Education Standards which reflect current State requirements.
RECOMMENDED ACTION: Approve and authorize the Director of said Department to execute service provider contract amendments to implement said revision following approval per County policy.

3. Mental Health Department recommending the Board make findings that an independent contractor can more economically perform work in accordance with County Ordinance Chapter 3.13; and authorize Chairman to sign Agreement 012-S0311 with Judith V. Brown dba Tahoe Manor Guest Home in an amount not to exceed \$78,750 for a term to expire June 30, 2004 with the provision to extend the term through September 30, 2004 for supplemental residential care services for mentally disordered adults on an "as requested" basis.
RECOMMENDED ACTION: Approve.
4. Mental Health Department recommending Agreement 011-S0411 with Barton Healthcare System dba Barton Memorial Hospital in an amount not to exceed \$30,000 for a term to expire June 30, 2004 for medical services to program participants involved in the Tahoe Opportunity Project at South Lake Tahoe.
RECOMMENDED ACTION: Authorize Chairman to sign.
5. Community Services Department recommending the 2003/2004 Area Plan Update for Senior Services.
RECOMMENDED ACTION: Approve and authorize Chairman to sign the transmittal letter for submission of same to the California Department of Aging.
6. Community Services Department recommending the Board find that an independent contractor/consultant can more economically and feasibly perform work in accordance with County Ordinance Chapter 3.13; and authorize Chairman to sign Agreement 033-S0411 with Mary Ellen Shay dba M.E. Shay and Company in an amount not to exceed \$15,000 for a term to expire July 31, 2006 for administrative services for the implementation of the 2002 HOME application in accordance with requirements of HOME Contract 02-HOME-0613 for the development of a 168-unit workforce family rental housing development as part of the Mercy Housing California White Rock Village Project in El Dorado Hills.
RECOMMENDED ACTION: Approve. SPDB

7. Community Services Department recommending the Board find that an independent contractor can more economically and feasibly perform work in accordance with County Ordinance Chapter 3.13; and authorize Chairman to sign Agreement 704-S0311 with Sierra Economic Development District (SEDD) in the amount of \$292,500 for micro-enterprise assistance activities through August 5, 2005 for Community Services as a sub-recipient in accordance with provisions of Community Development Block Grant Contract 02-EDBG-88 with the State Department of Housing and Community Development.

RECOMMENDED ACTION: Approve, noting contract term is concurrent with grant term.
8. General Services Department recommending award of Bid-04-760-007 for cutting edges for the Department of Transportation.

RECOMMENDED ACTION: Authorize blanket purchase order to Intermountain Supply of Sparks, Nevada in the amount of \$26,392 including sales tax, from the Department of Transportation's Road Fund (Non-General Fund) for a twelve month term and an increase to same on an "as needed" basis during the awarded period if funding is available within the requesting department's budget.
9. General Services Department recommending Agreement 103-00411 with South Tahoe Public Utility District (STPUD) for shared road access for the soon to be constructed South Lake Tahoe ball fields and a new STPUD sewage treatment facility.

RECOMMENDED ACTION: Authorize Chairman to sign.
10. General Services Department recommending the exercise of the second option per the terms of Joint Use Agreement 120-L0011 with the El Dorado County Union High School District in the amount of \$55,004 for the term September 1, 2003 through August 31, 2004 for the branch library at Oak Ridge High School in El Dorado Hills. (Non-General Fund)

RECOMMENDED ACTION: Approve.

11. General Services Department recommending the exercise of the first option to extend Lease Agreement 144-L0111 with Blanche Kawahara in the amount of \$1,151.41 per month for the term September 1, 2003 through August 31, 2004 for office space at 941 Spring Street, Unit 8, Placerville, for the Health Promotions Program for the Public Health Department. (Non-General Fund)
RECOMMENDED ACTION: Approve.
12. General Services Department recommending Amendment 003 to Agreement 570-S0211 with The Resource Group Consulting, Inc. dba TRG Consulting, Inc. extending the term to December 31, 2003 to develop a Facilities Space Study.
RECOMMENDED ACTION: Authorize Chairman to sign.
13. General Services Department recommending Amendment 002 to Lease Agreement 325-L9911 with the El Dorado County Fair Association converting the amount and term month to month effective August 1, 2003 for training classrooms located on Ray Lawyer Drive adjacent to the fairgrounds in Placerville. (General Fund)
RECOMMENDED ACTION: Authorize Chairman to sign, noting the month to month lease is necessary until space at the former cafeteria site is upfitted for training space.
14. General Services Department recommending a 1997 Sheriff's Ford Crown Victoria patrol vehicle be declared surplus.
RECOMMENDED ACTION: Authorize the donation of said vehicle to the Soroptomist Club of South Lake Tahoe and the General Services Director to sign required Agreements for use of said property.
15. General Services Department submitting report on the emergency status of the replacement of a control panel at the South Lake Tahoe Jail.
RECOMMENDED ACTION: Receive and file.

16. District Attorney recommending Resolution authorizing him to execute the Agreement BOC-3104 with the State Victim's Compensation and Government Claims Board in the amount of \$40,000 for the term July 1, 2003 through June 30, 2004 for funeral and burial emergency services for the Victim Witness Assistance Program.
RECOMMENDED ACTION: Adopt Resolution 205-2003.
17. Treasurer/Tax Collector recommending the Board approve the Deferred Compensation Committee's request that California Public Employees Retirement System (CalPERS) be the sole plan provider for the County's Deferred Compensation Plan.
RECOMMENDED ACTION: Continued to **August 19, 2003.**
18. Treasurer/Tax Collector recommending the continuation of the following perpetual agreements:
(1) Bloomberg LP in the amount of \$25,091 for investment services;
(2) BNY Western Trust in the amount of \$15,500 for custody of securities;
(3) NCR, Inc. in the amount of \$10,083.48 for maintenance on NCR Model 7780 remittance processing system hardware;
(4) Professional Consultancy, Inc. in the amount of \$10,883.09 for the cashiering software license; and
(5) Sympro, Inc. in the amount of \$2,145 for portfolio tracking system software maintenance.
RECOMMENDED ACTION: Approve and authorize Auditor/Controller to make payment on approved invoices.
19. Sheriff Department recommending the Board find that pursuant to Section 3.12.132 of the Purchasing Ordinance, competitive bidding would produce no economic benefit to the County; and authorize a purchase order to REO Mobile Systems, a division of Systems Integration Hardware, Inc. of Santa Ana, California, in the amount of \$11,075.73 for 38 docking platforms and 15 truck pull-out trays for new mobile data computers being installed in patrol vehicles.
RECOMMENDED ACTION: Approve, noting that competitive bidding would produce no economic benefit due to the docking platforms having been custom fitted to the consoles previously purchased.

20. Sheriff Department recommending Amendment 001 to Agreement 184-S0210 with Richard L. Williams and C. Alex Gustafson dba Legal Research Associates increasing compensation from \$10,000 to \$15,000 for the term August 7, 2002 through August 6, 2003 and setting compensation at \$18,000 for the term August 7, 2003 through August 6, 2004 for legal research copy services on an "as requested" basis for inmates incarcerated in the County Jail in Placerville.
RECOMMENDED ACTION: Authorize Chairman to sign.
21. Sheriff Department recommending Resolution authorizing continuation of the Adult Home Electronic Monitoring Program and its rules, regulations and policies as required annually.
RECOMMENDED ACTION: Adopt Resolution 210-2003 pertaining to adult home detention and noting there are no changes from last year's review.
22. Social Services Department recommending Amendment 001 to Agreement 006-S0211 with Sacramento Service and Development Corporation extending the term for four months in the amount of \$20,433 for food stamp distribution services until said Department changes to the statewide Electronic Benefit Transfer (EBT) program.
RECOMMENDED ACTION: Authorize Chairman to sign and Director of said Department to execute subsequent documents necessary to complete the scope of work following approval per County policy, not to include increases or decreases in overall funding or extension of term.
23. Auditor/Controller submitting Report of Special Tax Delinquencies for Community Facilities District No. 1992-1 (CFD 1992-1) and Community Facilities District No. 2001-1 (CFD 2001-1).
RECOMMENDED ACTION: Receive and file.

24. Auditor/Controller recommending Resolutions approving Community Facilities District 1992-1 and Community Facilities District 2001-1 Special Tax Levy Report and levying and apportioning the special tax for fiscal year 2002/2004.
RECOMMENDED ACTION: Adopt Resolution Nos. 206-2003 and 207-2003 respectively.
25. Transportation Department recommending Resolution sanctioning the closure of South Shingle Road from Millers Hill School to the end of the pavement on South Shingle Road, Settlers Trail and Coulter Lane on Saturday, September 6, 2003 between 8:00 a.m. and 10:00 a.m. for the Latrobe Country Fun Run/Walk event.
RECOMMENDED ACTION: Adopt Resolution 208-2003.
26. Transportation Department recommending Resolution summarily vacating (AOE 2003-21) various five and ten foot wide public utilities easements located along the side and rear boundary lines of Lots 7, 8 and 9 in Sierra View Estates in Cameron Park for EMC Residential Mortgage Company dba Bear Stearns Mortgage Company.
RECOMMENDED ACTION: Adopt Resolution 209-2003.
27. Transportation Department recommending Federal Exchange/State Match Program Agreement X03-5925(040) with the State of California, acting by and through the State Department of Transportation (Caltrans), allowing the direct exchange of \$359,164 in fiscal year 2002/2003 Regional Surface Transportation Program (RSTP) Exchange Funds and allowing for the disbursement of \$100,000 in State Match Funds.
RECOMMENDED ACTION: Authorize Chairman to sign, noting \$359,164 is to be used towards bridge projects and the County Road 2538 erosion control and paving project in the Tahoe Basin; and State Matching Funds in the amount of \$100,000 are to be used for road maintenance.

28. Transportation Department recommending the Cedar Creek Bridge at Bridgeport School Road Project 77108 under contract with Yubacon, Inc. be accepted as substantially complete.

RECOMMENDED ACTION: Authorize Chairman to sign, noting budget was increased by \$65,000 at the time the Project was accelerated; the estimated revised budget and contingency was \$1,275,091; and the estimated cost at completion of is \$1,196,181; completing the project \$78,910 under the revised budget.

29. Transportation Department recommending Agreement CTA-02007 with California Tahoe Conservancy in amount of \$1,766,300 for design and administration, construction, irrigation, and monitoring costs associated with Phase 003 of the Apalachee Erosion Control Project JN95154.

RECOMMENDED ACTION: Authorize Chairman to sign noting Project summary is contained in Exhibit A of said Agreement.

30. Transportation Department recommending License Agreement with South Tahoe Public Utility District for a five year term for weather stations at Skyline Tank (APN 34-771-011) for the Apalachee Erosion Control Project and the Luther Pass Pump Station (APN 36-370-35) for the Christmas Valley Erosion Control Project. (Funding through grant funds from California Tahoe Conservancy and Tahoe Regional Planning Agency Water Quality Mitigation Funds.)

RECOMMENDED ACTION: Authorize Chairman to sign, noting operating costs of each station is \$2,000 plus electricity charges.

31. Transportation Department recommending easement acquisition documents with The Rubicon Trust, whose Trustees are Bernard G. Lovelace and Elizabeth G. Lovelace in the amount of \$9,020 for acquisition of an easement (APN 16-311-10) for the Woodland/Tamarack/Lonely Gulch Erosion Control Project JN95045. (Funding from the California Tahoe Conservancy.)

RECOMMENDED ACTION: Authorize Chairman to sign said documents and the Director of said Department or his designee to sign Supplemental Escrow Instructions.

32. County Counsel submitting the Second Quarter Calendar Year 2003 Collection Report.

RECOMMENDED ACTION: Receive and file.

33. Supervisor Baumann recommending Certificates of Recognition to Vickie Sanders, Thomas DeLang, William Isaacs, Gene Peterson and Marshall Seaborn for their outstanding work, dedication, and professionalism in the planning, planting, care and maintenance of the grounds of the El Dorado County Government Center.

RECOMMENDED ACTION: Authorize Chairman to sign.

34. Supervisor Paine recommending the District IV, offsite Board of Supervisors meeting on August 26, 2003, be scheduled to begin at 2:00 p.m. at the Marshall Grange, 4940 Marshall Road, Garden Valley and any Closed Sessions be scheduled for 9:00 a.m. at the Board of Supervisors Meeting Room, 330 Fair Lane, Placerville.

RECOMMENDED ACTION: Approve.

35. Supervisor Paine requesting authorization to execute a letter of support on behalf of the Board of Supervisors for extension of the County Residential Chipper Project under the Community-Based Wildfire Prevention Grants Program.

RECOMMENDED ACTION: Approve.

END CONSENT CALENDAR

OPEN FORUM

CAO REPORTS/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. Mental Health Department recommending Chairman be authorized to sign Amendment 001 to Agreement 734-S0311 with Amador County increasing the amount from \$72,600 to \$145,200 and extending the term from July 1, 2002 through June 30, 2004 for said County's access to El Dorado County's Psychiatric Health Facility. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved.

DSBP

51. Community Services Department Director requesting authorization to execute an Inter-Creditor Agreement, Consent and Agreement, Subordination Agreement and Escrow Instructions, subordinating El Dorado County's loans to Mercy Housing California to Bank of America, N.A., to enable Mercy Housing California to obtain a construction loan to proceed with the development of the 168-unit workforce family rental housing development as part of the White Rock Village in El Dorado Hills.

BOARD ACTION - Approved.

SPDB

52. Community Services Department recommending adoption of Resolution **211-2003** authorizing the Chairman to sign Contract CB-0304-29 with the State Department of Aging in the amount of \$355,952 for the term July 1, 2003 through June 30, 2004 for Community Based Services Programs; and authorizing the Area Agency on Aging Director to administer same and execute subsequent documents relating to same, including amendments that do not affect the dollar amount or term, and required fiscal and programmatic reports. *(For Policy Consideration of the Board of Supervisors)*

ADDED TO CONSENT CALENDAR: Approved.

DSBP

53. General Services recommending adoption of Resolution of Intention 212-2003 to set a public hearing on **August 19, 2003 at 9:00 a.m.** to annex lands into the Georgetown Lighting and Landscaping Zone of Benefit 98585 within County Service Area 009, noting said hearing is scheduled concurrently with an election to be held on August 5, 2003 to create a special tax, and if the election results in disapproval of said tax, the public hearing will be cancelled.
ADDED TO CONSENT CALENDAR: Approved. DSBP
54. General Services Department recommending ratification of Purchase Order to Motorola for purchase of 36 mobile data computers authorized by the Board of Supervisors on April 29, 2002, and direction to the Auditor/Controller to process payment for same; noting the Board authorized purchase of 13 mobile data computers on May 7, 2002 through the revised spending plan for Rural/Small County Law Enforcement Grant, and said Department now needs authorization for the purchase of the remaining 23.
BOARD ACTION - Approved. SPDB
55. General Services Department recommending Budget Transfer 23265 increasing appropriations in the Accumulated Capital Outlay (ACO) Fund by \$450,000 for fiscal year 2002/2003 for Agreement 642-S0399 with United Construction Company for contractor services for the South Lake Tahoe Juvenile Hall Facility Project, noting an equal adjustment will be made in the proposed fiscal year 2003/2004 budget addendum to decrease the appropriations in the ACO budget, and funds are available in the Juvenile Hall Trust Fund Account. (4/5 vote required)
BOARD ACTION - Approved. SDBP
56. Auditor/Controller recommending Budget Transfer 23264 transferring \$30,037.24 from General Fund Contingency for fiscal year 2002/2003 to establish an appropriation in the Bond Authority for payment of the required arbitrage rebate to the Internal Revenue Service (IRS) for period December 4, 1997 through December 4, 2002. (4/5 vote required)
ADDED TO CONSENT CALENDAR: Approved. DSBP

57. Sheriff recommending the following pertaining to Domestic Preparedness and Homeland Security:

(1) Accept the fiscal year 2002 Domestic Preparedness grant in the amount of \$183,644 and the fiscal year 2003 Homeland Security grant in the amount of \$162,976;

(2) Authorize Chairman to sign Budget Transfers 24001 and 24002 increasing Estimated Revenue as a result of said grants and transferring same to the Sheriff's fiscal year 2003/2004 operating budget; (4/5 vote required)

(3) Adopt Resolution **213-2003** amending the Authorized Personnel Allocation Resolution 177-2003 **adding** one Department Analyst I/II position to manage these and other grants being received under the Homeland Security umbrella;

(4) Authorize purchase order to REMOTEC, Inc. of Oak Ridge, Tennessee in an amount not to exceed \$135,000 for a remote operated robot for the Emergency Ordinance Disposal Unit; and

(5) Find that, pursuant to Section 3.12.123 of the Purchasing Ordinance, acquisition of said robot by competitive bid would produce no economic benefit to the County.

ADDED TO CONSENT CALENDAR: Approved.

DSBP

58. Agriculture, Weights and Measures Department recommending Chairman be authorized to sign Agreement 03-0258 with the State Department of Food and Agriculture in the amount of \$13,500 for the term July 1, 2003 through June 30, 2006 for inspection and certification of fruits and vegetables. (*For Policy Consideration of the Board of Supervisors*)

ADDED TO CONSENT CALENDAR: Approved.

DSBP

59. Transportation Department recommending credit of traffic impact fees in the amount of \$11,243 to Walter R. Larsen/Lorraine Larsen-Hallock (APN 091-140-02-100) as follows:

- (1) Traffic Impact Mitigation fees in the amount of \$4,337;
- (2) Interim Highway 50 Corridor Variable Impact fee (West District) in the amount of \$3,998;
- (3) State Highway Traffic Impact Mitigation fee (Regional Analysis Zone 1) in the amount of \$2,908; noting an existing dwelling is being demolished and replaced with a modular home with no increase in the traffic generated.

BOARD ACTION - Approved.

DPBS

At the request of the Chairman, Transportation Department will review the County *fee credit* policy, specifically the matter of department authority vs. authority reserved by the Board of Supervisors, and reassess the County *fee deferral* policy, and bring back to the Board any recommended changes to facilitate consistency in cases of hardship or where no new traffic is being generated.

60. Transportation Department recommending clarification of the Board action of November 5, 2002 approving the selection of the interchange design referred to in the U.S. Highway 50/El Dorado Hills Boulevard-Latrobe Road Interchange, Environmental Impact Report/Environmental Assessment (EIR/EA) as Alternative I; said clarification is necessary in order to comply with the Order on Motion to Return to Peremptory Writ of Mandate issued by the Superior Court of the County of El Dorado on May 29, 2003:

- a. Specify that the adopted alternative, Alternative I, designates the tangent location of Saratoga Way.
- b. Specify that the interchange ramp designs for Alternative I adopted by the Board incorporate the compressed geometric designs reflected in the 3E configuration for the interchange and that the design of the interchange ramps in Alternative I approved by the Board are consistent with the 3E configuration.

BOARD ACTION - Staff's recommendations a. and b. approved.

PDBS

61. Transportation Department recommending the Board receive and file the report prepared by Prism Engineering on the traffic analysis of the El Dorado Hills Boulevard and Latrobe Road Interchange Area (in the vicinity of the Highway 50 Interchange); said report examined existing conditions and the potential benefits associated with pending road improvements expected over the next few years.
Report received and filed.

62. Transportation Department recommending adoption of Resolution **214-2003** amending the existing Interim Highway 50 Corridor Variable Traffic Impact Mitigation (TIM) Fee Program to include the Highway 50 High Occupancy Vehicle (HOV) lane west of the El Dorado Hills Boulevard Interchange.

BOARD ACTION - Staff requested to recalculate the fees to show fees necessary to recoup the entire \$14,500,000 in locally controlled tax dollars allocated by the County Transportation Commission for improvements west of the El Dorado Hills Boulevard Interchange including the recently completed HOV lanes, and bring both fee tables back for consideration in a re-noticed public hearing; and to make certain that Resolution language ensures that the Interim Highway 50 Corridor Variable TIM Fee Program does not "sunset" upon adoption of the County General Plan if the comprehensive update of the County's four TIM fee programs has not been completed at that time.

DPBS

63. Transportation Department recommending the following pertaining to White Rock Road (Phase 2) Road Improvement Agreement:

(1) Concur with the proposed deal points for same, including the connection of Silva Valley Parkway and White Rock Road; and

(2) Authorize Chairman to execute said Agreement for White Rock Road, Phase 2, improvements that includes similar language to the Road Improvement Agreement for White Rock Road, Phase 1, approved by the Board on July 15, 2003, modified by the proposed deal points and to be drafted and approved by County Counsel and Risk Management.

BOARD ACTION - Continued to **August 19, 2003.**

DPB S(absent)

64. Award of contract for the Woodland/Tamarack/Lonely Gulch Erosion Control Project JN95145. (Item 25, 6/17/03)

BOARD ACTION - Construction contract awarded to the lowest responsive, responsible bidder, White Rock Construction, Inc., in the amount of \$445,882.80, and Chairman authorized to sign same. SPB D(absent)

65. County Counsel recommending denial of tax refund claims of Robert C. Swenson and Judy and Robert Powell; and requesting authorization to notify same of the decision of the Board.

BOARD ACTION - At the recommendation of County Counsel, the tax refund claim of Robert C. Swenson was denied, and County Counsel was authorized to deny by letter any and all additional tax refund claims received that are based upon the "Proposition 8 interpretation argument" currently the subject of litigation in Orange County until that litigation is finalized. DSBP

Tax refund claim of Judy and Robert Powell denied as recommended by County Counsel. DSBP

66. County Counsel reporting on a procedure to enable the County to charge a higher fee for vehicles abandoned in the County but registered in other jurisdictions. (Continued 7/8/03, Item 56)
BOARD ACTION - At the request of County Counsel, matter continued to **September 23, 2003**. BPDS
67. Interim Chief Administrative Officer (ICAO) reporting on progress of her review of the possible restructuring of the Human Resources Department. (Item 56, 7/15/03)
BOARD ACTION - The consensus of the Board was that further review is needed, and the Interim CAO will report back on her progress on **August 19, 2003**.
68. Chief Administrative Office recommending Chairman be authorized to sign Memorandum of Understanding between said Office and the County Public Health Department in the amount of \$18,000 for the term July 1, 2003 through June 30, 2004 for housing, support, and administration of the County Health Insurance Portability and Accountability Act (HIPAA) Privacy/Compliance Officer.
BOARD ACTION - Approved. PDBS
69. Chief Administrative Office recommending Chairman be authorized to sign Amendment 001 to Funding Agreement for Federal Forest Reserve Funds (Title III) authorizing the El Dorado Fire Safe Council to serve as funding agent under the existing Agreement with the County to complete a Title III project conducted by the Fire Prevention Officer's Association.
ADDED TO CONSENT CALENDAR: Approved. DSBP
70. Sheriff Department recommending the Board find pursuant to Section 3.13.030 of the Purchasing Ordinance, an independent contractor can provide work more economically and feasibly; and authorize the Chairman to sign Agreement with TransCor America, LLC, a Tennessee limited liability company, and its wholly owned subsidiary, Tri-County Extradition, Inc., a California corporation for the term July 22, 2003 through July 21, 2004 for transportation of prisoners.
ADDED TO CONSENT CALENDAR: Approved. DSBP

71. Community Services Department recommending Budget Transfer 23266 to establish a transfer of \$10,000 as a cash advance from General Fund Contingency to said Department's General Fund Contribution for fiscal year 2002/2003 operational costs of the In-Home Supportive Services Public Authority, noting said transfer is from fiscal year 2002/2003 contingency funds. (4/5 vote required)

BOARD ACTION - Approved.

PSDB

72. Supervisor Dupray recommending approval of lane/road closures on Saturday, August 9, 2003 from 6:00 a.m. to 11:30 a.m., for the Iron Hills Youth Triathlon sponsored by the El Dorado Hills Community Services District.

ADDED TO CONSENT CALENDAR: Resolution 217-2003 adopted.

DSBP

73. Supervisor Baumann requesting one appointment to the Springfield Meadows Community Services District Board of Directors; said appointment will bring the Board to a quorum and permit the two sitting members to appoint a third member.

BOARD ACTION - Tom S. Pifer appointed.

BDPS

74. (Refer Agenda Addendum attached.)

75. (Refer Agenda Addendum attached.)

ITEMS TO/FROM SUPERVISORS

BOARD OF SUPERVISORS ATTENDED AN INFORMAL LUNCHEON WITH THE COUNTY PARKS AND RECREATION COMMISSION AT THE PICNIC AREA IN FRONT OF THE PLACERVILLE GOVERNMENT CENTER, 330 FAIR LANE, BUILDING A.

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to consider correction to Parcel Map P03-01C to remove the road easement on Parcel 2 of Parcel Map 4/65 for APN 062-111-13 in the Kelsey area, Applicants: Larry and Karin Highberger (District IV).
BOARD ACTION - Hearing no protests, Board found the project exempt pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines and approved the correction to P03-01C based on findings and subject to conditions presented by Planning Department staff. PDB S(absent)
81. Hearing to consider an amendment to the Final Map (TM03-1384C) for Auburn Lake Trails, Unit 5, Lot 1430 in the Cool area to modify a non-building scenic easement area approximately 325 feet in length by approximately 108 feet in width, crossing over the rear two-thirds of Lot 1430, to reduce the width to approximately 100 feet; Applicant: Robert Schubert (District IV).
BOARD ACTION - Hearing no protests, Board found the project statutorily exempt pursuant to Section 15268 of the California Environmental Quality Act (CEQA) Guidelines and approved TM03-1384C based on findings and subject to the condition presented by Planning Department staff. PDB S(absent)
82. Hearing to consider adoption of Resolution **215-2003** to establish a new Agricultural Preserve (No. 289/Williamson Act Contract 02-04) in the Pleasant Valley area (District II), and Ordinance **4635** to rezone (Z02-06) subject 72.165 acres (APN 078-050-59) from RE-5, Estate Residential Five-acre to AE, Exclusive Agricultural, requested by Frank and Teena Hildebrand.
BOARD ACTION - Hearing no protests, the Board adopted the mitigated negative declaration as prepared, adopted Resolution 215-2003 establishing Agricultural Preserve No. 289, and adopted Ordinance 4635 approving the rezone (Z02-06), based on findings and subject to the mitigation measure recommended by the Planning Commission. BPD S(absent)

83. Hearing to consider adoption of Ordinance **4636** amending Section 17.14.180B (Ranch Marketing Ordinance) to include the new Agricultural Preserve (AP) Zone District (Rezone/Z03-03) with the caveat that ranch marketing activities would only be allowed through approval of a special use permit; amending Section 17.14.190 B.1 (Winery Ordinance) to state that approval of a special use permit would be required for wineries to be constructed in the Agricultural Preserve (AP) Zone District; and to ensure that new agricultural preserves are protected from incompatible uses, amendments to Section 17.06.050 (Definitions), Section 17.13.020A (Right to Farm), and Section 17.14.155C (Fencing).

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance for adoption on **August 19, 2003**. Additionally, staff was requested to continue looking at the Ranch Marketing and Winery Ordinances for the purpose of incorporating recommendations in testimony offered by the Agricultural Commissioner this date. PDB S(absent)

84. Hearing to consider adoption of Ordinance **4637** rezoning (Z02-09) property consisting of 17.831 acres (APN 112-100-44) in the El Dorado Hills area from RE-5, Estate Residential Five-acre to C-PD, Commercial-Planned Development, and development plan (PD02-02) for the El Dorado Hills Village Mini-storage to consist of 15 buildings; requested by Peninsula Capital Group. (District I)

BOARD ACTION - Upon being advised by Planning Department staff that this application for Rezone (Z02-09) and the Development Plan (PD02-02) should be heard together with the Appeal filed on the Planning Commission's approval of the Special Use Permit, scheduled for hearing before the Board of Supervisors on August 19, 2003, this hearing on the Rezone and Planned Development was continued to **August 19, 2003 at 2:00 p.m.** to be heard concurrently with said Appeal. DPB S(absent)

85. Planning Department submitting proposed final map for Tentative Map (TM94-1290F) for Hollow Oaks in the Bass Lake Hills area; Board to determine whether the final map substantially complies with all provisions of the tentative map, including whether submittal of proposed Public Facilities Financing Plan (PFFP) is in substantial compliance with condition 24 of said tentative map; and if Board approves the final map, Chairman to be authorized to sign the Subdivision Improvement Agreement.

BOARD ACTION - Board approved the Final Map based on the following findings:

- (1) Adoption of the PFFP is not required for approval of the Final Map, but merely that it be prepared satisfactorily to allow the project to be evaluated and to move forward.
- (2) The Draft PFFP is adequate to satisfy the requirement of Condition No. 24 that they prepare it and that it does adequately allow the Board to evaluate the requirements of the Hollow Oak Subdivision Map that is before the Board.
- (3) The proposed Final Map is in substantial conformance with the Tentative Map.

and the Chairman was authorized to sign the Agreement to Make Subdivision Improvements between County of El Dorado and Hollow Oak, LLC., and the Agreement for Legal Services between El Dorado County and the Law Firm of McDonough, Holland & Allen for said firm to represent the County in eminent domain proceedings.

DPB S(absent)

In addition, staff was directed to report back to the Board after the Board's summer break on a process for addressing issues raised by Board members not specific to the Hollow Oak Subdivision Map but dealing with the overall process dealing with the Specific Plan and the PFFP.

DPB S(absent)

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

July 22, 2003 - 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 54945.9(a), Existing litigation:

- Citizens Against Roadway Encroachment vs El Dorado County, et al, El Dorado County Superior Court Case PC20000322.
No action reported.

Section 54956.9(b), Anticipated litigation:

- Significant Exposure to Litigation. (1 case)
No action reported.

A G E N D A A D D E N D U M N O . 1

**Regular Meeting of the Board of Supervisors
County of El Dorado**

July 22, 2003 - 8:00 A.M.

**BOARD OF SUPERVISORS MEETING ROOM
330 Fair Lane, Building A
Placerville, California**

CLOSED SESSION

Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. Title: Hollow Oak Subdivision
No action reported.

DEPARTMENT MATTERS

74. Human Resources Department recommending the following pertaining to a contract for a Chief Labor Negotiator consultant:

(1) Select said consultant for a successor Memorandum of Understanding with the El Dorado County Employees Association, Local 1, representing employees in the General Bargaining Unit and the Supervisory Bargaining Unit;

(2) Approve the terms and conditions of a Professional Services Agreement with the scope of work and compensation to be approved at the time of selection;

(3) Authorize Chairman to execute the County's Standard Form Professional Services Agreement subject to prior review and approval by County Counsel and Risk Management; and

(4) Authorize the consultant to begin negotiations upon execution of said Agreement.

BOARD ACTION - Chairman authorized to sign a one-year contract with Mr. Robert J. Muszar of IEDA, an association of both public and private sector employers. DPBS

-over-

75. Interim Chief Administrative Officer recommending the following pertaining to the Fiscal Year 2003/2004 Proposed Budget:

(1) Schedule the public hearing for the period beginning Wednesday, September 17, 2003 through Friday, September 26, 2003, to allow for adoption of the Final Budget on Tuesday, September 30, 2003; and

(2) Adopt Resolution **216-2003** extending on a permanent basis, the date required for public notice pertaining to the review of the proposed County budget to no later than September 8.

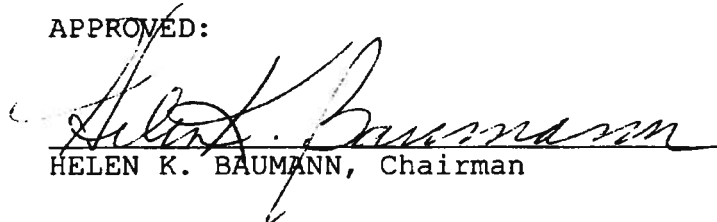
BOARD ACTION - Board acted as follows:

SPDB

- Hearing schedule approved as presented with the clarification that the public hearing will commence on September 17, 2003, and continue through September 26, 2003, but the Board may not convene every business day of that period due to scheduling conflicts. For instance, the Board will not convene on Friday, September 19th due to a conflict.
- Resolution 216-2003 adopted.
- The 2003 Board of Supervisors meeting schedule was amended to reschedule the annual, off-site meeting in District V (South Lake Tahoe) from September 23, 2003 to September 16, 2003.


Board of Supervisors Regular Meeting of July 22, 2003 attached hereto and approved by the Board on August 18, 2003.

APPROVED:


HELEN K. BAUMANN, Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

By 
Deputy Clerk