

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

**Meeting of
December 12, 2006**

AGENDA TITLE: DA Critical Space Needs in Placerville

DEPARTMENT: D.A.

DEPT SIGNOFF:

CAO USE ONLY: *D*

CONTACT: John Mitchell

DATE: 11/28/2006

PHONE: 6421

[Signature]

Kelly Webb 11/29/06

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

Authorize use of basement space for staffing at 515 Main St..

Risk Mgt has performed studies concerning lead and mold. The studies show that the basement is safe for occupancy.

CAO RECOMMENDATIONS: *Recommend approval. Laura J. Hill 12/6/06*

Financial impact? () Yes (X) No

Funding Source: () Gen Fund () Other
Other:

BUDGET SUMMARY:

Total Est. Cost	_____	\$0.00
Funding		
Budgeted	_____	\$0.00
New Funding	_____	
Savings*	_____	
Other	_____	
Total Funding	_____	\$0.00
Change in Net County Cost	_____	\$0.00

CAO Office Use Only:

4/5's Vote Required () Yes () No

Change in Policy () Yes () No

New Personnel () Yes () No

CONCURRENCES:

Risk Management

County Counsel

Other

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

Rev. 5/04 ISKW001 Agenda

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



OFFICE OF THE
DISTRICT ATTORNEY
EL DORADO COUNTY, CALIFORNIA

GARY L. LACY, DISTRICT ATTORNEY

November 28, 2006

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Subject: DA Critical Space Needs in Placerville

Dear Board Members:

Recommendation:

Authorize use of basement space for staffing at 515 Main St.

Reason for Recommendation:

We have immediate critical space needs! Re-occupancy of the basement provides a temporary solution.

This office has had inadequate space for staffing for several years, specifically since the basement flooding prior to 2001 and the subsequent board decision that the basement can be used for files and evidence storage and "... can be used as a conference room for short periods." (BOS Minutes, June 12, 2001, item52). The board decision was based on finding lead and mold in the basement and the conclusion that staff should not occupy office space therein.

Please note that the above decision also referenced "... the forthcoming Facility/Space Need Master Plan specify that said Plan address the D.A.'s long-term space needs and, specifically, the basement." We are not aware of current plans that would provide additional space.

Prior to this decision, the basement had provided office space for up to nine staff. The investigators occupying the basement in 2001 were relocated to the building at 520 Main St.

Since the occupancy of this building at 520 Main, one deputy district attorney has moved from 515 Main St. to an office at 520 Main. Space for a part-time investigator has also been carved out of the former coffee room at 520 Main St. Additionally, a second district attorney investigative assistant was added in 2006 to 520 Main St. to oversee the new in-house bad check program. We have utilized all available space at 520 Main St. and there is no room for additional staff. An example of our efforts to maximize the use of office space is the fact that two investigative assistants share an office.

SEAN O'BRIEN
Chief Assistant District Attorney

PAUL S. SUTHERLAND
Assistant District Attorney
Placerville

HANS M. UTHE
Assistant District Attorney
South Lake Tahoe

DAVID KOUPAL
Chief Investigator

Please Reply To:

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DISTRICT ATTORNEY
EL DORADO COUNTY, CALIFORNIA

GARY L. LACY, DISTRICT ATTORNEY

The above noted move of a deputy DA from 515 Main was of course the result of inadequate space. Currently, all offices and/or spaces are occupied, and of the seven offices occupied by deputy district attorneys, two of these offices are shared by two deputies each. That arrangement is not conducive to an effective and efficient work environment

Copy machines and network printers are placed on the sides of corridors since there is no other place to locate them. Several years ago, to increase working space, systems furniture/cubicles were set up in the front of the office for support staff. This was a significant improvement. But, the systems panels narrow the walking space from the front of the office to the back to require one-way traffic only along these corridors.

Parallel to the compaction of space and people at 515 Main St. has been the increase in workload since FY 00/01. As noted in the budget proposal for the district attorney, caseload has increased by over 55%. The board agreed with this assessment and the need to add staff in FY 06/07. We are currently in the background review stage for two new deputy district attorneys who will begin employment with the office in Placerville by January 8, 2007. We have no place for them!

However, we do have space in the basement. I am recommending that the board approve staff occupancy of the basement effective immediately, until a longer-term solution is found.

My understanding of this type of situation with the basement is similar to the steps that would be taken if any of our homes were found to contain mold or lead. An environmental firm would be called in to do removal and cleaning, to be followed by air scrubbing.. This would be followed by testing. When the tests deemed the conditions to be "clean," the property (or space) can be re occupied.

Removal, cleaning, or other mitigation of basement mold and lead were completed several years ago.

Larry Costello of risk management has arranged for testing and cleaning this year; that has been completed, as noted below:

- Geomatrix issued the 2006 mold assessment report on October 10 (for tests done in February). Mold conditions "... are considered typical and normal" (page 4). A copy of this report is attached.
- The Lead Detective Agency issued the Lead-Based Paint Survey Report dated November 14, 2006, that noted several items that needed attention. JM Environmental completed hazard controls on November 22, 2006. Lead Detective Agency issued the Lead Hazard Clearance Report on November 27,

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2006, following the cleanup done by JM Environmental.

Larry Costello issued a preliminary memo dated November 17, 2006 and a follow-up memo dated November 27, 2006 (attached) describing the recent actions taken and concluded that "... the area ... can be occupied by your staff on a permanent basis."

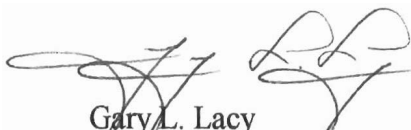
Our office will follow the recommendations in the Lead Detective Agency reports to include:

- Annual inspections/testing for mold and lead, and
- Damp mopping the basement and vacuuming the basement using HEPA filtration equipment.

Fiscal Impact:

Excess furniture is available from Building A to set up offices in the basement. Data circuits and phone outlets are in place. No additional costs are expected to be necessary to occupy this space.

Sincerely,



Gary L. Lacy
District Attorney



The County of El Dorado

Human Resources Department

Risk Management Division

330 Fair Lane, Placerville, CA 95667

Phone (530) 621-5565 Fax (530) 642-9815

Jobline (530) 621-5579 TDD (530) 621-4693

11/27/06

To: John Mitchell, District Attorney's Office

re: Lead-Based Paint Results

John,

In a follow-up to my letter last week, I have had the work completed that was needed to ensure safe occupation of the lower floor of your building at 515 Main Street. Specifically:

- The hazard controls the Lead Detective consultant recommended be completed in his 11-17-06 report were done so by JM Environmental on 11/22/06;
- The Lead Detective consultant completed a follow-up inspection approximately one hour after JM completed their work and found that the area is safe for occupancy if a window sill located in room 108 of the attached map be wiped down with a disposable/baby wipe; apparently this window sill was missed by JM;
- It is my recommendation that you or anyone else in your group perform this final cleaning before occupying the area on a permanent basis. It is perfectly safe and should be done as a two-step process: one wipe of the sill and another with a clean wipe to ensure there is no dust remaining.

Once this final cleaning is completed, I am confident, based on the consultant's reports I have received, that the area will be safe from lead-based paint exposure and can be occupied by your staff on a permanent basis; I do not believe a final inspection is necessary. However, the consultant and I both advise annual inspections/testing for mold and lead to ensure continued healthy occupancy.

Feel free to contact me at any time if you have any questions.

A handwritten signature in cursive script that reads "Larry Costello".

Larry D. Costello
Sr. Risk Management Analyst

cc: Kelly Webb



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11/17/06

To: John Mitchell, District Attorney's Office

re: Lead-Based Paint Results

John,

As you requested, I secured the services of a California DHS-certified lead-based paint inspector who inspected your building located at 515 Main Street in Placerville on November 14, 2006. I chose to have the basic inspection performed which consists of a visual inspection in addition to numerous X-rays through the wall using a spectrum analyzer. This instrument can detect lead up to ¼" deep within a wall. As you can see from the Recommendations section on page 4 of the consultant's report, lead-based paint was detected throughout your lower floor. (It is important to note that the vast majority of older buildings in California contain lead-based paint within their walls. And all of them are safe to occupy if the paint is adequately stabilized.) Reading further in the report you will see that it "is recommended that exposure is limited until hazard controls can be completed."

The consultant advised me that the hazard controls he recommends we undertake before occupancy include wiping down all window sills with wet cloths, vacuuming the entire facility with a HEPA vacuum cleaner, and sealing all incidents of paint chipping with fresh paint to stabilize the surfaces. He also recommended these activities be performed only by individuals who have successfully completed Lead Safe certification. Because our General Services department does not have anyone on staff who has completed this certification, I have scheduled a local environmental firm, JM Environmental, to complete the recommended hazard controls next week, 11/20-11/22/06. Once the work is completed, the lead paint consultant will re-visit the site the afternoon of 11/22/06 to perform a follow-up inspection with the results being forwarded to me no later than Monday, 11/27/06. I will forward the results to you as soon as I receive them.

Please do not hesitate to contact me if you have any questions.

A handwritten signature in cursive script that reads "Larry Costello".

Larry D. Costello
Sr. Risk Management Analyst

cc: Kelly Webb