

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 11, 1975

The Board convened in regular meeting. Present: Supervisors Franklin K. Lane, William V. D. Johnson, W. P. Walker, and Thomas L. Stewart. Absent: Supervisor Raymond E. Lawyer. Also present: Ann R. Macy, Board of Supervisors Clerk. Chairman Walker presided.

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The Invocation was offered by Supervisor Lane.

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The Pledge of Allegiance to the Flag was led by Supervisor Johnson.

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The Agenda was adopted on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present.

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The New Business Agenda was adopted on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present.

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The Minutes of March 4, 1975, were approved as submitted, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present.

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GENERAL ORDERS

28
50-1
Warrant Register Claims for El Dorado County and Claims as submitted by the Community Action Council, Inc., were approved and allowed for payment, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present.

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(12-4-1)
114-9
Director of Public Works submitted letter requesting waiver of bidding procedure, and authorization to purchase a Hewlett Packard Model 46 Desk-Top Calculator with Printout at a cost of \$815.00, plus tax and shipping cost.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the request was approved.

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Director of Public Works submitted letter requesting Chairman be authorized to sign Agreement on Acquisition of Land for parcel on Deer Valley Road (Green Valley Road F.A.S. Project) from Vincent B. and Lillian Pocoroba at a cost of \$50.00, plus driveway construction per Agreement of Entry. On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the request was approved.

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50-6
Assistant to the Board submitted letter requesting the Chairman be authorized to sign Modification No. 1 to CETA VI Project Operating Plan (Registration No. 75003473) for an additional allocation of \$688,130.00, which will provide employment for approximately 200 County residents.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign.

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111-9
Purchasing Agent submitted letter requesting authorization to waive formal bidding procedure and to purchase for the Data Processing Department, 7,000 Sets of Unsecured Tax Statement and Return Cards, and 80,000 Sets of Secured Tax Statement and Tax Payment Cards, inasmuch as International Business Machines Company has been the only vendor capable in past years of producing these forms.

Due to the Purchasing Agent's statement at the meeting that he had just learned that Moore Business Machines Company was now capable of producing the Secured Tax Statement and Tax Payment Cards, he was, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, authorized to utilize the competitive bidding process for the 80,000 sets of Secured Tax Statement and Tax Payment Cards; however, the Board approved the waiver of formal bidding procedure, and authorized the Purchasing Agent to purchase 7,000 Sets of Unsecured Tax Statement and Return Cards at a cost of \$692.00, as requested.

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3-19-75
Treasurer-Tax Collector submitted letter requesting a Resolution be adopted refunding the purchase price of property on a portion of Tahoe Valley Boulevard which was erroneously sold at a tax sale, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 111-75

REFUNDING PURCHASE PRICE OF PROPERTY ERRONEOUSLY SOLD AT TAX SALE

(For contents, see original resolution)

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(349)
326

Treasurer-Tax Collector submitted letter requesting a Resolution be adopted opposing Assembly Bill 575, relating to taxation for the support of State and Local Government and establishing Regional Income Tax Districts.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the matter was continued to March 25, 1975, and the Treasurer-Tax Collector was requested to submit comments substantiating his request for opposition to the Bill.

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423
Auburn
Lake
Trails
(3) 4

County Surveyor submitted letter stating that survey monuments for Auburn Lake Trails Subdivision Unit Nos. 3 and 4 have been set, and recommending the bond in the amount of \$10,000 be released.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the bond was released, as recommended.

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58-3

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved 28 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated March 11, 1975; copies of which are on file in the Board of Supervisors Office, beginning with the name of Victor Ramirez and ending with the name of Michael Grant Wolverton.

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(47)
326
57

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the following resolution was adopted at the request of Supervisor Lane:

RESOLUTION NO. 112-75

OPPOSING ASSEMBLY BILL 15 WHICH IS A PROPOSAL FOR THE STATE TO TAKE CONTROL OF ALL ACTIVE OR POTENTIAL AGRICULTURAL LANDS

(For contents, see original resolution)

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(22-1)
113
119

Director of Health Services submitted a request of the State Department of Rehabilitation for payment of invoices in the amount of \$8,690.80 for the Fiscal Year 1972-73.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the request was referred to the Board's Assistant and the Auditor to determine a source of payment for these invoices other than from Contingency Fund, and if no other source is found then the matter must come before the Board for approval.

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50-7
Project Director of the County Nutrition Program for the Elderly submitted letter requesting the Chairman be authorized to sign Use Agreements for the use by the El Dorado County Nutrition Program for the Elderly of the following real property: an Agreement with the Mother Lode Lions Club wherein the County agrees to pay \$100.00 per month for each month the building is used commencing January 1, 1975 through December 31, 1975; and an Agreement with the Georgetown United Methodist Church wherein the County agrees to pay \$3.00 for each day that building known as Buckner Hall is used commencing January 1, 1975, through December 31, 1975.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign both of the aforementioned Use Agreements.

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711-76
Assistant to the Board submitted a letter recommending the Chairman be authorized to sign a 2-year renewal Lease with C.D.I. Investment Company for use of the parking lot across from the County Office Center on Cold Springs Road, at a monthly rental of \$300.00 commencing March 23, 1975, and terminating March 22, 1976.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; No: Supervisor Lane; Absent: Supervisor Lawyer, the Chairman was authorized to sign the Lease with C.D.I. Investment Company.

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350-2
Data Processing Advisory Committee submitted letter recommending that the Chairman be authorized to sign Amendment No. 2 to Lease/Purchase Agreement with Honeywell Information Systems, Inc., for additional core storage for the present computer at net cost for 1974-75 of \$2,651.00; a net cost each subsequent year of \$5,208.00; and a total cost of \$26,197.00, and that the Chairman also be authorized to sign Maintenance Agreement thereto.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign Amendment No. 2 to the basic Lease/Purchase Agreement dated July 1, 1973, as well as the Maintenance Agreement, as recommended.

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Purchasing Agent submitted bid results for the following:
(All original bids received are on file in the Board of Supervisors Office)
Bid 645 - Oil, Grease, and Solvent for the Western Slope; bids having been received from: Maclin Oil Co., Placerville; Union Oil Co., San Francisco; Phillips Petroleum, Placerville; and Standard Oil Co., Sacramento

(Continued)

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Bid No. 646 - Oil, Grease & Solvent - Lake Tahoe Basin; bids having been received from: R.D.C. Distributors, Inc., South Lake Tahoe; Standard Oil Co., Sacramento; and Mobile Oil Corporation, South Lake Tahoe

Bid No. 651 - Weed Control Chemicals for Agricultural Commissioner; bids having been received from: Preston Weed Control, Whittier; Agrichem Industries, Inc., Davis; Custom Chemicides Inc., San Leandro; McKesson Chemical Co., Union City; and AmChem Products, Fremont

114-3
114-8
At the recommendation of the Purchasing Agent, on motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, all bids were awarded to low bidders, as follows: Bid No. 645 was awarded to Maclin Oil Co., Placerville; Bid No. 646 was awarded to R.D.C. Distributors, South Lake Tahoe; and Bid No. 651 was awarded as follows: Item (a) - 1800 lbs. Atrazine 80W to Preston Weed Control, Whittier; Item (b) - 250 lbs. Karmex 80W to Custom Chemicides Inc., San Leandro; Item (c) - 400 lbs. Aminotriazole 90W to Custom Chemicides Inc., San Leandro; Item (d) - 160 gals. 24-D, 245-T Amine to Preston Weed Control, Whittier; Item (e) - 15 gals. Surfax, spreader to Custom Chemicides Inc., San Leandro.

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Purchasing Agent submitted request for approval of specifications and authorization to advertise for bid opening March 24, 1975, with award by the Board on April 1, 1975, for the following:

114-9
114-8
Bid No. 656 - 50,000 Change Aid Forms for Welfare Department
Bid No. 657 - 80,000 Assessed Value Forms for Assessor
Bid No. 658 - Cabinets for Agricultural Center
Bid No. 659 - Mosquito Control Chemicals for Agricultural Commissioner

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Specifications were approved and the Purchasing Agent was authorized to advertise, as requested.

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247
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse County for Public Assistance rendered Gloria Knox, as recorded in Volume 1291, Page 420, of Official Records of El Dorado County.

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114-9
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board placed on file the request received from the Kern County Board of Supervisors that El Dorado County support their efforts in the establishment of a National Cemetery in Kern County.

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178-1
County Clerk presented a Resolution No. 75-22 of the Board of Directors of Tahoe City Public Utility District requesting the Board of Supervisors of El Dorado County to call and/or consolidate a proposed measure for a Special Bond Election to be held on Tuesday, May 27, 1975; and a resolution for adoption by the El Dorado County Board of Supervisors calling and/or consolidating said election with any other election which may be held in that District.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 113-75

CALLING AND/OR CONSOLIDATING A SPECIAL BOND ELECTION OF THE
TAHOE CITY PUBLIC UTILITY DISTRICT TO BE HELD ON MAY 27, 1975
WITH ANY OTHER ELECTION IN THAT DISTRICT

(For contents, see original resolution)

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(42)
92-2
141-1
332
County Counsel submitted the following opinion relating to the Assistant to the Board's recommended policy on the utilization and payment of overtime to County employees as to whether or not it is in violation of the Employees Association contract, and if there is an abuse of the spirit of the Fair Labor Standards Act: That the proposed policy does not violate the Memorandum of Understanding entered into on October 8, 1974, between the County Employees Association and the Board of Supervisors; and that assuming its validity as applied to states and subdivisions of the states, the Fair Labor Standards Act, as does any federal law, supersedes any inconsistent state law; and the same rule would apply to inconsistent local ordinances or local custom or practice. He stated that the overtime provisions of the Fair Labor Standards Act are so inconsistent with the existing County ordinances and previously established custom and practices in El Dorado County as to render the ordinances and custom and practice virtually completely out of conformity with the newly applicable Fair Labor Standards Act.

After consideration, on motion of Supervisor Johnson, seconded by Supervisor Lane, and carried by the following vote: Ayes: Supervisors Lane, Johnson, and Walker; No: Supervisor Stewart; Absent: Supervisor Lawyer, the following specific procedures relating to the utilization and payment of overtime work by County Employees; as proposed by Board's Assistant on March 4, 1975, were adopted:

1. The first 40 hours actually worked by an employee during a work week shall be paid at the employee's regular rate of pay;
2. All hours actually worked by an employee in excess of 40 hours shall be paid at the premium rate of one and one-half times the employee's regular rate;
3. Consistent with departmental requirements and the need of the community for County services, a department head may adjust or modify the daily and weekly work schedule to maintain the 40-hour week and 80-hour pay period in order to provide the required services;

(Continued)

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4. To the extent that overtime funds are available, a department head may authorize payment of overtime for work performed outside the regular work schedule without adjusting that schedule. In no event, however, shall work performed be considered overtime until 40 hours have actually been worked during the work week.

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Supervisor Johnson departed for the balance of the meeting

111
On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Board authorized the services of the Assistant County Counsel to Amador County for specific hearings on an Amador County planning matter in which their County Counsel has a conflict of interest; said services to be on the basis of the cost of office time involved, plus travel expenses.

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21-8
Airports Director submitted letter recommending that the Chairman be authorized to sign a letter to the Lake Tahoe Airport Bar and Restaurant lessee, Mr. Walter Nelson, to determine if he wishes to exercise his lease option to provide the service of a snack bar at the Airport Terminal Building.

On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was continued to March 18, 1975.

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SPECIAL ORDERS

PLANNING MATTERS

423
On motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present, the Tentative Map of Cameron Oaks Adult Community, Cameron Park area; 40 acres; 220 Residential lots; Subdivider: William Barnett, was continued to March 18, 1975, at 2:00 p.m. in order that it may be considered at the same time as the Hearing on the rezoning of said acreage.

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235-24-95
Board considered the proposed ordinance for the rezoning from Agricultural to Limited Multi-Family Residential and Planned Commercial of approximately 40.9 acres of land in the Cameron Park area petitioned by William Barnett for Cameron Oaks Community Subdivision.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the reading was waived and the ordinance was approved with the addition of a Section to the effect that the ordinance will become effective upon final approval and recordation of the Cameron Oaks Community Subdivision Final Map, and the matter was continued to March 18, 1975, for Hearing at 2:00 p.m.

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GENERAL ORDERS

82-2 On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the letter from the Assistant to the Board to the El Dorado County Employees' Association setting forth the County's position statement relative to the Fair Labor Standards Act, and the recently adopted overtime policy, and authorized its publication in the next issue of the Employees' Newsletter.

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23
(19) On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Assistant to the Board to offer his services, if needed, to the City of South Lake Tahoe in the interim period that they are without a City Manager.

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There being no further business, the Board adjourned to Tuesday, March 18, 1975, at 10:00 a.m.

ATTEST: Carl A. Kelly,
County Clerk and
ex-officio Clerk
of the Board

By: Carl A. Kelly
Deputy

APPROVED: W. P. Walker
Chairman