County of El Dorado

BOARD OF SUPERVISORS

ROBERT E. DORA. DISTRICT I
VERNON F. GERWER. DISTRICT III
JAMES R. SWEENEY DISTRICT III
WILLIAM N. CENTER. DISTRICT IV
JOHN E. UPTON. DISTRICT V

330 Fair Lane • Placerville, CA 95667 Telephone (916) 621-5390



CONFORMED

AGENDA

April 7, 1992

8:00 A.M.

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

VERNON F. GERWER, Chairman Dixie L. Foote, Board Clerk
SUPERVISORS: DORR, GERWER, SWEENEY, CENTER AND UPTON
All members present

Public testimony will be permitted on each agenda item as it is called. Anyone wishing to speak on a Consent Calendar item must advise the Clerk prior to 9:00 a.m. Speakers are encouraged to limit comments to three minutes. Matters not on the agenda may be addressed by the general public during the Open Forum at 1:50 p.m., providing a request to do so is presented to the Board Clerk prior to the lunch recess. Public comments during Open Forum are limited to five minutes per person.

CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda adopted with the addition of one new business item (#47A).

DUGSC

Closed Session (Personnel) Board of Supervisors meeting to give direction to its authorized representatives regarding Operating Engineers, County Employees Association, Deputy Sheriff's Association and Unrepresented Employees.

Closed Session to consider the evaluation of performance of Public Employees pursuant to Government Code Section 54957.

Closed Session concerning pending litigation, pursuant to Government Code Section 54956.9 regarding:

- a. Binion vs Blair, et al; and
- b. Tahoe Tribune vs El Dorado County.

9:00 A.M. INVOCATION - Pastor Rudy Grecco, First Assembly of God Church

PLEDGE OF ALLEGIANCE

PRESENTATION BY THE RANCH MARKETING COMMUNITY

County Week kick off and initiation of the County's Employee Suggestion Program and annual Employee Excellence Award Program; Employee Week activities to include a blood drive on Wednesday and Thursday, the first County Employee Art Show on Friday and Saturday, and a Career Fair on Saturday, April 11th.

CONSENT CALENDAR (All Matters on the Consent Calendar are to be approved by one motion unless a Board member requests separate action on a specific item.)

- 1. Approval of Conformed Agendas (Minutes) of March 30 and 31, 1992.

 RECOMMENDED ACTION: Approve
- 2. Release of Liens (2) submitted by County Counsel. 9266
 RECOMMENDED ACTION: Approve
- 3. County Counsel recommending Resolutions (2) be adopted Authorizing Action for Recovery of County Funds Paid Out. 9267 RECOMMENDED ACTION: Adopt Resolution Nos. 108-92 and 109-92
- 4. County Counsel recommending the claim of Wilfred Jackson in an as yet undetermined amount be rejected.

 RECOMMENDED ACTION: Approve
- 5. Health Department recommending the following:
 - a. Resolution be adopted authorizing the Chairman to sign Amendment No. 1 to Contract No. 91-12420 with the State 9548 Department of Health Services for total funding in the amount of \$141,437 for family planning services; and
 - b. Budget Transfer No. 218 be approved increasing Estimated Revenue by \$20,000 and transferring said amount to 9310 Appropriations for medical supplies. (4/5 vote required) RECOMMENDED ACTION: Adopt Resolution No. 110-92

- 6. Health Department recommending Resolution be adopted amending Resolution No. 330-82 revising the membership structure of the Emergency Medical Care Committee (East and West) and 7549 recommending appointments to same as outlined in said Resolution.

 RECOMMENDED ACTION: Adopt Resolution No. 111-92
- 7. Communications and Emergency Services submitting letter from King Videocable Company officially notifying the Board that \$\forall 4\forall 1\forall \text{the actual transaction transferring control of said Company to King Broadcasting Company closed on February 24, 1992.

 RECOMMENDED ACTION: Receive and file
- 8. Environmental Management recommending Chairman be authorized to sign Task Order No. 6 authorizing CH2M Hill, Inc. to prepare an amendment to the existing Waste Discharge Requirements updating water quality protection standards, provide required statistical analysis and background water quality information and identify potential clean up costs in the amount of \$15,000.

 RECOMMENDED ACTION: Approve
- 9. Environmental Management recommending the following pertaining to the Clean Tahoe Program:
 - a. Adoption of Resolution establishing a City-County Joint Board of Clean Tahoe Commissioners for the City of South Lake Tahoe and Tahoe Basin;
 - b. Accept the recommendations and findings of the Clean Tahoe 8572
 - c. Direct staff to transfer the remaining 1989/90 and 1990/91 funds from County Service Area No. 10 to the City of South Lake Tahoe; and
 - d. Direct staff to work with County Counsel on a draft nuisance abatement ordinance to parallel the existing City of South Lake Tahoe Code, including the fiscal implications.

 RECOMMENDED ACTION: Adopt Resolution No. 112-92 (Approved with recommendation "d" revised to direct staff to bring back writings outlining the concept of such an ordinance, including response to questions raised by Board members this date.) UGDSC

- 10. Treasurer/Tax Collector recommending cancellation of penalties requested by Georgina D. Poole (APN 101-100-67-10) for \$17.60; Big Butte Builders, Inc. (APN 103-634-08-10) for \$31.88; Big Butte Builders, Inc. (APN 103-672-01-10) for \$47.86; Ronald & Sherrey Hults (APN 111-202-03-10) for \$66.95; Winnie Wai Fong Ling (APN 107-531-13-10) for \$42.91; Pat & Diana Cherry (APN 032-279-13-10) for \$31.27; Michael K. Stuckey (APN 015-263-15-10) for \$36.13; Milton & Eltha Jeffs (APN 070-180-10-10) for \$38.74; M. & S. Schlegelmilch (APN 092-410-25-10) for \$114.71; Mike & Tamara Kerbow (APN 098-030-44-10) for \$62.66; and Richard & Diana Milton (APN 085-092-07-10) for \$14.40. RECOMMENDED ACTION: Approve
- 11. Auditor/Controller recommending approval of Budget Transfer No. 239 transferring \$52,531 from Retirement Appropriation Account to Permanent Employees Appropriation Account to correct an error in the Classification and Compensation adjustment. (4/5 vote required)

 RECOMMENDED ACTION: Approve

 DSGCU
- 12. Auditor/Controller requesting authorization to refund the actual, paid Property Tax Administration Fees for fiscal year 1989/90 for the fifteen Special Districts which have already paid the current fiscal year 1990/91 invoices as outlined in his memorandum to the Board dated March 25, 1992; and direct that said refunds be offset against the current year invoices for fiscal year 1990/91 for said Districts which have not yet paid the current fiscal year 1990/91 invoices.

 RECOMMENDED ACTION: Approve
- 13. Transportation Department recommending Chairman be authorized to sign an Agreement with Omni-Means, Ltd. for support to said Department in the preparation of the Regional Transportation Plan and the Circulation Element for the 2010 General Plan update process; and further requesting said Department be authorized to issue a Notice to Proceed to the Consultant.

 RECOMMENDED ACTION: Approve
- 14. Transportation Department recommending Chairman be authorized to sign an Agreement with Flecker Associates in an amount not 455 to exceed \$10,870 for the design of traffic signals at the intersection of Green Valley Road and Cameron Park Drive.

 RECOMMENDED ACTION: Approve CDGSU

- 15. Transportation Department recommending Chairman be authorized to sign an Agreement with The Regents of the University of California in an amount not to exceed \$22,186 for water 9552 quality monitoring, including analysis of storm water samples, in order to determine that erosion control projects are effective in reducing pollutant discharge.

 RECOMMENDED ACTION: Approve CUDGS
- 16. Transportation Department recommending Chairman be authorized to sign an Agreement for Assignment of Combined Road Plan Apportionment with the Santa Clara County Traffic Authority for the exchange of the remainder of fiscal year 1990/91 county road plan funds with Santa Clara County.

 RECOMMENDED ACTION: Approve
- 17. Transportation Department requesting authorization to open negotiations with Alpha Engineering Group for engineering services for the widening of El Dorado Hills Boulevard from State Route 50 to Green Valley Road; and further requesting authorization to open negotiations with Cella-Barr Associates should an agreement with Alpha Engineering Group not be obtained.

 RECOMMENDED ACTION: Approve (Continued to April 21, 1992.)

 SUDGC
- 18. Transportation Department requesting authorization to open negotiations with HDR Engineering, Inc. for engineering services for the widening of Missouri Flat Road from State 755 Route 50 to Forni Road; and further requesting authorization to open negotiations with Omni-Means, Ltd. should an agreement with HDR not be obtained.

 RECOMMENDED ACTION: Approve (Continued to April 21, 1992.)

 SUDGC
- 19. Transportation Department recommending the Board reject the Irrevocable Offer of Dedication of a Drainage Easement Canal or Ditch signed by Francis and Dorothy Bockman; and requesting authorization that the drainage ditch be maintained by the Bar J Ranch Drainage Zone of Benefit; and further recommending the release of the posted bonds in the amount of \$326,087 and \$65,217 for Bar J Ranch No. 6 as one year has elapsed since completion and acceptance of said Subdivision.

 RECOMMENDED ACTION: Approve
- 20. Transportation Department recommending release of the posted bonds in the amount of \$619,901, \$352,102.50, and \$8,431 for Bar J Ranch No. 5 as one year has elapsed since completion and acceptance of said Subdivision.

 RECOMMENDED ACTION: Approve

- 21. Transportation Department recommending release of the posted bonds in the amount of \$107.149.25 and \$535,746.25 for Bar J \$26 Ranch No. 4 as one year has elapsed since completion and acceptance of said Subdivision.

 RECOMMENDED ACTION: Approve
- 22. Transportation Department recommending release of the posted bond in the amount of \$487,649.50 for Bar J Ranch No. 7 as six \$500 months have elapsed since completion and acceptance of said Subdivision.

 RECOMMENDED ACTION: Approve
- 23. Mental Health Department recommending Resolution be adopted adjusting salary schedules for Psychiatrist and Mental Health Medical Director positions.

 RECOMMENDED ACTION: Adopt Resolution No. 113-92 (Continued to April 21, 1992.)

 SUGC D(n)
- 24. Legislative Liaison recommending the Board approve letters supporting Senate Bill (1544) Bergeson which would delete the specifically designated special services provision from the authority of the Board of Supervisors of a general law county to contract for special services; and Assembly Bill 3026 (Filante) which would permit counties to pay for Sheriff's Department overtime from forfeited assets seized and sold by the Sheriff;s Department.

 RECOMMENDED ACTION: Approve (Continued to April 21, 1992, to allow the Sheriff and District Attorney the opportunity to respond to testimony this date on AB 3026; and to allow for further review of SB 1544 as to its applicability to El Dorado County.)
- 25. Chief Administrative Officer recommending the appointment of Kathleen Burne as the Director of Mental Health effective 9558 April 5, 1992.

 RECOMMENDED ACTION: Approve

26. Supervisor Gerwer recommending Chairman's signature be ratified on a memorandum dated March 26, 1992 in recognition of the special efforts during the recent flood emergency in Office of Emergency Services and Communications Department.

RECOMMENDED ACTION: Ratify

BOARD ACTION - Consent Calendar matter approved as recommended with the exception of items 9, 17, 18, 23, and 24 as noted (items 8, 11, 13, 14, and 15 also acted upon separately).

SUDGC

END MORNING CONSENT CALENDAR

TIME ALLOCATIONS - 9:30 A.M.

- Supervisor Sweeney recommending the following pertaining to 27. the University of California Extension Service:
 - Immediately backfill the vacant positions to re-establish a service level to the County of three full-time positions with one position to be a Farm Advisor specializing in horticulture and be dedicated to the 4-H Program; and

Direct staff to research possible additional funding and

work with University of California system to provide additional staff during this interim period. BOARD ACTION - Chairman authorized to sign a letter to the President of the University of California Board of Regents reminding said Board in the strongest words of the importance of these programs in El Dorado County, and requesting in the strongest words its consideration of Supervisor Sweeney's recommendations: that El Dorado County be restored to three full-time positions; that El Dorado County maintain the current 4-H Coordinator; that the highest priority be given to the filling of the horticulturist position, that may include some interest in natural resources as a minor; and urgently requesting the filling of these two vacant positions; and staff directed to work with Joan Meis, Acting Director of the UC Cooperative Extension Service El Dorado County Office, to give her some assistance, whether from the UC Cooperative Extension Service or from the County, to get through this Spring and Summer effort. (Copies of said correspondence to be forwarded to our State legislative delegation; and Ken Farrell, Roy Broughy, and Nicelma King of the University of California, Davis, Division of Agricultural and Natural Resources.)

- 28. Chief Administrative Officer recommending the following pertaining to Economic Development Corporation Audit, Phase II completed by Macias & Pierini:
 - a. Board find that the runds contributed by an infiscal year 1989/90 should be credited towards expenditures \$985

- Chairman be authorized to execute an amendment to the Agreement with said Corporation which provides for administration of said Agreement through the Purchasing Agent; and
- c. Board receive and file Phase II of said Audit. BOARD ACTION - Approved

DUGSC

Hearing to consider the request of Allen Bender, Inc., a 29. General Contractor for the South Lake Tahoe Jail Expansion Project, to substitute the fireproofing subcontractor; said substitution being protested by the subcontractor, Ross/Western, Inc. (Continued 3/24/92, Item 45) BOARD ACTION - The Board determined that Allen Bender, Inc., has established by a preponderance of the evidence that Ross/Western, Inc., has failed or refused to perform its subcontract with Allen Bender, Inc., for fireproofing the South Lake Tahoe Jail Expansion; and the Board consented to the substitution by Allen Bender, Inc., of a new subcontractor in replacement of Ross/Western, Inc., to perform fireproofing on the South Lake Tahoe Jail Expansion Project.

30. Hearing to consider adoption of Resolution amending Resolution .ng to consider adoption of Association and Schedule for 956 impoundments, adoptions, dog licenses, and kennel permit inspection fees. BOARD ACTION - RESOLUTION NO. 114-92 adopted. SDGCU

31. Hearing to consider public comment on Source Reduction and Recycling, Household Hazardous Waste Elements, and negative declaration pertaining to same. (Continued 3/24/92, Item 28) BOARD ACTION - Board approved the Negative Declaration and adopted RESOLUTION NO. 115-92 adopting the Source Reduction and Recycling and Household Hazardous Waste Elements; parts of the Countywide Integrated Waste Management Plan prepared in accordance with State guidelines as issued in Chapter 9, Title 14 of the California Code of Regulations. DCGSU

DEPARTMENT MATTERS

- 32. Purchasing Agent recommending award of Bid No. 790-095 for microfiche services for Building Division, Environmental Management Department and Planning Division to the low bidder, Data Image of Sacramento; and further requesting authorization to issue a purchase order in an amount not to exceed \$45,000 including sales tax for same. (Continued 3/31/92, Item 4) BOARD ACTION Continued to April 21, 1992.
- 33. Welfare Department recommending approval of Budget Transfer
 No. 214 transferring \$78,160 from Welfare Administration to
 Public Assistance to offset over expenditures for Public Assistance. (4/5 vote required)
 BOARD ACTION Continued to April 21, 1992.

 DCGSU
- 34. Auditor/Controller recommending the Board receive and file the audit of the Latrobe Fire District Development fees collected and expended; and the Chief Administrative Officer recommending the suspension of fire district funds be lifted.

 BOARD ACTION Approved

 DUGSC
- 35. Auditor/Controller recommending the Board receive and file the audit of the Lake Valley Fire District Development fees collected and expended; and the Chief Administrative Officer recommending the suspension of fire district funds be lifted.

 BOARD ACTION Approved

 DUGSC
- 36. Auditor/Controller recommending the Board receive and file the audit of the Rescue Fire District Development fees collected and expended; and the Chief Administrative Officer 9562 recommending the suspension of fire district funds be lifted and said District return \$9,281.39 to its development fee trust fund within ninety (90) days.

 BOARD ACTION Approved

 DUGSC
- 37. Planning Department responding to the inquiries raised by a letter dated March 16, 1992 by Clarence Dilts, representing the Maidu Group of the Sierra Club, regarding Ordinance No. 4189 which amended the Open Range Area Ordinance, Title 6, Chapter 6.36, Grazing Lands, Section 6.36.010, for the expansion of lands within the County Open Range Area.

 BOARD ACTION Board received and filed Mr. Dilts' correspondence and the Planning Department's response thereto.

 SDGCU

- 38. Planning Department recommending Resolution be adopted summarily vacating the southerly three feet of the ten-foot County drainage easement (AOE92-03) along the north property line of Lot 211, Montgomery Estates, Unit No. 4, requested by Alan G. and Sarah Sallie Pierson. BOARD ACTION - RESOLUTION NO. 116-92 adopted. UCDGS
- 39. Planning Department recommending the following pertaining to the granting of Open Space Easements to the U.S. Forest Service:
 - a. Board convey the Open Space Easement on APN 034-443-06 to the United States of America;
 - b. Resolution be adopted authorizing the Chairman to sign the Grant Deed conveying the Easement; and
 - c. Policy be established that requests for the grant of Open Space Easements to the U.S. Forest Service, for properties acquired in accordance with the provisions of the Santini-Burton Act, may be submitted to the County subsequent to the acquisition by the Forest Service from private land owners. BOARD ACTION - Board approved in concept this conveyance, and directed staff to do it by other than grant deed and with a different description.
- Transportation Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement No. C12-020 with Questa Engineering in an amount not to exceed \$2,600 for redesign and modification of the septic system design for Henningsen-Lotus Park. **BOARD ACTION** - Approved CSDGU
- Personnel Division recommending Resolution be adopted setting forth the definition of "consultant" to be used under the County's Conflict of Interest Code and establishing the use of 949 the Fair Political Practices Commission guidelines for determining which consultants will be required to complete Form 730. (Continued 3/24/92, Item 22) BOARD ACTION - RESOLUTION NO. 117-92 adopted. DCGSU

- 42. County Counsel submitting an Urgency Ordinance governing issuance of Certificates of Compliance for parcels of 40 or more acres, or not less than a quarter of a quarter section, created by the minor land division process prior to January 6, 9 265 1992. (Continued 3/24/92, Item 34) **BOARD ACTION - ORDINANCE NO. 4217** adopted as an urgency measure, to become effective immediately, with revisions made by the Board this date. DSGU C(n)
- County Counsel recommending Resolution be adopted establishing conditions to Tentative Subdivision Map and Tentative Parcel Map approvals for property within the El Dorado Irrigation District Service Area, subject to ending of said District's declared water shortage emergency condition. BOARD ACTION - RESOLUTION NO. 118-92 adopted as revised this SDGU C(n) date. (With regard to the Georgetown Divide Public Utility District and other purveyors, County Counsel clarified that this Resolution, on its face right now, only applies basically to the service area of the El Dorado Irrigation District; and, after the other purveyors have had an opportunity to review and comment on it, the Board of Supervisors may wish to consider further amendment.)
- Chief Administrative Officer (CAO) recommending the following pertaining to the Third Quarter Financial Report:
 - Curtailment of all discretionary general fund 9306 expenditures; and
 - b. Case by case review of vacancies by the CAO to freeze noncritical vacant positions. BOARD ACTION - Approved SCDGU
- 45. Supervisor Sweeney recommending the following:
 - Street naming signs be replaced at the intersection of Missouri Flat Road and Enterprise Drive allowing for public convenience in locating the Elections Department; and
 - b. Signs (2) identifying the "El Dorado County Elections Department next right/left" be placed in each direction along Missouri Flat Road as soon as possible. BOARD ACTION - Approved SGDCU

- 46. Supervisor Gerwer submitting request of Ed Hertzog for a waiver of penalties assessed on APN 027-251-23-100 in tax year 1985/86; said penalties were assessed due to non-payment of a corrected tax bill.

 BOARD ACTION Continued off calendar.

 SDGCU
- 47. Supervisor Center requesting staff be directed to prepare an interim General Plan window period, sometime in mid-summer, for General Plan Amendments to be heard by the Board.

 BOARD ACTION Board directed staff to continue the April window to the appropriate time, in light of the Interim General Plan Amendment Policy (IGPAP).

 SCDGU
- 47A. (New Business) At the recommendation of County Counsel, the Chairman was authorized to sign a Fee Agreement with Devon L. Workman, Attorney at Law, and a Legal Services Agreement with Beth A. Melvin, Attorney at Law, for courtroom representation at South Lake Tahoe; additionally, insurance requirements were waived for these agreements due to the experience levels of said attorneys and the anticipated short duration of their required services.

COMMITTEE REPORTS
1:50 p.m. - PUBLIC FORUM/PUBLIC COMMENT

AFTERNOON SESSION - 2:00 P.M.

- 48. Hearing to consider an Appeal filed by Timothy J. Daly on the denial of Variance 91-20 by the Zoning Administrator for property consisting of 0.51 acre in the Pollock Pines Area. (Continued 3/24/92, Item 43)

 BOARD ACTION Hearing continued off calendar. GDSCU
- 49. Hearing to consider rezoning (Z91-52) of 1.21 acres in the Cameron Park Area (District I) from R2-PD, Limited Multifamily Residential-Planned Development Zone to R1, One-Family Residential Zone, requested by Craig Rasmussen. (Planning Commission recommends approval.)

 BOARD ACTION Board approved the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 4218, based on the findings of the Planning Commission on March 12, 1992.

- Hearing to consider rezoning (Z91-54) of 20.00 acres in the 50. 1969 General Plan Area (District IV) from RA-20, Residential Agricultural Twenty-Acre Zone to RE-10, Estate Residential Ten-Acre Zone, requested by Michael T. Thomas and Hayden L. 957 (No recommendation) BOARD ACTION - Board approved the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 4219, based on the findings of the Planning Commission on March 12, 1992.
- 51. Hearing to consider the following:
 - a. Amendment to the County General Plan (AZ91-32) for 1.01 acres in the Shingle Springs Area, from Single Family Residential-Medium Density (1 d.u./1.0-4.9 acres) Commercial; and
 - b. Rezoning of said lands from R1A, One-Acre Residential Zone to C-PD, Commercial-Planned Development Zone, requested by Dan Mathis/Jim Luis. (Planning Commission recommends approval.) BOARD ACTION - Board approved the Negative Declaration; declared its intent to amend the General Plan amendment; and 9 5 approved the rezoning by adoption of ORDINANCE NO. 4220, to become effective 30 days following the effective date of the General Plan amendment; based on the findings of the Planning Commission on December 12, 1991; and Board directed that future consideration of a special use permit and/or development plan for said lands will be before the Board of Supervisors. SDGCU
- Hearing to consider the following: 52.
 - Amendment to the County General Plan (AZ89-104) for 5.0 acres in the Shingle Springs Area, from Single Family Residential-Low Density (1 d.u./5.0-9.9 acres) to Single Family Residential-Medium Density (1 d.u./1.0-4.9 acres); and
 - b. Rezoning of said lands from RE-5, Estate Residential Five- 9573 Acre Zone to R1A, One-Acre Residential Zone and R3A, Single-Family Three-Acre Residential Zone, requested by Dan Birtwell. (Planning Commission recommends approval.) BOARD ACTION - Board approved the Negative Declaration; declared its intent to amend the General Plan; and approved the rezoning by adoption of ORDINANCE NO. 4221, to become effective 30 days following the effective date of the General Plan amendment based on the findings of the Planning Commission on February 13, 1992.

53. Hearing to consider the following:

a. Amendment to the County General Plan (AZ91-49) for 15. acres in the Shingle Springs Area, from Rural Residential Agricultural (1 d.u./10-160 acres) to Single Family Residential-Low Density (1 d.u./5.0-9.9 acres); and

9574

b. Rezoning of said lands from RE-10, Estate Residential Ten-Acre Zone to RE-5, Estate Residential Five-Acre Zone, requested by Dale Miller. (Planning Commission recommends denial.)

BOARD ACTION - Hearing continued off calendar.

GSDCU

BOARD OF SUPERVISORS ADJOURNED TO 1:00 P.M., MONDAY, APRIL 13, 1992 AT THE BOARD OF SUPERVISORS MEETING ROOM, 330 FAIR LANE, PLACERVILLE.

APPROVED:

VERNON F. GERWER, Chairman

ATTEST:

DIXIE L. FOOTE, Clerk of the Board