County of El Dorado

BOARD OF SUPERVISORS

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



CONFORMED

<u>agenda</u>

February 23, 1993

8:00 A.M.

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

WILLIAM N. CENTER, Chairman Dixie L. Foote, Board Clerk
SUPERVISORS: BRADLEY, NUTTING, NIELSEN, 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.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda adopted.

In a second motion the Board added a third matter to the closed session regarding litigation initiated formally; the third matter being entitled, "Sobierajski v. El Dorado County".

BUNUNC

- 8:00 A.M. Closed Session pursuant to Government Code Section 54056.9 regarding the following:
 - a. Retail Clerks Union vs Exxon, State of California vs Chevron, and State of Arizona vs Chevron; and
 - b. Richard Blaine Wilson vs County.

8:00 A.M. -Closed Session concerning pending litigation pursuant to Government Code Section 54956.9: Decided or deciding to initiate litigation.

> Closed Session concerning pending litigation pursuant to Government Code Section 54956.9: Significant exposure to litigation.

9:00 A.M. INVOCATION - Pastor Vern Stenberg, St. Stephen's Lutheran Church

PLEDGE OF ALLEGIANCE TO THE FLAG

RECOMMENDED ACTION: Approve

PRESENTATION by the National Pony Express Association.

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.)

- Approval of Conformed Agenda (Minutes) of February 16, 1993 (on file with the Clerk of the Board). RECOMMENDED ACTION: Approve
- Assessment Roll Changes submitted by the Assessor (on file 0062 with the Clerk of the Board). RECOMMENDED ACTION: Approve
- Releases of Lien (3) submitted by County Counsel (on file with 10087 the Clerk of the Board). RECOMMENDED ACTION: Approve
- Resolutions (2) authorizing an action for the recovery of County funds paid out (on file with the Clerk of the Board). 10122 RECOMMENDED ACTION: Adopt Resolution Nos. 40-93 and 41-93
- Children's Network requesting Board authorize County 5. Departments to write letters supporting an application to the State Department of Education for Healthy Start Program funds to implement coordinated health, mental health, social and other services for children and their families at or near school sites.

- 6. Auditor/Controller recommending Resolution be adopted establishing an imprest cash account in the amount of \$100 for 10166 the South Lake Tahoe Municipal Court Traffic Complex.

 RECOMMENDED ACTION: Adopt Resolution No. 42-93
- 7. Auditor/Controller recommending Resolution be adopted establishing an imprest checking account in the amount of 10167 \$1,500 for the Department of Transportation.

 RECOMMENDED ACTION: Adopt Resolution No. 43-93
- 8 . Purchasing Department recommending award of Bid No. 700-059 for office supplies to be stocked and issued from Central Stores.

 RECOMMENDED ACTION: Award to the low bidder Eastman, Inc. of Sacramento; and authorize Purchasing Agent to issue an annual purchase order in the amount of \$104,000 including sales tax for same.
- 9. General Services Department recommending Chairman be authorized to sign a Notice of Completion of Public Work under 9738 contract to Oliver Construction Company for the Government Center Boiler Replacement and Atrium Fans Project.

 RECOMMENDED ACTION: Approve
- 10. Health Department requesting authorization to purchase various equipment as outlined in the memorandum to the Board dated \$44-2/5/93 in order to make the Financial Management System operational.

 RECOMMENDED ACTION: Approve
- 11. Mental Health Department recommending Chairman be authorized to sign Mental Health Performance Agreement No. 92-72285 with \ 0 \ 6 \ the State Department of Mental Health for fiscal year 1992/93.

 RECOMMENDED ACTION: Approve
- 12. Probation Department recommending Resolution be adopted amending the Authorized Personnel Allocation Resolution No. 336-92 deleting one Superintendent of Juvenile Hall position and adding one Deputy Chief Probation Officer (Field/Institution) position.

 RECOMMENDED ACTION: Adopt Resolution No. 44-93
- 13. County Counsel requesting authorization to purchase one IBM PS/2 computer with appropriate software, one Wordperfect 5.1 | 0 | 7 | Upgrade, and Client Manager System/Network Docket software for billing/calendaring purposes.

 RECOMMENDED ACTION: Approve

- 14. Agriculture Department recommending Chairman be authorized to sign Agreement (No. 92-0534) with the State Department of 0172 Pesticide Regulation in an amount not to exceed \$420 for reporting pesticide applications. RECOMMENDED ACTION: Approve
- Human Resources/Risk Management Department recommending the purchase of medical malpractice insurance for the Health and Mental Health Departments through California State Association 10173 of Counties-Excess Insurance Authority (CSAC-EIA) in the amount of \$53,611 effective March 1, 1993. RECOMMENDED ACTION: Approve Unubnc
- Human Resources/Risk Management Department recommending Chairman be authorized to sign a Contract with William M. Mercer, Inc., in an amount not to exceed \$78,400 for consultant services for various areas of employee benefits XV including health, life, vision service, and employees assistance plans. RECOMMENDED ACTION: Approve '(Approved subject to County Counsel's approval of indemnity provisions.)
- Human Resources/Risk Management Department recommending renewal of the County's property insurance through Tahoe Insurance Agency for a quoted annual premium of \$67,730. Approve (Referred to CAO and Risk RECOMMENDED ACTION: Management to determine whether the bidding structure and the 844 bids may contain some possible benefit to the County that are not expressed in the minimum bid, and report back to the Board regarding same; and Board authorized said staff to obtain an extension of the current policy in the interim.)
- Human Resources/Risk Management Department recommending Chairman be authorized to sign Amendment No. 4 to the Group Enrollment Agreement with U.S. Behavioral Health Plan, California in an approximate amount of \$175,415 effective February 1, 1993 for the renewal of the Employee Assistance Program (EAP). RECOMMENDED ACTION: Approve
- Human Resources Department recommending Resolution be adopted 19. amending the Authorized Personnel Allocation Resolution No. 336-92 adding one Emergency Medical Services Coordinator position and deleting one Health Education Program Supervisor | 0174 position from the Health Department and adopting the specification and establishing the corresponding bargaining unit and salary range for said Coordinator position. RECOMMENDED ACTION: Adopt Resolution No. 45-93

- 20. Transportation Department recommending Resolution be adopted amending Resolution No. 253-81 designating one angled parking | 0 | 6 | space as Disabled Parking on the westerly side of Main Street in Georgetown.

 RECOMMENDED ACTION: Adopt Resolution No. 46-93
- 21. Transportation Department recommending Resolution be adopted amending Resolution No. 254-81 sanctioning a "Bus Loading" cone along the easterly side of Bounty Road for the loading and unloading of school buses at the Blue Oak School.

 RECOMMENDED ACTION: Adopt Resolution No. 47-93
- 22. Transportation Department recommending Resolution be adopted amending Resolution No. 245-81 sanctioning the installation of 10175 "STOP" signs at various County intersections.

 RECOMMENDED ACTION: Adopt Resolution No. 48-93
- 23. Transportation Department recommending Resolution be adopted establishing "Passenger Loading" zones on Country Club Drive at Blue Oak School and Kensington Drive at Lake Forest School.

 RECOMMENDED ACTION: Adopt Resolution No. 49-93
- 24. Transportation Department recommending Resolution be adopted amending various Resolutions relating to speed limits.

 RECOMMENDED ACTION: Adopt Resolution No. 50-93
- 25. Transportation Department recommending Resolution be adopted amending Resolution No. 250-81 establishing the County's 1015 portion of Enterprise Drive as a "Through Highway".

 RECOMMENDED ACTION: Adopt Resolution No. 51-93
- 26. Transportation Department recommending Resolution be adopted sanctioning the closure of portions of Ponderosa Road and 10176 Meder Road on Sunday, April 25, 1993 between 9:00 a.m. and 10:00 a.m. for the 5th Annual Marshall M.A.S.H. Run.

 RECOMMENDED ACTION: Adopt Resolution No. 52-93
- 27. Transportation Department recommending the Board approve changes in County Service Area No. 9 Advisory Committee | 017 membership as outlined in its memorandum to the Board dated 1/26/93.

 RECOMMENDED ACTION: Approve
- 28. Planning Department recommending approval of the final map for Cosumnes View Subdivision (TM89-1191); and further recommending Chairman be authorized to sign the Agreement to Make Subdivision Improvements for same.

 RECOMMENDED ACTION: Approve

- 29. Administration requesting authorization to issue Employee Suggestion Award Certificates of Commendation and monetary awards to Ed Carpenter and Jeff Adams for their highway paint 10178 striper suggestion; and further recommending approval of Budget Transfer No. 118 transferring \$504 from Contingency to Appropriations for same. (4/5 vote required) RECOMMENDED ACTION: Approve
- Supervisor Nielsen recommending Mary Jane Battaglia be appointed as his alternate on the Local Transportation Commission. RECOMMENDED ACTION: Approve
- Supervisor Upton recommending Supervisor Nutting be appointed as his replacement to the Regional Council of Rural Counties. 10292 RECOMMENDED ACTION: Approve

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 16 and 17 as noted (item 15 also acted upon separately); and with Department Matters 57, 58, 60, 61, 63, 69 and 70 added to the Consent Calendar and approved as part of same. UNBNuC

END MORNING CONSENT CALENDAR

TIME ALLOCATIONS - 9:30 A.M.

- Chief Administrative Officer recommending Chairman be authorized to sign Memorandum of Understanding between the 1017 County and the Superior and Municipal Courts regarding the Brown/Presley Trial Court Funding Program. BOARD ACTION - Approved NUBNuC
- Chief Administrative Officer recommending Resolution be adopted to opt into the Brown/Presley Trial Court Funding for 10179 fiscal year 1993/94. BOARD ACTION - RESOLUTION NO. 53-93 adopted. NUBNuc

TIME ALLOCATIONS - 10:00 A.M.

Hearing to consider adoption of Resolution ordering the reorganization of the Coloma-Lotus Fire Protection District and El Dorado County Fire Protection District without an 10013 BOARD ACTION - RESOLUTION NO. 61-93 adopted. CBNuNU

- Hearing to consider adoption of Resolution authorizing the 53. provision of extended Library services within County Service Area No. 10 and establishing a Zone of Benefit therein. BOARD ACTION - RESOLUTION NO. 62-93 adopted amending the authority of County Service Area No. 10 to include the ability to provide library services through the formation of zones of | 0 | 13 benefit as deemed necessary, with said services to be funded by a benefit assessment collected pursuant to County Service Area Law, or a special tax approved by a 2/3 vote of those voting in a special election, or any other manner prescribed by law; and staff was authorized to begin the benefit assessment process for the new Cameron Park Branch Library. NUBNUC
- 54. Hearing to consider proposed formation of El Dorado Hills Specific Plan Community Facilities District 1992-1. (Continued 1/26/93, Item 51) **BOARD ACTION** - Board adopted the following: NUBNuC

<u>RESOLUTION NO. 63-93</u> accepting amended hearing report;

RESOLUTION NO. 64-93 approving acquisition, funding and disclosure agreement, superseding Resolution No. 289-92;

RESOLUTION NO. 65-93 forming Community Facilities District 1992-1;

<u>RESOLUTION NO. 66-93</u> deeming it necessary to incur bonded indebtedness; and

RESOLUTION NO. 67-93 calling a special mailed-ballot election.

DEPARTMENT MATTERS

Presentation on Energy Conservation to be presented by Honeywell, Inc.; and General Services Department recommending Chairman be authorized to sign a Letter of Authorization to Honeywell, Inc. to proceed with the preparation of a preliminary proposal to include energy conservation, equipment | 0 \ 80 retrofits and maintenance on the lighting, irrigation, and air conditioning equipment of County-owned facilities. **BOARD ACTION** - Chairman authorized to sign a Letter of Authorization subject to County Counsel's review and approval of same. **NBNuCU**

- Transportation Department recommending adoption of the Resolutions of Necessity to acquire property needed to construct the Lotus Road Phase II Project. 56. BOARD ACTION - Board adopted RESOLUTIONS NOS. 54-93, 55-93, 821 56-93, 57-93, 58-93, 59-93, and 60-93 authorizing County Counsel to proceed immediately with the commencement of an action for eminent domain for the real property described in Exhibit "A" attached to each Resolution. Adoption of an Ordinance allowing an increase in local vendor preference from 3% to 5% and a clarified definition of a local 9 vendor. (Introduced 2/2/93, Item 51) BOARD ACTION - ORDINANCE NO. 4284 adopted. UNBNuC Purchasing Department recommending Chairman be authorized to 58.
- sign Agreement No. C23-043 with John F. Warden, Jr. in an amount not to exceed \$19,350 for independent financial and | 0181 compliance audits for fiscal years ending June 30, 1993, June 1994, and June 30, 1995 for the Department of Transportation. BOARD ACTION - Approved **UNBNuC**

Health Department requesting authorization to hire Greg Costo at the fifth step of the salary range for the position of Public Health Laboratory Director. the vacant position at the fifth step of the salary range.

BOARD ACTION - Health Department authorized to re-advertise

- Environmental Management recommending the Board approve Sierra Disposal Service's curbside recycling proposal; and further recommending staff be directed to prepare a revised franchise 8805 agreement and by April 1, 1994 an annual summary report of the costs, tonnage recycled and participation levels achieved through said program. BOARD ACTION - Approved UNBNuC
- Environmental Management recommending Resolution be adopted authorizing a solid waste collection agreement with Tahoe Truckee Sierra Disposal further 0 83 Company, Inc.; and recommending Chairman be authorized to sign said Agreement for the term March 5, 1993 through March 5, 1995. BOARD ACTION - RESOLUTION NO. 68-93 adopted. UNBNuC

Building Department recommending an Urgency Ordinance be 62. adopted amending Building Permit Allocation Ordinance 4186 wherein payment of fees to the appropriate utility district and submission of plans for Tahoe Regional Planning Agency 880 approval must be accomplished by the applicant no later than 180 days after allocation issuance.

- BOARD ACTION ORDINANCE NO. 4281 adopted as an urgency measure, to become effective immediately.
- Planning Department recommending Chairman be authorized to 63. sign Amendment No. 2 to the Agreements (4) for Consulting Services with Arlan Nickel and Associates and Bruce Pope and Associates; and Consultant Services Payment Agreements for El Dorado Hills Development Company with Arlan Nickel and Associates and Bruce Pope and Associates extending the terms of all four Agreements to December 31, 1993 and replacing the work program description with the revised and updated 1992/93 work program.

BOARD ACTION - Approved

UNBNuC

64. Supervisor Nielsen requesting clarification of the Board's action on Item No. 82 on February 2, 1993, Development Plan for a commercial shopping center on the south side of Pony Express Trail with a free-standing sign exceeding 50 feet in height, as described in the minutes of said meeting. BOARD ACTION - The portion of the minutes in question read: "Board conceptually approved a free-standing sign with a maximum height of 75 feet and maximum face area of 425 square feet with four lines of printing, one of which to state, 'gas, food and lodging'; and said minutes were amended this date to add the proviso that the "sign configuration and height are not to jeopardize maintenance of the Highway 50 State Scenic Highway Designation".

Planning Department submitting conditions and findings for the Development Plan for a commercial shopping center with a free-standing sign on the south side of Pony Express Trail in the Pollock Pines Area (District II). (Referred 2/2/93, Item 82)

BOARD ACTION - Development Plan condition number 1 amended to read: "The proposed free-standing sign shall be limited to a height of 50 feet, with a copy face of 375 square feet per side. The monument sign shall be limited to a height of 12 feet and a copy face of 70 square feet per side. No additional free-standing signs shall be permitted or additional faces added."

Board approved the Development Plan conditions submitted by the Planning staff and marked "Exhibit 1" this date with condition number 1 amended as stated above, and condition number 24 deleted.

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Board adopted the Negative Declaration as prepared and approved the Development Plan subject to the conditions submitted by staff and amended by the Board this date (refer Exhibit 1), based on the findings submitted by staff and revised by the Board this date (refer Exhibit 1). UBNUNC

66. Planning Department recommending Resolution be adopted establishing Water Conserving Landscape Standards for the County.

BOARD ACTION - Board certified the project as Categorically O Exempt from the California Environmental Quality Act, adopted RESOLUTION NO. 69-93, and directed Planning staff to monitor the standards and bring same back to the Planning Commission in one year for review and recommendation to the Board of Supervisors for modifications as necessary.

Bnuncu

67. County Counsel and Chief Administrative Officer reporting on residency requirements for members of all County committees/commissions. (Continued 2/2/93, Item 55)

BOARD ACTION - County Counsel directed to prepare an Ordinance amending Ordinance Code Section 2.27.030 to state Planning Commissioners shall be a resident of the County, and bring same back to the Board for introduction and adoption.

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County Counsel further instructed to inject language in the aforementioned Ordinance requiring Planning Commissioners to be citizens of the United States and/or registered to vote in the County of El Dorado.

NUBNUC

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68. Appointment of members to various committees/commissions that are advisory to the Board of Supervisors: (Continued 2/2/93, Item 56)

Community Action Council - 1 year term

<u>Incumbents</u> (Serve as representatives of Supervisors appointed to said Council)

Vacancy/Bradley's rep
Beverley Hills/Center's rep/term expired 1/93
Terry Frommer/Upton's rep/resigned 8/92
BOARD ACTION - Chris Daley appointed as Supervisor Bradley's representative for a term to expire in January 1994; Beverley Hills reappointed as Supervisor Center's representative for a term to expire in January 1994; and appointment of Supervisor Upton's representative was continued off calendar.

BUNUNC

Local Disaster Council - 4 year term

Incumbents

Richard Kovach/District I/term expired 1/93
Cliff Schroeder/District II/term expired 1/93
BOARD ACTION - Jim Stone appointed as the District I representative, and Cliff Schroeder reappointed as the District II representative, for terms to expire in January 1997.

BUNUNC

Fish and Game Committee - 4 year term

Incumbents

Dennis Griffen/District I/term expired 1/93
Charles Coleman/District II/term expired 1/93

BOARD ACTION - Mike Denton appointed as the District I representative for a term to expire in January 1997, and appointment of a District II representative was continued off calendar.

BUNUNC

10151

Parks and Recreation Commission

Incumbent

Edward Knapp/District IV/resigned 1/93/term expires 1/95

BOARD ACTION - Resignation of Mr. Knapp accepted, and appointment of a replacement continued off calendar. BUNUNC

Trails Advisory Committee

Incumbent

Arthur Edwards/resigned 12/31/92/term expires 1/95

BOARD ACTION - Resignation of Mr. Edwards accepted.

BUNUNC

<u>Veterans Affairs Commission</u> - 4 year term

Incumbent

Al Steller, Alternate/District I/term expired 1/93

BOARD ACTION - Supervisor Bradley advised the Board that Dale

L. Samuelson has resigned as the District I representative, and the Board accepted Mr. Samuelson's resignation; further, the matter of appointing a District I Alternate was continued off calendar.

BUNUNC

- 69. Supervisor Upton recommending Board approve waiver of fees for an abandonment of easement (AOE 92-10) for property located at 561 Seneca Drive in Tahoe Paradise (Lot 470, APN 33-371-36), requested by the owner, Kathleen Whatford.

 BOARD ACTION Approved

 UNBNUC
- 70. Supervisor Upton recommending Treasurer/Tax Collector be directed to accept all transient occupancy tax monies at the new 10% rate after January 1, 1993, and that all monies collected be transferred with the quarterly reports to the County, and leniency be allowed for the month of January, 1993, to those properties wherein the appropriate new tax had not been collected.

BOARD ACTION - Approved UNBNuC

COMMITTEE REPORTS

LUNCH RECESS

PERSONS INTERESTED IN SERVING ON ANY BOARD OF SUPERVISORS ADVISORY COMMITTEE/COMMISSION ARE ENCOURAGED TO COMPLETE AN APPLICATION FORM (AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS) AND SUBMIT SAME TO THE COMMITTEE, THE COUNTY DEPARTMENT WHICH SUPPORTS THE COMMITTEE, OR TO THE CLERK OF THE BOARD OF SUPERVISORS. **************************************

1:50 P.M. - OPEN FORUM FOR PUBLIC COMMENT

Prior to taking up the afternoon hearings, the Board added to the agenda a closed session, pursuant to Government Code Section 54956.9, on litigation initiated formally entitled, "Karen Steussi 1006 v. El Dorado County Sheriff's Department, WCAB #SAC 182117; 188866"; said closed session to take place at the end of the Board meeting.

10184

Unubnc

PLANNING MATTERS - 2:00 P.M.

- 80. Hearing to consider the Appeal filed by Walter Saunders, Norman Tresser, Street & Weiner and George Humphrey Trust, et al on denial of Boundary Line Adjustment 92-104 (Agent: Keith | 10055 Flaherty). (Continued 1/26/93, Item 80) (Agent requesting | 10055 Appeal be withdrawn.)

 BOARD ACTION Board accepted applicants' withdrawal of the Appeal.

 UBNUNC
- 81. Hearing to consider rezoning (Z88-62) of 40 acres (APN 104-310-52, -53, -55 and -94) in the Rescue Area from RE-10, Estate Residential Ten-Acre Zone to RE-5, Estate Residential Five-Acre Zone; requested by Ronald J. Pizer (Agent: Wayne Swart) (District IV).

 BOARD ACTION Board approved the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 4282, based on the findings of the Planning Commission on 1/14/93.

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- 82. Hearing to consider rezoning (Z91-16) of 40.2 acres in the Lotus/Coloma Area from RA-20, Residential Agricultural Twenty-Acre Zone to RE-10, Estate Residential Ten-Acre Zone; requested by David W. and Mary Helen Calfee Grandchildren's Trust (Agent: Kenneth W. Purcell) (District IV).

 BOARD ACTION Board accepted the applicant's withdrawal of the rezoning request.

 UBNUNC
- 83. Hearing to consider rezoning (Z92-16) of 10.0 acres (APN 110-020-09) in the El Dorado Hills/Salmon Falls Area from RE-10, Estate Residential Ten-Acre Zone to RE-5, Estate Residential Five-Acre Zone; requested by Clarence and Madeline Rich/David and Deborah Smith (Agent: Gene E. Thorne & Associates, Inc.) (District IV).

 BOARD ACTION Board approved the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 4283, based on the findings of the Planning Commission on 1/28/93. Bnuncu
- 84. Hearing to consider conditions and a second one-year time extension on Tentative Map (TM87-1078) for Valley Oak Ranch creating 12 lots on 64.75 acres (APNs 102-090-03 and -04) in the Rescue Area (District I).

 BOARD ACTION Board approved a second one-year time extension on Tentative Map 87-1078 subject to conditions presented and

modified by the Board this date.

CLOSED SESSION REPORT: Having met in closed session, pursuant to Government Code Section 54956.9, on litigation initiated formally entitled "Karen Steussi v. El Dorado County Sheriff's Department, WCAB #SAC 182117; 188866", the Board authorized County Counsel to execute a stipulation between the parties to allow the Workers Compensation Appeals Board, scheduled to meet on March 1, 1993, resolve the issue of whether Ms. Steussi's disability is industrial related.

BNNuCU

0069

BOARD OF SUPERVISORS ADJOURNED TO 1:30 P.M., MONDAY, MARCH 1, 1993

APPROVED:

WILLIAM N. CENTER, Chairman

ATTEST:

DIXIE L. FOOTE, Clerk of the Board