

WILLIAM S. BRADLEY.....DISTRICT I
RAYMOND J. NUTTING.....DISTRICT II
J. MARK NIELSEN.....DISTRICT III
WILLIAM N. CENTER.....DISTRICT IV
JOHN E. UPTON.....DISTRICT V
DIXIE L. FOOTE.....CLERK OF THE BOARD

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



C O N F O R M E D

A G E N D A

September 14, 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 Supervisors 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 with the addition of one additional closed session, pursuant to Government Code Section 54956.9, regarding litigation initiated formally entitled "Kimzey v. Neasham, et al." (Sacramento County Superior Court Case No. 533949). UBNuNC

8:00 A.M. - Closed Session (Personnel) for Board of Supervisors to give direction to its authorized representatives regarding Operating Engineers, County Employees Association, Deputy Sheriffs Association and Unrepresented Employees.

Closed Session pursuant to Government Code Section 54957 to consider the appointment, employment, evaluation of performance, retirement, or dismissal of a public employee.

Closed Session pursuant to Government Code Section 54956.9 regarding significant exposure to litigation.

Closed Session to give instruction to the Board's negotiator regarding real property described as APN 325-12-78 located at 2889 Ray Lawyer Drive. The person or persons with whom the negotiator may negotiate is Valente Trust, George Valente.

10445

Closed Session to give instruction to the Board's negotiator regarding real property described as APNs 051-550-38, et al, 323-030-02, 089-110-45, 323-220-01, 089-110-46, 090-200-35, 089-110-47, 091-070-12, and 092-030-29. The person or persons with whom the negotiator may negotiate are: Scott Chadd, Director of Transportation (or designee), Charles Montagne, Frank Ridley, Kent Dixon, or their designees may negotiate for Southern Pacific.

8206

9:00 A.M. - PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENTATION by the Ranch Marketing Community.

✓

PRESENTATION by Al Bulf on the benefits of using light rail as a means of transit.

10603

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 August 16, 18, 19, 20, 1993 (Budget Hearings) and August 31, 1993 (on file with the Clerk of the Board).

✓

RECOMMENDED ACTION: Approve

2. Release of Liens (3) submitted by County Counsel (on file with the Clerk of the Board).

10087

RECOMMENDED ACTION: Approve

3. Health Department recommending approval in concept of a grant submission to the Office of Traffic Safety to fund a Child Seat Belt Program in El Dorado County.

10584

RECOMMENDED ACTION: Approve

4. Sheriff's Department recommending approval of Budget Transfer No. 8 increasing Revenue and Expenditures to pay for fiscal year 1992/93 Fixed Assets inadvertently not encumbered by said Department. (4/5 vote required) **10585**
RECOMMENDED ACTION: Approve NuUBN C(n)
5. Sheriff's Department recommending the following:
- a. Adoption of Resolution authorizing the Chairman to sign a Grant Agreement and any extensions or amendments with the Office of Criminal Justice Planning for the Live Scan Terminal Project; and **10586**
- b. Approval of Budget Transfer No. 9 increasing Estimated Revenue by \$66,600 and transferring said amount to Appropriations for same. (4/5 vote required) **10585**
RECOMMENDED ACTION: Adopt Resolution No. 279-93
6. Sheriff's Department recommending approval of Budget Transfer No. 10 increasing Estimated Revenue by \$7,350 and transferring said amount to Appropriations to purchase an interactive videodisc and satellite antenna system for the Tahoe Basin. (4/5 vote required) **10585**
RECOMMENDED ACTION: Approve
7. Sheriff's Department recommending the following:
- a. Authorize Chairman to sign a Cooperative Agreement with the U.S. Department of Agriculture Forest Service, the Narcotics Operating and Financial Plan for the term October 1, 1992 through December 31, 1992, the Controlled Substance Operating and Financial Plan for the term January 1, 1993 through December 31, 1993, and the Patrol Operating and Financial Plan for the term October 1, 1992 through September 30, 1993; and **10587**
- b. Approval of Budget Transfer No. 7 increasing Estimated Revenue by \$26,650 for same. (4/5 vote required) **10585**
RECOMMENDED ACTION: Approve
8. Public Defender submitting the 1992/93 Public Defender Annual Report pursuant to Government Code Section 27710. **10588**
RECOMMENDED ACTION: Receive and file

9. County Counsel recommending the following claims be rejected:
- a. Mardel A. and Lawrence S. Bristol in an amount in excess of \$10,000; 10498
 - b. Jeffrey Benson in the amount of \$10,711.31; and
 - c. Ken Pestana in the amount of \$2,400.
- RECOMMENDED ACTION:** Reject claims
10. General Services Department recommending Chairman be authorized to sign Amendment No. 2 to Contract No. 033-90 with the State Board of Corrections extending the term of said Agreement to September 1, 1994 to allow for completion of the maintenance room addition at the South Lake Tahoe Jail facility. 8090
- RECOMMENDED ACTION:** Approve
11. General Services Department recommending Board approve the recommendation of the Georgetown Cemetery Advisory Committee that Helen Hand be appointed as the Administrator for the Georgia Slide Cemetery; and requesting authorization to prepare an Agreement relating to same to be brought back to the Board for approval. 10589
- RECOMMENDED ACTION:** Approve (Approved in concept, and County Counsel requested to bring back implementing documents on September 28, 1993.) NuCBNU
12. General Services Department recommending Chairman be authorized to sign Amendment to the Lease with Richard F. and Cheryl L. Anderson, for the Georgetown Outreach Facility, amending the rent schedule to provide for rent in the amount of \$975 per month commencing September 15, 1993 and continuing until the date the County actually takes occupancy of the facility. 9092
- RECOMMENDED ACTION:** Approve
13. Purchasing Department requesting authorization to "shop" informally and execute a purchase order for a 3-axle tractor within the budgeted amount of \$58,000. 10590
- RECOMMENDED ACTION:** Approve
14. Purchasing Department recommending award of Bid No. 168-019 for liquid emulsified asphalt (SS1-H) for the Department of Transportation. 10591
- RECOMMENDED ACTION:** Award to the low bidder American River Asphalt; and authorize Purchasing Agent to issue a purchase order in the amount of \$20,100 including sales tax for same.

15. Purchasing Department recommending Chairman be authorized to sign Agreement No. C34-004 with the County of Sacramento, Systems and Data Processing in the amount of \$11,400 for the term July 1, 1993 through June 30, 1994 for the California Law Enforcement Telecommunication System (CLETS) on-line services for the Welfare Department.

10592

RECOMMENDED ACTION: Approve

16. Purchasing Department recommending Chairman be authorized to sign Agreement No. C34-003 in the amount of \$48,000 and Agreement No. C34-005 in the amount of \$12,300 with the County of Sacramento, Systems and Data Processing for the term July 1, 1993 through June 30, 1994 for the California Law Enforcement Telecommunication System (CLETS) on-line services for the Sheriff's Department Administration and Jail respectively.

10592

RECOMMENDED ACTION: Approve

17. Human Resources Department submitting a report to apprise the Board of the effectiveness and savings of the Occupational Urgent Care Health Systems, Inc., (OUCH) program which provides comprehensive bill review and medical cost management services.

9883

RECOMMENDED ACTION: Receive and file (Board received and filed the report, and approved the renewal of the contract with OUCH subject to final review by County Counsel prior to Chairman's execution.) BUNuNC

18. Human Resources Department recommending Chairman be authorized to sign Amendment No. 1 to the Risk Management Agreement with California Physicians' Services, dba Blue Shield of California for the term July 1, 1993 through June 30, 1994 at a rate of \$25.93 per subscriber per month for claims administration services.

8894

RECOMMENDED ACTION: Approve

19. Transportation Department recommending Chairman be authorized to sign Amendment No. 1 to Contract No. 2-049-250-1 with the State Water Resources Control Board extending the term of same to July 1995 for water quality monitoring.

8449

RECOMMENDED ACTION: Approve

20. Transportation Department recommending Chairman be authorized to sign Certificates of Acceptance (and Easement Acquisition Agreements where specified) with the following for property acquisitions for the North Upper Truckee Erosion Control Project:

a. Candace R. and William J. Halbig, Trustees of the William J. Halbig and Candace R. Halbig 1993 Trust, Connie P. and Roy A. Richner, William B. I. and Barbara R. Wallace, Trustees of the William B. I. Wallace and Barbara R. Wallace 1991 Trust for APN 34-431-04 (including Easement Acquisition Agreement in the amount of \$1,750);

8400

b. Cynthia J. Lambert for APN 33-411-06 (including Easement Acquisition Agreement in the amount of \$2,500); and

c. Alfred L. and Christa E. Bower for APN 34-412-05 (including Easement Acquisition Agreement in the amount of \$1,150).

RECOMMENDED ACTION: Approve

21. Transportation Department requesting Director of said Department be authorized to sign a Sponsor Agreement, Contract Addendum and any related documents with the California Conservation Corps for the Tahoe Basin Snow Removal Services Project for fiscal year 1993/94.

10127

RECOMMENDED ACTION: Approve

22. Transportation Department recommending the Board dispense with bidding procedures required by Ordinance Code Section 3.12.130, and authorize the Purchasing Agent to negotiate the purchase of a truck mounted hot patcher from PB Loader Corp.

10596

RECOMMENDED ACTION: Approve

23. Administration recommending Resolution be adopted authorizing the County to enter the California State Association of Counties (CSAC) Challenge Awards Program for 1993.

8828

RECOMMENDED ACTION: Adopt Resolution No. 280-93

24. Administration recommending amendment to Board Policy A-11 regarding department responses to the Grand Jury Report.

RECOMMENDED ACTION: Approve (Approved with clarifying language in Paragraph "D" of Section 2.2 as requested by Supervisor Nielsen.)

8231

NUBNUC

25. Supervisor Center recommending Chairman be authorized to sign letters of support for two grant applications sought by the Court Appointed Special Advocates (CASA).

8339

RECOMMENDED ACTION: Approve

- 26. Supervisor Center recommending Resolution be adopted declaring October, 1993 as Arts and Humanities Month in El Dorado County. 10597

RECOMMENDED ACTION: Adopt Resolution No. 281-93

- 27. Supervisor Center recommending Board proclaim September 20 - 24, 1993 as California Rideshare Week in El Dorado County. 10188

RECOMMENDED ACTION: Adopt Proclamation

BOARD ACTION - Consent Calendar matters approved as recommended with additional direction on items 11, 17 and 24 as noted (item 4 also acted upon separately). BUNuNC

END MORNING CONSENT CALENDAR

TIME ALLOCATIONS - 10:00 A.M.

Air Pollution Control Board Meeting (refer to separate agenda for same.) ✓

County Service Area No. 10 Meeting (refer separate agenda for same) after which Board of Supervisors will reconvene. ✓

- 50. Transportation Department submitting recommendations regarding the Mosquito Road Bridge Replacement Study.

BOARD ACTION - Board went on record in support of the Alternative 4 alignment; directed the Department of Transportation to do the analysis that would essentially quantify the cost of making Alternative 2 the functional equivalent to Alternative 4 from the point of safety and access; and authorized the Chairman to sign letters to the various political entities that indicate specifically the Board's action this date. 9045
CNBNuU

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.)

- 51. Health Department recommending the Board receive and file the Regional Council of Rural Counties (RCRC) Rural County Health Program outline; and Chairman be authorized to sign a letter to RCRC thanking the Council for its work on the project and advising that El Dorado County is unable to commit to participation at this time. 10598

BOARD ACTION - Approved NuUBNC

52. Supervisor Upton requesting Board consideration and endorsement of legislation to (1) not require the "living together" declaration on confidential marriage licenses; and (2) to make recording of said licenses an option of the couple. (Continued 8/31/93, Item 52) **10382**
BOARD ACTION - Continued to September 21, 1993. Unubnc
53. Reconsideration of the Board's action on August 3, 1993, increasing the fees for marriage licenses issued by the County at South Lake Tahoe. (Continued 8/31/93, Item 53) **10382**
BOARD ACTION - Continued to September 21, 1993, and the "stay" of implementation of the increased fees was also continued an additional week. Unubnc
54. Supervisor Nutting recommending Resolution be adopted supporting the reduction of legal immigration to 300,000 per year, and secure United States borders through legislative authorization, adequate appropriations and the effective enforcement of employer sanctions. **10599**
BOARD ACTION - RESOLUTION NO. 282-93 adopted with revisions as recommended by County Counsel this date. NuNBCU
55. Opportunity for Planning Director to report on any matters that have arisen in the course of developing the County General Plan, beyond the budgetary or personnel capabilities of the Planning Department, and to request direction needed. ✓
BOARD ACTION - No action taken.

COMMITTEE REPORTS**LUNCH RECESS**

1:50 P.M. - PUBLIC FORUM/PUBLIC COMMENT - Cleatus Smith, et al.,
regarding the issue of mobile home rent control. **10395**

PLANNING MATTERS - 2:00 P.M.

80. Hearing to consider the following petition submitted by James and Angela Oliver for 20 acres (APN 94-010-46) in the Somerset/Fairplay/Mt. Aukum Area (District II):

a. Rezoning (Z93-10) of said lands from PA, Planning Agricultural Zone to AE, Exclusive Agricultural Zone;

b. Waive reading, read by title only, and introduce Ordinance approving same; and

c. Adoption of Resolution be adopted establishing Agricultural Preserve No. 263 on said lands. 10600

BOARD ACTION - Based on the findings of the Planning Commission on August 12, 1993, the Board certified the project as categorically exempt from the California Environmental Quality Act; adopted RESOLUTION NO. 283-93 establishing Agricultural Preserve No. 263; and waived reading, read by title only, and introduced Ordinance effecting the requested rezoning (to be agendized for adoption on 9/21/93). NuUBNC

81. Hearing to consider the following petition submitted by James Leroy for property consisting of 7.0 acres in the Diamond Springs/El Dorado Area (District III):

a. Rezoning (Z91-30) of said lands from R3A, Single-family Three-acre Zone to R1A, One-acre Residential Zone; and 10601

b. Waive reading, read by title only, and introduce Ordinance approving same.

BOARD ACTION - Hearing continued to September 28, 1993, at 2:00 p.m. UBNUc

CLOSED SESSION REPORT: In the matter of Kimzey v. Neasham, et al., the Board authorized the District Attorney to act as the prosecuting authority on behalf of the political subdivision of El Dorado County; authorized the Chief Administrative Officer to generate adequate additional funds as required; and authorized the Chairman to sign documents relating to same. 10561

UNNUc B(a)

CLOSED SESSION REPORT: The Chairman was authorized to sign a letter accepting the resignation of John L. "Dusty" Deryck as General Services Director effective October 1, 1993, and placing Mr. Deryck on administrative leave with pay effective immediately. 10162

UCNUc B(a)

82. Hearing to consider the following for approximately 330 acres in the Lotus/Coloma Area (District IV):

a. Notices of Violation of the Subdivision Map Act and the County Land Division Ordinance be filed on the following:

- 1) APN 105-100-08 (100 acres) Certificate of Compliance (COC) 93-39 petitioned by Richard Sauer;
- 2) APN 105-100-11 (80.91 acres) COC 92-122 petitioned by Frank Matagrano, et al;
- 3) APN 105-100-12 (41.15 acres) COC 92-118 petitioned by Tore B. Pearson, et al;
- 4) APN 105-100-14 (41.24 acres) COC 93-33 petitioned by Marv Bukema, et al;
- 5) APN 105-100-15 (42.87 acres) COC 93-25 petitioned by John and Jean Clark;
- 6) APNs 105-100-17 (8 acres) and 105-100-18 (24.7 acres) owned by Charles and Judy Bacchi and Paul and Cheri Little; and

b. Subsequent Certificates of Compliance for APN 105-100-16 (13.47 acres) be compared to the recorded Conditional Certificate of Compliance (COC 90-81); and, if substantially different, Planning Department bring back COC 90-81 for review and appropriate changes and conditions.

BOARD ACTION - Prior to hearing this matter, the Board adjourned to closed session, pursuant to Government Code 54956.9, regarding litigation initiated formally entitled, "Gray v. Bisbee, et al." (EDC Superior Court Case No. PV92-0545), and significant exposure to litigation. NUBNuC

After several hours testimony, and prior to taking action, the Board again adjourned to closed session pursuant to authority cited above. NuUBNC

Hearing continued to October 26, 1993, at 2:00 p.m., allowing staff sufficient time to properly notice the hearing and compile the administrative record, and Board agreed to register its tentative determination of the matter. NBNuCU

Staff directed to prepare findings that would support the filing of Notices of Violation on APNs 105-100-08, -11, -12, -14, -15, and -17/-18, as recommended by the Planning Department. CBNuNU

10602

BOARD OF SUPERVISORS ADJOURNED

APPROVED:

William N. Center
WILLIAM N. CENTER, Chairman

ATTEST:

Dixie L. Foote
DIXIE L. FOOTE, Clerk of the Board

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.
