

County of El Dorado

BOARD OF SUPERVISORS

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

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



C O N F O R M E D

A G E N D A

Regular Meeting of the Board of Supervisors

November 16, 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 and Addendum No. 1 thereto adopted with the addition of a closed session, pursuant to Government Code Section 54956.9, regarding litigation initiated formally entitled "Ruiloba v. County of El Dorado". BUNuNC

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 54956.9 regarding the following:

- a. Petersen vs County of El Dorado; and
- b. Yvonne Phillips vs County of El Dorado.

Closed Session pursuant to Government Code Section 54956.9 regarding decide or deciding to initiate litigation.

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

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

PRESENTATION of a Certificate of Appreciation recognizing Mike Harris, ROP student, for his participation in the County G I S Program. 10339

PRESENTATION by Betty Riley, Executive Director, reporting on Sierra Economic Development District's activities and the recent completion of the 1993/94 Overall Economic Development Program. 10687

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 November 5, 8 and 9, 1993 (on file with Clerk of the Board). RECOMMENDED ACTION: Approve ✓
- 2. Approval of Release of Liens (2) submitted by County Counsel (on file with Clerk of the Board). RECOMMENDED ACTION: Approve 10087
- 3. County Counsel recommending Resolution be adopted authorizing an action for the recovery of County funds paid out (on file with the Clerk of the Board). RECOMMENDED ACTION: Adopt Resolution No. 330-93 10122
- 4. Approval of Assessment Roll Changes submitted by the Assessor's Office (on file with the Clerk of the Board). RECOMMENDED ACTION: Approve 10062
- 5. Health Department recommending Chairman be authorized to sign an Application to the State Department of Health Services for rural health services program funding for fiscal year 1993/94. RECOMMENDED ACTION: Approve 10688

6. Mental Health Department recommending Chairman be authorized to sign an Agreement with Gregory A Jaeck, M.D. in an amount not to exceed \$30,000 for the term July 1, 1993 through June 30, 1994 to provide 8 hours per week of psychiatric services to children and adolescents in the Placerville Mental Health Clinic, and psychiatric consultation for the Day Treatment Program and Crisis Intervention Program as needed. **RECOMMENDED ACTION:** Approve 10689
7. County Counsel recommending the Application for Leave to Present Late Claim of Luke Whitlock be allowed and the claim of Luke Whitlock in the amount of \$23,150.43 be rejected. **RECOMMENDED ACTION:** Approve 10634
8. County Surveyor recommending Proclamation be adopted proclaiming the week of November 14, 1993 as National Geography Awareness Week. **RECOMMENDED ACTION:** Adopt Proclamation 10690
9. Purchasing Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement No. C23-049 with Plumas Science Research Asbestos Services extending the term of same from November 1, 1993 to October 31, 1994. **RECOMMENDED ACTION:** Approve 10369
10. Sheriff's Department recommending Resolution be adopted establishing a parking penalty fee schedule to become effective January 1, 1994. **RECOMMENDED ACTION:** Adopt Resolution No. 331-93 10691
11. Sheriff's Department recommending Chairman be authorized to sign an Agreement with the Department of Boating and Waterways for fiscal year 1994/95 financial aid program. **RECOMMENDED ACTION:** Approve 10692
12. Agriculture Department requesting Agricultural Commissioner be authorized to sign an Agreement with the State Department of Pesticide Regulation for the term August 31, 1993 through June 30, 1994 for pesticide residue sampling, and recommending approval of Budget Transfer No. 18 increasing Estimated Revenue by \$2,115 and transferring said amount to various Appropriation Accounts to accomplish same. (4/5 vote required) **RECOMMENDED ACTION:** Approve 10693
10585

13. Human Resources Department recommending Chairman be authorized to sign the Fourth Amendment to the Memorandum of Understanding between El Dorado County and Trades and Crafts Bargaining Unit represented by Operating Engineers, Local No. 3, adding a skill pay for Transit Driver II employees who are assigned to operate large buses requiring special certification.

RECOMMENDED ACTION: Approve

9317

14. Human Resources Department recommending Resolution be adopted amending Authorized Personnel Allocation Resolution No. 274-93 deleting three positions from the Department of Transportation effective December 18, 1993 and deleting 24 positions from El Dorado Transit effective January 1, 1994; and further requesting authorization to issue layoff notices to those affected employees in accordance with current Memoranda of Understanding for the transfer of Transportation Commission staff and Transit functions from El Dorado County.

RECOMMENDED ACTION: Adopt Resolution No. 332-93

10553

15. Transportation Department recommending Chairman be authorized to sign Change Order No. 1 to Contract No. 9513569 with H. M. Byars Construction Company increasing the total contract time by 19 calendar days and decreasing the total contract cost by \$9,787.15 for the Valley View Erosion Control Project.

RECOMMENDED ACTION: Approve

10440

16. Transportation Department recommending Chairman be authorized to sign an Easement Acquisition Agreement with Lee R. Harris for APN 34-084-10 in the amount of \$350 and Certificate of Acceptance for the purchase of an easement for the Apache Erosion Control Project.

RECOMMENDED ACTION: Approve

8449

17. Transportation Department recommending Chairman be authorized to sign an Easement Acquisition Agreement with Steven Ross and Marilee Lehrfeld Headen for APN 16-322-16 in the amount of \$450 and Certificate of Acceptance for the purchase of an easement for the Valley View Erosion Control Project.

RECOMMENDED ACTION: Approve

10440

18. Transportation Department recommending Chairman be authorized to sign an Easement Acquisition Agreement with David and Tamra S. Madsen for APN 34-443-03 in the amount of \$575 and Certificate of Acceptance for the purchase of an easement for the North Upper Truckee Erosion Control Project.

RECOMMENDED ACTION: Approve

8400

19. Planning Department recommending approval of the final map for Cambridge Terrace Townhomes in the Cameron Park Area; and Chairman be authorized to sign Agreement to Make Subdivision Improvements for same.

RECOMMENDED ACTION: Approve

9352

20. Administration Department recommending Resolution be adopted authorizing the Sheriff to charge an additional \$10 fee for all cardroom operator and cardroom dealer applicant finger-print checks and all other expedited finger-print checks.

RECOMMENDED ACTION: Adopt Resolution No. 333-93

10609

21. Administration Department recommending approval of Budget Transfer No. 29 transferring \$15,820 from Contingency for installation of a point-to-point 56KB digital circuit. (4/5 vote required)

RECOMMENDED ACTION: Approve

10694

22. Supervisor Center recommending Resolution be adopted supporting the El Dorado Community Foundation for Youth and Family Services.

RECOMMENDED ACTION: Adopt Resolution No. 334-93

10695

23. Supervisor Bradley recommending Ramona L. Gilmore be appointed as the District I representative to the Commission on Aging.

RECOMMENDED ACTION: Approve

10142

24. - 28. (refer Agenda Addendum No. 1 attached)

BOARD ACTION - All Consent Calendar matters approved as recommended. BUNuNC

END MORNING CONSENT CALENDAR

TIME ALLOCATIONS - 10:00 A.M.

50. Clerk of the Board submitting petitions received following the Board's adoption of Resolution No. 278-93, on August 31, 1993, pertaining to the reorganization of the Northside Fire Protection and El Dorado County Fire Protection Districts; and submitting County Counsel's recommendations regarding same.

BOARD ACTION - Acting as the conducting authority for the reorganization of the Northside Fire Protection District/El Dorado County Fire Protection District, the Board determined the following: (1) that documents submitted are legally insufficient to constitute a petition requesting an election be held pursuant to the criteria of Government Code Section 57081(b)(1)(A), and (2) that an insufficient number of valid signatures have been submitted under Government Code Section 57081(b)(1)(B) for an election to be held; and, finally, the Board ordered that the reorganization shall occur without an election, and directed that its findings be transmitted to the Local Agency Formation Commission. NUBNuC

10419

51. Chief Administrative Officer (CAO) recommending Resolutions (2) be adopted for Temporary Reduction in Force/Partial Closure and Changes to Holiday Schedules; and Chairman be authorized to sign letter(s) of agreement with represented employees.

BOARD ACTION - Board authorized the closure of County offices December 28, 29, and 30 as outlined on pages 2 and 3 of the CAO's memorandum to the Board regarding same dated 11/8/93; and adopted RESOLUTION NO. 337-93 as amended pursuant to recommendation of the CAO this date, and RESOLUTION NO. 338-93 accordingly. NuUBNC

10484

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.)

52. District Attorney recommending the hourly rate for the District Attorney Chief Investigator be increased to \$24.71 effective November 1, 1993. (Chief Administrative Officer does not recommend approval.)

BOARD ACTION - Approved subject to a written agreement that the hourly rate would roll back to the base classification and compensation schedule at such time as the individual occupying the position under the subject position is no longer employed. UBNUC

10696

CLOSED SESSION REPORT: In the matter of the Civil Service Commission decision concerning Raymond Hawkins, the Board authorized County Counsel to initiate litigation with regard to that particular holding. UNBNU C(n)

10677

DEPARTMENT MATTERS (continued)

53. Supervisor Upton recommending Board ratify the Meeks Bay Fire Protection District Liquid Propane Gas Ordinance. (Continued 10/19/93, Item 62) **BOARD ACTION** - Continued to December 14, 1993. UNuBNC

10648

54. (refer Agenda Addendum No. 1 attached)

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. - PUBLIC FORUM/PUBLIC COMMENT - Gary Palmer, regarding U.S. Marine Corps training in El Dorado County. 10395

PLANNING MATTERS - 2:00 P.M.

80. Hearing to consider the following for property consisting of 8.31 acres in the Placerville Periphery Area (Applicant: Arthur and Patricia Carlson) (District III):

a. Rezoning of properties from R3A, Single-family Three-Acre Zone to R1A, One-Acre Residential Zone; and

b. Waive reading, read by title only, and introduce Ordinance approving same. 10698

BOARD ACTION - Upon being advised by the Planning Department that the applicant has verbally withdrawn the rezoning application, the Board continued the hearing to December 14, 1993, at 2:00 p.m., to give staff an opportunity to obtain the applicant's withdrawal in writing. UNuBNC

81. Hearing to consider the following for property consisting of 2.07 acres in the Diamond Springs/El Dorado Area (Applicant: Patricia Disney) (District III):

a. Rezoning of properties from RE-10, Estate Residential Ten-Acre Zone to I-PD, Industrial-Planned Development Zone; and

b. Waive reading, read by title only, and introduce Ordinance approving same. 10699

BOARD ACTION - Board approved the Negative Declaration and the rezoning based on the findings of the Planning Commission on 10/14/93; and waived the reading, read by title only, and introduced the Ordinance effecting said rezoning (to be agendized for adoption on November 23, 1993). NNuBUC

82. Hearing to consider the Appeal filed by the Sleepy Hollow Owners' Association on approval of Tentative Parcel Map 92-32, in the Rescue Area (District III), creating two lots with a design waiver to allow the reduction of the required surface width of the road from 24 feet to the width of the existing paved road; (Applicants: Bruce and Nancy Keeley). 10700

BOARD ACTION - Hearing closed and matter continued, to provide the parties involved an opportunity to reach an agreement, to be brought back to the Board for final action no later than December 14, 1993. NUBNuC

83. Hearing to consider an Appeal filed by Hal Omar on the denial of Tentative Parcel Maps 90-09, 90-10 and 90-61 in the Garden Valley Area (District IV). (Continued 10/19/93, Item 80)
BOARD ACTION - Hearing continued to December 14, 1993, at 2:00 p.m., and staff directed to notify the appellant and his agent of said continuance. CNUBNU

10649


BOARD OF SUPERVISORS ADJOURNED

APPROVED:



WILLIAM N. CENTER, Chairman

ATTEST:



DIXIE L. FOOTE, Clerk of the Board

County of El Dorado

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Regular Meeting of the Board of Supervisors

November 16, 1993

8:00 A.M.

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

Closed Session pursuant to Government Code Section 54956.9 regarding the following:

- a. York vs County of El Dorado; and
- b. Kimzey vs McIntosh, County Watch vs El Dorado County, Kimzey vs Neasham.

CONSENT CALENDAR ADDITIONS

24. General Services Department recommending Chairman be authorized to sign a Memorandum of Understanding between the County and Georgetown Divide and El Dorado County Resource Conservation Districts for xeriscape garden landscape maintenance. 10701
RECOMMENDED ACTION: Approve
25. Sheriff's Department recommending approval of Budget Transfer No. 31 transferring \$6,000 from Estimated Revenue Account for the fiscal year 1993/94 Anti-Drug Abuse Grant to the Sheriff's Department's budget. (4/5 vote required) 10585
RECOMMENDED ACTION: Approve
26. Department of Transportation recommending approval of Budget Transfer No. 33 transferring funds from and to Estimated Revenue and Appropriations in order to adjust the fiscal year 1993/94 Operating Transfers Out from County Service Areas to equal the remaining fund balance in all Park and Recreation Zones of Benefit in County Service Area Nos. 3 and 9. 10585
RECOMMENDED ACTION: Approve

27. Department of Transportation recommending approval of Budget Transfer No. 32 increasing Estimated Revenue by \$20,000 and transferring said amount to various Appropriation Accounts for funding for the Joint Power Authority's administration of the Southern Pacific right of way acquisition process; and further recommending Supervisor Center be appointed as Supervisor Nielsen's alternate on the Joint Power Authority's Board of Directors. (4/5 vote required)

10585

10583

RECOMMENDED ACTION: Approve

28. Department of Transportation recommending the following pertaining to the Traffic Sign Replacement/Pavement Marker Project No. 48214:

a. Resolution be adopted finding that said Project will have no significant environmental impact and is exempt from review under California Environmental Quality Act Guidelines Section 15301(c); and

10702

b. Chairman be authorized to sign the Specifications to advertise for bids to be received 2:00 p.m., December 9, 1993.

RECOMMENDED ACTION: Approve

DEPARTMENT MATTER

54. Chief Administrative Officer recommending the District Attorney be directed to investigate articles in the statutory accusation pursuant to Government Code Section 27641(b) filed by Bruce A. Kimzey against County Counsel, and advise the Board on disposition of said accusation.

10561

BOARD ACTION - Accusation rejected.

UBNuNC