

County of El Dorado

BOARD OF SUPERVISORS

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

March 15, 1994

8:00 A.M.

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

JOHN E. UPTON, 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 direction that item 51 be taken up at 11:30 a.m., and the closed session listed on Addendum No. 1 continued one week. BNNuCU

8:00 A.M. - Closed Sessions (2) pursuant to Government Code Section 54956.9 regarding the following:

a. Akemon, et al vs County, Case 13638;
BOARD ACTION - No action taken.

b. Linda Burmley vs County, Case PV92-0025.
BOARD ACTION - Board ratified a \$1500 settlement with the plaintiff in the matter with an agreement not to collect certain liens against that particular settlement, although the County would have the ability to enforce the liens otherwise.

NNuBCU

10890

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

PRESENTATION of Resolution No. 60-94 acknowledging Ronald D. Duncan, Director of Environmental Management Department, for his 25 years of service to the County of El Dorado. 10891

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 Agenda (Minutes) of March 8, 1994 (on file with Clerk of the Board). ✓
RECOMMENDED ACTION: Approve
2. Approval of Assessment Roll Changes submitted by the Assessor (on file with Clerk of the Board). 10737
RECOMMENDED ACTION: Approve
3. County Counsel recommending Resolutions (2) be adopted authorizing an action for the recovery of County funds paid out (on file with the Clerk of the Board). 10755
RECOMMENDED ACTION: Adopt Resolution Nos. 61-94 and 62-94 respectively
4. County Counsel recommending the claim for indemnity submitted by Allen L. Bender, Inc. in an unspecified amount be rejected. 10756
RECOMMENDED ACTION: Reject claim for indemnity
5. Community Services Department recommending Resolution be adopted amending Authorized Personnel Allocation Resolution No. 274-93 reinstating one Deputy Public Guardian I/II position. 10763
RECOMMENDED ACTION: Adopt Resolution No. 63-94
6. Treasurer/Tax Collector recommending Resolution be adopted amending Resolution No. 74-92 adding the National Association of Counties (NACo) and its administrator, Public Employees Benefit Services Corporation (PEBSCO), as an employee option to invest deferred compensation funds; and authorize the Auditor/Controller or Treasurer/Tax Collector to execute documents for same. 9463
RECOMMENDED ACTION: Adopt Resolution No. 64-94
7. Treasurer/Tax Collector requesting authorization to issue a business license to an applicant who wishes to engage in the business of astrological consultation. 10892
RECOMMENDED ACTION: Approve

8. Transportation Department recommending Chairman be authorized to sign Memoranda of Understanding (2) with the U.S. Department of Transportation for improvements to Wentworth Springs Road and Grizzly Flat Road. 10893
RECOMMENDED ACTION: Approve NuCBNU
9. Transportation Department recommending the following pertaining to Fairchild Village Unit No. 2 Subdivision:
- a. Resolution be adopted accepting the streets into the County Maintained Road System;
- b. Performance Bond No. 2669015 in the amount of \$781,715 be released; 8970
- c. Posted Laborers and Materialmen Bond No. 2669015 in the amount of \$390,858 be held for a period of six months following completion and acceptance of the work; and
- d. Maintenance Bond No. 5766882 be accepted in the amount of \$78,172 to warrant workmanship and materials for a period of one year following completion and acceptance of the work.
RECOMMENDED ACTION: Adopt Resolution No. 65-94
10. Transportation Department recommending the following pertaining to Greenstone Country Unit No. 8 Subdivision:
- a. Work scheduled be approved as submitted by George Sanders, Project Engineer for same; and 3459
- b. Chairman be authorized to sign an Amendment to the Subdivision Agreement extending the term to June 1, 1994, with new securities provided by Developer, subject to approval by County Counsel.
RECOMMENDED ACTION: Approve
11. Transportation Department recommending Chairman be authorized to sign the Notice of Completion for the Fuel Facility Project (No. 81905) under contract to CE Green Corporation for the Headington Road Corporation Yard. 10325
RECOMMENDED ACTION: Approve
12. Transportation Department recommending approval of Change Order No. 3 to the contract with Stan Gilbert Construction, Inc. increasing the cost of the contract by \$18,750 to remove and replace an additional 3,300 square feet of AC surfacing for the Latrobe Road/White Rock Road Intersection Improvements Project. 8693
RECOMMENDED ACTION: Approve

13. Transportation Department recommending Chairman be authorized to sign Amendment No. 2 to the Agreement with Imbsen & Associates extending the expiration date from December 1, 1993 to December 1, 1996 for consulting services for four replacement bridges on State Highways 50 and 193.
RECOMMENDED ACTION: Approve NuBNU C(ab)
14. Communications and Emergency Services recommending ratification of the Chairman's signature on Certificate of Appreciation presented to Klark D. Staffan on March 7, 1994, in appreciation of his service to the County as Assistant Director of Emergency Services from November 19, 1990 through March 7, 1994.
RECOMMENDED ACTION: Ratify Chairman's signature
15. Communications and Emergency Services recommending Chairman be authorized to sign Agreements with El Dorado Hills Fire Department, El Dorado County Fire Protection District, Cameron Park Community Services District, Latrobe Fire Protection District, Diamond Springs/El Dorado Fire Protection District, Georgetown Fire District, and County Service Area No. 7 for the term July 1, 1993 through June 30, 1994 for County provided ambulance radio dispatch services.
RECOMMENDED ACTION: Approve
16. Communications and Emergency Services submitting the Local Disaster Council 1993 Annual Report which summarizes the findings of the Local Disaster Council relating to mitigation, preparedness, response and recovery.
RECOMMENDED ACTION: Receive and file
17. General Services Department recommending award of Bid No. 280-059 for janitorial chemicals and cleaning supplies to be stocked by Central Stores.
RECOMMENDED ACTION: Award to the low bidder, Zellerback, A Mead Company; and authorize the Purchasing Agent to issue a purchase order in an amount not to exceed \$21,000, including sales tax, for same.
18. General Services and Human Resources Departments requesting authorization to release a Request for Proposal for Managed Prescription Drug Services for the El Dorado County Employer Health Benefits Plan.
RECOMMENDED ACTION: Approve

8450

10796

10748

10150

10894

10895

19. Human Resources Department recommending Resolution be adopted finding that Barry Pauli is incapacitated, within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Correctional Officer II, effective March 15, 1994. (Continued 3/1/94, No. 20)
RECOMMENDED ACTION: Adopt Resolution No. 50-94 10792
20. Human Resources Department recommending a property insurance policy be purchased through California Association of Counties Excess Insurance Authority Property Program II for the term March 1, 1994 through February 28, 1995, for coverage for all County fixed assets.
RECOMMENDED ACTION: Approve 10896
21. Human Resources Department recommending Chairman be authorized to sign Amendment No. 5 to the Group Enrollment Agreement with U.S. Behavioral Health Plan, California, for the term February 1, 1994 through January 31, 1995 at an approximate annual fee of \$190,886 for confidential psychological counseling for County employees and their families; and further recommending staff be directed to research alternatives to produce the greatest savings and most equitable benefit structure for same.
RECOMMENDED ACTION: Approve 8267
22. Human Resources Department recommending Chairman be authorized to sign the Memorandum of Understanding with Operating Engineers Union, Local No. 3, representing the Group Counselors Bargaining Unit, for the term March 1, 1994 through February 23, 1996.
RECOMMENDED ACTION: Approve 10774
23. Human Resources Department recommending Resolution be adopted amending the Authorized Personnel Allocation Resolution No. 274-93 for the Engineering Division of the Department of Transportation as outlined in the memorandum to the Board dated February 25, 1994; and establishing salaries and class specifications for same.
RECOMMENDED ACTION: Adopt Resolution No. 66-94 10553
24. Chief Administrative Officer recommending approval of Budget Transfer No. 124 transferring \$5,000 from Contingency to Appropriations for mileage and related travel cost reimbursement for the members of the County Charter Commission. (4/5 vote required)
RECOMMENDED ACTION: Approve 10739

25. Environmental Management recommending Chairman be authorized to sign a Memorandum of Understanding with the County of Placer for the continued use of the Eastern Regional Landfill.
RECOMMENDED ACTION: Approve

9784

26. Supervisor Upton recommending Resolution be adopted authorizing the Chairman to sign Amendment No. 1 to the Joint Powers Agreement between the County and the Cities of Placerville and South Lake Tahoe amending the disbursement formula for the abatement of abandoned vehicles.
RECOMMENDED ACTION: Adopt Resolution No. 67-94

8157

27. General Services Department requesting Closed Session for the Board to give instructions to its negotiator regarding real property described as 6720 Fairplay Road, Somerset, CA (APN 94-02-04). The persons with whom the negotiator may negotiate are the property owners John and Nancy Hall. Instructions to negotiator will concern price and terms of purchase.
RECOMMENDED ACTION: Approve

10897

28. Waive reading, read by title only, and adopt Ordinance rezoning (Z93-12) lands in the Camino/Fruitridge Area (Applicant: Lowell Plubell). (Introduced 3/8/94, No. 80).
RECOMMENDED ACTION: Adopt Ordinance No. 4326

10833

29. Waive reading, read by title only, and adopt Ordinance rezoning (Z93-13) lands in the Cameron Park Area (Applicant: Philip Mueller). (Introduced 3/8/94, No. 81)
RECOMMENDED ACTION: Adopt Ordinance No. 4327

10834

BOARD ACTION - All Consent Calendar matters approved as recommended (items 8 and 13 acted upon separately); and Department Matter 50 added to the Consent Calendar and approved as part of same. NuBNCU

END MORNING CONSENT CALENDAR

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.)

50. Transportation Department recommending award of contract for the El Dorado Hills Boulevard Improvements, Phase I, Project (No. 72129).

BOARD ACTION - Contract awarded to the lowest responsible bidder, Granite Construction Company of Watsonville, CA, in the amount of \$1,154,526.00, and Chairman authorized to sign same. NuBNCU

9554

51. Chief Administrative Officer submitting the letter of resignation from Larry Klaus, Auditor/Controller, effective 5:00 p.m., Friday, April 1, 1994; and further consideration of possible actions and appointments available to the Board in filling the vacancy created by the resignation of Mr. Klaus. (Referred 3/8/94, No. 51)

BOARD ACTION - The Board determined it would interview the four candidates to date for the position of Auditor-Controller who were also present this date. NUNu B(n)C(ab) 10832

Having one candidate, Karl Weiland, decline to be interviewed and considered for appointment by the Board, and after interviewing the remaining three candidates, Jim Deaton, Joe Harn, and Richard Loomis, the Board continued its deliberations on the matter to March 22, 1994. NuUBN C(ab)

52. Human Resources Department requesting policy direction regarding the veteran's preference credit issue. (Referred 5/25/93, No. 27)

BOARD ACTION - Referred to the County Veteran Affairs Commission with the request that said Commission bring the matter back to the Board after meeting with the Director of Human Resources regarding same. BNNuCU 10406

53. Supervisor Upton submitting request of Bruce Davis to transfer the commercial square footage from a parcel on Sawmill Road (County unincorporated area) to a parcel off Tahoe Keys Boulevard (inside the City of South Lake Tahoe). (Continued 3/1/94, No. 54)

BOARD ACTION - Matter withdrawn from the agenda. NuUBNC 10785

54. Health Department submitting findings and recommendations relating to the Status Offender Program; and Chief Administrative Officer recommending the following: approve \$75,500 funding through September 30; direct the Health Department to return with an amended contract and budget transfer; request the Children and Families Network (CFN) to continue working with New Morning and Tahoe Youth and Family Services and report back to the Board in August, regarding referral and case management processes, target populations, grant funding and measurable outcomes; and change the name for these services from Status Offender Program to Intervention Services for High Risk Youth and Families. 10898

BOARD ACTION - Approved with direction that a "fiscal out" provision be included in the contract (contract and budget transfer to be brought back for approval). NCBNuU

TIME ALLOCATION - 10:00 A.M.

- 55. Presentation to update the Board on the progress of the El Dorado Hills Town Center project.
BOARD ACTION - No action taken.

10899

TIME ALLOCATIONS - 11:00 A.M.

- 56. Presentation on the Teen Court Program.
BOARD ACTION - No action taken.

10900

County Service Area No. 10 Meeting (refer to separate agenda for same) ✓

Air Pollution Control Board Meeting (refer to separate agenda for same) after which Board of Supervisors will reconvene. ✓

COMMITTEE REPORTS

Closed Session pursuant to Government Code Section 54956.8 to give instructions to the Board's negotiator regarding real property described as 6720 Fairplay Road, Somerset (APN 94-02-04). The persons with whom the negotiator may negotiate are the property owners John and Nancy Hall. Instructions to negotiator will concern price and terms of purchase.

10897

BOARD ACTION - Board declined to pursue the acquisition of subject property. BUNuNC

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
Richard Akin re: Home Rule
John Stelzmilller re: Home Rule

10395

PLANNING MATTERS - 2:00 P.M.

80. Hearing to consider the following pertaining to property located in the South County Area: (District II) (Applicant: Les and Lynn Russell):

a. Rezoning (Z93-18) of said lands from PA, Planned Agriculture Zone to AE, Exclusive Agriculture Zone;

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

c. Establishment of an Agricultural Preserve on 38.04 acres.
BOARD ACTION - Hearing continued off calendar at the request of the applicant. BNuNCU

10901

81. Planning Director to update the Board on the General Plan Progress.

BOARD ACTION - Board received and filed the Planning Director's written report on "General Plan EIR Quality Control" dated 3/9/94 presented this date as requested by the Board on 2/15/94. CBNuNU

9399

82. Planning Department submitting a Status Report on General Plan Inclusion Requests; and requesting direction on any further review, consideration or disposition of same.

BOARD ACTION - Board directed Planning Department staff and Planning Commission to develop a process whereby applicants of inclusion requests and parcel specific requests postmarked prior to August 20, 1993, be notified of the Planning Department's determination of the condition of their requests' consistency with the Project Description and, in that notice, include a statement asking the applicants, "If there were an opportunity to appeal this determination before the Planning Commission prior to the General Plan hearings scheduled for some time this Fall where the final decision will be made, would you avail yourself of that opportunity?"; and suggested the applicants be given 30 days to respond, after which the Planning Department is to report back to the Board on the responses and receive further direction. CBNuU N(a)

9399

At the recommendation of County Counsel, the Board added to the Agenda the following two closed sessions regarding significant exposure to litigation, pursuant to Government Code Section 54956.9: BCU Nu(a)N(a)

Michele MacIntyre v. Board of Supervisors, County of El Dorado, real party of interest being Jim Russo, candidate for Treasurer-Tax Collector; and

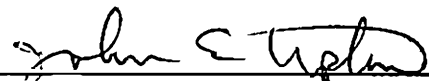
10902

Michele MacIntyre v. Board of Supervisors, County of El Dorado, real party of interest being Gary Lacy, candidate for District Attorney.

BOARD ACTION - Board ratified the filing and serving of the first action; authorized County Counsel to file and serve the second action; and authorized County Counsel to represent the County Registrar of Voter, Michele MacIntyre, in both matters. BNuCU N(a)


BOARD OF SUPERVISORS ADJOURNED

APPROVED:



JOHN E. UPTON, Chairman

ATTEST:



DIXIE L. FOOTE, Clerk of the Board

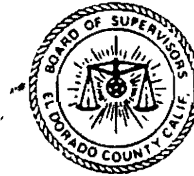
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A G E N D A A D D E N D U M N O . 1

Regular Meeting of the Board of Supervisors

March 15, 1994

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 County of El Dorado vs Travel Communications, Inc., dba American Traveler Press, et al. El Dorado County Superior Court Case No. PV94-0007. (15 min)

BOARD ACTION - At the time the Board adopted the Agenda, it continued this closed session to March 22, 1994, at the request of County Counsel. BNNuCU

5679