

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

REGULAR MEETING OF THE BOARD OF SUPERVISORS

May 17, 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 - Board removed the closed session scheduled for this date, pursuant to Government Code Section 54957, regarding public employee performance evaluation (Chief Administrative Officer); and public employee discipline/release; with the understanding that Supervisor Nielsen can place said closed session on the Board's agenda for May 24, 1994, if he wishes to do so. UBNuNC

Agenda and Addenda Nos. 1 and 2 thereto adopted with the addition of one new business item (Item "A" below). CBNuNU

A. Board authorized the Chairman to execute a written waiver of the attorney-client conflicts of interest other than conflicts pursuant to Government Code Section 87100, et seq, the Public Records Act, arising out of the following three cases: Kimzey vs Neasham, PV93-3751; CountyWatch vs McCutchen, PV93-3090; and Kimzey vs McIntosh, PV93-3146; with regard to the other legal business in County Counsel's Office. The waiver will extend to William C. Neasham II, as County Counsel, and all subordinate attorneys within the County Counsel's Office, and is a confirmation of prior and continuing waivers by the Board. CBNuNU

10561

10200

8:00 A.M. - **Closed Session** pursuant to Government Code Section 54956.8 to give instruction to the Board's negotiator regarding real property described as northeast corner of Latrobe Road and White Rock Road (APN 107-010-09, 49). The person or persons with whom the negotiator may negotiate is the Mansour Company. Instructions to negotiator will concern and terms of payment.
BOARD ACTION - County Counsel reported out that further instructions were given to the County's negotiator.

10459

Closed Session pursuant to Government Code Section 54956.9 regarding the matter of County of El Dorado vs Travel Communications, Inc., et al. El Dorado County Superior Court Case No. PV94-0007.
BOARD ACTION - County Counsel reported out that direction was given to attorneys regarding prosecution.

5679

Closed Sessions pursuant to Government Code Section 54957 regarding the following:

a. Public employee performance evaluation of the Chief Administrative Officer; and

b. Public employee discipline/release.

BOARD ACTION - Removed from the Agenda by action of the Board at 8:00 a.m. this date, with the understanding that Supervisor Nielsen can place said closed session on the Board's agenda for May 24, 1994, if he wishes to do so. UBNuNC

10561

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

CLOSED SESSION REPORTS

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 May 10, 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).
RECOMMENDED ACTION: Approve

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10737

3. Mental Health Department recommending Chairman be authorized to sign Agreement No. 93-73279 with the State Department of Mental Health for 1993/94 inpatient hospital services. **RECOMMENDED ACTION:** Approve 10987

4. Mental Health Department recommending the following:

a. Resolution amending Authorized Personnel Allocation Resolution No. 274-93 ~~deleting~~ one Psychiatrist position; and

b. Agreement with Michael A. Zoglio, M.D. in an amount not to exceed \$35,000 for the term April 1, 1994 through June 30, 1994 for psychiatric services at the Outpatient Clinic.

RECOMMENDED ACTION: Adopt Resolution No. 111-94 (Board did not adopt the Resolution thus did not delete one Psychiatrist position; however, the Board did authorize the Chairman to sign the Agreement with Michael A. Zoglio, M.D., for psychiatric services at the outpatient clinic; understanding the Department will not fill the allocated Psychiatrist position at the same time it has a contract psychiatrist.) 10689

BNuNU C(a)

5. Community Services recommending approval of the 1994/95 Aging Program Service Unit Plan and Area Plan Budget in the amount of \$1,365,399 for submission to the State Department of Aging. **RECOMMENDED ACTION:** Approve 10988

6. General Services Department recommending approval in concept of the use of .95 acre of Henningsen-Lotus Park for wetland mitigation for Landwick Properties, advising it will return to the Board for approval upon completion of the mitigation plan and final agreement. 9565

RECOMMENDED ACTION: Approve

NuNU C(ab)

7. General Services Department recommending Resolution be adopted amending Authorized Personnel Allocation Resolution No. 274-93 **adding** one Custodial Supervisor position and **deleting** one Custodian position for South Lake Tahoe; and recommending Human Resources Department be authorized to initiate a departmental promotional recruitment. 10323

RECOMMENDED ACTION: Adopt Resolution No. 112-94

8. General Services Department recommending award of Bid No. 755-076 for three used IBM 3174-11R Control Units and two used IBM 5822-010 DSU/CSU units for Municipal Court and Social Services Department. 10989

RECOMMENDED ACTION: Award to the low bidder, Pilot Computer Services Inc., of Sacramento; and authorize the Purchasing Agent to issue a purchase order for \$18,428.13 for same.

9. Treasurer/Tax Collector recommending Auditor/Controller be authorized to replenish the cash difference fund to its authorized level of \$250. **10990**
RECOMMENDED ACTION: Approve
10. Agricultural Commissioner recommending Chairman be authorized to sign an Agreement with the City of South Lake Tahoe for animal control services by the County to the City. **9660**
RECOMMENDED ACTION: Approve
11. Agricultural Commissioner recommending Chairman be authorized to sign Amendment No. 1 to Agreement No. 93-0153 with the State Department of Food and Agriculture for funds not to exceed \$38,210 for 1993/94 pest detection and trapping; and transferring equipment from State inventory to County inventory for same. **10455**
RECOMMENDED ACTION: Approve
12. Transportation Department recommending the following for Emerald Meadows Tentative Map 88-1131:
- a. Adopt Resolution accepting the streets into the County Maintained Road System;
- b. Accept Performance Bond No. 156364S and Labor and Materials Bond No. 156364S for the remaining Phase II work; **6734**
- c. Release Performance Bond Nos. 229910S, 229908S, 229909S, 229912S, and 229913S; and
- d. Hold previously posted Maintenance Bond No. 29910S for one year after completion.
RECOMMENDED ACTION: Adopt Resolution No. 113-94
13. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreement with Cut-Rite Tree and Spray Service, and Certificate of Acceptance, for purchase of an easement (APN 15-331-28) in the amount of \$3,800, for the Tahoma Corporation Yard Expansion and Erosion Control Project. **8274**
RECOMMENDED ACTION: Approve
14. Transportation Department recommending Resolution be adopted sanctioning the closure of a portion of Francisco Drive between Sheffield Drive and Guadalupe Drive between the hours of 8:30 a.m. and 3:30 p.m. on a working day to be designated between May 18, 1994 and May 25, 1994 to allow El Dorado Irrigation District to construct the El Dorado Hills Water Quality Project (Raw Water Transmission Main Expansion). **10991**
RECOMMENDED ACTION: Adopt Resolution No. 114-94

15. Transportation Department recommending Chairman be authorized to sign an Amendment to the Purchase and Sale Agreement with Raymond and Lorine Stanfill for installation of monumentation. **RECOMMENDED ACTION:** Approve 8217
16. Transportation Department recommending Resolution be adopted authorizing the Chairman to sign Agreement No. X94-5925 with the State Department of Transportation for exchange/disbursement of regional surface transportation funds and State matching funds for FY 1991/92, 1992/93, and 1993/94. **RECOMMENDED ACTION:** Adopt Resolution No. 115-94 10992
17. Planning Department submitting Tentative Parcel Map 93-09 creating 3 parcels from 3.01 acres in the Shingle Springs Area (District III) Applicant: Stephen P. Rhoads. **RECOMMENDED ACTION:** Receive and file 10993
18. Planning Department submitting Tentative Parcel Map 93-31 creating 2 parcels from 0.472 acre, with design waivers, for property located in the Pollock Pines Area (District II) Applicant: Aetna Casualty & Surety Company. **RECOMMENDED ACTION:** Receive and file 10994
19. County Counsel submitting an amendment to Paragraph 3 of the Purchase and Sale Agreement for the transfer of Texas Hill properties from the County to the Water Agency. **RECOMMENDED ACTION:** Approve 10732
20. Administration recommending ratification of Chairman's signature on the following letters:
- a. Opposing Assembly Bill 3454 (Spier) which seeks to impede the crime of "stalking" by restricting public access to public county records;
- b. Opposing Senate Bill 1564 (Dill) which redirects property taxes from counties; and 10828
- c. Supporting Payment in Lieu of Taxes increase to provide financial assistance to counties containing federal land. **RECOMMENDED ACTION:** Ratify Chairman's signature
21. Administration recommending staff be directed to work with County Counsel and the Sierra Economic Development District to determine the feasibility of Thermon Manufacturing assuming the Community Development Block Grant loan made by Bylin Heating; and if feasible, staff to return to the Board with necessary documents for final approval. **RECOMMENDED ACTION:** Approve 5619

22. Chief Administrative Officer recommending approval of Budget Transfer No. 160 transferring \$10,000 from General Fund Contingency to Appropriations for funding the Court Appointed Special Advocate (CASA) program. (4/5 vote required) **10968**
RECOMMENDED ACTION: Approve NCBNuU
23. Waive reading, read by title only, and adopt Ordinance amending Section 5.24.010(B), adding Section 5.28.050(D), and amending Section 17.06.050(H) of the County Code clarifying the definition of a "community care facility" as being any facility, place or building which houses more than six juveniles by court order. (Introduced 5/10/94, Item 81) **10753**
RECOMMENDED ACTION: Adopt Ordinance No. 4334
24. County Counsel recommending the claim of Farmers Insurance Company for subrogation of the claim of Norman Karr in the amount of \$11,719 be rejected. **10926**
RECOMMENDED ACTION: Reject claim
25. (Refer Addendum No. 1)
26. (Refer Addendum No. 1)
27. (Refer Addendum No. 2)
BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 4 (items 6, 22, and 27 also acted upon separately). NBNuU C(a)

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 (DOT) recommending Chairman be authorized to certify the Negative Declaration/Environmental Assessment for the Ray Lawyer Drive Interchange Project; and no action be taken on the Forni property until the Federal Highway Administration certifies the Finding of No Significant Impact for said project. (Continued 4/19/94, Item 12) **8304**
BOARD ACTION - Director of Transportation submitted a revised recommendation that the Board certify the Negative Declaration/Environmental Assessment for the Ray Lawyer Drive Interchange Project, authorize the setting aside of funding for the Forni hardship acquisition, and direct DOT to accelerate the Phase I construction as much as is practical. Board continued the matter to May 24, 1994, at 10:00 a.m.

NuBCN(n)U(n)

- 51. County Counsel submitting for Board consideration a policy regarding the confidentiality of bills for legal services submitted from outside counsel. (Continued 5/3/94, Item 54) **10076**
BOARD ACTION - Continued to May 24, 1994. CNBNuU

- 52. Municipal Court Administration recommending Resolution be adopted amending the Authorized Personnel Allocation Resolution No. 274-93 adding one Municipal Court Commissioner position and one Deputy Sheriff I/II position. (Chief Administrative Officer (CAO) recommending this item be continued until fiscal year 1994/95 budget hearings.) **10995**
BOARD ACTION - Continued to hearings on the 1994/95 County Budget, set to commence August 8, 1994, as recommended by the CAO. NuCBU N(n)

- 53. Supervisor Nutting submitting request of High Sierra Resource Conservation and Development Area that the Board review objectives, goals and strategies for the upcoming year and report back with same before May 23, 1994. **10996**
BOARD ACTION - No action taken.

- 54. Supervisor Nielsen recommending adoption of the revamped Board of Supervisors Policy A-11, "Responding to Grand Jury Reports", proposed by Mr. Clarence Dilts and the 1993/94 Grand Jury. **8231**
BOARD ACTION - Policy A-11 adopted as presented and further amended this date. NCBNuU

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

Dick Moody re: CAO authority

John Baudendistel re: restroom facilities for disabled

Steven Thomas re: County operations/expenditures

10395

AFTERNOON MATTERS - 2:00 P.M.

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

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80. Hearing to consider the Appeal submitted by Herbert Stone on imposition of road improvement conditions on Tentative Parcel Map 92-58 for two 2-acre parcels, with design waiver, in the Latrobe Area (District I). (Continued 4/19/94, Item 83)

BOARD ACTION - Board granted the Appeal; approved the Negative Declaration; and approved Tentative Parcel Map 92-58 with design waiver subject to conditions presented and modified by the Board this date, and based on findings of the Zoning Administrator on 3/16/94. BCNU

10947

81. Hearing to consider the Appeal submitted by Ray and Betty Peterson on the denial of Tentative Parcel Map 93-32 creating two five-acre parcels, with design waivers, on ten acres in the Rescue Area (District I).

BOARD ACTION - Board granted the Appeal; approved the Negative Declaration; and approved Tentative Parcel Map 93-32 with design waivers, subject to conditions and based on findings set forth in attachments 1 and 2 to the Planning Department's memorandum regarding same dated 5/9/94. BCNU

10997

82. Hearing to consider the Appeal submitted by Charles L. Harbert on Condition No. 3 imposed on Tentative Parcel Map 93-26 creating 4 parcels on 36.45 acres in the Oak Hill Area (District III).

BOARD ACTION - Board granted the Appeal; approved the Negative Declaration; approved Tentative Parcel Map 93-26 subject to conditions as proposed and modified by the Board this date to add the following wording to condition no. 3: "or as modified to Fire Department satisfaction and no smaller than a 40 foot radius"; and Planning Department staff was directed to work with the Fire Department to determine whether there is formal opposition; Board's approval based on the findings of the Zoning Administrator on 4/20/94. NNUBCU

10998

Closed Session pursuant to Government Code Section 54956.9 regarding the matter of Bernard Carlson vs County of El Dorado, et al. Superior Court Case No. PV94-0161. (15 min) 10922

Closed Session pursuant to Government Code Section 54956.8 to give instruction to the Board's negotiator regarding real property described as FERC Project No. 184. The person or persons with whom the negotiator may negotiate is Pacific Gas and Electric Company. Instructions to negotiator will concern price and terms of payment. BOARD ACTION - Closed Session continued to May 24, 1994, at 2:00 p.m. BNUNCU 10777

BOARD OF SUPERVISORS ADJOURNED

APPROVED:

ATTEST:

John E. Upton
JOHN E. UPTON, Chairman

Dixie L. Foote
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

May 17, 1994

8:00 A.M.

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

CONSENT CALENDAR

25. General Services Department recommending Chairman be authorized to sign the Plans and Specifications for the Juvenile Hall Asbestos Removal Project No. 91-34.01, and authorization to open bids for same at 3:00 p.m., Monday, June 13, 1994.

RECOMMENDED ACTION: Approve

NBNuU C(a)

9270

26. General Services Department recommending Chairman be authorized to sign the Plans and Specifications for the Juvenile Hall Proposition 86 Modifications Project No. 91-34, and authorization to open bids for same at 3:00 p.m., Tuesday, June 14, 1994.

RECOMMENDED ACTION: Approve

NBNuU C(a)

9270

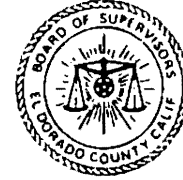
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A G E N D A A D D E N D U M N O . 2

Regular Meeting of the Board of Supervisors

May 17, 1994

8:00 A.M.

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

CONSENT CALENDAR

27. County Counsel recommending Chairman be authorized to sign Agreements with Ruiz & Schapiro, at a rate not to exceed \$125 per hour and Hardy, Erich, Brown & Wilson, at a rate not to exceed \$115, for legal services.

RECOMMENDED ACTION: Approve

BCNuU N(n)

10942