

b. Jerald Morgan vs El Dorado County Sheriff's Dept., et al., Case No. Div. S-93-1785 GEB GH; (10 min)

BOARD ACTION - Board received and considered the report of Counsel as to the interim ruling on the defendant's motion for dismissal which resulted in the plaintiff's wrongful termination and breach of contract causes of action against the County being dismissed. After receiving the status report, the Board gave further direction to its attorneys with regard to the case. NBNUCU



c. County of El Dorado vs Travel Communications, Inc., et al., Case No. PV94-0007; (20 min)

BOARD ACTION - Board received and considered the status report by counsel and gave further direction to its attorneys with regard to the case. NBNUCU



d. Risk vs Octave, County, No. PV93-3571; (10 min)

BOARD ACTION - Board received the report of counsel and ratified the assignment of this case to outside counsel, Stumbos & Mason. NBNUCU

11019

e. Appeal of Jan Boyd, State Personnel Board, Case No. 34235, and related discipline and grievance matters; and (10 min)

BOARD ACTION - Board granted authority and ratified the proposed settlement recommended by legal counsel and the Director of Human Resources wherein Jan Boyd would receive \$7,500 under terms and conditions of a settlement of all matters and release of all claims against the County, as directed by the Board of Supervisors in Closed Session. NBNUCU

10890

f. Animal Control vs Wolfgram. (10 min)

BOARD ACTION - Board received the status report and report of decision and gave further direction to its attorneys and staff with regard to such case. NBNUCU

10797

Closed Session pursuant to Government Code Section 54956.9 regarding County of Mendocino vs Superior Court (Supreme Court Petition), County of Fresno vs

Superior Court (Hunt, Real Party Interest) California Supreme Court Case No. S040058; and 2 Closed

11020

Sessions pursuant to Government Code Section 54956.9(c) regarding initiation of litigation.

BOARD ACTION - Board received report of legal counsel and the request of CSAC litigation and the County Counsel of Fresno. The Board of Supervisors authorized amicus participation by the County Counsel on behalf of the County of El Dorado in each of this matters
NBNuCU

11020

(10 min)

Closed Session pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. (Continued 5/10/94)

BOARD ACTION - No report out.

✓

Closed Session pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. (15 min)

BOARD ACTION - No report out.

✓

Closed Session pursuant to Government Code Section 54956.9(c) regarding initiation of litigation.

(10 min)

BOARD ACTION - Board authorized County Counsel to appear by letter brief or other amicus proceedings to support the petition of the County of Los Angeles in the matter of County of Los Angeles v. Sasaki regarding the State Legislature's 1993-94 transfer of local property tax revenue from counties, cities and districts to schools.

11020

CNuNU B(a)

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

PRESENTATION by the Ranch Marketing Community

PRESENTATION of Proclamation honoring Ken Lowry for his many years of service to El Dorado County public schools.

BOARD ACTION - Proclamation adopted.

CBNuNU

10749

PRESENTATION of Proclamation proclaiming June 7, 1994 as El Dorado County Library Employee Day.

BOARD ACTION - Proclamation adopted.

BNuNCU

10749

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 24, 1994 (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve (Minutes of May 24, 1994 approved, with amendment to the second paragraph, page one, under "adoption of agenda", to change the second sentence to read: "Upon the advice of County Counsel as to Brown Act procedures only, the Board did not act upon Mr. McIntosh's request due to the fact that this request was not on the Board's agenda this date".)
NuCBNU ✓
2. County Counsel recommending Resolutions (2) be adopted authorizing an action for the recovery of County funds paid out (on file with Clerk of the Board).
RECOMMENDED ACTION: Adopt Resolution Nos. 127-94 and 128-94 10755
3. County Counsel recommending ratification of a settlement in the amount of \$1,000 with Ruth Walker in exchange for a release of all claims against the County or its employees resulting from an incident occurring on November 1, 1993.
RECOMMENDED ACTION: Approve 10890
4. Health Department recommending the Board receive and approve recommendations contained in the Emergency Medical Care Committee - West Annual Report, 1993.
RECOMMENDED ACTION: Approve 10303
5. Health Department recommending approval in concept of submission of grant applications to the Federal Center for Substance Abuse Prevention.
RECOMMENDED ACTION: Approve 11021
6. Community Services Department recommending approval of Budget Transfer No. 172 allocating Integrated Leave Program (ILP) funds to appropriate index codes and transferring Senior Day Care encumbrances to the appropriate fund and index codes. (4/5 vote required)
RECOMMENDED ACTION: Approve 10968

7. Community Services Department recommending approval of Budget Transfer No. 171 transferring \$14,000 from Estimated Revenue to Appropriations for a consultant to conduct a housing condition and income survey and develop a Community Development Block Grant proposal for housing rehabilitation. (4/5 vote required)

10968

RECOMMENDED ACTION: Approve

8. Community Services Department recommending the following:

a. Approval of Budget Transfer No. 194 increasing Estimated Revenues by \$60,967 with corresponding changes in appropriations;

10968

b. Approval of Revision No. 2 of the 1993/94 Area Plan Budget with the State Department of Aging; and

10557

c. Approval of one-time-only minor equipment and fixed assets purchase.

RECOMMENDED ACTION: Approve

9. Auditor/Controller requesting authorization to pay excess proceeds from Tax Sale No. 53 to Static Electric Inc., Douglas H. Watson, President, in the amount of \$1,526.32, and Julie Shular, c/o Law Offices of Evan N. Stein, in the amount of \$1,526.31, pursuant to Section 4675 of the Revenue and Taxation Code.

10953

RECOMMENDED ACTION: Approve

10. Information Services & Support Department recommending General Services Director be authorized to sign a software license agreement for mainframe operating system simplification.

10741

RECOMMENDED ACTION: Approve (Continued to June 14, 1994.)

NuNBCU

11. Sheriff's Department recommending Chairman be authorized to sign Agreement (No. 34-046) with the Sacramento County Coroner in an amount not to exceed \$50,000 for forensic pathology services.

10824

RECOMMENDED ACTION: Approve

12. Sheriff's Department recommending Resolution be adopted authorizing the Chairman to sign a Grant Award Face Sheet, including any extension or amendments and the Certification of Assurance of Compliance for the Marijuana Suppression Program.

10463

RECOMMENDED ACTION: Adopt Resolution No. 129-94

13. General Services Department recommending award of Bid No. 121-082 for one trailer mounted melter applicator with a hot air lance for the Transportation Department.
RECOMMENDED ACTION: Award to the low bidder, Crafcoc, Inc., of Chandler, Arizona; and authorize the Purchasing Agent to issue a purchase order in the amount of \$20,158.71, including sales tax for same. 11022
14. General Services Department recommending award of Bid No. 270-073 for an "interconnected playground complex" to be used at Pioneer Park.
RECOMMENDED ACTION: Award to the low bidder, Jared Hannah; and authorize the Purchasing Agent to issue a purchase order in the amount of \$29,800, including sales tax for same. NuCBNU 8729
15. General Services Department recommending approval of Budget Transfer No. 196 transferring \$33,000 from Estimated Revenue to Appropriations for Superior Court modifications.
RECOMMENDED ACTION: Approve 10968
16. General Services Department recommending approval of Budget Transfer No. 178 increasing the Accumulated Capital Outlay (ACO) Bond Debt Reserve contribution to the General Fund by \$536,843 for bond debt repayment.
RECOMMENDED ACTION: Approve (Continued to June 14, 1994.)
CBNU 10968
17. General Services Director requesting authorization to sign a Residential Rental Agreement with Accommodation Station of South Lake Tahoe for property located at 884 Secret Harbor, South Lake Tahoe, in the amount of \$1,500 per month for the term June 12, 1994 through August 18, 1994, to house key court staff assigned to South Lake Tahoe during the People vs Moyer trial.
RECOMMENDED ACTION: Approve 11023
18. General Services Department recommending Chairman be authorized to sign Amendment No. 2 to Agreement No. C12-006 with Lumos and Associates, extending the term of same from May 31, 1994 to May 31, 1995 at no additional cost, for selected materials testing services for the Department of Transportation.
RECOMMENDED ACTION: Approve 9719

19. Transportation Department requesting authorization to enter into negotiations with respective owners relating to the Black Bart Erosion Control Project.
RECOMMENDED ACTION: Approve

9465

20. Transportation Department recommending Chairman be authorized to sign an Agreement with El Dorado Hills Community Services District (EDHCSD) to facilitate the construction of a pathway on EDHCSD property at the intersection of Harvard Way with El Dorado Hills Boulevard.
RECOMMENDED ACTION: Approve

9554

21. Environmental Management recommending Resolution be adopted authorizing the submittal of an application to the State Integrated Waste Management Board for a 1993/94 Used Oil Curbside Collection Promotion Grant; and authorizing the Manager of Solid Waste and Hazardous Materials to execute all documents relating to same.

RECOMMENDED ACTION: Adopt Resolution No. 130-94 (Resolution adopted, with wording modified in last paragraph of said Resolution as recommended this date by County Counsel, to reflect the Board Chairman is authorized to execute the initial documents, and directing that any amendments thereto are to come back to the Board of Supervisors.)

10540

NBNuCU

22. Building Department recommending Resolution be adopted authorizing the submittal of an application to the State Integrated Waste Management Board for Enforcement Assistance Grant; and authorizing the Local Enforcement Agent to execute all documents relating to same.

RECOMMENDED ACTION: Adopt Resolution No. 131-94 (Resolution adopted, with wording modified in last paragraph of said Resolution as recommended this date by County Counsel, to reflect the Board Chairman is the authorized to execute the initial documents, and directing that any amendments thereto are to come back to the Board of Supervisors.)

8277

BNNuCU

23. Planning Department submitting Tentative Parcel Map 93-16 creating 4 parcels on 22.81 acres in the Somerset/Fairplay Area (District II) Applicant: Garon Kendall.

RECOMMENDED ACTION: Receive and file

11024

24. Planning Department recommending Resolution be adopted summarily vacating (AOE 94-04) a 15-foot sewer easement located within Lots 2 through 6 of Ridgeview Village Subdivision in the El Dorado Hills Area, requested by WestAmerica Bank. **8429**
RECOMMENDED ACTION: Adopt Resolution No. 132-94 (Continued to June 14, 1994, to provide for correction in name of Subdivision from "Ridgeview" to "Oakridge".) NuBNCU
25. Planning Department recommending release of the El Dorado Hills Community Services District landscape bond (No. 26/97/262249) in the amount of \$9,350 for landscaping around the community activities building and pool area. **7598**
RECOMMENDED ACTION: Approve
26. Waive reading, read by title only, and adopt Ordinance rezoning (Z93-14) lands in the Mosquito Area (District IV), Applicants: Richard and Cheri Apenleiter/Tony and Andrea Colbert. (Introduced 5/24/94, Item 81) **11017**
RECOMMENDED ACTION: Adopt Ordinance No. 4335
27. Waive reading, read by title only, and adopt Ordinance rezoning (Z93-22) lands in the South County Area (District II), Applicant: Bob Martin. (Introduced 5/24/94, Item 80) **11016**
RECOMMENDED ACTION: Adopt Ordinance No. 4336
28. Waive reading, read by title only, and adopt Ordinance rezoning (Z94-03) approximately 155 acres in the Meyers Community Plan Area. (Introduced 5/24/94) **10612**
RECOMMENDED ACTION: Adopt Ordinance No. 4337
29. County Counsel recommending Chairman be authorized to sign memorandum notifying various school districts, outlined in same, that the County will not authorize issuance of Tax and Revenue Anticipation Notes. **11025**
RECOMMENDED ACTION: Approve NCBNuU
30. Administration recommending ratification of Chairman's signature on a letter supporting Senate Bill 1838 which will allow counties to consign or sell accounts receivable to a private collection agent. **10828**
RECOMMENDED ACTION: Ratify Chairman's signature
31. Supervisor Bradley recommending Proclamation be adopted honoring those who worked to save Michigan-Cal Lumber Company. **10749**
RECOMMENDED ACTION: Adopt Proclamation (Proclamation adopted, with wording additions and deletions as directed this date by the Board). BUNuC N(n)

- 32. Supervisor Nutting recommending Proclamation be adopted honoring Margareut K. Oleson on her installation as President of the Rebekah Assembly of California, an affiliate of the Order of Oddfellows.

10749

RECOMMENDED ACTION: Adopt Proclamation

- 33. Supervisor Center recommending Chairman be authorized to sign a letter supporting Senate Judicial Resolution No. 44.

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RECOMMENDED ACTION: Approve

- 34. Supervisor Center recommending Resolution be adopted supporting human rights and the El Dorado County Community Roundtable on Human Rights.

11026

RECOMMENDED ACTION: Adopt Resolution No. 133-94

BOARD ACTION - Consent Calendar items approved as recommended, with the exception of items 1, 10, 16, 21, 22, 24 and 31 as noted (items 14, 29 and 34 acted upon separately). BNUNCU

END MORNING CONSENT CALENDAR

TIME ALLOCATION - 9:30 A.M.

- 50. Hearing to consider adoption of Resolution amending fire development fees for the Mosquito, Diamond Springs/El Dorado, Garden Valley, El Dorado County and Georgetown Fire Protection Districts.

BOARD ACTION - Motion by Supervisor Nielsen, seconded by Upton, to approve said fees, passed by a unanimous vote.

NUBNuC

Motion by Supervisor Center, seconded by Supervisor Bradley, to amend Resolution to reflect the Georgetown Fire Protection District's Sprinklered Commercial/Industrial fee is to remain at the current fee level of \$.113/sq. ft., and the Nonsprinklered Commercial/Industrial fee is to remain at the current level of .226/sq. ft., and adding an effective date to occur 60 days after the close of the 1993/94 fiscal year (September 1, 1994). Motion passed by a 4-1 vote: CBNuU N(n)

10784

Therefore, RESOLUTION NO. 137-94 was adopted as outlined in Exhibit A to said Resolution, with Exhibit "A" of said Resolution amended to reflect the Georgetown Fire fee change as reflected above, and Resolution to be modified to add an effective date of September 1, 1994.

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. Supervisor Center recommending discussion and consideration of possible remedies regarding the issue of whether or not to allow, by right, the construction of a rifle range adjacent to a school facility.

BOARD ACTION - (Prior to the beginning of discussion on this item, Supervisor Bradley excused himself due to a possible conflict.) Board found that an underground facility for the discharge of weapons which is constructed in such a way that there is no chance of a bullet leaving the facility or any circumstance wherein a bullet may leave the facility is a use by right, accessory and incidental to residential use.

CNuNU B(a)

52. Transportation Department reporting on the Sacramento-Placerville Transportation Corridor Joint Powers Authority cost sharing acquisition of the Southern Pacific Corridor from Nimbus to Diamond Springs. (Continued 5/24/94, Item 52)

BOARD ACTION - At the request of the Director of Transportation, matter was continued to June 14, 1994.

NuCBNU

53. Transportation Department requesting Board direction on the initiation of a ballot measure for the establishment of a 1/2% sales tax increase to be used for road maintenance purposes.

BOARD ACTION - No formal action taken.

54. Chief Administrative Officer recommending adoption of recommendations as outlined in his memorandum to the Board dated June 1, 1994 regarding Health Department organization.

BOARD ACTION - Approved, in concept, as recommended, with further direction to the Chief Administrative Officer to bring back to the Board the necessary measures to implement same.

NNuBCU

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55. Planning Department recommending the following pertaining to the General Plan Inclusion Request Public Hearing Poll:

a. Receive and file staff report; and

b. Provide staff with direction on any further review, consideration, or disposition of the inclusion requests.

BOARD ACTION - A motion by Supervisor Nielsen, seconded by Supervisor Upton, to refer to the Planning Commission, 153 of the inclusion requests (as discussed this date) to review and evaluate and report back to the Board prior to the adoption of the Environmental Impact Report, failed, due to a 2-3 vote:

NU B(n) Nu(n) C(n)

9399

On motion of Supervisor Center, seconded by Supervisor Bradley, the Board received and filed said staff report; with the understanding that the inclusion request issue has now been dealt with, and said inclusion requests will not come back before the Board as separate hearings, but may be considered, as any parcel issue may be, under the normal General Plan adoption process.

CBNuU N(ab)

TIME ALLOCATIONS - 11:00 A.M.

El Dorado County Housing Authority Meeting (refer to separate agenda for same).

County Service Area No. 9 Meeting (refer to separate agenda for same).

Board of Equalization Meeting (refer to separate agenda for same).

Water Agency Meeting (refer to separate agenda for same) after which Board of Supervisors will reconvene.

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 - Board referred the documents submitted to the Board on this date only, by Mr. Henry Batsel, regarding the General Plan and related items, to County Counsel for review and report back to the Board.

10395

NNuBCU

AFTERNOON MATTERS - 2:00 P.M.

80. Hearing to consider Appeal of Tentative Parcel Map 91-59 creating 4 parcels, in the Cameron Park/Shingle Springs Area, with a design waiver to allow an 18-foot road width on Jackie Lane in lieu of the required 28-foot width; Applicant: Stephen and Jan Brown.

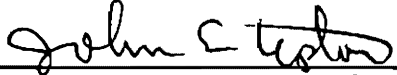
10970

BOARD ACTION - Board continued the hearing to July 12, 1994, at 3:00 p.m., and further requested Planning Department and Department of Transportation staff to meet with the applicant and neighbors to provide the cost estimates that have been articulated this date, and to attempt to compile the conditions in as solid a shape as possible so that what the Board has to deal with is not writing conditions, but choosing between conditions to reflect policy issues.

CBNuNU

BOARD OF SUPERVISORS ADJOURNED

APPROVED:



JOHN E. UPTON, Chairman

ATTEST:



KATHLEEN ANN HARRELSON, Asst.
Clerk of the Board

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



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

June 7, 1994

8:00 A.M.

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

DEPARTMENT MATTERS

56. Supervisor Nielsen submitting request of Campbell S. McClusky, President of Sleepy Hollow Owners Association, to address the Board regarding possible change(s) in land usage/zoning/density within the Association's area. **BOARD ACTION** - Board referred said matter back to Planning Department to bring back a Resolution of Intention, for Board consideration, to rezone said properties as requested and outlined in the Sleepy Hollow Owners Association's letter dated May 10, 1994 (rezoning areas designated on Exhibits A, B, C and D attached to said letter to zone designation of R3A); **conditioned** on said Association holding a meeting of landowners, within the next two months, regarding same: said meeting to be noticed as discussed this date by the Board, with direction that, should the meeting result in a reversal of the rezoning request, the Planning Department staff is to be notified immediately. NNuBCU

11030