

Closed Session pursuant to Government Code Section 54956.9 regarding DeVita vs County of Napa (1993) 20 Cal. App. 4th 1716, Supreme Court Amicus Curiae Brief; and Closed Session pursuant to Government Code Section 54956.9(c) regarding initiation of litigation.

BOARD ACTION - County Counsel reported that the Board, pursuant to Government Code Section 54957.1(a)(2), authorized legal counsel to enter as an Amicus Curiae in litigation before the Supreme Court in the case of DeVita vs County of Napa; the Amicus Brief will argue in favor of local control over land use planning.

11020

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

BOARD ACTION - No action reported.

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

PRESENTATION of Certificate of Commendations to G. Russell Harmon, Troy Allen Bair, Steven Bradley and Timothy Peterson, who have reached the rank of Eagle Scout, Boy Scouts of America.

10079

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 June 14, 1994 (on file with Clerk of the Board).

RECOMMENDED ACTION: Approve

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- 2. Health Department recommending Resolution be adopted authorizing the Public Health Director to execute Contract No. 93-18587 with the State Department of Health Services in the amount of \$8,315 for fiscal year 1993/94 for childhood lead poisoning prevention.

RECOMMENDED ACTION: Adopt Resolution No. 143-94

11047

- 3. Health Department recommending Chairman be authorized to sign Amendment No. 1 to Contract No. 93-17586 with the State Department of Health Services accepting additional funding in the amount of \$27,460 for fiscal year 1993/94 for the Maternal Child Adolescent Health Program.

RECOMMENDED ACTION: Approve

10667

4. Health Department recommending Chairman be authorized to sign a Grant Agreement with the Sierra Health Foundation in the amount of \$35,000 for the term May 1, 1994 through June 30, 1995 for improvements in the health and well-being of young children birth through eight years old. **RECOMMENDED ACTION:** Approve 10758
5. Health Department recommending Resolution be adopted authorizing the Chairman to sign Amendment No. 1 to Contract No. 92-16055 with the State Department of Health Services for \$120,000 in 1992/93 and \$320,000 in 1993/94 for administrative costs necessary to the Medicaid Program in the County. **RECOMMENDED ACTION:** Adopt Resolution No. 144-94 10301
6. Recorder-Clerk recommending approval of Budget Transfer No. 198 increasing Estimated Revenue by \$6,842 and transferring said amount to Appropriations for purchase of a vital statistics hardware/software program. **RECOMMENDED ACTION:** Approve 10968
7. General Services Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement No. 31-038 with the Institute of Forensic Sciences increasing same to not exceed \$20,000 in 1994/95 for selected forensic analysis and toxicology services to the Sheriff's Department. **RECOMMENDED ACTION:** Approve 10091
8. Communications and Emergency Services recommending Resolution be adopted granting permission to Greenstone Country Owners Association for a public fireworks display on July 4, 1994. **RECOMMENDED ACTION:** Adopt Resolution No. 145-94 10434
9. Transportation Department recommending Chairman be authorized to sign a Grant Agreement with the Federal Aviation Administration for capital improvements at the Placerville Airport. **RECOMMENDED ACTION:** Approve 10495
10. Transportation Department recommending Chairman be authorized to sign Consent to Offer of Dedication and Rejection of Offer for drainage easements in Fairchild Village (TM 88-1116). **RECOMMENDED ACTION:** Approve 8970
11. Transportation Department recommending Chairman be authorized to sign an Agreement with the Department of California Highway Patrol for the Radar Enforcement Program. **RECOMMENDED ACTION:** Approve 11048

12. Transportation Department recommending Resolution be adopted acknowledging the California Transportation Commission's acceptance of the Transit Capital Improvement Grant Fund Transfer Agreement for the Multi-modal Transfer Facility in El Dorado Hills.

RECOMMENDED ACTION: Adopt Resolution No. 146-94

13. Transportation Department recommending Chairman be authorized to sign the following Agreements with the California Tahoe Conservancy:

a. Amendment No. 2 to Contract No. CTA-9074 for the Apache Erosion Control Project;

b. Contract No. CTA-3036 for the Angora and Tamarack Erosion Control Projects;

c. Amendment No. 1 to Contract No. CTA-3037 for the Angora Erosion Control Project;

d. Amendment No. 2 to Contract No. CTA-1034 for the Black Bart and El Norte Projects; and

e. Amendment No. 1 to Contract No. CTA-3035 for the Mountain Drive Erosion Control Project.

RECOMMENDED ACTION: Approve

14. Community Services Department recommending Resolution be adopted authorizing the Chairman to sign Contract No. 94C-7015 with the State Department of Economic Opportunity, and authorizing Director of said Department to execute further documents relating to the Energy Weatherization Assistance to Low Income Persons Program.

RECOMMENDED ACTION: Adopt Resolution No. 147-94

15. Building Department recommending appointment of Bill Fisher, Jim Carter, Michael Lamoureux, and Gene Thorne to the Building Appeals Board for terms to expire January, 1997; recommending Chairman be authorized to sign a Certificate of Appreciation expressing appreciation to the family of Dan Enzler, Sr. for his years of service on said Board; and further advising that a vacancy exists for the member-at-large position as a result of Mr. Enzler's death.

RECOMMENDED ACTION: Approve (Appointments made as recommended with terms modified to expire January, 1995, as recommended by the Building Department this date; and Chairman authorized to sign Certificate of Appreciation for Mr. Enzler's years of service on said Board.)

NuNBCU

10459

10906

11049

8113

16. County Counsel recommending the following claims be rejected:

a. A. E. Maffey in the approximate amount of \$200;

b. Jorge Omar Gigena in the amount of "more than \$10,000"; 10926
and

c. Eugene F. Ohman in the amount of \$407.57.

RECOMMENDED ACTION: Reject claims

17. County Counsel recommending Chairman be authorized to sign an Agreement with Rocky Mountain BankCard System, Inc. replacing the Mellon Bank System for the Comprehensive Collections Program. (Continued 6/14/94, Item 5) 10115

RECOMMENDED ACTION: Approve

18. Human Resources Department recommending Resolution be adopted amending Sections 403 and 606 of the Personnel Management Resolution No. 228-84 regarding veteran's preference points. 10406

RECOMMENDED ACTION: Adopt Resolution No. 148-94

19. Human Resources Department recommending Resolution be adopted amending the Authorized Personnel Allocation Resolution No. 274-93 adding two Senior Engineering Technician positions and deleting two Engineering Tech/Engineering Aide positions for the Department of Transportation. 10553

RECOMMENDED ACTION: Adopt Resolution No. 149-94 UCB Nu(n)N(n)

20. Human Resources Department recommending Chairman be authorized to sign an Agreement with Approco Medical Containment Services, Inc. for comprehensive bill review and medical cost management services for the County's worker's compensation program. 11010

RECOMMENDED ACTION: Approve NCBU Nu(ab)

21. Administration recommending ratification of Chairman's signature on a letter supporting Senate Bill 1026 (Thompson) which would move rural health care delivery from the present California Medical Services Program (CMSP) state-county contract to the 34-county California Rural Health Alliance (CRHA). 10828

RECOMMENDED ACTION: Ratify Chairman's signature

22. Supervisor Nutting recommending Jan Allen be appointed to an existing vacancy on the South Lake Tahoe Council of the County Mental Health Commission for a term to expire January, 1997. 10744

RECOMMENDED ACTION: Appoint Jan Allen

23. Supervisor Upton recommending Diana Hankins be appointed to an existing vacancy on the South Lake Tahoe Council of the County Mental Health Commission for a term to expire January, 1996. **RECOMMENDED ACTION:** Appoint Diana Hankins

10744

24. Clerk of the Board recommending a special meeting of the Board be set for **Monday, June 27, 1994, at 9:00 a.m.**, for a presentation by the Surveyor on the Geographical Information System (GIS) Project, with a closed session to follow for the purpose of department heads' performance evaluations. **RECOMMENDED ACTION:** Approve

10339

25. (Refer Agenda Addendum No. 1)

26. (Refer Agenda Addendum No. 1)

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 15 and 25 as noted (items 19 and 20 also acted upon separately); and **Department Matters 52 and 55** added to the Consent Calendar and approved as part of same. CNuBNU

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. General Services Department recommending public hearings be scheduled for 11:00 a.m., Tuesday, July 12, 1994, in Placerville to consider the annual assessments for County Service Areas (CSA) Nos. 2 and 9; and recommending a date and time be scheduled in South Lake Tahoe to consider annual assessments for County Service Area (CSA) No. 3. CSA2-11050
CSA9-11051
CSA3-11052

BOARD ACTION - Hearings on the 1994/95 annual assessments for CSA's Nos. 2 and 9 scheduled as recommended; and the hearing for the 1994/95 CSA No. 3 annual assessment was scheduled for **Monday, July 18, 1994, at 7:00 p.m.**, in the South Lake Tahoe City Council Chambers. BNNuCU

51. Communications and Emergency Services recommending Chairman be authorized to sign Agreement No. 34-055 with The Abaris Group in an amount not to exceed \$35,500 for a term to expire December 31, 1994 for an analysis of the County's Emergency Medical Services Program and to develop a master plan for its ongoing operation.

BOARD ACTION - Approved with proviso that County Counsel will amend the Agreement to include language clearly identifying The Abaris Group, i.e., sole proprietorship or corporation, its status and license. NCBNUU

11053

52. Transportation Department recommending approval of the Plans and Specifications for the Pat Lowe Memorial Bike Trail Project, Phase II; and authorizing said Department to advertise for bids to be opened at 2:00 p.m., Thursday, July 14, 1994, and award on Tuesday, July 19, 1994.

BOARD ACTION - Approved

CNUBNU

9313

53. 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 6/14/94, Item 54)

BOARD ACTION - Continued to June 28, 1994, at the request of the Director of Transportation. NuBNCU

8206

54. Human Resources Department submitting information regarding the concerns raised by Employees Association relating to the Risk Management Services, Inc. contract renewal. (Referred 5/24/94, Item 20)

BOARD ACTION - Information received and filed; no action required as the Chairman was authorized to sign the contract renewal on 5/24/94.

11010

55. Supervisor Center recommending Board appoint members to the Gold Discovery Sesquicentennial Committee as outlined in his memorandum to the Board dated 6/14/94; said Committee to involve County Departments and other interested citizens for the sesquicentennial celebration.

BOARD ACTION - Approved

NuBNCU

10616

TIME ALLOCATIONS - 11:00 A.M.

56. Charter Commission presenting a draft County Charter for consideration by the Board for possible placement on the November ballot.

BOARD ACTION - County Counsel requested to incorporate three of the revisions recommended by Counsel and approved by the Board this date; directed that the revised draft County Charter be brought back to the Board on June 28, 1994, at 11:00 a.m., for consideration of placing same on the November ballot; and directed that said revised draft be made available to the public without charge. NNUBCU

10721

County Service Area No. 3 Meeting (refer to separate agenda for same). ✓

County Service Area No. 7 Meeting (refer to separate agenda for same). ✓

County Service Area No. 9 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

David Johnson re: snow removal on Forest Service lands

AFTERNOON MATTERS - 2:00 P.M.

80. Planning Department recommending the following regarding the General Plan Environmental Impact Report (EIR):

- a. Receive and file EIR status report;
- b. Authorize the submittal of the third General Plan Time Extension request to the State Office of Planning and Research (OPR);
- c. Approve said Department's recommendation concerning the timing of fiscal/financial burden analysis (EPS); and
- d. Approve said Department's report and recommendation concerning the inclusion of a policy framework in the General Plan EIR to establish a Habitat Management Plan (HMP) program for El Dorado County.

BOARD ACTION - Planning Department was given direction that it need **not** generate a "Reduced Plan Alternative" (as discussed in the Planning Director's report this date. NuNBCU

The Board took the following action on recommendations submitted by the Planning Director this date: CNUBNU

9399

- 1. Received and filed the Planning Director's report;
- 2. Directed the Planning Director to bring back to the Board for its consideration on July 12, 1994, the Resolution and supportive documents necessary for requesting a **third one-year General Plan time extension from the Governor's Office of Planning and Research**, as well as responses to questions raised this date regarding same;
- 3. (Planning Director's recommendation no. 3 acted upon separately.)
- 4. Directed the Planning Department to include policy framework in the General Plan EIR to establish the goals, policies and objective statements for dealing with **habitat issues**;

continued from page 9

- 5. Approved in concept an **amendment to the Economic and Planning Systems (EPS) contract**, in the amount of \$4,000.00, for upcoming unexpected support;
- 6. Requested the Planning Commission participate in the preparation and review of draft **economic development policies** in cooperation with the collaborative effort currently being undertaken by the County Chamber of Commerce; and
- 7. Directed that there be no extensive analysis of the **Public Review Draft Alternative** -- that it only be identified and defined in the introduction portion of the EIR, pointing out that it falls within the boundaries of the General Plan Alternative and the Project Description.

9399

The Board acted on the Planning Director's recommendation no. 3 as follows:

- 3. Directed that the **fiscal/financial burden report** be issued no later than one week after release of the draft EIR. NuNBCU

81. Planning Department recommending the following regarding the Endangered/Threatened Status of Plants in El Dorado County:

- a. Receive and file report on the proposed endangered status for the four following plants: Stebbins' morning-glory (*Calystegia stebbinsii*), Pine Hill ceanothus (*Ceanothus roderickii*), Pine Hill flannelbush (*Fremontodendron californicum* ssp. *decumbens*) and El Dorado bedstraw (*Galium californicum* ssp. *sierrae*) and threatened status for Layne's butterweed (*Senecio layneae*) from the Central Sierra Foothills of California; and

9602

continued on page 11

continued from page 10

b. Direct staff to forward any comments to the Fish and Wildlife Service.

BOARD ACTION - Chairman authorized to sign a letter to the Fish and Wildlife Service advising that El Dorado County is aware of the issue, is very concerned about the impact on private property owners and the County's General Plan, and that the County is taking some pro-active measures in an attempt to deal with the issue for which it would like recognition; and Planning staff directed to examine the facts and answer the variety of questions as to the affect of the endangered/threatened plants listing. CNUBNU

9602


Board directed that a copy of the taped recording of the Board's deliberations on this matter this date be forwarded to the Fish and Wildlife Service. NuCBU N(n)

Water Agency Meeting (refer to separate agenda for same).

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MEETING ADJOURNED

APPROVED:



JOHN E. UPTON, Chairman

ATTEST:



DIXIE L. FOOTE, 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

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

June 21, 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 Agreement No. 34-053 with Empire Economics in an amount not to exceed \$25,000 for a Revised Market Absorption Study and Supplemental Water Report for the El Dorado Hills Community Facilities District. 9516
RECOMMENDED ACTION: Approve (Continued to June 28, 1994, at the request of Supervisor Nielsen.) BNNuCU

26. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreements with the following, and Certificates of Acceptance, for purchase of easements for the Apache Erosion Control Project:

a. Peddler Hill Partners (APN 34-344-01), in the amount of \$700; 8449

b. S. Anthony and Alice Donato (APN 34-481-20), in the amount of \$250;

c. Rhode/Norris (APN 34-191-13), in the amount of \$850; and

d. Peddler Hill Partners (APN 34-070-04), in the amount of \$3,800.

RECOMMENDED ACTION: Approve