

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

June 28, 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. NuNBCU

8:00 A.M. - Closed Session pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation.

Closed Session pursuant to Government Code Section 54956.9 regarding grievance of Deputy Sheriff's Association: Mandatory time off (El Dorado County Civil Service Commission); El Dorado County Deputy Sheriff's Association vs El Dorado County Board of Supervisors (El Dorado County Superior Court Case No. PV93-3475)

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

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

a. El Dorado Council vs Board of Supervisors Case No. 3 Civil C015237, El Dorado County Case No. PV91-0736; and (10 min)

b. Leatham vs Claerbout, et al; District Court No. CIV-S-94-0693 DFL/GGH (15 min)

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

CLOSED SESSION REPORTS

Staff directed to send appropriate notices of default on the contract for the Cameron Park Library to the bonding companies; and to continue to work with the contractor in an effort to resolve the various stop notices, disposition of the retention, and resolution of change order issues by July 12, 1994. BUNuNC

8271

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 21, 1994 (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve

✓

2. Release of Liens (2) submitted by County Counsel (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve

10736

3. Assessment Roll Changes submitted by the Auditor (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve

10737

4. Health Department recommending Resolution approving Amendment No. 5 to Contract No. 91-12420 with the State Department of Health Services not to exceed \$21,780 for 1992/93 family planning services; and authorize Chairman to sign same.
RECOMMENDED ACTION: Adopt Resolution No. 150-94

9548

5. Health Department recommending Chairman be authorized to sign Certification of County Board of Supervisors for Allocation of Housing Opportunities for Persons With AIDS (HOPWA) funds through Local Consortium for submission with the fiscal year 1994/95 application for Title II and HOPWA funding.
RECOMMENDED ACTION: Approve

10508

6. General Services Department recommending approval of Budget Transfer No. 405 for Parks budget corrections. **10968**
RECOMMENDED ACTION: Approve
7. General Services Department recommending approval of Budget Transfer No. 231 increasing Estimated Revenue by \$45,225 and transferring said amount to Appropriations to reimburse Department of Transportation for Ray Lawyer Drive Overpass Project costs. **10968**
RECOMMENDED ACTION: Approve NuNBU C(n)
8. General Services Department recommending ratification of the option extending the lease with Waldron's Living Trust, Vincent Waldron Trustee for a one-year term to expire March 6, 1995 to include a cost of living increase in the monthly rent from \$5,000 to \$5,170 for Municipal Court located at 1319 Broadway, Placerville. **9980**
RECOMMENDED ACTION: Approve
9. General Services Department recommending approval of Budget Transfer No. 406 decreasing General Fund Contingency by \$12,000 and increasing General Fund contributions to County Service Area No. 9. (4/5 vote required) **10968**
RECOMMENDED ACTION: Approve
10. General Services Department recommending Auditor-Controller be authorized to establish three trust funds for Henningsen Lotus Park fees; Pioneer Parks fees; and Skateboard/Rollerblade-Ordinance violation fines. **11058**
RECOMMENDED ACTION: Approve
11. 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. (Continued 6/21/94, Item 25) **9516**
RECOMMENDED ACTION: Approve
12. Elections Department recommending approval of the results of the votes cast at the Consolidated Primary Election held on June 7, 1994. **10822**
RECOMMENDED ACTION: Approve
13. Sheriff's Department recommending Chairman be authorized to sign Contract No. 03T051 with the State Department of Transportation for use of jail inmates for cleanup of state highways in fiscal year 1994/95. **10477**
RECOMMENDED ACTION: Approve NuBNCU

14. Transportation Department recommending Chairman be authorized to sign a Memorandum of Understanding with Tahoe Regional Planning Agency (TRPA) which exempts the County from certain TRPA requirements for routine maintenance and repair activities.

RECOMMENDED ACTION: Approve

11059

15. Transportation Department recommending certification of the Negative Declaration for the Multi-Modal Transfer Facility Project.

RECOMMENDED ACTION: Approve (continued to July 12, 1994, at the request of County Counsel) NuBNCU

10459

16. Transportation Department recommending Resolution be adopted amending Resolution No. 245-81 sanctioning the installation of "STOP" signs at five intersections, as outlined in said Resolution, within the Tahoe Cedars Subdivision at Tahoma.

RECOMMENDED ACTION: Adopt Resolution No. 151-94

1355

17. Transportation Department recommending Chairman be authorized to sign grant applications totalling \$275,000 for 1994 Santini-Burton funds for the Angora, Apache, Black Bart, Golden Bear, Pioneer Trail Phase III Erosion Control Projects, and miscellaneous projects.

RECOMMENDED ACTION: Approve

11060

18. Human Resources Department recommending Resolution be adopted amending Resolution 191-93 to continue the Voluntary Time Off (VTO) Program through June 30, 1995.

RECOMMENDED ACTION: Adopt Resolution No. 152-94

9835

19. Human Resources Department recommending Resolution be adopted amending Section 1401.2 of the Salary and Benefits Resolution for Unrepresented Employees to pay 6.0% of confidential employee's contribution to Public Employees Retirement System (PERS) effective July 9, 1994 and 7.0% of the employee's contribution to PERS effective March 4, 1995.

RECOMMENDED ACTION: Adopt Resolution No. 154-94

11061

20. Administration recommending Chairman be authorized to sign a letter opposing Assembly Bill 2788 (W. Brown) which would mandate that cities and counties fund all public safety services from existing local financial resources and from Proposition 172 funds at the fiscal year 1992/93 level.

RECOMMENDED ACTION: Approve

10828

21. Chief Administrative Officer advising of his intent to attend the 1994 National Association of Counties (NACo) annual conference in Las Vegas, Nevada from July 31 through August 4, 1994, at an estimated cost to be less than \$1,000. **10746**
RECOMMENDED ACTION: Receive and file
22. Chief Administrative Officer recommending Chairman be authorized to sign an amendment to the contract with the El Dorado County Film Commission extending the term of same through September 30, 1994. **10053**
RECOMMENDED ACTION: Approve
23. Chief Administrative Officer recommending the Board accept the resignation of John Sestock, Director of Information Services and Support, effective July 29, 1994. **11062**
RECOMMENDED ACTION: Accept resignation
24. Supervisor Bradley recommending Robert Paig be appointed to the El Dorado County Mental Health Commission for a term to expire January 1997. **10744**
RECOMMENDED ACTION: Appoint Robert Paig
25. Supervisor Center recommending Proclamation be adopted honoring the Placerville Lions Club on its 70th Anniversary and for its 70 years of community service in Placerville and surrounding communities. **10749**
RECOMMENDED ACTION: Adopt Proclamation
26. (Refer Addendum No. 1)
- BOARD ACTION** - Consent Calendar matters approved as recommended with the exception of item 15 as noted; and Department Matter 52 was added to the Consent Calendar and approved as part of same. **CBNU**

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. Building Department submitting report and findings of the Mobile Home Park Advisory Committee; and **9937**

51. Clerk of the Board of Supervisors submitting request of the El Dorado County Mobilehome Owners Association to address the Board regarding recent decisions made by the Mobilehome Park Advisory Committee which the Association believes are inconsistent with Committee Guidelines adopted by the Board of Supervisors on October 19, 1993. (Supervisor Upton left the room and did not participate in the Board's deliberations on items 50 and 51 due to a conflict of interest.)

BOARD ACTION - A motion to have the Committee continue to meet to mediate disputes using the adopted Guidelines, with amendment of Section VII of same to comply with State law; and to have the Building Department bring back to the Board a funding mechanism for the Committee; and for the Building Department to continue staffing the Committee in the interim, **failed.** **9937**
NuB N(n)C(n) U(a)

A motion to direct County Counsel to prepare language to put the question of whether the Board should adopt a mobile home rent stabilization Ordinance on the ballot in November for an advisory vote of the people, **failed.** CB Nu(n)N(n) U(a)

52. Social Services Department recommending approval of said Department's reorganization plan and adoption of Resolution amending the Authorized Personnel Allocation Resolution No. 274-93 adding one Program Manager I position, one Supervising Fraud Investigator position, one Welfare Investigator III position and deleting two Welfare Investigator II positions. **11064**
BOARD ACTION - RESOLUTION NO. 160-94 adopted. CBNuNU

53. Building, Transportation, Environmental Management, and Planning Departments submitting the Development Services Departments Update Report on the quality of services provided by said Departments. **11065**

BOARD ACTION - Continued to July 12, 1994.

NuBNCU

54. 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 6/21/94, Item 53)
BOARD ACTION - Continued to July 12, 1994. NuBNCU 8206
55. Chief Administrative Officer (CAO) recommending adoption of Proposed Budget for fiscal year 1994/95.
BOARD ACTION - Board acted as follows:
- a. acknowledged receipt of the Proposed Budget, and continued action on same to July 12, 1994;
 - b. requested the Auditor-Controller to work with the CAO on the matter of revenues and means of financing, requesting the opinion of the Auditor-Controller when it differs from the CAO on those matters (revenues and funds availability) before the two-week period of continuance is over; 10776
 - c. requested Risk Management to provide a report on the level of risk that can be expressed in a percentage that the County is engaged in, in the context of the actuarial risk; and
 - d. requested the Treasurer-Tax Collector to examine the Risk Management activities and give the Board her opinion on its internal, financial vitality. NCBNuU
56. Chief Administrative Officer recommending short term borrowing from the Risk Management Trust Fund.
BOARD ACTION - The Board authorized internal borrowing from the Risk Management Trust Fund by the General Fund, in an amount not to exceed \$3 million, in order to cover cash flow issues surrounding the end of the 1993/94 fiscal year, to be implemented by the CAO and Auditor-Controller; and continued to July 12, 1994, the matter of internal borrowing from available trust funds during the course of the 1994/95 fiscal year. CNBNuU 10776

57. Supervisor Center submitting letter from Larry Ring, Home Rule Committee District IV Representative, on behalf of said Committee, requesting Board more clearly define the Board's expectations of the Committee's task.

BOARD ACTION - Board requested the Home Rule Committee to report back to the Board in September (1994) with a recommended "statement" of the County's custom, culture, and economic stability; and the Board stated it has no intention of implementing a Home Rule Ordinance. NuNBCU

10752

- 57A. (refer Addendum No. 1)

TIME ALLOCATIONS - 11:00 A.M.

58. County Counsel submitting revised draft County Charter for consideration by the Board for possible placement on the November ballot.

BOARD ACTION - Continued to July 12, 1994.

CBNU

10721

Public Housing Authority Meeting (refer to separate agenda for same). ✓

Air Pollution Control Board Meeting (refer to separate agenda for same). ✓

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

County Service Area No. 10 Meeting (refer to separate agenda for same) after which Board of Supervisors will reconvene. ✓

COMMITTEE REPORTS

LUNCH RECESS

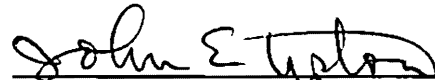
1:50 P.M. - PUBLIC FORUM/PUBLIC COMMENT

AFTERNOON MATTERS - 2:00 P.M.

80. Hearing to consider the Appeal submitted by Richard Grant on Conditions 3 and 4 imposed on Variance 92-17 on property consisting of 5.377 acres in the Diamond Springs/El Dorado Area (District III). (Continued 6/14/94, Item 82) 11046
BOARD ACTION - Board granted the Appeal, deleting conditions 3 and 4 and modifying condition 1 to add "by November 4, 1994" at the end of the sentence. NuNBCU
81. Hearing to consider the following pertaining to Rihan Estates located in the Cameron Park Area: (District I) (Applicant: Bewsey/Hawkins Development):
- a. Rezoning (288-72) of said lands from RE-5, Estate Residential Five-Acre Zone to R1, One-family Residential Zone;
- b. Waive reading, read by title only, and introduce Ordinance approving same; and 11066
- c. Tentative Map 88-1124 creating 15 single family residential lots on 5 acres
BOARD ACTION - Hearing closed, and action of the Board continued to July 12, 1994. BCU Nu(n)N(n)
82. Hearing to consider the following pertaining to Rancho Tierra Estates located in the Cameron Park Area: (District I) (Applicant: Bewsey/Hawkins Development):
- a. Rezoning (289-68) of said lands from RE-5, Estate Residential Five-Acre Zone to R1, One-family Residential Zone;
- b. Waive reading, read by title only, and introduce Ordinance approving same;
- c. Tentative Map 89-1173 creating 54 single family residential lots on 28 acres; and 11067
- d. Appeal submitted by Cameron Park Community Services District on the imposition of fees in lieu of land dedication on Tentative Map 89-1173.
BOARD ACTION - Hearing closed, and action of the Board continued to July 12, 1994. BCU Nu(n)N(n)


MEETING ADJOURNED

APPROVED:



JOHN E. UPTON, Chairman

ATTEST:



DIXIE L. FOOTE, Clerk of the Board

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.

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

June 28, 1994

8:00 A.M.

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

CONSENT CALENDAR

26. Public Defender recommending approval of Budget Transfer No. 416 increasing Estimated Revenue by \$2,830 and transferring \$8,720 from General Fund Contingency to increase Appropriations by \$11,550 to pay current bills. (4/5 vote required) 10968
RECOMMENDED ACTION: Approve CBNuNU

TIME ALLOCATION - 10:00 A.M.

- 57a. Supervisor Nutting recommending Chairman be authorized to sign a letter to the U.S. Fish & Wildlife Service prior to June 30, 1994, regarding the five plants native to gabbros soils in western El Dorado County. 9602
BOARD ACTION - Chairman authorized to sign a letter to appropriate Federal agencies protesting the endangered species listing, and requesting a clear definition of the affect of same on private properties, as articulated in writings from Kyle Smith of Smith & Gabbert, Inc., and statements by Supervisors Center and Nutting this date. NCBNUU