

330 Fair Lane • Placerville, CA 95667
Telephone (916) 621-5390

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



C O N F O R M E D

A G E N D A

Regular Meeting of the Board of Supervisors

August 9, 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 members 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 the addition of three closed session items; one, pursuant to Government Code Section 54956.9(c), regarding potential initiation of litigation, and two, pursuant to Government Code Section 94956.9, regarding existing litigation entitled "Deputy Sheriff's Association v County of El Dorado" and "Kimzey v Neasham et al".

8:00 A.M. - Closed Sessions (3) pursuant to Government Code Section 54956.9 for the following:

a. Whittington vs County of El Dorado, et al. Case No. PV92-0530;

BOARD ACTION - Board directed its outside attorneys, Kay & Stevens, to allow review of their files in said case by the County's outside legal bills auditing firm, Examen, Inc.

8973

NuCBNU

Closed Sessions (continued from page 1)

b. Countywatch vs McCutchen, et al. Case No. PV93-3090; ✓

BOARD ACTION - No action reported out.

c. Rod Lumley - Worker's Compensation Claim Nos. SAC 210070 and 210174.

BOARD ACTION - Board authorized and directed Jim Cuneo, Attorney with Cuneo, Black, Ward & Missler, to enter into the negotiations on said Workers Compensation Claim. NuNBCU 10942 ✓

d. (Added to the Agenda this date) Deputy Sheriffs Association vs El Dorado County ✓

BOARD ACTION - Human Resources Director directed and authorized to pursue a potential settlement in the matter. BNNuCU ✓

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

BOARD ACTION - Director of General Services authorized to issue a letter to Lowell Sorensen Smith advising that the County shall terminate the contract for the Cameron Park Branch Library, Project 91-11, unless prior thereto Smith voluntarily defaults and enters into an agreement with the American Bonding Company for cure of the defaults set forth in the letters of the County dated June 30, 1994, and July 8, 1994, and for completion of the contract pursuant to its terms; understanding that, in the event Smith fails to do so, the Director of General Services is authorized to issue a Notice of Termination effective five o'clock on Wednesday, August 10, 1994. CNUBU N(n) 8271

Closed Session to give instructions to the Board's negotiator regarding real property described as APN 107-010-09 and 107-010-49. The person or persons with whom the negotiator may negotiate is The Mansour Company. Instructions to the negotiator will concern price and terms of payment. ✓

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

CLOSED SESSION REPORTS (Refer above and Agenda item 58)

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 August 2, 1994 (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve ✓
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. 188-94 and 189-94 10755
3. Health Department recommending Board grant permission to EDCA Lifeskills to request Memorandums of Understanding from Child Protective Services and Probation Department for a grant through the Office of Criminal Justice Planning for a program for high risk youth.
RECOMMENDED ACTION: Approve 10898
4. Community Services Department recommending Chairman be authorized to sign a letter to the U.S. Department of Housing and Community Development requesting allocation of additional Section 8 Vouchers and/or Certificates and authorizing said Department to apply for same as they become available.
RECOMMENDED ACTION: Approve 11000
5. Community Services Department recommending Resolution be adopted authorizing the Chairman to sign a Contract (No. 94J-9811) with the State Department of Economic Opportunity in the amount of \$4,058 for 1994/95 services to low income homeless persons (S.B. McKinney Homeless Assistance Act); and recommending the Director of said Department be authorized to execute further documents relating to same.
RECOMMENDED ACTION: Adopt Resolution No. 190-94 10604
6. General Services Department recommending award of Bid No. 130-088 for above-ground waste oil tanks for household waste oil collection at three County fire stations.
RECOMMENDED ACTION: Award to the low bidder, A.G.T. Vault; and authorize Purchasing Agent to issue a purchase order in the amount of \$18,960 including tax for same. 10540
7. General Services Department recommending award of Bid No. 265-089 for crumb rubber soil additive to be used at Ponderosa High School soccer field. (Continued from 7/26/94, Item 11)
RECOMMENDED ACTION: Award to the low bidder, Cen-Cal Tire Recycling; and authorize Purchasing Agent to issue a purchase order in the amount of \$30,680 including tax for same. NBNUCU 8962

8. General Services Department recommending award of Bid No. 645-003 for xerographic carbonless and cardstock paper for Stores annual usage.
RECOMMENDED ACTION: Award to the low bidder, Zellerbach, A Mead Company of Sacramento for xerographic paper in the amount of \$58,000; carbonless paper in the amount of \$15,700; and cardstock paper in the amount of \$6,750; and authorize the Purchasing Agent to issue blanket purchase orders for same. 11099
9. General Services Department recommending approval of a refund of road assessments from the Green Valley Oaks Road Zone of Benefit (CSA 9, Zone 69) in the amount of \$185 to Kristin K. and Randy L. Rains, owners of APN 319-040-0310.
RECOMMENDED ACTION: Approve 8906
10. General Services Department recommending Chairman be authorized to sign Agreement No. 34-057 with George A. Olson, dba Memory Chapel, Inc. and Edward F. Ball, dba Chapel of the Pines in an amount not to exceed \$70,000 per year for the term June 30, 1995 for mortuary services for the Sheriff's Department, Coroner's Division.
RECOMMENDED ACTION: Approve 9973
11. General Services Department recommending advisory committee changes for various road zones of benefit as outlined in their memorandum to the Board dated July 18, 1994.
RECOMMENDED ACTION: Approve 10904
12. Communications and Emergency Services Department requesting the Director same be authorized to sign an Agreement with Sprint Communications Company L.P. for a two-year term for long distance operator services.
RECOMMENDED ACTION: Approve NUCNU B(a) 11100
13. Chief Administrative Officer recommending Board accept the resignation of Marilyn Crouch, Director of Library Services, effective August 19, 1994. (Continued 8/2/94, Item 13)
RECOMMENDED ACTION: Accept resignation (Removed from the agenda due to Ms. Crouch rescinding her resignation this date.) NCBNUU 11098
14. 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 8/2/94, Item 51)
RECOMMENDED ACTION: Continue to August 16, 1994 8206

15. Transportation Department recommending Resolution be adopted sanctioning the closure of McHatten Alley in Diamond Springs from 6:00 a.m. through 6:00 p.m., Monday, September 5, 1994 for the 22nd Annual Country Bazaar. 11101
RECOMMENDED ACTION: Adopt Resolution No. 191-94
16. Transportation Department recommending Resolution be adopted sanctioning the closure of Main Street in Georgetown from 6:00 a.m. through 5:00 p.m., Sunday, August 14, 1994 for the Annual Founder's Day Celebration. 11102
RECOMMENDED ACTION: Adopt Resolution No. 192-94
17. Transportation Department recommending approval of the Plans and Specification for the Tamarack Erosion Control Project (JN 95134); and requesting authorization to open bids at 2:00 p.m., Friday, August 26, 1994 and award of bid on Tuesday, August 30, 1994. 11072
RECOMMENDED ACTION: Approve
18. Human Resources Department recommending Chairman be authorized to sign an Agreement with George Hills Company, Inc. for the term July 25, 1994 through July 24, 1995 for claims administration for the County's self-insured liability claims program. 8785
RECOMMENDED ACTION: Approve (Approved, and the Auditor-Controller and Treasurer-Tax Collector were requested to review the contract and advise the Board of any recommended amendments to same.) NCBNuU
19. Planning Department recommending Resolution of Intention be adopted setting a hearing for 11:00 a.m., Tuesday, September 13, 1994, to consider vacation for public road use a portion of the Encina Drive right-of-way easement, Lots 73 and 74 of Lake Hills Estates Subdivision, in the El Dorado Hills Area. 11103
RECOMMENDED ACTION: Adopt Resolution No. 193-94
20. Planning Department recommending Resolution be adopted summarily vacating (AOE94-07) the westerly 12.5 feet of the 25-foot public utilities easement along the front property line of Lot 42, Tahoe Paradise, Unit No. 48, requested by Larry D'Oliva. 11104
RECOMMENDED ACTION: Adopt Resolution No. 194-94
21. Planning Department recommending the Board approve Special Use Permit 94-02 for the proposed Green Valley Cemetery and Mortuary to be located at the northwest corner of Green Valley Road and Alexandrite Road in the Rescue Area. 11105
RECOMMENDED ACTION: Approve

22. Supervisor Nutting recommending Resolution be adopted supporting Assembly Bill 3835 (Knowles) which would become effective upon approval of the voters, repealing the California Wildlife Protection Act and restoring the law relating to the taking of mountain lions. **10828**
RECOMMENDED ACTION: Adopt Resolution No. 195-94
23. Supervisor Nutting recommending the Board accept the resignation of Barbara Ashwill from the Civil Service Commission and appoint Vicki Yorty to same. **10144**
RECOMMENDED ACTION: Appoint Vicki Yorty
24. Supervisor Upton recommending the Traffic Advisory Committee be directed to review the latest "Engineering and Traffic Survey" completed by the Department of Transportation for Cold Creek Trail at South Lake Tahoe. **10762**
RECOMMENDED ACTION: Approve
25. Supervisor Upton recommending Board authorize the assignment of surplus land coverage at South Lake Tahoe as participation in the Earthship Project to house activities of the Boys and Girls Club. **11106**
RECOMMENDED ACTION: Approve
26. Supervisor Upton recommending staff be authorized to re-open discussion regarding the transfer in fee title to El Dorado County, United States Forest Service owned parcels that have been granted Special Use Permits to El Dorado County for erosion control projects. **11107**
RECOMMENDED ACTION: Approve
27. Supervisor Upton recommending Chairman be authorized to sign a letter to James Duarte, President of Duarte Nursery, thanking him for the donation of the root stock resistant to grape phyloxera. **11108**
RECOMMENDED ACTION: Approve
28. Supervisor Nutting recommending the appointment of Jack Fields as the District II alternate member to the Veterans Affairs Commission. **10153**
RECOMMENDED ACTION: Appoint Mr. Fields

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 13 and additional direction on item 18 as noted (items 7 and 12 also acted upon separately).
NuNBCU

END MORNING CONSENT CALENDAR

TIME ALLOCATIONS - 10:00 A.M.

50. Supervisor Nielsen recommending the Board approve the request of Pastor John A. Bass of Foothills Bible Church that a lease payment for use of an excess right-of-way be waived.
BOARD ACTION - Board approved the placement of the sign as proposed subject to the condition that the Church will remove the sign at its expense if and when the County requires use of the right of way; and the Board waived the lease payment for use of same. 11109
NNuBCU

Department of Transportation was requested to develop policy guidelines addressing placement of directional signs (to specific locations) in the County right of way. NBNUCU

51. Supervisors Upton and Nutting recommending Chairman be authorized to sign a letter endorsing House Resolution 4742 (Herger) which calls for an immediate reduction in natural fuels in areas of extreme fire risk to life and property.
BOARD ACTION - Board directed that House Resolution 4742 be forwarded to the El Dorado County Timber Educational Coalition requesting it submit proposed amendments to same for the Board to review and forward to Congressman Herger. 10828
NuCBNU

52. Supervisors Upton and Center recommending Chairman be authorized to sign a letter supporting full funding for the Natural Fuels Treatment (NFT) Program in Region 5 for fiscal year 1994/95 for the Forest Service budget. 11110
BOARD ACTION - RESOLUTION NO. 196-94 adopted supporting increased funding for the NFT Program in Region 5. CBNUU

TIME ALLOCATIONS - 11:00 A.M.

53. **County Service Area No. 3 Meeting** (refer to separate agenda for same.) ✓
54. **County Service Area No. 7 Meeting** (refer to separate agenda for same). ✓
55. **Air Pollution Control Board Meeting** (refer to separate agenda for same) after which Board of Supervisors will reconvene. ✓

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.)

56. Health Department submitting recommendations for high risk youth services contracts with New Morning Youth & Family Services and Tahoe Youth & Family Services.

BOARD ACTION - Board approved the recommendation of the Children and Families Network (CFN) that any contracts established between the County, New Morning, and Tahoe Youth & Family Services, utilizing General Fund monies, be prioritized to provide counseling services to children and their families identified through Student Attendance Review Board (SARB) and Children's Resource Team (CRT) systems and, furthermore, that the contracts incorporate all service provision issues detailed in the attachments to the Health Department's Agenda Transmittal regarding same dated 7/27/94.

BCNuNU

10898

57. Supervisor Nutting recommending Resolution be adopted revising range management regulations, including proposed changes in the system used to determine fees for livestock grazing on Bureau of Land Management and United States Forest Service lands.

BOARD ACTION - RESOLUTION NO. 197-94 adopted as modified by the Board this date.

NBNuCU

11111

58. Supervisor Upton submitting responses from Robert Leidigh and Charles Bell and Chief Assistant County Counsel Ed Knapp to the five questions iterated in Supervisor Nielsen's memorandum to the Board July 18, 1994 relating to the contract between Mr. Leidigh's firm and the County of El Dorado. (Referred 7/19/94, Item 53)

BOARD ACTION - Board received and filed the materials filed by the parties and all other materials received on this matter.

NNuBCU

Board ratified the retention of Robert Leidigh and Charles Bell for legal services, and directed the Auditor-Controller to transfer funds from the General Fund to the Risk Management Fund to reimburse same for payments made to Messrs. Leidigh and Bell for said services.

BCNuU N(n)

10561

After discussion in a **Closed Session** this date, the Board authorized the Chairman to sign a letter to Attorneys Leidigh and Bell to cooperate with the Grand Jury to the extent that is necessary to waive the attorney-client privilege to inquire into the matters they were concerned about.

NNuBCU

- 59. Discussion of internal borrowing from available trust funds during the course of the 1994/95 fiscal year. 10776
 (Continued 7/12/94, Item 53)
BOARD ACTION - Continued off calendar. CBNU

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. - OPEN FORUM

Steven Thomas: sign at South Shingle Rd and Durock Rd stating "no parking" on public easement which is undefined; and County spending and inventory of telephones and vehicles

Florence Steele: County funds spent on Pioneer Park

10395

John Baudendistel: access for disabled to County District Attorney's office and Courthouse

AFTERNOON MATTERS - 2:00 P.M.

80. Hearing to consider the request of John and Carmen Briggs to delete 48.7 acres (WAC93-11) from Agricultural Preserve No. 77, and establish a new agricultural preserve on property identified by APN 321-030-03 in the Gold Hill Area (District IV)

BOARD ACTION - Board certified that the project is Categorically Exempt pursuant to Section 15317 of the California Environmental Quality Act (CEQA) Guidelines; and, based on the findings of the Planning Commission on 7/14/94, adopted RESOLUTION NO. 198-94 deleting 48.7 acres from Agricultural Preserve 77 and RESOLUTION NO. 199-94 establishing Agricultural Preserve No. 266. CNUBNU

11112

81. Hearing to consider the following pertaining to 135.72 acres in the Pollock Pines Area (District II) (Applicant: Georgia Pacific Corporation):

a. Rezoning (Z89-06) of said lands from RA-20, Residential Agricultural Twenty-Acre Zone, A, Agriculture Zone, and TPZ, Timber Preserve Zone to TPZ, Timber Preserve Zone; and

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

BOARD ACTION - The Board found that the project is Categorically Exempt pursuant to Section 15264 of the California Environmental Quality Act (CEQA) Guidelines; approved the rezoning based on the findings of the Planning Commission on 7/14/94; and waived reading, read by title only and introduced the Ordinance effecting said rezoning (to be adopted 8/16/94). NuBNCU

11113

82. Hearing to consider the following pertaining to the Meyers Community Plan:

a. Introduce Ordinance amending Chapter 17.74.045 and 17.14.130 which would modify the Meyers Design Review Process and modify the authority of the Meyers Design Review Committee;

b. Introduce Ordinance repealing Chapter 2.28 of Title 2 of the County Code eliminating the Meyers Town Council as currently authorized;

c. Adopt Resolution creating the Meyers Design Review Advisory Committee with a narrower scope of responsibility than the Town Council authorized in Chapter 2.28;

d. Consider including in the Resolution the responsibility for the Meyers Design Review Advisory Committee to make recommendations on commercial floor space allocations; and 10612


e. Provide direction to staff to include language in the Pending General Plan update to remove references to the Meyers Town Council in the Meyers Community Plan and otherwise clarify the intent of the design review advisory committee.

BOARD ACTION - Hearing closed, and the matter of the Meyers Design Review Process was continued to **Wednesday, September 7, 1994, at 7:00 p.m., at South Lake Tahoe**, at which time the Board will also conduct a public hearing to again consider zoning boundary amendment Z94-03 for approximately 155 acres in the Meyers Area which did not receive the required four-fifths vote when considered by the Board on May 24, 1994; and the Planning Director was requested to prepare for Board consideration at the September 7th hearing, amendments to the Meyers Community Plan pertaining to references to the Meyers Town Council. NNuBCU


MEETING ADJOURNED

APPROVED:

ATTEST:



JOHN E. UPTON, Chairman



DIXIE L. FOOTE, Clerk of the Board

County of El Dorado

BOARD OF SUPERVISORS

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

August 9, 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(c) ✓
regarding initiation of litigation. (Continued 7/26/94)
BOARD ACTION - No action reported out.