

PRESENTATION of Proclamation proclaiming November 17, 1994 as "The Great American Smokeout" day in El Dorado County. NuCNU B(a)

10749

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 November 1, 1994 (on file with the Clerk of the Board).
RECOMMENDED ACTION: Approve (Approved with clarification of Board's action on item 55 as recommended by County Counsel in his memorandum regarding same dated 11/3/94.)

✓

2. County Counsel recommending Chairman be authorized to sign Release of Liens (2) (on file with the Clerk of the Board).
RECOMMENDED ACTION: Approve

10736

3. County Counsel recommending Resolution be adopted (2) authorizing an action for the recovery of County funds paid out (on file with the Clerk of the Board).
RECOMMENDED ACTION: Adopt Resolution Nos. 275-94 and 276-94

10755

4. County Counsel reporting payment of the following claims:

a. Donald McNary in the amount of \$784.72;

b. Loren Buck in the amount of \$559; and

c. Lori Fournier in the amount of \$177.81.

RECOMMENDED ACTION: Approve

11156

5. County Counsel recommending the claim of Ina Martin in an unspecified amount be rejected.
RECOMMENDED ACTION: Reject claim

11156

6. Chairman be authorized to sign Assessment Roll Changes submitted by the Assessor (on file with the Clerk of the Board).
RECOMMENDED ACTION: Approve

10737

7. Health Department recommending approval in concept of the submission of a grant application to the State Office of Child Abuse and Neglect to reduce juvenile crime and related problems in the South Lake Tahoe area; and County agencies, as outlined in its memorandum to the Board dated 9/30/94, be authorized to submit letters of support and develop Memoranda of Understanding as required by said grant process.
RECOMMENDED ACTION: Approve

11123

8. Surveyor recommending Board proclaim November 13 - 19, 1994 as National Geography Awareness Week in El Dorado County; and officially kickoff the second annual Student Map Drawing Contest. **10690**
RECOMMENDED ACTION: Adopt Proclamation
9. Community Services Department recommending Chairman be authorized to sign a Drug-Free Workplace Certification for the period 1/1/95 - 12/31/97 for submission to the State Department of Economic Opportunity to be referenced in all contracts executed with said agency during the specified time period. **11188**
RECOMMENDED ACTION: Approve
10. Municipal Court Administrator recommending approval of Budget Transfer No. 533 increasing Estimated Revenue by \$5,200 and transferring said amount to Appropriations for a personal computer for the approved Municipal Court Traffic Trial Court Commissioner. (4/5 vote required) **11143**
RECOMMENDED ACTION: Approve NNUCU B(a)
11. General Services Department recommending award of Bid No. 020-028 for herbicides and related supplies for the Transportation Department. **10436**
RECOMMENDED ACTION: Award to the low bidder, United Horticultural Supply of Sacramento; and authorize the Purchasing Agent to issue a purchase order in the amount of \$37,777, including sales tax, for same.
12. General Services Department submitting the Court Relocation Feasibility Study prepared by Forrar Williams Architects. **9980**
RECOMMENDED ACTION: Receive and file
13. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreements with the following, and Certificates of Acceptance, for purchase of easements for the Black Bart Erosion Control Project:
- a. Robert Fee (APN 025-331-14) in the amount of \$2,250; **9465**
- b. James P. Hardman, Jeffrey P. Hardman and Jill H. Rise (APN 25-331-17) in the amount of \$1,000; and
- c. Les and Lou Palmer (APN 25-331-10) in the amount of \$400.
RECOMMENDED ACTION: Approve

14. Transportation Department recommending Resolution be adopted sanctioning the closure of various County roads, as outlined in same, on Saturday, November 12, 1994 between 9:00 a.m. and 11:00 a.m. for the annual Pilgrim's Progress 5K and 10K Run/Walk in El Dorado Hills. 11166
RECOMMENDED ACTION: Adopt Resolution No. 277-94
15. Transportation Department recommending Chairman be authorized to sign an Agreement with El Dorado Hills Investors for reimbursement of road improvement costs. 9237
RECOMMENDED ACTION: Approve
16. Transportation Department recommending Chairman be authorized to sign the Notice of Completion of Public Work for the Pat Lowe Memorial Bike Trail Phase II (JN 95116) under contract to Don Garcia Excavating, Inc. 9313
RECOMMENDED ACTION: Approve
17. Planning Department submitting Tentative Parcel Map 91-35 creating 3 parcels, with design waivers, in the Diamond Springs Area (District III) Applicant: James B. Leroy. 11189
RECOMMENDED ACTION: Receive and file NuNU C(n)B(a)
18. Human Resources Department recommending Resolution be adopted amending the salary schedule for the Superior Court Executive Officer, effective October 15, 1994. 11190
RECOMMENDED ACTION: Adopt Resolution No. 278-94
19. Human Resources Department submitting an update on cost containment relating to the County health plan. 10895
RECOMMENDED ACTION: Receive and file NCU Nu(ab)B(a)
20. Waive reading, read by title only, and adopt Ordinance repealing Subsection (D) of Section 8.05.040 of Chapter 8.05 of Title 8 of the Ordinance Code, and adding Chapter 8.06 of Title 8 of the Ordinance Code which requires any haulers of septage from El Dorado County using the Sacramento County Regional Treatment Plant to post a cash security deposit with the Environmental Management Department. (Introduced 11/1/94, Item 51b) 10686
RECOMMENDED ACTION: Adopt Ordinance No. 4345 NCUU B(a)
21. General Services Department recommending Chairman be authorized to sign Agreement (No. 113-S9511) and amendments relating to same with AT&T Communications Inc. for inmate services at both Placerville and South Lake Tahoe Jail facilities. 11191
RECOMMENDED ACTION: Approve NNUCU B(a)

22. Supervisor Nutting recommending Resolution be adopted congratulating the Pollock Pines/Camino Chamber of Commerce Citizen of the Year, Bart Linnenbrink. 10749
RECOMMENDED ACTION: Adopt Resolution No. 279-94 NuCNU B(a)

BOARD ACTION - Consent Calendar matters approved as recommended (with items 10, 17, 19, 20, 21 and 22 acted upon separately); and **Department Matters 54, 55 and 56** added to the Consent Calendar and approved as part of same. NuNCU B(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. County Counsel submitting Ordinance amending Section 2.13.050(G) of Chapter 2.13 of Title 2 of the Ordinance Code regarding duties of the Chief Administrative Officer, as requested by the Board on 10/4/94, and recommending Board waive reading, read by title only, and introduce same. 9495
BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance to be brought back for adoption on November 22, 1994. NCNUU B(a)

51. Supervisor Nutting recommending Transportation Department be authorized to forward a letter of interest regarding the Environmental Enhancement & Mitigation Program grant for a Highway 50 rest stop. 10538
BOARD ACTION - Department of Transportation authorized to submit an application for Environmental Enhancement & Mitigation grant funds from the California Transportation Commission for development of the proposed Silver Fork Rest Stop on Highway 50. NCNUU B(a)

52. Surveyor recommending the following pertaining to the Geographic Information System (GIS):

a. Job specifications with the corresponding salary ranges be approved;

b. Resolution be adopted amending the Authorized Personnel Allocation Resolution No. 246-94 as outlined in same;

c. Budget Transfer Nos. 536, 537, 538 and 539 be approved;

d. GIS team be authorized to do a user survey of its clients;

e. GIS product/fee schedule be approved; and

f. GIS project priorities for calendar year 1995 be approved. BOARD ACTION - All recommendations approved, and Resolution No. 280-94 adopted as called for in recommendation "b".

NNuCU B(a)

10339

11143

10339

53. (Refer Agenda Addendum No. 1)

54. (Refer Agenda Addendum No. 1)

55. (Refer Agenda Addendum No. 1)

56. (Refer Agenda Addendum No. 1)

57. (Refer Agenda Addendum No. 1)

58. (Refer Agenda Addendum No. 1)

TIME ALLOCATIONS - 11:00 A.M.

70. County Service Area No. 10 (refer to separate agenda)

71. Air Pollution Control Board (refer to separate agenda)

OPEN FORUM - Tom Daly, to say goodbye and introduce the new owner/publisher of the Georgetown Gazette, Mark Lance.

10395

MEETING ADJOURNED

APPROVED:

ATTEST:

John E. Upton
JOHN E. UPTON, Chairman

Dixie L. Foote
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.

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

November 8, 1994

8:00 a.m.

Closed Sessions have been scheduled to discuss the following pursuant to Government Codes cited:

1. Existing litigation pursuant to Government Code Section 54956.9 regarding the following:

a. Consolidated Electrical Distributors vs Lowell Sorenson Smith, Inc., Case No. PV94-0505;

BOARD ACTION - County Counsel authorized to accept service on behalf of the County of El Dorado. NUNuC B(a) ✓

b. El Dorado Council vs Board of Supervisors, Case Nos. 3 Civil C)15237, El Dorado PV91-0736;

BOARD ACTION - Board authorized the advisory role of McCutchen, Doyle, Brown & Enersen as opposed to the litigation counsel, and Chairman authorized to sign the Agreement for said firm's advisory role when prepared. NUNuC B(a) 9708

c. Jerald Morgan vs County of El Dorado, Case No. CIVS93-1785;

BOARD ACTION - Not heard this date. ✓

d. Sterling-Gentry Land, Ltd. vs County, et al., Case No. PV94-0438.

BOARD ACTION - County Counsel authorized to accept service of process on behalf of the County of El Dorado. NUNuC B(a) ✓

e. Charles Bacchi v. El Dorado County, Case No. PV94-0006 (added to the Agenda upon its adoption this date).

BOARD ACTION - Chairman authorized to execute a Settlement Agreement when received. UNuN C(ab)B(a) 10799 ✓

2. Initiation of litigation (9) pursuant to Government Code Section 54956.9(c).

BOARD ACTION - No action reported. ✓

3. **Conference with Real Property Negotiator**, pursuant to Government Code Section 54956.8, to give instructions to the Board's negotiator regarding real property described as APNs 051-550-38, et al; 323-030-03; 089-110-45; 323-220-01; 089-110-46; 090-200-35; 089-110-47; 091-070-12; and 092-030-29. The person or persons with whom the negotiator may negotiate is Frank Ridley. Instructions to negotiator will concern price and terms of payment relating to the acquisition of the Placerville Branch of the **Southern Pacific Transportation Corridor** beginning at Mile Post 98.9 (Mayhew-Sacramento County) and ending at Mile Post 149.7 (Placerville-El Dorado County).

Conference with Real Property Negotiator, pursuant to Government Code Section 54956.8, to give instructions to the Board's negotiator regarding real property described as the northeast corner of **Latrobe Road and White Rock Road**, El Dorado County (APNs 107-010-09, -49). The person or persons with whom the negotiator may negotiate is The Mansour Company. Instructions to negotiator will concern price and terms of payment. (5 min)

BOARD ACTION - Board gave further direction to Michael Stoltz, Acting Director of Transportation.

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

November 8, 1994

8:00 A.M.

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

Closed Session (4) to consider the following existing litigation pursuant to Government Code Section 54956.9:

(1) Joe Vicini, Inc. et al. v. El Dorado Hills Community Services District, et al.; Case No. PV-94-0468;

BOARD ACTION - County Counsel authorized to accept service on behalf of the County of El Dorado. NUNuC B(a) ✓

(2) Harris v. County of Madera, Court of Appeal (Fifth District) No. 5, Civ. F020495;

BOARD ACTION - County Counsel authorized to join the County of Madera as an amicus. NUNuC B(a) ✓

(3) Joseph Sears, et al. v. County of El Dorado, et al. Case No. PV94-0315;

BOARD ACTION - County Counsel authorized to accept service of process on behalf of the County of El Dorado. NUNuC B(a) ✓

(4) County of El Dorado v. Travel Communications, Inc., Case No. PV94-0007;

BOARD ACTION - Board gave further direction to the attorneys and authorized the retention of an expert to perform a newspaper financial evaluation. UCN Nu(ab)B(a) ✓

DEPARTMENT MATTERS

53. Transportation Department recommending the Board direct County Counsel to take necessary action to secure, in the County's interest, \$21,720 from Letter of Credit #RH05429 which expires on December 1, 1994, held to guarantee labor and materials for the Greenstone Country Unit #8 Subdivision (TM86-1059). **BOARD ACTION** - Continued to November 22, 1994, at 3:00 p.m., with the matter expanded to embrace other issues raised in testimony this date (responsibility for maintenance of roads, trails, bridge, and common area). 3459
NCNuU B(a)
54. County Counsel submitting proposed bond counsel agreement for legal services with Orrick, Herrington & Sutcliffe for the El Dorado Hills Community Facilities District No. 1992-1, which reflects changes in fee charges from \$105,000 to \$120,000 for the first bond issuance proceedings. **BOARD ACTION** - Approved, and Chairman authorized to sign. 9516
NuNCUB(a)
55. County Counsel submitting the request of Fieldman, Rolaff & Associates, Financial Advisor for the El Dorado Hills Community Facilities District No. 1992-1, for a fee increase in contract compensation amounts from \$34,000 to \$40,000, plus travel expenses. **BOARD ACTION** - Approved 9516
NuNCU B(a)
56. Supervisor Center requesting Board proclaim November 13-19, 1994 as "American Education Week" in El Dorado County. **BOARD ACTION** - Proclamation adopted. 10749
NuNCU B(a)
57. Supervisor Nutting submitting the request of California State Department of Transportation (CALTRANS) that a Board member be appointed to the Highway 50 Rest Stop Review Committee. **BOARD ACTION** - Supervisor Nutting designated as the County's representative, and Supervisor Upton designated as the alternate representative if needed. 10538
NCNuU B(a)
58. Supervisor Center submitting, for Board consideration, the attached request of the 1994-95 El Dorado County Grand Jury that the Board of Supervisors waive any existing privilege and confidentiality protection to allow the Grand Jury to review and copy all documents in the County's possession relating to the involvement of Supervisor Mark Nielsen with Bruce Kimzey and Mr. Kimzey's lawsuits against El Dorado County. **BOARD ACTION** - Removed from the Agenda. 10561
NNuU C(n)B(a)