

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



CONFIRMED

AGENDA

Regular Meeting of the Board of Supervisors
December 6, 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 adopted with the addition of two closed sessions continued from 12/5/94 (refer Closed Session Roster attached). NNUBCU

8:00 A.M. - Closed Session (refer to Closed Session Roster)

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

PRESENTATION by the Ranch Marketing Community.

PRESENTATION of the State Department of Transportation's Excellence Award to the Department of Transportation for the Lotus Road Project. 8217

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 Agendas (Minutes) of November 29 and December 5, 1994 (on file with the Clerk of the Board). ✓
RECOMMENDED ACTION: Approve
2. Health Department recommending Chairman be authorized to sign Agreement (No. 09-94) with the State Department of Health Services for the County Medical Services Program (CMSP). 10905
RECOMMENDED ACTION: Approve
3. Health Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 94-19550) with the State Department of Health Services increasing the amount by \$119,415 for a comprehensive perinatal outreach program. 11118
RECOMMENDED ACTION: Approve
4. Health Department recommending approval of Budget Transfer No. 563 increasing Estimated Revenue and Appropriations by \$2,533.80 for pagers for the Georgetown Fire District; and staff be directed to prepare a Purchase Order for same. (4/5 vote required) 11143
RECOMMENDED ACTION: Approve
5. Health Department recommending Resolution be adopted recognizing Dr. Richard D. Welch for his assistance and willingness to serve as the Acting Health Officer from April 1994 through October 1994. 10911
RECOMMENDED ACTION: Adopt Resolution No. 294-94
6. Mental Health Department recommending Resolution be adopted notifying the State Department of Mental Health of the County's intent to function as the Local Managed Mental Health Care Plan (LMMHCP) administrator, and authorizing the Director of Mental Health to implement said program. 10814
RECOMMENDED ACTION: Adopt Resolution No. 295-94
7. General Services Department recommending Chairman be authorized to sign Amendment No. II to Agreement (No. C12-044) with David E. Lane, Inc. increasing the amount to \$74,860.50 for appraisal work for the El Dorado Hills Community Facilities District bond sale. 9516
RECOMMENDED ACTION: Approve

8. General Services Department recommending Chairman be authorized to sign a Lease with Robert Earl Olson and Martha Waddell Olson for 1,253 square feet of office space located at 415 Placerville Drive, Suites W & X, Placerville in the amount of \$1,165 per month for the term December 1, 1994 through November 31, 1997 for the relocation of the Sheriff MSP Unit.
RECOMMENDED ACTION: Approve 11202
9. General Services Department recommending award of bid No. 910-030 for janitorial services for the Mental Health Psychiatric Health Facility (PHF).
RECOMMENDED ACTION: Award to the sole bidder, Town & Country Janitorial Services of Placerville; and authorize the Chairman to execute an Agreement in the amount of \$14,400 upon approval by County Counsel and Risk Manager. 10760
10. General Services Department recommending Chairman be authorized to sign a Rental Agreement with The Clean Tahoe Program for 300 square feet of office space located at 3368 Lake Tahoe Boulevard, Suite 208, South Lake Tahoe in the amount of \$345.91 per month on a month-to-month basis.
RECOMMENDED ACTION: Approve 10502
11. County Counsel recommending the claim of Ellra and Linda Cox in an unspecified amount in excess of \$25,000 be rejected.
RECOMMENDED ACTION: Approve CBNuNU 11156
12. Communications and Information Services Director requesting authorization to sign Addendum No. I to the Agreement with Candle Corporation for a one-time cost of \$12,000 for increased support necessary to maintain the Omegamon II for MVS and Omegamon II for CICS tools.
RECOMMENDED ACTION: Approve 9649
13. District Attorney recommending approval of Budget Transfer No. 550 increasing Estimated Revenue and Appropriations by \$3,698 to allow the expenditure of all grant funds for the Victim/Witness claims. (4/5 vote required)
RECOMMENDED ACTION: Approve 11143
14. Treasurer/Tax Collector recommending Resolution be adopted directing the Treasurer/Tax Collector to sell property, as described in the memorandum to the Board dated 11/22/94, at a public auction scheduled for February 24, 1995.
RECOMMENDED ACTION: Adopt Resolution No. 296-94 10759

15. Sheriff's Department recommending approval of Budget Transfer No. 552 transferring \$19,317.83 from Contingency to Appropriations to pay proceeds from the estate of Charles Wagner to a recently identified heir. (4/5 vote required) **11143**
RECOMMENDED ACTION: Approve NNUBCU
16. Transportation Department submitting the Regional Transportation Plan Projects List which is used as the guiding document for regional transportation projects on the Western Slope. **11203**
RECOMMENDED ACTION: Receive and file
17. Transportation Department recommending approval of Budget Transfer No. 559 increasing Appropriations and Estimated Revenue by \$14,712 to establish a budget for the Special Aviation Fund. **11143**
RECOMMENDED ACTION: Approve
18. Planning Department submitting Tentative Parcel Map 94-12 creating 2 parcels with design waiver on 12.57 acres in the Diamond Springs/El Dorado Area (District III) (Applicant: Donald and Coraleene Duncan). **11204**
RECOMMENDED ACTION: Receive and file
19. Planning Department submitting Tentative Parcel Map 94-17 creating 17 commercial lots and 1 golf course on 101.4 acres in the El Dorado Hills Area (District I) (Applicant: El Dorado Hills Development Company/Sam Miller). **11205**
RECOMMENDED ACTION: Receive and file
20. Human Resources Department recommending adoption of a 7.5% increase in the health plan rate effective January 1, 1995. **10895**
RECOMMENDED ACTION: Approve
21. Human Resources Department recommending Resolution be adopted amending the Salary and Benefits Resolution for Unrepresented Employees. **11061**
RECOMMENDED ACTION: Adopt Resolution No. 297-94 NNUU B(n)C(n)
22. Supervisor Upton recommending a Board of Supervisors Meeting be scheduled for 1:30 p.m., Tuesday, January 3, 1995 to consider the annual organization of the Board, committee appointments to Board committees and commissions, and schedule of Board meetings for 1995. **11206**
RECOMMENDED ACTION: Approve

23. Chief Administrative Officer recommending Resolution be adopted amending Resolution No. 204-93 to correct inconsistencies in same with Policy B-2 regarding fee waivers. **RECOMMENDED ACTION:** Adopt Resolution No. 298-94 NuBNCU 10467

24. Supervisor Center recommending the following appointments be made to the River Management Advisory Committee (RMAC) as current terms of the members expired on November 6, 1994: Corky Collier, Commercial Rafting; Jane Harvey, Landowner; Tom Sholseth, Landowner; Tom Anderson, Private Boating; Tom Wall, Alternate; Danny Lulla, Alternate; and Steve Gorman, At Large. **RECOMMENDED ACTION:** Appoint for a four-year term (see below):

Corky Collier appointed to RMAC.

NuBNU C(ab) 9321

Jane Harvey, Tom Sholseth, and Tom Anderson appointed to RMAC; Tom Wall and Danny Lulla appointed as alternate members; and Steve Gorman appointed as member at large. NuBNCU

BOARD ACTION - Consent Calendar matters approved as recommended (items 11, 15, 21, 23 & 24 acted upon separately). NNUBCU

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. Supervisor Upton recommending Resolution be adopted opposing the shifting of local property tax dollars by the State; and recommending the State repeal existing unfunded mandates or provide funding sufficient to carry out mandated programs. **BOARD ACTION** - **RESOLUTION NO. 299-94** adopted. NuBNCU 10828

51. Agriculture/Weights and Measures Department recommending Board waive reading, read by title only, and introduce Ordinance amending Chapter 5.43 of the County Ordinance Code to define "seasonal devices" and update language to comply with the changes in the State law; and further recommending Resolution be adopted amending the fees for registration of weighing and measuring devices. 10825

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance as presented, to be adopted on December 13, 1994; and adopted **RESOLUTION NO. 300-94** to become effective immediately. NNUBCU

52. Transportation Department recommending adoption of a fee waiver policy for targeted industries locating in the unincorporated area of the County that create or increase the employment base by 50 or more jobs paying an average of \$25,000 or more per year; and adopt a fee deferral policy for other non-residential development on the County's west slope if the fee amount is at \$5,000. (Chief Administrative Officer recommending addition to said policy which voids the waiver for any business in direct competition with an existing business in the County.)

BOARD ACTION - Transportation Department directed to bring back to the Board the concepts contained within the Department's Agenda Transmittal dated 11/21/94, that have to do with traffic, at the time it brings back the proposed Traffic Impact Mitigation (TIM) Fee structure (clarifying it is not the Board's intent to include a structural system for fee waivers); and those elements having to do with fee deferrals and other economic development issues referred to the CAO's Office for appropriate coordination with the appropriate departments. CBNuNU

9415

53. Administration recommending the creation of a Financial Evaluation Officer position to monitor and evaluate requests for County-provided public defender and/or County-funded private attorney services; and Superior Court and County Counsel, Collections Division, be directed to initiate Resolutions establishing said position and formulate duties and procedures for same. (Referred 11/1/94, Item 53)

BOARD ACTION - Continued to December 13, 1994. CBNuNU

11207

54. Chief Administrative Officer recommending against a further waiver of fees requested by the El Dorado County Fire Protection District for the proposed facility in the Strawberry area.

BOARD ACTION - Board accepted the testimony of William Wright, Attorney at Law, on behalf of the El Dorado Fire Protection District, that the District is not going to do a "parcel map" but, rather, will do a "record of survey" and "grant deed"; and determined that the District would pay County construction, septic and grading fees totalling \$606, based on the findings iterated by County Counsel this date. NuCBNU

11208

- 55. Consideration of Agreement and Contract of Employment for the Director of Planning, Tom Parilo.

BOARD ACTION - Board adjourned into Closed Session regarding the matter of the Mr. Parilo's current employment contract.

CBNuNU

Board prospectively granted Mr. Parilo additional compensation at the hourly rate of \$34.62 for 104 hours, subject to Mr. Parilo executing a release of claim to additional or other benefits that relate to this evaluation process or failure to comply with a particular evaluation process up to this date; and the Board set Mr. Parilo's salary effective January 1, 1995, at \$36.35 per hour.

CNuBU N(n)

9823

Finally, the Board directed County Counsel to draft a contract between the County and the Director of Planning, pursuant to the Board's discussion this date, and bring same back to the Board subsequent to a "contracts policy" workshop to be scheduled in January 1995.

CBNuU N(n)

- 56. Human Resources Department submitting request of Elected Department Heads for additional benefit entitlements.

BOARD ACTION - Board considered the Elected Officials' Proposals 1 through 4 (Proposals 1 through 3 set forth in the memorandum from the Human Resources Director dated 12/2/94) and acted as follows:

Board rejected Proposal No. 1.

NuCBNU

9413

Board rejected Proposals Nos. 2, 3 & 4.

NuBCU N(n)

Staff directed to report back in January 1995 with a definitive process and timetable for review of the salary structure for Elected Department Heads.

UNNuC B(n)

- 57. Human Resources Department submitting for introduction Ordinance amending Section 2.57.030 of Chapter 2.57 of Title 2 of the Ordinance Code amending salaries of the Board of Supervisors.

BOARD ACTION - Continued to January 10, 1995, for consideration of introduction.

CBNU Nu(n)

9413

- 58. Chief Administrative Officer submitting report regarding proposed evening meetings of the Board of Supervisors; and recommending staff be directed as to the scheduling of regular meetings for the 1995 calendar year.

BOARD ACTION - Continued to December 13, 1994.

CNuBNU

11170

TIME ALLOCATIONS - 11:00 A.M.

- 70. County Service Area No. 3 Meeting (refer to separate agenda)
- 71. County Service Area No. 7 Meeting (refer to separate agenda)
- 72. County Service Area No. 10 Meeting (refer to separate agenda)
- 73. Water Agency Meeting (refer to separate agenda)

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

AFTERNOON MATTERS - 2:00 P.M.

80. Hearing to consider the following for 3.79 acres in the Tahoma Area; Applicant: Carlton Brooke Caton:

a. Rezoning from TC, Tahoe Commercial Zone and TCP, Tahoe Planned Commercial Zone to TCP-PD, Tahoe Planned Commercial-Planned Development Zone;

BOARD ACTION - Board adopted the Negative Declaration as prepared; approved amendment of the Public Review Draft General Plan designation for the subject site from Commercial to Multi-family Residential; and approved rezoning of the property from Tahoe Planned Commercial and Tahoe Commercial to Tahoe Limited Multi-family Residential-Planned Development; based on the findings set forth in the Planning Department Agenda Transmittal regarding same dated 11/29/94. UNBNuC

b. Waive reading, read by title only, and introduce Ordinance to effect said rezoning;

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance effecting said rezoning, to be adopted on December 13, 1994. UNBNuC

c. Development plan to convert an existing compound into a 15-unit residential townhouse project and common area, with 1.61 acres remaining undeveloped;

BOARD ACTION - Approved, adopting the development plan as the official development plan effective upon amendment of the Public Review Draft General Plan, based on the findings of the Planning Commission on 10/27/94. UNBNuC

d. Tentative subdivision map proposing to create 17 lots ranging in size from 1,531 to 70,131 square feet; and

BOARD ACTION - Approved, effective upon amendment of the Public Review Draft General Plan, subject to conditions and based on findings approved by the Planning Commission on 10/27/94. UNBNuC

e. Special use permit to allow multifamily use in a commercial zone.

BOARD ACTION - Not acted upon by the Board

11201

81. Planning Department reporting on status of the General Plan Environmental Impact Report (GPEIR).
BOARD ACTION - Received and filed.

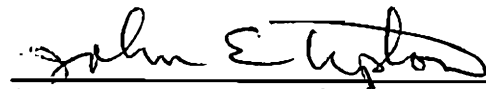
9399

NBNuCU


MEETING ADJOURNED

APPROVED:

ATTEST:



JOHN E. UPTON, Chairman



DIXIE L. FOOTE, Clerk of the Board

CLOSED SESSION ROSTER**Regular Meeting of the Board of Supervisors****December 6, 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. On behalf of a minor by Colleen Christian as Guardian ad Litem - PV94-00488;

BOARD ACTION - Received report; gave further instruction. ✓

- b. Kimzey vs McIntosh, et al, El Dorado County Superior Court Case No. PV93-3146;

BOARD ACTION - Board modified the contract with outside counsel, Porter Scott Weiberg & Delehant, waiving the 30-day billing requirement and other technical issues raised by the County Auditor-Controller both retroactively and prospectively; and authorized payment of the currently outstanding bill in the amount of \$6,849.66 from the County Risk Management Fund. NuCBU N(n) 10200

- c. County of El Dorado vs Travel Communications, Inc. et al - Case No. PV94-0007.

BOARD ACTION - Received report; gave further instruction. ✓

2. **Public employee performance evaluation:** Chief Administrative Officer, Director of Library Services, County Counsel, and Director of Planning; pursuant to Government Code Section 54957. (continued from 12/5/94)

BOARD ACTION - Board determined that the Director of Planning, Tom Parilo, exceeded performance standards for 1993 and 1994. BNuCU N(n) ✓

(refer Agenda item 55 for further action on the matter of Mr. Parilo's employment contract.)

3. **Significant exposure to litigation** (2 potential cases), pursuant to Government Code Section 54956.9(b). ✓

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

December 6, 1994

8:00 A.M.

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

DEPARTMENT MATTER

59. Chief Administrative Officer (CAO) recommending discussion of the Charter provision which directs the CAO to evaluate all Department Heads and whether this provision extends to elected department heads.

BOARD ACTION - Continued to December 13, 1994.

CNuBU N(n)

10721