

County of El Dorado

BOARD OF SUPERVISORS

WILLIAM S. BRADLEY DISTRICT I
RAYMOND J. NUTTING DISTRICT II
J. MARK NIELSEN DISTRICT III
WALTER L. SHULTZ 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

February 28, 1995.

8:00 A.M.

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

J. MARK NIELSEN, Chairman Dixie L. Foote, Board Clerk
SUPERVISORS: BRADLEY, NUTTING, NIELSEN, SHULTZ AND UPTON
Supervisor Upton absent

Persons wishing to speak on a Consent Calendar item are requested to so advise the Chairman or Clerk prior to 9:00 a.m. Public testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals representing a group are allocated 5 minutes. (Adptd 8/10/93) Matters not on the agenda may be addressed by the general public during the Open Forum at 9:00 a.m. Public comments during Open Forum are limited to five minutes per person. The Board reserves the right to waive said rules by a majority vote.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

8:00 A.M. - CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda and Addendum No. 1 thereto adopted with items 14 and 57 continued to March 14, 1995. NuSN B(n)U(a) ✓

Closed Sessions (refer Closed Session Roster and Addendum No. 1)

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

OPEN FORUM - Bob Scharpf re: Sierra Pacific trucks hauling gravel over Mosquito Road.

BOARD ACTION - Referred to Department of Transportation to determine impacts on Mosquito Road and whether the activity should have been subjected to the County "permitting" process. 10395

SBNNu(ab)U(a)

PRESENTATION of Resolution No. 49-95 declaring March 1, 1995 as El Dorado County Peace Officers Appreciation Day. NuBNSU 11222

PRESENTATION by Bill Snodgrass, Sealer of Weights and Measures. ✓

CLOSED SESSION REPORTS (refer Closed Session Roster attached)
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 February 14, 1995 (on file with Clerk of the Board). ✓
RECOMMENDED ACTION: Approve
2. County Counsel recommending Resolutions (2) be adopted authorizing action for the recovery of County funds paid out. 11278
RECOMMENDED ACTION: Adopt Resolution Nos. 50-95 and 51-95
3. Assessor recommending Chairman be authorized to sign Assessment Roll Changes (on file with Clerk of the Board). 11223
RECOMMENDED ACTION: Approve
4. Public Health Department requesting authorization to hire a Physical Therapist at 5th step of the salary range, retroactive to February 6, 1995. 10182
RECOMMENDED ACTION: Approve
5. Public Health Department recommending approval of Budget Transfer No. 648 increasing Estimated Revenue by \$17,322 and decreasing expenditure appropriations in the General Fund Contingency for the Local Enforcement Agency. 11231
RECOMMENDED ACTION: Approve
6. Public Health Department requesting authorization to pursue a \$100,000 block grant from the State Emergency Medical Services (EMS) Authority to establish an EMS Data-Collection System. 11053
RECOMMENDED ACTION: Approve
7. Public Health Department recommending approval of Budget Transfer Nos. 649, 650, 651, 652, 653, 654 and 655 decreasing Tahoe Prevention Network's 1994/95 budget units by \$59,324. 11231
RECOMMENDED ACTION: Approve
8. Community Services Department recommending Chairman be authorized to sign letters opposing inclusion of Senior Nutrition Programs, currently funded under the Older American's Act, into House Resolution 4. 10988
RECOMMENDED ACTION: Approve (continued to March 14, 1995)
NuBNS U(a)

9. General Services Department recommending Chairman be authorized to sign an Amendment to Lease, upon final approval of County Counsel, with Richard F. and Cheryl L. Anderson in the amount of \$900 per month commencing March 1, 1995 through May 31, 1998 for 1,200 feet of office space located at 6680 Orleans Street, Georgetown, for the Georgetown Library. **RECOMMENDED ACTION:** Approve 9092
10. General Services Department recommending Chairman be authorized to sign the following Leases, upon final approval by County Counsel:
- a. Agreement No. 171-L 95-11 with Richard F. and Cheryl L. Anderson in the amount of \$225 per month commencing March 1, 1995 through February 28, 1998 for 600 square feet of office space located at 6680 Orleans Street, Suite 2, Georgetown, to accommodate the Home Health Care Program; and 9092
- b. Agreement No. 172-L 95-11 with Marshall Hospital commencing March 1, 1995 through February 28, 1995 for 130 square feet of office space located at 6065 Highway 193, Georgetown, to be occupied by the Georgia Slide Cemetery Office. **RECOMMENDED ACTION:** Approve 10589
11. General Services Department recommending the following pertaining to the door closures at the Cameron Park Municipal Court:
- a. Establish Project 95-16, Cameron Park Municipal Court Door Rehabilitation, for new closures and to straighten the door frames; 11279
- b. Approve of Budget Transfer No. 656 increasing Estimated Revenue by \$10,000 for said Project; (4/5 vote required) and 11231
- c. Authorize said Department to prepare plans and specifications for same. **RECOMMENDED ACTION:** Approve 11279
12. General Services Department recommending Chairman be authorized to sign Agreement No. 151-S9511 with Hyden Associates in an amount not to exceed \$19,970 for a term to expire one year from the date of execution for consulting services for Phase II of the El Dorado Trail. **RECOMMENDED ACTION:** Approve 11161

13. Agriculture/Weights & Measures Department recommending Board proclaim the week of March 1, 1995 through March 7, 1995 as Weights and Measures Week. 11222
RECOMMENDED ACTION: Adopt Proclamation
14. Agriculture/Weights & Measures Department recommending Howard Nielsen be reappointed to the Agricultural Commission representing the Livestock Industry for a term to expire January, 1999, and Edio Delfino be appointed to the Agricultural Commission representing Fruit & Nut Farming for a term to expire January, 1999. (Continued 1/3/95) 10143
RECOMMENDED ACTION: Appoint Messrs. Nielsen and Delfino (continued to March 14, 1995 upon adoption of the Agenda)
NuSNB(n)U(a)
15. Library Director recommending Nancy Campbell be appointed to the Mountain Valley Library System for a term to expire January, 1997. (Continued 1/3/95) 7613
RECOMMENDED ACTION: Appoint Ms. Campbell
16. Elections Department recommending Resolution be adopted amending Resolution No. 53-94 (El Dorado County Conflict of Interest Code) adding various classes to Appendix A and adding Appendix B which had been inadvertently omitted. 10823
RECOMMENDED ACTION: Adopt Resolution No. 52-95
17. District Attorney recommending approval of Budget Transfer No. 643 transferring \$10,065 between Appropriation Accounts to purchase hardware and software upgrades. 11231
RECOMMENDED ACTION: Approve NuSBN U(a)
18. Sheriff's Department recommending approval of Budget Transfer No. 645 increasing Estimated Revenue by \$8,391 and transferring said amount to Appropriations to hire an Extra Help employee for the Marijuana Suppression Program unit. (4/5 vote required) 11231
RECOMMENDED ACTION: Approve
19. Planning Department recommending the Board receive and file the Agreement with Wagstaff and Associates for preparation of an Environmental Impact Report (EIR) for the proposed Valley View Specific Plan; and an Agreement with Michael Brandman Associates for preparation of an EIR for the proposed Carson Creek Specific Plan. 11280
RECOMMENDED ACTION: Receive and file (Received and filed with direction that parties involved be advised to be certain to give complete and adequate recognition to impacts on traffic circulation.) 11281
NuBNS U(a)

20. Human Resources Department recommending Chairman be authorized to sign a Contract with William M. Mercer, Inc. in an amount not to exceed \$74,600 for a term to expire February 1, 1996 for consultant services for various areas of employee benefits. 8172

RECOMMENDED ACTION: Approve

21. Human Resources Department recommending Resolution be adopted amending Resolution No. 246-94 to reflect reclassifications and establish class specifications, salary ranges and designating bargaining units for positions as outlined in same. 11282

RECOMMENDED ACTION: Adopt Resolution No. 53-95 BSNuN U(a)

22. Supervisor Shultz recommending Resolution be adopted superseding Resolution No. 352-92 establishing rules of procedure for public comment for 2010 General Plan hearings to allow a time allocation for representatives speaking on behalf of a group to be revised from 10 minutes to 5 minutes. 9399

RECOMMENDED ACTION: Adopt Resolution No. 54-95 (NOT adopted; all motions to act on this matter failed by two-two votes.)

23. Supervisor Bradley recommending the following be appointed to the Cameron Park Design Review Advisory Committee: Pamela Johnson, Ken Cater and Roberta Philipp. 8190

RECOMMENDED ACTION: Approve appointments

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 8, 14, 22, 24, and 25, and additional direction on item 19 as noted (items 17 and 21 also acted upon separately); and **Department Matters 50, 52 and 63** added to the Consent Calendar and approved as part of same.

SNuBN U(a)

END 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. Health Department and the Emergency Medical Services Agency recommending a presentation of the Emergency Medical Services Master Plan be scheduled for **Tuesday, March 7, 1995, at 2:00 p.m.** 11053

BOARD ACTION - Approved

SNuBN U(a)

51. General Services Department recommending rejection of the claim submitted by Lowell Smith in the amount of \$1,073,089, in reference to the Cameron Park Library Construction Project. **8271**
BOARD ACTION - Claim rejected as recommended by staff.

BSNuN U(a)

52. Sheriff recommending the following for the Community Oriented Policing Accelerated Hiring, Education and Development (COPS AHEAD) Program:

a. Chairman be authorized to sign the Application for federal assistance for said Program; **10450**

b. Resolution be adopted amending Authorized Personnel Allocation Resolution No. 246-94 adding one Sheriff's Sergeant position and two Deputy Sheriff I/II positions;

c. Budget Transfer No. 637 be approved transferring \$8,123 from Contingency Reserve to the Sheriff's Department's Budget to accomplish same; **11231**

d. Chief Administrative Officer be directed to insure that matching funds are provided for said Program in fiscal years 1995/96, 1996/97 and 1997/98. (Continued 2/14/95, Item 52)

BOARD ACTION - Board approved recommendations "a" through "d", adopting RESOLUTION NO. 57-95 and incorporating the recommendations of the Interim CAO in his memorandum to the Board dated 2/24/95 as follows: (1) in any year that actual Sales Tax-Public Safety revenue receipts exceed the adopted budget estimates, the excess be placed in a Public Safety Reserve Fund; and (2) in any year when the Proposition 172 Maintenance of Effort (MOE) funding level must be increased, and results in additional appropriations to public safety, distribution of the incremental increase shall be subject to specific review and decision by the Board of Supervisors. **10450**

SNuBN U(a)

53. Auditor/Controller recommending approval of Budget Transfer No. 646 allocating \$117,624 of the General Fund Contingency to provide for needed additional revenue to the Bond Authority. **10732**
BOARD ACTION - No action taken (Water Agency Chairman to place on the next Water Agency meeting agenda).

54. Discussion of the updated capital improvement plans adopted by fire district boards and the authority and methodology for imposing fire district impact fees. (Continued 1/31/95/Item 54) **10784**
BOARD ACTION - Staff directed to set for public hearing, effecting required legal notice of same. **BSNuN U(a)**

55. Transportation Department submitting the Traffic Impact Mitigation (TIM) Fee Deferral Policy, and requesting Board discussion and guidance relating to same.
BOARD ACTION - Board adopted the TIM Fee Deferral Policy without prejudice to formulation of a fee waiver/abatement policy for the outlying rural commercial centers. NSBNU U(a)

9415

56. Planning Department recommending Board initiate changes to the Zoning Ordinance, as requested by the Agricultural Commission, to establish 200-foot setbacks on lands used for residential and other uses compatible with agricultural activities when located adjacent to agriculturally-zoned lands.
BOARD ACTION - Approved BNU NS U(a)

11283

57. Planning Department submitting the following recommendations of the Planning Commission to accelerate adoption of the General Plan:

(1) Receive and file report;

(2) Accept the accelerated schedule and the revised program for processing Current Planning projects;

(3) Direct staff to schedule Current Planning projects during windows of General Plan adoption inactivity; and

(4) Direct the Planning Commission to reconsider the revised program for processing Current Planning projects if the adoption schedule is significantly delayed.

BOARD ACTION - Continued to March 14, 1995, upon adoption of the Agenda. NuSN B(n)U(a)

9399

58. Planning Department submitting the Progress Report on the Water Planning Ordinance, and requesting a ninety-day extension to comply with the reporting requirements of said Ordinance.

BOARD ACTION - Ninety-day extension approved, and staff directed to prepare for Board consideration an Ordinance amendment to perpetuate a June 1 deadline. SNBNU U(a)

10685

59. County Counsel requesting direction and approval for the funding source for court reporters for the County General Plan/Environmental Impact Report (EIR) public hearings.

BOARD ACTION - Board determined the Planning Department to be the appropriate funding source, and directed that current fiscal year costs be funded from existing savings within the Planning Department budget with any needed adjustments to be made at the end of the fiscal year depending on an analysis of the Department's revenue stream and the closing of the books.

SNBNu U(a) 9399

60. County Counsel recommending Resolution be adopted designating two members of the Board of Supervisors as members of the Governing Board of the Chula Vista-El Dorado-Livermore-Menlo Park Housing Finance Agency to take action to sell the Agency's remaining assets, distribute the proceeds of the sale of said assets in the manner provided in the Agreement, and terminate its existence.

BOARD ACTION - RESOLUTION NO. 58-95 adopted appointing Supervisors Nielsen and Shultz.

NuNB S(n)U(a) 270

61. County Counsel recommending Resolution No. 15-95 be adopted discharging unpaid County debts. (Continued 2/7/95, Item 52)

BOARD ACTION - Continued to March 7, 1995, to allow County Counsel an opportunity to review statutes cited in testimony of Mr. Donahue this date.

SNBNu U(a) 11209

62. Supervisor Bradley recommending Board provide direction to the Interim Chief Administrative Officer (ICAO) for retention of outside legal counsel regarding the Grand Jury subpoena for County telephone records.

BOARD ACTION - Board directed that the list of possible attorneys provided by the General Services Director this date be forward to Ollie Reign, Director of Communications and Information Services, and Mr. Reign was authorized to execute a standard County contract (or contract approved as to form by County Counsel) with the attorney he selects.

NuNBS U(a) 10561

63. Supervisor Nutting recommending Resolution be adopted requesting further consideration be withdrawn immediately of the proposed rule change concerning Revised Statutes (RS) 2477 which was designated to help determine when valid right-of-way exists over public land and who currently holds rights-of-way on roads falling within the boundaries of Department of Interior lands.

BOARD ACTION - RESOLUTION NO. 56-95 adopted.

SNUBN U(a) 11284

64. Supervisor Nielsen recommending consideration of the request of D. W. Andrews that the County refund Wetsel-Oviatt Lumber Company \$3,234.14 which is the balance of the initial advance paid the County for analysis of specific development proposals. (Supervisor Nutting exited the meeting room, abstaining from participation in the Board's consideration of this item.)

BOARD ACTION - Continued to March 14, 1995, with the matter to be expanded to include other such cases to be advanced by Mr. Andrews. SBN Nu(ab)U(a)

11285

65. Supervisor Nielsen recommending the following pertaining to funding cutbacks for fiscal years 1994/95 and 1995/96:

a. Direct the Chief Administrative Officer (CAO) to complete his compilation of recommended cutbacks for consideration and submit proposed actions to the Board on March 21, 1995;

b. Determine, after entertaining the CAO's recommendations thereon, a gross proportion of the \$6 million dollars to be achieved through staffing cutbacks; and

c. Consider specific proposals for reductions advanced by Board members as well as members of the public.

BOARD ACTION - Approved with additional direction that all input to the CAO be submitted no later than 5:00 p.m. on Monday, March 6, 1995. SNuBN U(a)

11261

Additionally, the Auditor-Controller was requested to evaluate trust accounts controlled by individual departments and report back to the Board on Supervisor Nutting's suggestion that those funds be terminated. NuSBN U(a)

66. Assessor submitting report on the request of Atlanta Precision Molding Company (APM) for rebate of personal property taxes under Revenue and Taxation Code 5108, based on a "what if" scenario for a manufacturing plant it proposes to develop in the El Dorado Hills area, and recommending a rebate to APM for the maximum allowed by the County under the provisions currently provided for in R&T 5108; Bond Screening Committee providing its analysis of the fiscal impacts and public benefit of same; and Chief Administrative Officer (CAO) providing draft of a proposed policy for the R&T 5108 rebates for consideration and adoption. (referred 2/14/95)
- BOARD ACTION** - Board approved the recommendation of the Bond Screening Committee as presented this date by John Winner, and adopted the Tax Rebate Policy Under R&T Code 5108 as drafted and presented by the CAO. 11182
- BSNuN U(a)
-

Further, the Board conveyed that when application is made by Atlanta Precision Molding Company (APM), it is the Board's intent to apply the maximum personal property tax rebate under R&T Code 5108 pursuant to the Board Policy adopted this date. 11246

NuSBN U(a)

TIME ALLOCATION - 10:30 A.M.

70. Community Services Department recommending staff be authorized to take the following steps to implement Senior Nutrition Services in El Dorado Hills:
- a. Enter into negotiations with the El Dorado Hills Community Services District to secure a site use agreement allowing implementation of Senior Nutrition Services at the El Dorado Hills Community Center;
 - b. Increase the Community Services Department Personnel Allocation by a 0.75 FTE Meal Site Coordinator and fill said position;
 - c. Purchase a delivery vehicle and various minor equipment items as detailed in the proposal; and 11286
 - d. Implement services on or after April 1, 1995 once the site use agreement, staffing and equipment purchases allow for such implementation.
- BOARD ACTION** - Approved with the understanding the program will be implemented only if negotiations secure a site and vehicle at no cost to the County, and that all staffing utilize "extra help" pending the outcome of fiscal year 1995/96 budget hearings. BSNuN U(a)

TIME ALLOCATIONS - 11:00 A.M.

71. Hearing to consider adoption of Resolution vacating (AOE 93-15) a 10-foot wide pedestrian lane easement, and all interest in the underlying property, Lots 30 and 31, St. Andrews Village, Unit No. 2 in the El Dorado Hills Area, Applicant: El Dorado Land Survey Company. (Resolution of Intention adopted 1/24/95, Item 27) 11256
BOARD ACTION - Hearing continued to March 21, 1995, at 2:00 p.m. BSNuN U(a)

72. Supervisor Nielsen requesting Board consider participation with the City of Placerville in the formation of a special district or some form of joint undertaking to explore the potential of creating a combined single purpose agency for recreation, parks, trails, etc. (excluding whitewater activities on the South Fork of the American River). 11287
BOARD ACTION - Chief Administrative Officer requested to meet with the Placerville City Administrator, and other interested parties identified by Parks and Recreation Division staff, to formulate or propose engagement of a consultant to advise the City and the County about the prospects of a joint undertaking, possible formulation of some entity, to combine the resources, programs, and facilities of the City and the County in the recreational area; and to bring back to the County and the City, as soon as possible, a form of contract engaging the consultant and providing therein for its funding. BSNUN U(a)

County Service Area No. 7 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.

PLANNING MATTERS - 2:00 P.M.

80. Hearing to consider Tentative Parcel Map P91-35 creating 3 parcels, with design waivers, on property (APN 327-150-36) in the Diamond Springs/El Dorado Area (District III) Applicant: James B. Leroy.

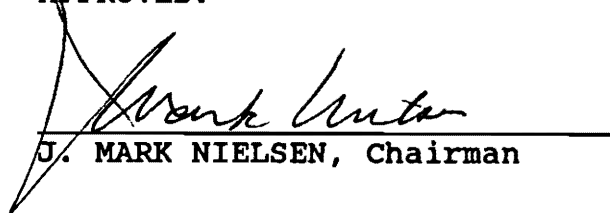
BOARD ACTION - Action on the matter continued to March 14, 1995, at 2:00 p.m., to allow County Counsel the opportunity to respond to issues raised in testimony this date (Chairman advised that the Board will hear the report of County Counsel at that time and will not take further public testimony).

NuSBN U(a)

11260


MEETING ADJOURNED

APPROVED:



J. MARK NIELSEN, Chairman

ATTEST:



DIXIE L. FOOTE, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

February 28, 1995

8:00 A.M.

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

1. **Significant exposure to litigation pursuant to Government Code Section 54956.9(b).** ✓
BOARD ACTION - No action reported.
2. **Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding APNs 325-310-28 and 325-310-29. The person or persons with whom the negotiator may negotiate is Ed Murray. Instructions to negotiator will concern price and terms of payment.** ✓
BOARD ACTION - No action reported.
3. **Initiation of litigation/Grand Jury matter, pursuant to Government Code Section 54956.9(c).** ✓
BOARD ACTION - No action reported.

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

February 28, 1995

8:00 A.M.

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

Closed Session to confer with or receive advice pursuant to Government Code Section 54956.9 (**Existing Litigation**) regarding Civil Service Commission Matter - Grievance of Linda Brown. ✓
BOARD ACTION - Continued to March 7, 1995. NuSBN U(a)

CONSENT CALENDAR

24. General Services Department recommending award of Bid No. 998-036 for various types of vehicles.
RECOMMENDED ACTION: Award to the low bidders as outlined in memorandum to the Board dated 2/15/95, in the amount of \$652,633 including sales tax; and authorize the Purchasing Agent to issue purchase orders for same. (No action taken; all votes failed by two-two votes.) 11288
25. General Services Department recommending Purchasing Agent be authorized to purchase eight full size 4x4 utility vehicles at a cost of \$175,743 through a State contract for same.
RECOMMENDED ACTION: Approve (No action taken; all votes failed by two-two votes.) 11288
26. Administration recommending Resolution be adopted to opt into the Trial Court Funding Program for the period beginning July 1, 1995.
RECOMMENDED ACTION: Adopt Resolution No. 55-95 (approved on Consent Calendar as recommended) 10803