

OPEN FORUM

Terry Nelson, County employee, re: fair share union dues
LaRae Brown, County employee, re: fair share union dues
Chuck Egbert, EDC Employees Assoc., re: fair share union dues

BOARD ACTION - Referred to the Director of Human Resources for an informational report on the issue of contract compliance in achieving the 65% union membership required for implementation of "fair share" dues. SNNuU B(a)

10395

CLOSED SESSION REPORTS - County Counsel's report accepted (refer Closed Session Roster attached). UNuNS B(a)

✓

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 April 4, 1995 on file with Clerk of the Board.

RECOMMENDED ACTION: Approve

✓

2. Assessor recommending Chairman be authorized to sign Assessment Roll Changes on file with Clerk of the Board.

RECOMMENDED ACTION: Approve

11223

3. County Counsel recommending Chairman be authorized to sign Release of Lien (5) on file with Clerk of the Board.

RECOMMENDED ACTION: Approve

11224

4. County Counsel recommending Resolution be adopted discharging accountability for unpaid County debts.

RECOMMENDED ACTION: Adopt Resolution No. 84-95

11209

5. County Counsel recommending the following claims be denied:

a. Renee German in the amount of \$149.90;

b. Shane Ray Mendoca in an amount in excess of \$25,000;

11312

c. Barbara De Mello in an unknown amount; and

d. James D. Neall, Jr./California State Automobile Association in the amount of \$3,207.16.

RECOMMENDED ACTION: Reject claims

- 6. Public Health Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 94-20005) with the State Department of Health Services amending the maximum amount payable to an amount not to exceed \$122,400 effective January 1, 1995 for HIV Local Assistance Block Grant; and recommending approval of Budget Transfer No. 702 increasing Estimated Revenue by \$3,500 and transferring said amount to Appropriations for a computer to facilitate the processing of AIDS cases and allow better analysis of the epidemic in El Dorado County. (4/5 vote required)
RECOMMENDED ACTION: Approve
- 7. Sheriff's Department recommending approval of Budget Transfer No. 703 transferring \$181,824 from Contingency to pay for the two-year additional PERS service credit for fiscal year 1993/94. (4/5 vote required)
RECOMMENDED ACTION: Approve
- 8. General Services Department recommending County Service Area No. 9 appointments as outlined in a memorandum to the Board dated 3/6/95.
RECOMMENDED ACTION: Approve
- 9. Building Department recommending approval of Budget Transfer No. 706 transferring \$20,500 to Appropriations for the conversion of the Unisys permit system to the County IBM system.
RECOMMENDED ACTION: Approve
- 10. Transportation Department recommending Chairman be authorized to sign an Extension to Agreement to Make Subdivision Improvements with Sunrise Bank of California extending the completion date for Marina Hills Subdivision (TM88-1115) to October 15, 1995.
RECOMMENDED ACTION: Approve
- 11. Transportation Department recommending approval of Budget Transfer No. 704 transferring \$8,113 from Fixed Assets to Operating Transfers Out.
RECOMMENDED ACTION: Approve
- 12. Transportation Department recommending HDR Engineering, Inc. be selected as the consultant engineering firm for the preparation of the "Highway 50/El Dorado Hills Boulevard Project Study Report"; and requesting authorization to negotiate, and return to the Board for approval, a contract with HDR.
RECOMMENDED ACTION: Approve

10508

11231

11231

10904

11231

8970

11231

11211

SUNuN B(a)

13. Transportation Department recommending approval of Budget Transfer No. 705 transferring \$75,000 from Special Department Expense Account to Fixed Assets Account to replace one bobtail 4WD dump truck/plow.

RECOMMENDED ACTION: Approve

11231

14. Transportation Department recommending Chairman be authorized to sign Certificate of Acceptance and Easement Acquisition Agreement (APN 25-331-09) with Cecelia Mary Kammerer in the amount of \$500 for the Black Bart Erosion Control Project.

RECOMMENDED ACTION: Approve

9465

15. Transportation Department recommending Chairman be authorized to sign Certificate of Acceptance and Easement Acquisition Agreement (APN 25-331-12) with Minnie Chow Chew and Ivan Chew, Doreen Herbruger and Eliza Wong in the amount of \$1,100 for the Black Bart Erosion Control Project.

RECOMMENDED ACTION: Approve

9465

16. Clerk of the Board advising that the South Lake Tahoe City Council recommends a joint meeting of the City Council and the Board of Supervisors on **Thursday, May 11, 1995, at 1:00 p.m.**, in the City Council Chambers at South Lake Tahoe, for discussion of the County General Plan, the Campground Lease, and the Golden Bear Park Project.

RECOMMENDED ACTION: Approve (Meeting scheduled as recommended with deletion of the Golden Bear Park Project from the Agenda, and addition of "other matters of mutual interest" to the Agenda.)

USNuN B(a)

11315

17. Supervisor Bradley recommending Chairman be authorized to sign Certificate of Commendation for Andrew J. Babcock, who has reached the rank of Eagle Scout, Boy Scouts of America, Troop 459.

RECOMMENDED ACTION: Approve

10079

18. Supervisor Bradley recommending Chairman be authorized to sign Certificate of Commendation for Daniel Heller, who has reached the rank of Eagle Scout, Boy Scouts of America, Troop 454.

RECOMMENDED ACTION: Approve

10079

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 16 as noted (item 12 also acted upon separately); and **Department Matters 55 and 57** added to the Consent Calendar and approved as part of same.

USNuN B(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. General Services Department recommending no change be made in the recommendations and resulting direction of the Board on January 31, 1995, pertaining to road zones of benefit insurance reserve fund; and recommending County Counsel be directed to render an opinion regarding election requirements, if any, of County Charter Amendment C regarding increasing assessments to Zones of Benefit. (Continued 3/28/95, Item 50)
BOARD ACTION - Board specified that the election required under Charter Amendment C would be met by the statement of an officer of a zone advisory committee declaring under penalty of perjury that all owners of parcels within the zone of benefit were notified of a proposed assessment and the assessment was approved by a majority of property owners who cast a vote on behalf of parcels subject to the assessment, without prejudice to zones that wish to call for an election.
NNuSU B(a) 9354

51. Transportation Department recommending Board approve the three year Capital Improvement Project List.
BOARD ACTION - Board conceptually approved the Capital Improvement Project List as presented, to be finally approved with findings of consistency with the County General Plan to be prepared by County Counsel and brought back to the Board for adoption in approximately four weeks (May 9, 1995).
UNNuS B(a) 11316

52. County Counsel recommending adoption of Resolutions to acquire certain real property easements for an improved access road system for the Material Recovery Facility at the former Diametrics Plant on Lime Plant Road.
BOARD ACTION - RESOLUTIONS NOS. 88-95, 89-95, 90-95, and 91-95 adopted authorizing County Counsel to proceed immediately with the commencement of an action for eminent domain for the real property described in Exhibit "A" attached to each Resolution (lands owned by Sterling Gentry Land, Ltd., Dorothis L. Gumble, Alice P. Brewer, and Lawrence and Jacqueline Abel respectively), and the Board determined the following: 9784

(1) That the El Dorado County Board of Supervisors ("Board") has reviewed the Resolutions relating to the road system required for the Material Recovery Facility ("MRF") approved by the Board on August 16, 1994 through Special Use Permit 94-08;

(continued on page 6)

(continued from page 5)

(2) That an improved access road system involving Highway 49, Bradley Drive and a new access road to be built on APN 051-250-36-100 is necessary for the MRF and is planned to be constructed to standards approved by the County in Special Use Permit 94-08;

(3) That the aforesaid improvements will result in a substantially safer road in general and be most compatible with the greatest public good as well as the least private injury while interfering as little as possible with private property rights;

(4) That acquisition negotiations have taken place as required by Government Code Section 7267.2 with the recorded property owners as shown on the Exhibits A attached to the Resolutions and no agreements have been reached;

(5) That all persons required to be noticed pursuant to Code of Civil Procedure Section 1245.235 have been noticed as required by law and that the Board held a hearing on April 11, 1995;

9784

(6) That County Counsel is authorized to proceed immediately with the commencement of actions for eminent domain pursuant to Title 7, Part III, of the Code of Civil Procedure for the properties described in materials attached to the Resolutions; and that County Counsel is authorized by the Board to obtain possession as soon as possible as prescribed by the applicable law;

(7) That this eminent domain action is previously discussed, contemplated as a part of and included in the El Dorado County Planning Commission's environmental review of Special Use Permit 94-08 on July 14, 1994 and the Board's environmental review on appeal of the same as required by the California Environmental Quality Act (CEQA) on August 16, 1994, the Board hereby reaffirming its adoption of the mitigated negative declaration previously adopted for Special Use Permit 94-08 in 1994 for this eminent domain action.

NuUNS B(a)

53. County Counsel recommending the following:

a. Waive reading, read by title only, and adopt Ordinance amending Title 5, Chapter 5.48 of the County Ordinance Code with changes as outlined in April 4, 1995 introduction regarding commercial rafting permits;

BOARD ACTION - Board waived reading, read by title only, and adopted ORDINANCE NO. 4363. SUNuN B(a)

b. Waive reading, read by title only, and introduce Ordinance committing the County to certification of an Environmental Impact Report (EIR) on the River Management Plan update within 3 years and establishing a review process by which staff will submit progress reports to the Planning Commission at least every six months, with the Planning Commission to forward the report with its comments and recommendations to the Board of Supervisors within 30 days thereafter.

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance to be brought back for adoption on April 18, 1995. SUNuN B(a)

54. Human Resources Department recommending Resolution No. 82-95 be adopted amending Authorized Personnel Allocation Resolution No. 246-94 reclassifying positions as outlined in memorandum to the Board 3/19/95. (Continued 4/4/95, Item 11)

BOARD ACTION - RESOLUTION NO. 85-95 adopted. SNU Nu(n)B(a)

55. Chief Administrative Officer submitting request of Placerville Seventh-Day Adventist Church for a waiver of fees in the amount of \$2,722.

BOARD ACTION - Waiver of fees approved. USNuN B(a)

56. Supervisor Nutting advising of his resignation on the El Dorado County Transportation Commission; and recommending Board make appointment to same.

BOARD ACTION - Matter continued to April 25, 1995. USNuN B(a)

57. Board may consider adoption of a Resolution declaring a local emergency if it is found that conditions of extreme peril to the safety of persons and property exists.

BOARD ACTION - RESOLUTION NO. 86-95 adopted. USNuN B(a)

9638

11282

11268

10141

11258

58. Supervisor Nutting recommending Interim Chief Administrative Officer be directed to work with Clerk of the Board and each Supervisor to develop individual budgets for each supervisorial district office and recommendations to come back to the Board for review and adoption for the 1995/96 budget. **11261**
BOARD ACTION - Removed from the Agenda upon its adoption.

59. (Refer Agenda Addendum No. 1)

60. (Refer Agenda Addendum No. 2)

TIME ALLOCATION - 10:00 A.M.

70. Board to consider the recommendation of Supervisor Shultz that the Veerkamp Ranch site be excluded as an alternate fairgrounds site; Board will also consider any other requested exclusions. (Continued 3/28/95, Item 12) **8708**
BOARD ACTION - Matter continued to April 25, 1995. SNuNU B(a)

TIME ALLOCATION - 11:00 A.M.

County Service Area No. 7 (refer to separate agenda)

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

Water Agency (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.

TIME ALLOCATIONS - 2:00 P.M.

- 80. Hearing to reconsider Tentative Parcel Map 93-17, submitted by M. Tony Smeaton, Trustee for the Malatesta Trust, creating four parcels, with design waiver in the Volcanoville Area (District IV).

BOARD ACTION - Board granted the Appeal, adopted the Negative Declaration, and approved Tentative Parcel Map 93-17 subject to conditions and based on findings of the Planning Department and modified by the Board this date. SUNuN B(a)

10815

- 81. Hearing to consider the following regarding the Meyers Community Plan:

- a. Adoption of Resolution amending said Plan to eliminate the Meyers Town Council concept and delegate much of the authority originally delegated to the Council to the County Planning Commission; and

- b. Waive reading, read by title only, and introduce Ordinance amending Section 17.74.045 of the Zoning Ordinance modifying the design review procedures and approval authority for projects within the Meyers Community Plan Area. (Continued 3/21/95, Item 82)

BOARD ACTION - Board accepted the Negative Declaration adopted for the Meyers Community Plan as being adequate for these amendments; adopted RESOLUTION NO. 92-95 amending said Plan to eliminate the Meyers Town Council concept and delegate much of the authority originally delegated to the Council to the County Planning Commission; and waived reading, read by title only, introduced, and adopted ORDINANCE NO. 4364 amending Section 17.74.045 of the Zoning Ordinance modifying the design review procedures and approval authority for projects within the Meyers Community Plan Area. NuUNS B(a)

10612

TIME ALLOCATION - 3:00 P.M.

82. Presentation by "Dutch" Dykgraaf and Bill Thompson on the Placerville/Sacramento Valley Historical Railway. **11222**
BOARD ACTION - No action taken.

MEETING ADJOURNED

ATTEST:

Dixie L. Foote
DIXIE L. FOOTE, Clerk of the Board

APPROVED:

J. Mark Nielsen
J. MARK NIELSEN, Chairman

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors
April 11, 1995 8:00 A.M.

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

1. **Existing litigation** pursuant to Government Code Section 54956.9 regarding **Bernard Carlson vs County of El Dorado, et al**, Case No. PV94-0161.
BOARD ACTION - No action reported. ✓
2. **Anticipated litigation** pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation.
BOARD ACTION - No action reported. ✓
3. **Anticipated litigation** pursuant to Government Code Section 54956.9(c) regarding initiation of litigation.
BOARD ACTION - No action reported. ✓
4. **Conference with Real Property Negotiator:** Pursuant To Government Code Section 54956.8 regarding closed session to give instructions to Board's negotiator regarding real property described as beginning at Mile Post 98.9 (Mayhew-Sac. Ct.) and ending at Mile Post 149.7 (Placerville-El Dorado County). The person or persons with whom the negotiator may negotiate is **Southern Pacific**. Instructions to negotiator will concern price and terms of payment.
BOARD ACTION - Board received report of staff and gave direction. ✓
5. **Existing litigation** (added this date upon adoption of the Agenda) pursuant to Government Code Section 54956.9 regarding the following:
 - (a) **El Dorado Council, et al. v. Board of Supervisors** (PV91-0736);
BOARD ACTION - Board received report and gave authority to staff. ✓
 - (b) **Walter M. Saunders v. El Dorado County** (PV93-3246);
BOARD ACTION - Board received report and gave authority to staff. ✓
 - (c) **Joseph & Marilyn Sears, Margaret Bell v. County of El Dorado** (PV94-0315).
BOARD ACTION - Board received information from Department of Transportation staff. ✓

County of El Dorado

BOARD OF SUPERVISORS

WILLIAM S. BRADLEYDISTRICT I
RAYMOND J. NUTTINGDISTRICT II
J. MARK NIELSENDISTRICT III
WALTER L. SHULTZDISTRICT IV
JOHN E. UPTONDISTRICT V
DIXIE L. FOOTECLERK 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

April 11, 1995

8:00 A.M.

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

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

DEPARTMENT MATTERS

59. Treasurer/Tax Collector requesting direction regarding adoption of Resolution approving the sale of property; and Chairman be authorized to sign an Agreement to Purchase Tax-Defaulted Property with the California Tahoe Conservancy, should the Board choose to adopt said Resolution.
BOARD ACTION - RESOLUTION NO. 87-95 adopted authorizing the Chairman to sign the Agreement, subject to appropriate review and approval by County Counsel, and directing the Tax Collector to sell said property. UNNuS B(a) 10759

60. Supervisor Upton recommending Planning staff be directed to prepare a negative declaration on amendment of Ordinance 17.15 regarding "Secondary Residential Unit on Single Family Lots".
BOARD ACTION - Removed from the Agenda by Supervisor Upton. 11317