

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
 Fax No. (916) 622-3645



C O N F O R M E D

A G E N D A

Regular Meeting of the Board of Supervisors

October 31, 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

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 Addenda Nos. 1 and 2 thereto adopted.

NuSBCU

Closed Session (refer Closed Session Roster attached)

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

OPEN FORUM

Supervisor Shultz re: trip to Washington DC to meet with Congressional representatives regarding the Auburn Dam.

10395

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** of October 24, 1995. ✓
RECOMMENDED ACTION: Approve
2. Assessor recommending Chairman be authorized to sign **Assessment Roll Changes** on file with Clerk of the Board. 11223
RECOMMENDED ACTION: Approve
3. Public Health Department recommending Resolution be adopted accepting the **Teen Court Project Grant Award** in the amount of \$90,000 for fiscal year 1995/96. 11069
RECOMMENDED ACTION: Adopt Resolution No. 275-95
4. Public Health Department recommending Chairman be authorized to sign the following **Alcohol/Drug Contracts** for fiscal year 1995/96:
 - a. **Progress House, Inc.** in the amount of \$336,368;
 - b. **EDCA - Lifeskills** in the amount of \$65,609;
 - c. **New Morning Youth & Family Services** in the amount of \$246,194; 11516
 - d. **Family Connections El Dorado Inc.** in the amount of \$42,246;
 - e. **Sierra Recovery Center** in the amount of \$296,264; and
 - f. **Tahoe Youth & Family Services** in the amount of \$68,091.
RECOMMENDED ACTION: Approve UNBNu S(n)
5. County Counsel recommending the following **claims** be rejected:
 - a. **Bill E. Leard** in the amount of \$400;
 - b. **Randy McKain** in the amount of \$250; and 11509
 - c. **Robert D. Neidigh** in the amount of \$368.18.
RECOMMENDED ACTION: Reject claim

- 6. County Counsel advising the following **claims** have been paid:
 - a. Angie E. Wing in the amount of \$328.68;
 - b. Archie O. Paxton in the amount of \$253.95;
 - c. Dennis Lees in the amount of \$363.53;
 - d. Patti Edwards in the amount of \$100; and
 - e. Linda Lee Janco in the amount of \$234.

11509

RECOMMENDED ACTION: Approve (Approved, and Department of Transportation requested to provide a report on the frequent occurrence of claims for damages to vehicles from County gravel trucks, and what measures are being taken to reduce those occurrences.)
 USBNuN

- 7. General Services Department recommending purchase of ten **Sheriff's Patrol vehicles** at a total cost of \$219,208.79 through State of California CHP Vehicle Contract, and requesting authorization to issue State Local Agency Request and County Purchase Order for same.

10789

RECOMMENDED ACTION: Approve

- 8. General Services Department recommending Chairman be authorized to sign Agreement (No. 101-S9611) with **Fouts Springs Ranch** for accommodation of El Dorado County Juvenile Court Wards on an "as requested" basis at \$2,400 per month per ward for period July 1, 1995 through September 30, 1995 and \$2,500 per month per ward effective October 1, 1995.

8087

RECOMMENDED ACTION: Approve

- 9. General Services Department recommending Chairman be authorized to sign Specifications for the **South Lake Tahoe Maintenance Building Project** (No. 91-58.01); and requesting authorization to advertise for bids to be received no later than 3:00 p.m., Monday, December 4, 1995.

11517

RECOMMENDED ACTION: Approve

- 10. General Services Department recommending Chairman be authorized to sign Agreement (No. 009-S9611) with **New Morning Youth and Family Services** in an amount not to exceed \$10,417 for a term to expire November 30, 1996 for services relative to the **Divide Wellness Project**.

11490

RECOMMENDED ACTION: Approve
 SUBNuN

- 11. General Services Department recommending Chairman be authorized to sign Lease Agreement (No. 056-L9611) with Levin & Menzies, Inc., for office space at 550 Main Street, Suite A, Placerville, for the **Law Library**, at a cost of \$969 per month for 1,292 square feet, and 375 square feet at no cost, for term October 1, 1995 through September 30, 1998. 9616
RECOMMENDED ACTION: Approve

- 12. Auditor/Controller recommending approval of **Budget Transfer** No. 939 increasing Estimated Revenue for the General Fund by \$950,000 and increasing the General Fund Appropriation for Contingency by \$950,000 resulting from the revised estimate for Tax Loss Reserve Revenue. (4/5 vote required) 11479
RECOMMENDED ACTION: Approve USBNuN

- 13. Auditor/Controller recommending approval of **Budget Transfer** No. 936 increasing Estimated Revenue by \$10,500 and increasing Appropriations by same for SB90 claim preparation services; 11479
and further recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 033-S9610) with **David M. Griffith & Associates, Ltd.** in the amount of \$10,500 (reimbursable by the State) for same. (4/5 vote required) 7587
RECOMMENDED ACTION: Approve USBNuN

- 14. Transportation Department recommending Chairman be authorized to sign a Settlement Agreement with **Lee Wipner** and Certificate of Acceptance for purchase of Assessor's Parcel No. 34-622-07 acquired through **Eminent Domain**; and requesting authorization to make payment to close escrow pursuant to said Agreement. 11518
RECOMMENDED ACTION: Approve

- 15. Treasurer/Tax Collector recommending Resolution be adopted authorizing the Tax Collector to sell at public auction on February 23, 1996, 393 parcels of **tax-defaulted property**. 10759
RECOMMENDED ACTION: Adopt Resolution No. 276-95

- 16. Interim Chief Administrative Officer recommending Chairman be authorized to sign a letter supporting **Assembly Bill 138** (Goldsmith) which will change the method of determining **prevailing wage**; and County Counsel be directed to prepare an analysis of the methodologies employed by the city of Truckee to avoid prevailing wage requirements. 11519
RECOMMENDED ACTION: Approve (Continued to November 14, 1995, to be considered as a "Department Matter" that day; and County Counsel was requested to begin, in the interim, its analysis of methodologies employed by the City of Truckee.) SUBNuN

- 17. Supervisor Nielsen recommending Chairman be authorized to sign a lease between El Dorado County and the House Committee of the **Veterans Memorial Building** of El Dorado County.
(Continued 10/17/95, Item 53)

11215

RECOMMENDED ACTION: Continue to November 7, 1995

- 18. Supervisor Nielsen recommending approval of the issuance of a clear **Certificate of Compliance** for APN 329-162-47, requested by Nelson and Amy Dawson.

11520

RECOMMENDED ACTION: Approve SNBU Nu(ab)

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 16 as noted and additional direction on item 6 as noted (items 4, 10, 12, 13, and 18 also acted upon separately); and Department Matter 52 added to the Consent Calendar and approved as part of same.

NuUBNS

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 the following for the **relocation of Social Services to 3057 Briw Road, Placerville:**

a. Find Negative Declaration was completed in accordance with California Environmental Quality Act (CEQA);

b. Find information contained in the CEQA Environment Analysis and Negative Declaration has been reviewed and approved;

11384

c. Find Negative Declaration reflects the County's independent judgement; and

d. Certify the Negative Declaration on said property.

BOARD ACTION - Approved

UNuBNS

51. General Services Department recommending the following for the facility at 3057 **Briw Road**, Placerville:
- a. Authorize relocation of all **west slope Social Services** functions into said facility; and
- b. Authorize Chairman to sign a Lease with Briw Office Investors for 29,819 square feet of office space at a cost of \$25,047.96 per month for a seven year term with three additional one-year option periods.
- BOARD ACTION - Approved USNuN B(n) 11384
52. Transportation Department requesting a temporary encroachment permit onto **Sly Park Road** be granted to the **Gold Ridge Forest Property Owners Association** for **logging** operations.
- BOARD ACTION - Added to the Consent Calendar and approved as part of same. NuUBNS 11522
53. County Counsel submitting for introduction an Ordinance amending Chapter 3.08 of Title 3 of the El Dorado County Ordinance Code regarding **non-competitive bidding process** for airport property leases.
- BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance to be adopted on **November 7, 1995**. UNuBNS 11472
54. County Counsel requesting authorization to retain the legal services of McCutchen, Doyle for legal analysis and advice regarding a proposed **charter amendment** to prohibit approval of a **land development** project unless a demonstrable method exists for financing the roads, schools, water, and sewer facilities necessary to serve the development project. (CAO recommending transfer of \$3,000 from Contingency to fund said services.) (Continued 10/24/95, Item 52)
- BOARD ACTION - Request not acted upon, and the Board determined to rely on the opinion to be rendered by the Attorney General. SUNuN B(n) 11477
55. Supervisors Upton and Shultz recommending Resolution be adopted supporting **Measure B**, an advisory vote regarding options to generate funds for needed improvements to **Missouri Flat Road**. (Continued 10/24/95, Item 53)
- BOARD ACTION - RESOLUTION NO. 277-95 adopted. SUBNuN 11350

- 56. Supervisor Nutting submitting requests of Roger Welt and Robert Attinger that the Board accept an evaluation of 725 Individual Parcel Evaluation Score (IPES) as certified by a California Licensed Civil Engineer instead of Tahoe Regional Planning Agency (TRPA); make findings that "No public purpose will be served any longer by keeping the subject property as open space"; and move to abandon the open space easements on APNs 032-361-03 and 034-435-04.

11274

BOARD ACTION - At the recommendation of Supervisor Upton, the Board continued the requests to December 19, 1995; authorized the Chairman to sign letters to Rick Frank, Deputy Attorney General, and Susan Scholley, TRPA Special Projects Attorney, regarding same; and authorized referral of the matter to the Planning Commission if deemed appropriate to do so. UNuBNS

- 57. (Refer Agenda Addendum No. 2)

COMMITTEE REPORTS

LUNCH RECESS

TIME ALLOCATIONS - 2:00 P.M.

- 80. Hearing to consider Appeal filed by Cedar Springs Waldorf School on the denial of Special Use Permit 95-09 allowing the expansion of an existing private school in the El Dorado Area. **BOARD ACTION** - Board granted the Appeal, approving Special Use Permit 95-09 in principle, subject to refinement of the conditions of approval, based on the finding the use permit would not be injurious to the public health, safety and welfare. NuUBS N(n)

Board adopted the Negative Declaration for this project based on the Initial Study and Environmental Evaluation prepared by staff. SNuBU N(n)

11521

Board approved changes to the conditions of approval to be reiterated in the final draft to be prepared by Planning Department staff. UBNU S(n)

81. Hearing to consider the recommendations pertaining to the Meyers Community Plan:

BOARD ACTION - Board accepted the previously adopted Negative Declaration for the **Meyers Community Plan**, and acted on recommendations 1 through 4 as follows: NuUBNS

(1) Resolution amending the Meyers Community Plan modifying permitted and special uses;

BOARD ACTION - RESOLUTION NO. 282-95 adopted.

(2) Ordinance amending Section 17.58.180, Table 17.58.180(A) modifying **permitted, special uses, and prohibited uses** to the Zoning Ordinance;

BOARD ACTION - ORDINANCE NO. 4394 adopted with modifications recommended by the Meyers Community Roundtable Committee in its letter to the Board regarding same dated 10/18/95.

(3) Ordinance relating to **rezoning** in the Meyers Community Plan Area of a total of approximately 155 acres petitioned by the County of El Dorado;

10612

BOARD ACTION - ORDINANCE NO. 4395 adopted.

(4) Ordinance repealing Chapter 2.28 of Title 2 referring to the **Meyers Town Council**.

BOARD ACTION - ORDINANCE NO. 4396 adopted.

(5) Commercial floor space allocation requests for projects within the Meyers Community Plan Area.

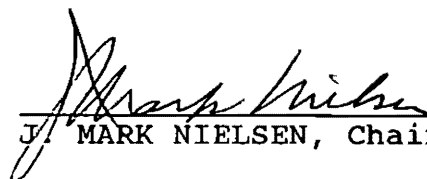
BOARD ACTION - Approved with modification of Exhibit F requested by Mr. Norman Kosco. UNuBNS

(6) Policy regarding expiration of floor space allocation.


BOARD ACTION - Approved as presented. UNuBNS

MEETING ADJOURNED IN MEMORY OF JOHN P. SANDERS

APPROVED:


J. MARK NIELSEN, Chairman

ATTEST:


DIXIE L. FOOTE, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

October 31, 1995

8:00 A.M.

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

- a. Steven Prescott, et al vs El Dorado County, et al, Case No. DIV-S-95 1859 LKK JSM;

- BOARD ACTION - Board determined to tender the County's defense to Local One and if the tender is accepted, to refer the defense of the County and County-related defendants to outside counsel Michael Roman for coordination with County Counsel's office. UBNuNS

11263

- b. Laura M. Duffy vs City of South Lake Tahoe, et al, Case No. SV-0510;

- BOARD ACTION - Referred to the outside firm of Caulfield, Davies & Donahue for representation of the County and County-related defendants to work in conjunction with County Counsel. UBNuNS

11263

- c. Barbara DeMello vs El Dorado County, et al, Case No. PV-001224;

- BOARD ACTION - Referred to the outside firm of Mason and Thomas for representation of the County and County-related defendants to work in conjunction with County Counsel. UBNuNS

11263

- d. Chris Viola vs El Dorado County, et al, Case No. SL95C00491;

- BOARD ACTION - Referred to the outside firm of Caulfield, Davies & Donahue for representation of the County and County-related defendants to work in conjunction with County Counsel. UBNuNS

11263

- e. Harold Newell vs Jeffrey L. Welch, et al, Case No. PV-001226;

- BOARD ACTION - Removed from the Agenda.

✓

- f. Santa Clara Local Transportation Authority vs Guardino (Decided by California Supreme Court).

- 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

October 31, 1995

8:00 A.M.

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

CLOSED SESSION

Existing litigation pursuant to Government Code Section 54956.9
regarding John Wolfgram vs El Dorado County, Larry Klaus, Joe Harn,
Cheryl Raffety, Case No. PV 001176. ✓
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 . 2

October 31, 1995

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DEPARTMENT MATTERS

57. Redevelopment Agency recommending Resolution be adopted authorizing the Chairman to execute a Consulting Services Funding Agreement with Wal-Mart Stores, Inc. and Sundance Plaza Associates, Ltd.

BOARD ACTION - Continued to **November 7, 1995**, and County Counsel requested to review the matter and make its report to the Board on that date.

SUBNuN

11350