

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

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C O N F O R M E D

A G E N D A

Regular Meeting of the Board of Supervisors

December 19, 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 Addendum No. 1 thereto adopted as modified to remove item 62 and to add one closed session, pursuant to Government Code Section 54956.9, regarding existing litigation "Gigena v. County of El Dorado" (CV-S 94 1933 WBS JFM). BSNuNU

Closed Session (refer Closed Session Roster attached)

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

Presentation of award by Steven C. Szalay, Executive Director of the California State Association of Counties for the Youth: Heart of Our Community Recognition Program.

11069

OPEN FORUM

Collette Noble re: closure of El Dorado Road for movie filming. 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 Agendas** of December 12, 15 and 18, 1995. ✓
RECOMMENDED ACTION: Approve
2. County Counsel recommending Chairman be authorized to sign **Release of Liens (2)**. 11224
RECOMMENDED ACTION: Approve
3. County Counsel recommending the following **claims** be rejected:
a. **Baerbel Teichmann** in an unspecified amount; and 11509
b. **Harvey T. Schuman** in the amount of \$398.34.
RECOMMENDED ACTION: Reject claims
4. Public Health Department recommending Chairman be authorized to sign a Memorandum of Understanding with Marshall Hospital not to exceed \$31,500 December 1, 1995 through June 30, 1996 and \$54,000 July 1, 1996 through June 30, 1997 to provide funding to Marshall Hospital for Ryan White Case Management. 10508
RECOMMENDED ACTION: Approve
5. Public Health Department recommending Chairman be authorized to sign an Agreement with the State Department of Health Services not to exceed \$15,927 October 1, 1995 through June 30, 1996 for the AIDS Drug Assistance Program. 10508
RECOMMENDED ACTION: Approve
6. Mental Health Department submitting the **Mental Health/Alcohol Drug Cooperative Services Report**. 11559
RECOMMENDED ACTION: Receive and file
7. General Services Department recommending Resolution be adopted approving application for grant funds for the Environmental Enhancement and Mitigation Program for the **Henningsen-Lotus Park Improvement Project**. 9565
RECOMMENDED ACTION: Adopt Resolution No. 302-95
8. General Services Department recommending Chairman be authorized to sign Agreement (No. 177-S9611), pending approval by Risk Management and County Counsel, with **Mother Lode Van & Storage** to expire January 31, 1996, not to exceed \$13,948 for moving services for Social Services to the Briw Road facility. 11384
RECOMMENDED ACTION: Approve

9. General Services Department recommending award of Bid No. 485-054 for **janitorial cleaning supplies** and related items for Central Store's stock.
RECOMMENDED ACTION: Award to the low bidder, Sac Val Janitorial; and authorize a blanket purchase order in the amount of \$25,500 including sales tax for same.

10894

10. District Attorney recommending Resolution be adopted authorizing same to execute a Grant Award Agreement for the **Spousal Abuser Prosecution Program** for fiscal year 1995/96.
RECOMMENDED ACTION: Adopt Resolution No. 303-95

11243

11. Sheriff's Department recommending Sheriff be authorized to sign the Application for Financial Aid, and the Chairman be authorized to sign the Agreement for financial assistance from the **State Department of Boating and Waterways** for 1996/97.
RECOMMENDED ACTION: Approve

10052

12. Communications and Information Services recommending Resolution be adopted supporting Assembly Constitution Amendment No. 9 (Rainey, Campbell, Conroy, and Harvey) which would eliminate the diversion of **State Emergency Telephone Number Account (SETNA) funds**.
RECOMMENDED ACTION: Adopt Resolution No. 304-95 SUBNuN

11321

13. County Counsel Collections recommending Resolution be adopted discharging accountability for **unpaid County debts**.
RECOMMENDED ACTION: Adopt Resolution No. 305-95

11209

14. Human Resources Department recommending Resolution be adopted implementing new **salary ranges for positions in the Sheriff's Department** effective January 6, 1996.
RECOMMENDED ACTION: Adopt Resolution No. 306-95. Board also approved Budget Transfer No. 968 authorizing expenditure of **Contingency Funds in the amount of \$166,813** to fund said salary increases. USBNuN

11561

11479

15. Human Resources Department recommending Chairman sign Amendment No. 1 to Memorandum of Understanding for General, Professional and Supervisory Bargaining Units represented by **County Employees Association, Local 1**, modifying certain terms and conditions of employment.
RECOMMENDED ACTION: Authorize Chairman to sign.

10774

16. Human Resources Department recommending Resolution be adopted amending Salary and Benefits Resolution No. 297-94 to pay extra-help employees in the classifications of Mental Health Worker I/II, Psychiatric Technician I/II and Mental Health Professional at the rate of **time and one-half for hours actually worked on New Years, Thanksgiving and Christmas Days.** **RECOMMENDED ACTION:** Adopt Resolution No. 307-95 11562
17. Human Resources Department recommending adoption of revised job specifications for the classifications of **Associate Civil Engineer, Senior Civil Engineer, and Principal Engineering Technician;** and adoption of Resolution adopting job specifications for new classifications of **Mental Health Clinical Nurse and Chief Engineering Technician** and establishing salary ranges and bargaining units for same. **RECOMMENDED ACTION:** Adopt Resolution No. 308-95 11563
18. Risk Management recommending Resolution be adopted finding **Kimberly N. Hay-Saso** is incapacitated within the meaning of the Public Employees' Retirement Law for performance of her duties in the position of Correctional Officer II; and further approving a **Safety Industrial Disability Retirement** effective December 12, 1995. (Continued 12/5/95, Item 14) **RECOMMENDED ACTION:** Adopt Resolution No. 300-95 USN B(n)Nu(n) 11331
19. Administration recommending Resolution be adopted accepting the proposed exchange of the property tax increment for the **annexation** of lands to El Dorado Irrigation District (Project No. 95-05) petitioned by Leroy **Scheiber.** **RECOMMENDED ACTION:** Adopt Resolution No. 309-95 NuUNS B(n) 11564
20. Administration recommending Resolution be adopted accepting the proposed exchange of the property tax increment for the **annexation** of lands to El Dorado Irrigation District (Project No. 95-02) petitioned by Richard **Winkelman, et al.** **RECOMMENDED ACTION:** Adopt Resolution No. 310-95 NuUNS B(n) 11564
21. Supervisor Nutting recommending Chuck Connell be appointed to the **Sierra Economic Development District Board** for a three-year term commencing January 1, 1996. **RECOMMENDED ACTION:** Appoint Mr. Connell NuBS N(n)U(n) 10345
22. Supervisor Nutting submitting request of Chris Strohm for an extension of **building permit allocation** (No. EL-94-0-18) for APN 034-562-10. **RECOMMENDED ACTION:** Approve 11565

- 23. Planning Department recommending Chairman be authorized to sign the Certificate of Acceptance and **Avigation and Noise Easement** in the vicinity of the **Cameron Park Airport** from Roy E. Carter, Inc.

10374

RECOMMENDED ACTION: Approve

- 24. Planning Department recommending the following pertaining to **Hacienda de Estrellas, Unit No. 3:**

- a. Approval final map and Chairman be authorized to sign the Agreement to Make Subdivision Improvements; and

10607

- b. Accept Condition 8 as being satisfied and not require a Water Meter Award Letter as required by Resolution No. 118-92.

RECOMMENDED ACTION: Approve. Matter **continued to January 9, 1996**, to allow County Counsel an opportunity to analyze issues raised this date regarding condition no. 8. SUBNuN

- 25. (Refer Agenda Addendum No. 1)

- 26. (Refer Agenda Addendum No. 1)

BOARD ACTION - Consent calendar matters approved as recommended with the exception of item 24, and additional direction on item 14 as noted (items 12, 18, 19, 20, 21 and 26 also acted upon separately); and Department Matters 51, 52, and 54 added to the Consent Calendar and approved as part of same. USBNuN

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 Board consider the proposed **Sesquicentennial Work Plan for 1996** from the El Dorado County Chamber of Commerce pertaining to the marketing of the Sesquicentennial celebration.

10616

BOARD ACTION - Board unanimously approved Supervisor Nielsen's motion to authorize transfer of **Contingency Funds in the amount of \$20,000** to the County Chamber of Commerce for its marketing and promotion of Sesquicentennial events; said motion having been amended* to add a proviso that the Chamber of Commerce reimburse the County if it receives State grant funds specifically for this purpose. NNuBSU

*Amendment approved by a four-one vote.

SBNU Nu(n)

51. Fair Manager submitting results of recent consultant study and recommendation of Fair Board of Directors and **Fair Relocation Task Force** to retain the fair and fairgrounds at the current site, cease study of relocating said facility, and disband the Fair Relocation Task Force, extending appreciation to all who served; and requesting support in concept for future assistance in implementing the Fair Board's long range plan to maximize use and revenue potential of the current County Fairgrounds. 8708

BOARD ACTION - Added to the Consent Calendar and approved as part of same. USBNuN

52. Sheriff's Department recommending approval in concept of the acquisition of a **new patrol boat for Lake Tahoe**; further requesting authorization to negotiate a contract with the Department of Boating and Waterways to provide \$55,000 toward the cost of said boat. 10052

BOARD ACTION - Added to the Consent Calendar and approved as part of same. USBNuN

53. County Counsel advising that **Assembly Bill 888** (Rogan) falls under the jurisdiction of the criminal justice system and should be handled by the El Dorado County District Attorney; and requesting the Board determine whether County Counsel or the District Attorney is to assume the responsibility for the petition for commitment to the custody of the Mental Health Department for an inmate who has been determined to be a **sexually violent predator**. 11567

BOARD ACTION - Referred to the Chief Administrative Officer (CAO) for review. NNuBSU

54. Administration recommending Chairman be authorized to sign an Addendum to the existing License Agreement with **Jalan, Inc.** for the **Sheriff's jail system** and a new License Agreement and Services Maintenance Agreement with Jalan for installation and implementation of the **District Attorney Case Management System**. 11568

BOARD ACTION - Added to the Consent Calendar and approved as part of same. USBNuN

55. Building Department requesting discussion of proposed action by California Regional Water Quality Control Board regarding **Deer Creek Wastewater Treatment Plant.**

BOARD ACTION - Building Department directed to continue with its actions in this regard, and to review for possible improvement its "Notice" to applicants for and recipients of building permits within the El Dorado Irrigation District (EID) service area after December 6, 1995; and the Chairman was authorized to sign two letters: one to EID urging the District to make every effort to make improvements on a scheduled basis and reach agreement with the Regional Water Quality Control Board, offering any assistance the County may provide in doing that and; one to the California Regional Water Quality Control Board making note of the economic impacts a total shutdown would have on the County, and urging it work with EID toward a resolution properly addressing the technical and health and safety issues involved with the plant. (Chairman requested said letters be prepared by Jon Morgan of the County Environmental Management Department.)

USBNuN

56. Human Resources Department recommending Board determine the type of **recruitment** it wishes to utilize to fill the position of **Director of General Services.**

BOARD ACTION - Continued to **January 9, 1996**, to receive the CAO's recommended course of action.

UBNuNS

57. Human Resources Department recommending Board determine the type of **recruitment** it wishes to utilize to fill the position of **Director of Library Services.**

BOARD ACTION - Continued to **January 9, 1996**, to receive the CAO's recommended course of action.

UBNuNS

58. 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. (Continued 10/31/95, Item 56)

BOARD ACTION - Continued to **March 19, 1996.**

UNuBNS

11569

11570

11098

11274

- 59. Adoption of Ordinance adding Chapter 13.30 to Title 13 of the County Ordinance Code allowing Community Service Districts, Recreational Districts and other recreational services provider agencies to collect impact fees on new development. (Introduced 12/12/95, Item 54)
BOARD ACTION - Board waived reading, read by title only, and adopted **ORDINANCE NO. 4404.** BUNuNS

11557

- 60. Clerk of the Board submitting proposed schedule of Board meetings to be canceled or held off-site in 1996.
BOARD ACTION - Schedule adopted as presented. SBNuNU

11571

- 61. Supervisor Nielsen recommending Board amend the County Charter by adding Section 603 which would limit Charter Amendments and Ordinances imposing mandatory costs; said measure to be included in the March 26, 1996 Primary Election.
BOARD ACTION - Upon conclusion of public testimony this date, Supervisor Nielsen withdrew the matter from the Agenda.

11572

TIME ALLOCATION - 10:00 A.M.

- 70. Hearing to consider adoption of Resolution creating an Underground Utility District to be designated as "Highway 50 Corridor Area Phase II Utility District in Meyers, California".
BOARD ACTION - RESOLUTION NO. 312-95 adopted. NuBNSU

11573

TIME ALLOCATIONS - 11:00 A.M.

County Service Area No. 9 Meeting (refer to separate agenda)

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

Board of Equalization Meeting (refer to separate agenda)

Water Agency Meeting (refer to separate agenda)

TIME ALLOCATION - 2:00 P.M.

80. Hearing to consider the following petitioned by Carey and Melanie Wylie for property consisting of 14.24 acres in the Spanish Flat Area:

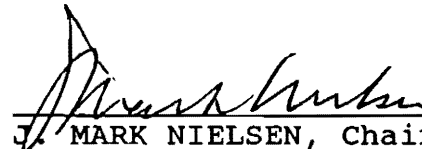
a. Adopt Resolution establishing Agricultural Preserve No. 268 and enter into a Williamson Act Contract; and

b. Adopt Ordinance rezoning APN 088-170-16 from RE-10, Estate Residential Ten-acre zone to AE, Exclusive Agricultural zone. **BOARD ACTION** - Board found the request Categorical Exempt pursuant to Section 15317 of the California Environmental Quality Act Guidelines; adopted **RESOLUTION NO. 313-95** establishing Agricultural Preserve No. 268; authorized the Chairman to sign the Williamson Act contract for said Preserve; and waived reading, read by title only, and adopted **ORDINANCE NO. 4405** rezoning said lands as petitioned; based on the findings of the Planning Commission on 11/30/95. BNUNSU


11574

MEETING ADJOURNED

APPROVED:


MARK NIELSEN, Chairman

ATTEST:


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

December 19, 1995

8:00 A.M.

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

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

- a. Shawn Moore, et al vs County of El Dorado, et al, Case No. PV-001232; (Continued 12/12/95)

- BOARD ACTION** - Defense of the matter referred to the outside law firm of **Mason and Thomas** by unanimous vote of the Board. 11263

- b. County of **San Bernardino** vs City of San Bernardino.

- BOARD ACTION** - No action reported. ✓

- 2. **Anticipated litigation** pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation (2) (Continued 12/12/95).

- BOARD ACTION** - Board voted unanimously to reconsider its action of November 21, 1995, on the commercial development project known as "Cool Village", and set the hearing to reconsider same for **Tuesday, January 23, 1996**. Further, the Board authorized its legal counsel to execute an Agreement tolling the statute of limitations to accommodate the reconsideration hearing. 11528
UNuBNS

- 3. **Anticipated litigation** pursuant to Government Code Section 54956.9(c) regarding initiation of litigation (2) (One Continued 12/12/95).

- BOARD ACTION** - No action reported. ✓

- 4. **Public Employee Evaluation** pursuant to Government Code Section 54957: Position of Employee to be reviewed: **Director of General Services**.

- BOARD ACTION** - Board found that the General Services Director, Anita York, meets or exceeds all standards and authorized the CAO to approve a merit increase for Mrs. York effective January 1, 1996. 11570

Closed Session Roster continued . . .

Closed Session Roster (continued from Page 10)

5. **Conference with Real Property Negotiator** pursuant to Government Code Section 54956.8: This body will hold a closed session to give instructions to its negotiator regarding real property described as **Wilkinson Property** bounded by Lotus Road, South Fork American River, and Henningsen-Lotus County Park. The person or persons with whom the negotiator may negotiate Richard Wilkinson, property owner and Anita York, Director of General Services, County negotiator. Instructions to negotiator will concern price and terms of payment. ✓
BOARD ACTION - No action reported.

County of El Dorado

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

December 19, 1995

8:00 A.M.

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

Closed Session (Personnel) for Board of Supervisors to give direction to its authorized representatives regarding **Trades & Crafts bargaining unit**, pursuant to Government Code Section 54957.6.

BOARD ACTION - No action reported. ✓

CONSENT CALENDAR

25. Human Resources Department recommending Chairman be authorized to sign Memorandum of Understanding with the **Deputy Sheriff's Association** for a term January 1, 1995 through December 31, 1997; and requesting Chairman be authorized to sign Budget Transfer No. 969, decreasing Employees Benefits appropriations by \$50,000 and transferring \$37,000 to the Sheriff's appropriation account, and \$13,000 to the District Attorney's appropriation account. 11566

RECOMMENDED ACTION: Approve

26. County Counsel recommending Director of Transportation be authorized to sign the Right-of-Way Entry Permit granted by the **Southern Pacific Real Estate Enterprises** to the County which authorizes County personnel to travel and visually inspect the Southern Pacific rail right-of-way corridor located within the County as part of the Southern Pacific Joint Powers Authority acquisition process. 11479

RECOMMENDED ACTION: Approve

NuBNSU 8206

DEPARTMENT MATTERS

62. Supervisor Bradley requesting Board provide direction to Director of Transportation regarding a **County Stormwater Utility District** for maintenance, operations, and capital improvements to the County's stormwater conveyance system. **11549**
BOARD ACTION - Removed from the Agenda upon its adoption.

63. Supervisor Shultz requesting Resolution be adopted amending Resolution No. 84-92, to provide the following changes to the **River Management Advisory Committee**:

a. The expansion of the membership of said Committee from five voting members with two alternates to **seven** voting members with two alternates; and

b. Restoring Committee to its former status; providing direction that said Committee is to report to and advise the Planning Commission; and designating the Planning Director, or his designee, as ex-officio Facilitator of same. **9321**

BOARD ACTION - RESOLUTION NO. 314-95 adopted*. SNNuU B(n)

*There being disagreement between the parties at a later date on the action on item 63, said action was clarified by the Board on January 9, 1996, (item 54) as follows:

RESOLUTION NO. 314-95 adopted as modified to delete paragraph I.C.1. which designated the Planning Director as the Committee Facilitator. BUNu N(n)S(n)