County of El Dorado

BOARD OF SUPERVISORS

 330 Fair Lane • Placerville, CA 95667 Telephone (916) 621-5390 Fax No. (916) 622-3645



CONFORMED

AGENDA

Regular Meeting of the Board of Supervisors

April 16, 1996

8:00 A.M.

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

RAYMOND J. NUTTING, Chairman Dixie L. Foote, Board Clerk
SUPERVISORS: BRADLEY, NUTTING, NIELSEN, SHULTZ AND UPTON
Supervisor Nutting absent for part of meeting

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.

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

BOARD ACTION - Agenda and Addendum No. 1 adopted. NUNu B(a) S(a)

Closed Session (refer Closed Session Roster attached)

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

INVOCATION

PRESENTATION by El Dorado County Farm Trail Association

11581

At this time, Chairman Nutting presented the Proclamation (Item 39) on Consent Calendar) proclaiming the week of April 14-20, 1996 as Special Olympics Week, to a representative present, Mr. Booth.

OPEN FORUM Steven Proe - Union Mine Landfill Steven N. Thomas - Policy on Nepotism Susan Galli - Grizzly Flat timber harvesting (at this time, 11579 Chairman Nutting excused himself at the beginning of the speakers regarding this issue, exiting the room, turning the meeting over to the First Vice Chairman Walt Shultz). Marshall Stone - Grizzly Flat timber harvesting Marge Youngich - Grizzly Flat timber harvesting Mel Luke - Grizzly Flat timber harvesting Red Galli - Grizzly Flat timber harvesting Steve Breckenridge - Grizzly Flat timber harvesting Steven Proe - Grizzly Flat timber harvesting Ron Melvin - Grizzly Flat timber harvesting Don Perry - Grizzly Flat timber harvesting Steven N. Thomas - Grizzly Flat timber harvesting Bill Draper, CDF - Grizzly Flat timber harvesting

(At this time, Chairman Nutting returned to the room, and continued to chair the meeting.)

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.)

- Approval of Conformed Agendas of March 19 and April 2, 1996.
 RECOMMENDED ACTION: Approve
- 2. County Counsel recommending Chairman be authorized to sign //6/7 Releases of Lien (5).
 RECOMMENDED ACTION: Approve
- 3. Assessor recommending Chairman be authorized to sign //580 Assessment Roll Changes.

 RECOMMENDED ACTION: Approve
- 4. County Counsel advising the following claims have been paid:
 - a. Cathleen Leneora Petty in the amount of \$95;
 - b. Craig Pooley in the amount of \$553.50; and
 - c. Eddie Ylst in the amount of \$4,663. RECOMMENDED ACTION: Approve

- 5. County Counsel recommending the following claims be rejected:
 - a. Alayna Alariana in an amount in excess of \$25,000; and

11581

b. General Motors Corporation in an amount in excess of \$25,000.

RECOMMENDED ACTION: Reject claims

- 6. General Services Department recommending Chairman be authorized to sign Amendment No. I to Agreement (No. 161- 168) S9610) with Geonex, Inc. in an amount not to exceed \$30,000 for the term June 30, 1997 for additional services and an extension of time for aerial photography and topographical mapping for the Department of Transportation.

 RECOMMENDED ACTION: Approve
- 7. General Services Department recommending Chairman be authorized to sign Facility Use Agreement (No. 207-09610) with the California Native Plant Society for use of the parking lot and walkways of the Placerville Government Center Building C, 2850 Fairlane Court, at no charge for a plant sale on Saturday, April 20, 1996.

 RECOMMENDED ACTION: Approve
- 8. General Services Department recommending Board declare the vehicles, as outlined in the Agenda Transmittal dated 3/28/96, 11342 surplus property; and authorize the Purchasing Agent to dispose of same.

 RECOMMENDED ACTION: Approve
- 9. General Services Department recommending award of Bid No. 745080 for resin concrete sealer for the Department of
 Transportation.

 RECOMMENDED ACTION: Award to the low bidder Burke Concrete
 Accessories; and authorize Purchasing Agent to issue a
 purchase order in the amount of \$48,800 including tax for
 same.
- 10. General Services Department recommending award of Bid No. 070-068 for additional utility and pickup vehicles for Fleet //683 Management.

 RECOMMENDED ACTION: Award to the low bidders Lasher Auto Center for a utility vehicle in the amount of \$22,500 including tax, and South Shore Motors for a pickup in the amount of \$24,900 including tax for same.

- General Services Department recommending award of Bid No. 070-11. 068 for a replacement utility vehicle for Fleet Management. Award to the low bidder Lasher Auto RECOMMENDED ACTION: Center in the amount of \$21,420 including tax for same.
- 12. Services Department recommending authorized to sign Specifications for Placerville Government Center Buildings A and B Re-Roof Project (No. 96-01), with bid opening scheduled for 3:00 p.m., Thursday, May 9, 1996. RECOMMENDED ACTION: Approve (Continued to APRIL 23, 1996)
- Public Health Department recommending Chairman be authorized to sign an Amendment to the Contract with EDCA - Lifeskills increasing the contract amount to \$65,000 for Alcohol/Drug Services for fiscal year 1995/96. RECOMMENDED ACTION: Approve
- 14. Community Services Department recommending Chairman be authorized to sign the following Agreements for Senior Nutrition Program sites for fiscal years 1995/96 and 1996/97; 11685 and Area Agency on Aging Director be authorized to sign any amendments to same:
 - a. Georgetown United Methodist Church, at a cost of \$16 per day, for use of Buckner Hall in Georgetown;
 - b. Three Forks Grange No. 449, at a cost of \$14 per day, for use of Grange Hall in Mt. Aukum;
 - Motherlode Lions Club, at a cost of \$700 monthly, for the Community Hall in Diamond Springs;
 - Pollock Pines Recreation Unlimited and Pacific Gas and Electric, at a cost of \$400 monthly, for the Pollock Pines Senior Center; and
 - Shingle Springs Community Center, Inc. at a cost of \$550 per month, for use of the Shingle Springs Community Center. RECOMMENDED ACTION: Approve
- Community Services Department recommending Resolution be 15. adopted authorizing the Chairman to sign an Agreement with Amador-Tuolumne Community Action Agency for Low-Income Home Energy Assistance Program (LIHEAP) services for the term January 1, 1996 through December 30, 1996; and further authorizing the Director of said Department to execute subsequent documents relating to same. RECOMMENDED ACTION: Adopt Resolution No. 68-96 USBNuN

- 16. Community Services Director requesting authorization to provide a written endorsement for the Placer County application for Community Services Block Grant discretionary funds to develop mentoring services for youth in at risk conditions in Placer, El Dorado and Nevada Counties. RECOMMENDED ACTION: Approve
- 17. Community Services Department recommending Proclamation be adopted proclaiming the week of April 21 - 27, 1996 as Mal9 National Volunteer Week. RECOMMENDED ACTION: Adopt Proclamation
- 18. District Attorney's Office, Victim Witness recommending Proclamation be adopted proclaiming the week of April 22 -26, 1996, as Victims' Rights Week. RECOMMENDED ACTION: Adopt Proclamation
- 19. Unified Courts recommending Resolution be adopted accepting to enhance and expand the Court Appointed Special Advocate (CASA) program in the Courty RECOMMENDED ACTION: Adopt Resolution No. 67-96
- 20. Unified Court recommending approval of Budget Transfer No. 1040 increasing Estimated Revenue by \$4,750 and transferring said amount to various Appropriation Accounts to 11585 purchase two new FAX machines and one computer with software for the Unified Court. USBNuN RECOMMENDED ACTION: Approve
- Elections Department recommending Board approval of the results of the votes cast at the Consolidated Primary Moos Elections held on March 26, 1996. RECOMMENDED ACTION: Approve
- Agriculture/Animal Control recommending Chairman be authorized to sign a letter opposing Senate Bill 1383 (Kelley) regarding veterinary medicine euthanasia. RECOMMENDED ACTION: Oppose Senate Bill 1383
- Agriculture/Animal Control Division recommending approval of said Division's Amnesty Program for the month of May, 1996, MGO during which time the public will not be charged a late penalty of \$15 for renewing a delinquent dog license. RECOMMENDED ACTION: Approve

- Agriculture Commission recommending Chairman be authorized to sign a letter supporting the retention of the Pilot Peak and Pine Hill Fire Lookout Stations by the California Division of RECOMMENDED ACTION: Approve (Board approved, but limited the letter of support to the retention of Pilot Peak only, (as Pine Hill Fire Lookout Station is closed).
- Auditor/Controller requesting authorization to pay excess proceeds from tax sales as outlined in his memorandum to the //692 Board dated 4/3/96. RECOMMENDED ACTION: Approve
- 26. Treasurer/Tax Collector recommending Resolution be adopted authorizing the Tax Collector to accept a business license application for a fortune teller located at 330 Coach Lane, No. A14, Cameron Park. RECOMMENDED ACTION: Adopt Resolution No. 65-96

NSNuU B(n)

- 27. Communications Information and Services Department recommending Chairman be authorized to sign Central Dispatch User Agreements (6) for the term July 1, 1995 through June 30, 1996 with the following: El Dorado Hills County Water //502 District; Diamond Springs/El Dorado Fire Protection District; El Dorado County Fire Protection District; Georgetown Fire District; Cameron Park Community Services District; and Latrobe Fire Protection District. RECOMMENDED ACTION: Approve
- Transportation Department recommending Chairman be authorized to sign Notice of Completion for the Marshall Road //346 Reconstruction Project (No. 72900) under contract to Roy E. Ladd, Inc. RECOMMENDED ACTION: Approve **USBNuN**
- 29. Transportation Department recommending Chairman be authorized to sign Amendment No. 6 to the Contract with Counihan Consulting Engineering in an amount not to exceed \$75,000 for the term to expire May 31, 1997 for consulting engineering services for the El Dorado Hills Community Facility District, Acting District Engineer and for the acquisition of the Southern Pacific Right of Way. RECOMMENDED ACTION: Approve

- Transportation Department recommending Resolution be adopted authorizing the Chairman to sign Program Supplement No. 005 to the State-Local Transportation Partnership Program (No. SLTPP-5925) for the widening of El Dorado Hills Boulevard from Lassen Lane to Harvard Way (Project No. 72129). RECOMMENDED ACTION: Adopt Resolution No. 69-96
- Transportation Department recommending Chairman be authorized 31. to sign the Contract Addendum to the Agreement with the California Conservation Corps in the amount of \$70,500 for the 10134 term April 1, 1996 through December 31, 1996 for labor only for revegetation and drainage improvement work. RECOMMENDED ACTION: Approve
- 32. Transportation Department recommending Resolution be adopted sanctioning the closure of portions of Ponderosa Road, Meder Road, Carlson Drive, Rolling Ranch and Rosa Lane on Sunday, 11593 April 21, 1996 between 9:00 a.m. and 11:00 a.m. for the annual M.A.S.H. Run. RECOMMENDED ACTION: Adopt Resolution No. 66-96
- Planning Department recommending the Board receive and file 33. the Planning Commission Bylaws modified by the Commission on March 14, 1996. RECOMMENDED ACTION: Receive and file (Continued to APRIL 30, 1996.) **UBNuns**
- Planning Department recommending approval of Final Map (TM94-Approve (Withdrawn from Agenda at 11706 1294) for Pearce Condominiums in the Cameron Park Area. RECOMMENDED ACTION: applicant's request.) **UBNuNS**
- 35. Planning Department recommending the Board receive and file Development Plan (PD95-16) for Sports Central, conditionally approved for an indoor commercial sports complex on 5.0 acres //539 (APN 70-280-13) in the Shingle Springs Area, Applicant: Chris Bosio. RECOMMENDED ACTION: Receive and file
- Human Resources Department recommending Chairman be authorized to sign an extension of the Memorandum of Understanding with Operating Engineers Local Union No. 3 for employees in the Group Counselor/Probation Officer Unit from March 2, 1996 through June 30, 1996. RECOMMENDED ACTION: Approve SNBNuU

Chief Administrative Officer recommending Chairman 37. authorized to sign a letter opposing Assembly Bill 2846 (Sweeney) which would prohibit counties from approving development within the sphere of influence of a city, unless a county has reached a new sphere of influence agreement with its' cities.

RECOMMENDED ACTION: Oppose Assembly Bill 2846 NSNuU B(n)

Chief Administrative Officer recommending Chairman 38. authorized to sign the following pertaining to project reviews and State Mining Reclamation Act (SMARA) reviews:

- Agreement with Georgetown Divide Resource Conservation District in the amount of \$27,684 for a term to expire June 30, 1996;
- Agreement with El Dorado County Resource Conservation District in the amount of \$27,684 for a term to expire June 30, 1996; and
- c. Budget Transfer No. 1048 increasing General Fund support by \$12,350 to accomplish same. (Continued 3/19/96, Item 17) RECOMMENDED ACTION: Approve NSNuU B(n)
- 39. Supervisor Nutting recommending Proclamation be adopted proclaiming the week of April 14 - 20, 1996 as Special Olympics Week; and further advising that the Special Olympics Committee would like the Board to participate in the parade on April 20, 1996.

RECOMMENDED ACTION: Adopt Proclamation **UBNuNS**

- Supervisor Nutting recommending Proclamation be adopted 40. recognizing fifty years of service of the Key Club District of California, Nevada and Hawaii. RECOMMENDED ACTION: Adopt Proclamation
- Supervisor Nutting submitting the request of the Children & 41. Families Network for a workshop meeting with the Board of Supervisors and the Interagency Coordinating Board on Monday, May 13, 1996 from 12:00 to 2:00 p.m. at the El Dorado County Office of Education. RECOMMENDED ACTION: Approve
- Supervior Shultz recommending Vanna Threlkel be appointed to 42. the Sierra Economic Development District (SEDD) Board of Directors for a term to expire January, 1999. RECOMMENDED ACTION: Approve appointment NuSBNU

43. Supervisor Shultz recommending the County Surveyor be directed to issue a Certificate of Compliance for Don and Charlene Kuist for APNs 71-370-73 and -75 in the Cool Area.

RECOMMENDED ACTION: Approve NSNuU B(n)

11697

44. Supervisor Shultz recommending the transfer of certain Georgetown Cemetery records from the General Services Department to the Divide Historical Society; and further recommending said Historical Society be designated as the custodian of said records on behalf of the County.

RECOMMENDED ACTION: Approve (Approved as recommended by County Counsel in his memorandum to the Board dated April 10, 1996, outlined as Items 1 and 2 on Page 3 of said document; and the Board further requested Counsel to provide some avenue by which, should the Historical Society disband, these documents will be returned to the County of El Dorado as discussed this date.)

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 12, 24, 33, 34, and 44 as noted, and items 15, 20, 26, 28, 32, 36, 37, 38, 39, 42, and 43 also acted upon separately.

UBNUSN

(Note: Further on in the meeting this date, Supervisor Nielsen clarified that his vote on the adoption of the Consent Calendar items was meant to be **in favor** of all consent items not pulled; that his earlier "no" vote upon its adoption was meant only for the changed format of the Calendar itself.)

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. Report on ramifications, financial and otherwise, of the Board's expression of support of Expo El Dorado. (Referred 3/19/96, Item 23)

BOARD ACTION - The Board determined to commit \$2,500 (Founding Sponsor commitment), said funds to be taken from Contingency; and further requested the Chief Administrative Officer to coordinate the presence of County department staff at said event.

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- Chief Administrative Officer recommending the following 51. pertaining to the conversion of the Sheriff's Department to a //62 high band radio system on the West Slope:

 - Communications & Information Services and the Sheriff's Departments be authorized to prepare hardware specifications and request bids for project components;
 - Said Departments be directed to present to the Board, after bids have been received, a proposed project plan and schedule; and
 - Resolution be adopted amending Authorized Personnel Allocation Resolution No. 267-95 adding one Radio Maintenance Technician position for the Communications & Information Services Department; and direct Human Resources to immediately begin recruitment for same. (Referred 3/11/96) BOARD ACTION - Board approved recommendations outlined in the Chief Administrative Officer's memorandum to the Board dated April 9, 1996, listed as items 1, 2 and 3 therein; and adopted RESOLUTION NO. 71-96 accordingly.
- Adoption of Ordinance amending Section 3.35.050 of the County Ordinance Code to comply with changes in State law (AB 82) 11041 52. regarding adjustments in jail booking fees. (Introduced 3/19/96, Item 13) **BOARD ACTION - ORDINANCE NO. 4416** adopted.

NUBNuS

53. County Counsel recommending Resolution of Intent be adopted authorizing County staff to exercise eminent domain powers to obtain the necessary drainage easement rights from the owners /1535 of the Sears property to repair Marshall Grade Road; property owners to be compensated through further negotiation or court action.

BOARD ACTION - Upon receiving comment from Mr. Sears and County staff, and having received this date from County Counsel a copy of a memorandum dated April 9, 1996, addressed George Cuttell, Assistant Director, Department to Transportation from Kris Payne, Supervising Civil Engineer, Department of Transportation, the Board continued this matter for one week (April 23, 1996) to allow Mr. Sears to review said memorandum and respond back to the Board by Friday, April 19, 1996. Nunbsu

TIME ALLOCATION - 10:00 A.M.

Report on the legal status of properties within the Missouri 70. Flat Road Study Area; and adoption of Interim Urgency Ordinance establishing the Missouri Flat Road Study Zone, stopping the issuance of building permits within the Study //350 Area until the Redevelopment Plan is adopted; said Urgency Ordinance shall expire 45 days following adoption. (Referred 3/19/96, Redevelopment Agency Agenda Item 3) BOARD ACTION - Approved, and ORDINANCE NO. 4417 was adopted accordingly, with one change, to delete the words "process or" in Section 2 of said ordinance, as discussed this date; said ordinance adopted as an interim urgency ordinance, effective immediately, which shall expire 45 days following its enactment, unless extended pursuant to the provisions of Government Code Section 65858.

NSBNuU

TIME ALLOCATIONS - 11:00 A.M.

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

TIME ALLOCATION - 2:00 P.M.

Hearing to consider Appeal of Dawson Petroleum, on the 80. Planning Commission's interpretation of Policy 2.1.4.8 of the General Plan relating to Special Use Permit S95-16 for construction of a card-lock bulk petroleum sales facility at 164 the corner of Missouri Flat Road and Highway 49/Pleasant Valley Road.

BOARD ACTION - The Board voted to support the Planning Commission's interpretion; however, the Board finds that this particular application did include both the particular cardlock project and the parcel split, really, in one action, thereby allowing them to proceed with their understood commitment to be part of the Redevelopment District by virtue of getting their building permit after July 1, and their participation in the roadway improvement and whatever other funding arrangements are necessary. USNuN B(n)

3:30 p.m.:

At this time, Mark Nielsen clarified his vote to be in the affirmative on the adoption of the Consent Calendar items earlier this date (See Board Action on Consent Calendar).

Further, at this time, based upon the testimony received earlier under open forum this date, Supervisor Bradley moved that the Board call a special meeting later this week to discuss the Grizzly Flats clear-cutting issue brought before the Board earlier this date under Open Forum. Motion failed due to a lack of a second. (Chairman Nutting left the room during discussion of this request, and First Vice-Chairman Walt Shultz chaired the meeting momentarily until the return of Chairman Nutting.)

MEETING ADJOURNED TO A CONTINUED MEETING ON FRIDAY, APRIL 19,

1996, AT 8:30 A.M. FOR A CONTINUED CLOSED SESSION, PURSUANT TO GOVERNMENT CODE SECTION 54957, TO CONSIDER THE APPOINTMENT OF

A PUBLIC EMPLOYEE: POSITION TITLE: DIRECTOR OF GENERAL SERVICES.

BOARD OF SUPERVISORS AGENDA

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APRIL 16, 1996

PPROVED:

RAYMOND J. NUTTING, Chairman

ATTEST:

K-Ann Harrelson, Asst. Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

April 16, 1996

8:00 a.m.

Closed Sessions pursuant to Government Codes cited:

- Closed session pursuant to Government Code Section 54957 to 1. consider the appointment of a public employee; position title: //570 Director of General Services. (Continued 4/2/96) **BOARD ACTION:** Board reported out that it had continued this matter to FRIDAY, APRIL 19, 1996, AT 8:30 A.M.
- Existing litigation pursuant to Government Code Section 2. 54956.9 regarding the following:
 - Steven Prescott vs County of El Dorado, et al, Case No. CIV-S-95 1859 LKK JFM;
 - b. Jalquin vs El Dorado County, et al, Case No. U.S. District Court CIV-S-96 227 LKK GGH;
 - Leesa Robb vs County of El Dorado, Case No. SV91-0095;
 - June Daniels vs County of El Dorado, et al, Case No. PV000854; and
 - e. Garcia vs County of El Dorado, et al. Hourigan vs County of El Dorado, El Dorado County Superior Court Case No. PV-001639.

BOARD ACTION - Board reported out on item 2(b) that the Board authorized the joint defense of the various defendents by the law firm of Barkett, Gumpert and Reiner; and on Item 2(e) the 11263 Board authorized the retention of the law firm of Caulfield, Davies and Donahue for defense of the matter. reported out on items 2(a); (c) or (d).

3. Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. **BOARD ACTION** - No action reported out.

County of El Dorado

BOARD OF SUPERVISORS

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AGENDA ADDEN DUM NO. 1

April 16, 1996

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 Howard Jarvis Taxpayers Association, et al, vs County of El Dorado, et al. El Dorado County Superior Court Case No. PV-001447.

