

# 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

February 25, 1997

8:00 A.M.

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

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 three minutes per person. The Board reserves the right to waive said rules by a majority vote.

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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. NBNuS U(a)

Closed Session (refer Closed Session Roster attached)

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

INVOCATION

PRESENTATION of awards to the winners of the Fourth Annual Student **12001**  
Map Drawing Contest.

OPEN FORUM

**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. Conformed Agenda (Minutes) of February 11, 1997. ✓  
RECOMMENDED ACTION: Approve.
2. Assessment Roll Changes.  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. 11977
3. Release of Lien.  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. 11976
4. Resolution authorizing an action for the recovery of funds paid out. 11996  
RECOMMENDED ACTION: Adopt Resolution No. 26-97.
5. County Counsel recommending claim of Jimmie C. Morris, dba Lake Tahoe Accommodations in the amount of \$1,875 be rejected. 11978  
RECOMMENDED ACTION: Reject claim.
6. Public Health Department recommending Chairman be authorized to sign the Maternal and Child Health Policy Compliance Certification accepting the County's funding allocation in the amount of \$229,719 for 1996/97; and Director of said Department be authorized to execute subsequent documents relating to same. 11667  
RECOMMENDED ACTION: Approve.
7. General Services Department recommending Facility Use Agreement (No. 201-09711) with the El Dorado County Fire Protection District for a term to expire January 31, 1998, for shared use of space at Station No. 22, 3700 Fort Jim Road, Placerville, for operation of a Sheriff's Search and Rescue Substation. 12028  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign.
8. General Services Department recommending Eileen Crim be appointed to fill a vacancy on the Trails Advisory Committee for a term to expire January 1999. 10152  
RECOMMENDED ACTION: Approve.
9. Library Services recommending approval of Budget Transfer No. 1449 increasing Estimated Revenue by \$5,000 to produce a brochure promoting the importance of reading to children. 11994  
RECOMMENDED ACTION: Approve.

10. Sheriff's Department requesting Sheriff be authorized to execute a Memorandum of Agreement with the Lake Tahoe Community College District for related and supplemental instruction for Law Enforcement Officers in 1996/97. **11441**  
RECOMMENDED ACTION: Approve.
11. Sheriff's Department recommending Resolution be adopted increasing the Records Section imprest fund from \$25 to \$75. **11626**  
RECOMMENDED ACTION: Adopt Resolution No. 27-97.
12. Sheriff's Department recommending an increase in the administrative fees charged to prisoners serving weekend time prisoners participating in the weekend work program from \$10 to \$30 and \$15 to \$20 per day, respectively, effective April 1, 1997. **12029**  
RECOMMENDED ACTION: Approve. BNUNSU
13. Sheriff's Department recommending an Assistance Agreement with the Governor's Office of Emergency Services in the amount of \$37,442 for federal fiscal year 1997 for support of the local Office of Emergency Services. **12030**  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign.
14. Transportation Department recommending Road Improvement Agreement with Rescue Union School District for frontage improvements along Green Valley Road. **12031**  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign.
15. Transportation Department recommending Chairman be authorized to sign Notice of Completion for the Irish Creek Bridge Project (No. 77104) under contract to Wickum Construction. **11759**  
RECOMMENDED ACTION: Approve.
16. Transportation Department recommending the following for Bass Lake Village, Unit No. 4 (TM85-0193): **7433**
- a. Accept said Subdivision as complete;
  - b. Adopt Resolution accepting streets into the County Maintained Mileage System;
  - c. Release Performance Bond (No. 173095 S) in the amount of \$1,228,027;
  - d. Hold posted Laborers and Materialmen Bond (No. 173095 S) in the amount of \$614,014 and authorize said Department to release after six months if no claims are made;

continued on next page . . .

- e. Accept the posted Maintenance Bond (No. 173095 S) in the amount of \$122,802.70 and authorize said Department to release one year after acceptance if there are no defects or warranty claims.  
**RECOMMENDED ACTION:** Approve, and adopt Resolution No. 28-97.
17. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easement and Certificate of Acceptance from Ed Kring for Lots 3, 6 - 8, and 24 - 34 of Cambridge Estates, in the Cameron Park Airport area. **12032**  
**RECOMMENDED ACTION:** Approve. NuUBNS
18. Planning Department submitting request of Richard and David Bush that the County reject the Irrevocable Offer of Dedication for the parcel map road proposed on APNs 78-280-03 and -04, and that the road remain private. **12033**  
**RECOMMENDED ACTION:** Reject Irrevocable Offer of Dedication.
19. Planning Department recommending the Board authorize Economic & Planning Systems (EPS) to prepare an economic study for the Missouri Flat Project, subject to Sundance and Wal-Mart depositing \$15,000 each with the County to pay the cost of \$30,000 for same; and authorize County Counsel to draft the appropriate agreements for the joint financing of said study. **11350**  
**RECOMMENDED ACTION:** Approve. NuNBSU
20. Risk Management recommending Agreement (No. 198-S9711) with William M. Mercer, Inc., in an amount not to exceed \$74,600, and an additional \$30,000 may be billed by consultant, for services relative to the acquisition, implementation, maintenance, communication and improvement of the County's Group Employee Benefits. **8172**  
**RECOMMENDED ACTION:** Approve, and authorize Chairman to sign. Approved, recognizing that the issue of competitive bidding for this service will be examined, along with other Risk Management functions, when a new Risk Manager is hired. UNuBNS
21. Human Resources Department recommending Resolution updating and correcting the salary of the District Attorney Chief Investigator classification. **11259**  
**RECOMMENDED ACTION:** Adopt Resolution No. 32-97.
22. Chief Administrative Officer recommending Resolution be adopted accepting distribution of the tax increment for Local Agency Formation Commission (LAFCO) Project No. 96-05, Detachment from the Greenstone Country Community Services District. **12034**  
**RECOMMENDED ACTION:** Adopt Resolution No. 29-97.

23. Chief Administrative Officer recommending Resolution be adopted accepting there is no exchange of the property tax increment for Local Agency Formation Commission (LAFCO) Project No. 96-04, West Congregation of Jehovah's Witnesses Annexation to the El Dorado Irrigation District. **12035**  
**RECOMMENDED ACTION:** Adopt Resolution No. 30-97.
24. Chief Administrative Officer recommending Chairman be authorized to sign Designation of Applicant's Agent Resolution to be filed with the State Office of Emergency Services naming John Winner, County Assessor, as an Agent for El Dorado County. **11988**  
**RECOMMENDED ACTION:** Approve.
25. Chief Administrative Officer recommending Resolution be adopted opting into the 1997/98 Trial Court Funding Program. **10803**  
**RECOMMENDED ACTION:** Adopt Resolution No. 31-97.
26. Supervisor Shultz recommending Board consider the request of Cynthia Besan finding substantial compliance of the conditions of approval for Tentative Map P96-03. **12036**  
**RECOMMENDED ACTION:** Approve. NuUBNS
27. Supervisor Upton recommending Supervisor Nutting act as the County's representative on the Tahoe Regional Planning Agency (TRPA) at its meeting on June 25, 1997, and Conrad Montgomery, Planning Director, be authorized to act as the County's representative on TRPA at its meeting on November 19, 1997. **11598**  
**RECOMMENDED ACTION:** Approve.
28. Transportation Department recommending, pursuant to Public Contract Code Section 22050, the Board determine there is a need to continue the action taken in Resolution No. 12-97 adopted January 14, 1997, authorizing the letting of contract without the bidding process. **12002**  
**RECOMMENDED ACTION:** Approve.

**BOARD ACTION** - Consent Calendar approved as recommended with the exception of item 29 as noted (items 12, 17, 19, 20, and 26 also acted upon separately); and Department Matters 55, 56, 59, and 60 added to the Consent Calendar and approved as part of same. UNBNuS

**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. El Dorado County Chamber of Commerce reporting on efforts and accomplishments in 1996 and its goals for 1997 with specific presentations on economic development, the Film Commission, and Visitors Bureau, and Sesquicentennial marketing. (Continued 2/11/97, Item 50) **10640**  
BOARD ACTION - Continued to March 4, 1997, at 9:00 a.m. BUNuNS

51. Transportation Department recommending the Five Year Capital Improvement Program (CIP) Project List. (Continued 2/11/97, Item 51) **11316**  
BOARD ACTION - Continued to March 4, 1997. BNUuNS U(a)

52. Extension of the declaration of local emergency if it is found that conditions of extreme peril to the safety of persons and property exists. **11988**  
BOARD ACTION - Declaration extended. BNUuNSU

53. Chief Administrative Officer (CAO) recommending Board determine the number of candidates it wishes to interview for the position of Sheriff/Coroner/Public Administrator and if more candidates than the desired number apply, that the screening of candidates be delegated to the CAO, and two Board members be designated to give advice on process. **12018**  
BOARD ACTION - CAO requested to provide the Board copies of all applications received, and matter continued to March 11, 1997, for Board determination of applicants it will interview and a selection process. BUNu N(n)S(n)

54. Appointment of a five-member Charter Review Commission. **10721**  
BOARD ACTION - Julia Gibbs appointed to represent District I and Clarence Dilts appointed as her Alternate; Joe Flynn appointed to represent District IV; David Kurtzman appointed to represent District V; and appointment of representatives of Districts II and III, and needed Alternates, continued to March 4, 1997. NBNuSU

55. Clerk of the Board of Supervisors submitting request of the El Dorado County and Georgetown Divide Resource Conservation Districts for a joint luncheon meeting with the Board of Supervisors on Tuesday, May 6, 1997, from 12 noon to 1:30 p.m., in the Main Library Meeting Room, for an information workshop to discuss current and proposed activities of the Districts. **10376**  
BOARD ACTION - Added to the Consent Calendar and approved as part of same. UNBNuS
56. Supervisor Nutting recommending General Services Department be directed to work with the County's Museum staff to bring to the Board options for installation of a security system in the Museum building, including costs and funding mechanisms. **12037**  
BOARD ACTION - Added to the Consent Calendar and approved as part of same. UNBNuS
57. Supervisor Shultz recommending approval in principle of the video taping and televising of all County, Local Agency Formation Commission (LAFCO), Water Agency, Transportation Commission, Transit Authority and other special public meetings; and recommending Chief Administrative Officer (CAO) be directed to report findings of the most cost effective measures for this recommendation on March 11, 1997. **12038**  
BOARD ACTION - CAO requested to investigate this and bring back to the Board on March 11, 1997, information as to the cost and feasibility of varying levels of coverage and video taping of the meetings listed above, along with making the video tapes available in our public libraries. SUBNu N(n)
58. Supervisor Upton recommending adoption of Urgency Ordinance amending Chapter 6.28 of Title 6 of the County Ordinance Code adding Section 6.28.055 regarding the feeding of wild or non-domesticated animals. **12039**  
BOARD ACTION - Board waived reading, read by title only, and adopted ORDINANCE NO. 4437 to be fully implemented within the watershed area of the Tahoe Basin in El Dorado County, and directed that implementation on the western slope be limited to coyotes, mountain lions, and bears with the remainder referred to the County Agricultural Commission and County Fish and Game Committee for their recommendations. NuBSU N(n)

Later in the afternoon the Board re-adopted Ordinance No. 4437, having received copies of same as revised by County Counsel pursuant to the action of the Board earlier in the day, i.e., setting forth measures to be applied in the Tahoe Basin vs the western slope of the County and including the requirement that violations be "willful" as well as "knowing".

BUNuNS

**TIME ALLOCATION - 9:45 A.M.**

70. Chief Administrative Officer (CAO) submitting Mid-Year Budget Report which includes recommendations, reasons for recommendations, actions to be taken following approval, and proposed goals for the El Dorado County Board of Supervisors. **12040**  
BOARD ACTION - Board acted as follows:

- (1) Received and filed the CAO's report on the expenditure and revenue year-end projections made at the mid point of the 1996/97 fiscal year (December 31, 1996);
- (2) Adopted the budget calendar for fiscal year 1997/98;
- (3) Instructed the CAO to work with the Auditor-Controller in order to effectuate the return to departments of the 25% savings (based upon an allocation formula) of last year's Net Cost Allocation fund balances with the continuation of previous guidelines indicating that such funds must be utilized within a two year time frame for non-recurring expenses or be returned to the General Fund;
- (4) Requested the Probation Department, Courts and Social Services to make further budget status reports to the Board of Supervisors in April of 1997 in order to review continuing issues affecting these departments; and
- (5) Adopted the proposed Statement of Goals of the Board for 1997. UNuBNS

**TIME ALLOCATION - 10:30 A.M.**

71. Chief Administrative Officer recommending denial of request of Pioneer Fire District for additional ad valorem tax. **11945**  
BOARD ACTION - No action taken.

**TIME ALLOCATION - 11:00 A.M.**

County Service Area No. 10 Meeting - refer to separate agenda

Water Agency Meeting - refer to separate agenda

**COMMITTEE REPORTS****LUNCH RECESS**



## TIME ALLOCATION - 2:00 P.M.

80. Hearing to consider request submitted by Triplar/Quigley, et al to amend the County General Plan (AZ96-02) land use designation from Multi-Family Residential to Commercial and rezone from R2, Limited Multi-family Residential, to CP, Planned Commercial, 0.09 acre (APN 329-280-04) in the Diamond Springs/El Dorado Area (District III) to accommodate plans for future parking for the Cheaper Store. 12041

BOARD ACTION - Board approved the Negative Declaration; approved the General Plan amendment (refer Agenda item 83 below); waived reading, read by title only, and adopted ORDINANCE NO. 4438 rezoning the property as proposed; and authorized refund of the unused portion of the application fee. NUBNu S(ab)

81. Hearing to consider rezoning (Z96-13) of 60.37 acres in the Diamond Springs/El Dorado Area (District II) from RA-20, Residential Agricultural Twenty-acre and R2A, Single-family Two-acre Residential Zones to RE-10, Estate Residential Ten-acre Zone, petitioned by Cecilia M. Hill Trust. 12042

BOARD ACTION - Board certified the Mitigated Negative Declaration; and waived reading, read by title only, and adopted ORDINANCE NO. 4439 rezoning the property as proposed based on the findings of the Planning Commission on 1/23/97 UNuBNS

82. Hearing to consider Environmental Impact Report/Specific Plan 94-02/Vesting Tentative Subdivision Map TM96-1317 for Carson Creek Specific Plan (to be continued to March 4, 1997 at 2:00 p.m.). 11281

BOARD ACTION - Hearing continued to March 4, 1997, at 2:00 p.m., at the recommendation of County Counsel. UBNuNS

83. Resolution amending the County General Plan pursuant to Amendment applications approved on February 25, 1997. 12043

BOARD ACTION - RESOLUTION NO. 34-97 adopted. NUNuU S(ab)


84. Planning Commission recommending adoption of Resolution of Intention directing staff to set for public hearing, preparing appropriate environmental documents and staff reports, the individual "Hot Bucket" requests (requests the Board, during its deliberations on the County General Plan in January, 1996, referred back to the Planning Commission for further review and consideration). 9399

BOARD ACTION - Continued to March 11, 1997, at 2:00 p.m.

UBNuNS

MEETING ADJOURNED

APPROVED:

  
WALTER L. SHULTZ, *Chairman*

ATTEST:

  
Dixie L. Foote, Clerk of the Board

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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.  
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**CLOSED SESSION ROSTER**

**Regular Meeting of the Board of Supervisors**

February 25, 1997

8:00 A.M.

**CLOSED SESSIONS pursuant to Government Codes cited:**

**Existing litigation pursuant to Government Code Section 54956.9(a)** regarding People of the State of California vs James Edward Humbird, Case No. PV96F-00124.

*11615*

**BOARD ACTION** - County Counsel authorized to represent County's parties in this matter.

**Existing litigation pursuant to Government Code Section 54956.9** regarding Kayla Marie Stewart, a minor, Debra Lalor and Terry Boehme vs Russell Shane Synder, Richard Brian Shopbill, Mark T. Butler, the State of California, Cal Trans, County of El Dorado, Case No. PV-001575.

*11263*

**BOARD ACTION** - Referred to the firm of Mason and Thomas by unanimous vote of the Board.

**Anticipated Litigation pursuant to Government Code Section 54956.9(c)** regarding initiation of litigation.

**BOARD ACTION** - No action reported.

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**Anticipated Litigation pursuant to Government Code Section 54956.9(b)** regarding significant exposure to litigation.

**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 25, 1997

8:00 A.M.

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

#### CLOSED SESSION

Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation. Threatened litigation title: **Union Mine Landfill**.  
BOARD ACTION - No action reported. ✓

#### CONSENT CALENDAR

29. County Counsel recommending Resolution be adopted rescinding and superseding Resolution No. 36-96 adopting the County **Conflict of Interest Code**. 10823  
**RECOMMENDED ACTION:** Adopt Resolution No. 33-97. As recommended by County Counsel in his memorandum to the Board dated 2/24/97, **RESOLUTION NO. 33-97** adopted with deletion of Section II--Designated Boards and Commissions; and staff directed to present the proposed Conflict of Interest Code to each of the boards and commissions recommended for inclusion for review and comment as soon as possible, and to return that portion of the Conflict of Interest Code, along with board and commission comments, to the Board of Supervisors for action.  
NuUNS B(a)

#### DEPARTMENT MATTERS

59. Sheriff's Department recommending Chairman be authorized to sign License Agreement and First Amendment to the Agreement with **Mountain Cellular, L.P.**, in the amount of \$2,400 annually for a two year term for rental of two transmitters. 12044  
BOARD ACTION - Added to the Consent Calendar and approved as part of same. UNBNuS
60. Supervisor Nielsen recommending Board approve in principle the County's participation in the amount \$2,500 for construction of public restroom facilities in downtown Placerville. 12045  
BOARD ACTION - Added to the Consent Calendar and approved in principle as part of same (funds not allocated at this time).  
UNBNuS