

C O N F O R M E D A G E N D A

**Regular Meeting of the Board of Supervisors
El Dorado County, California**

Tuesday, September 16, 1997

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A
Placerville, California
916 621-5390
FAX 622-3645

WALTER L. SHULTZ
Chairman
Fourth District

JOHN E. UPTON
Vice Chairman
Chairman
Fifth District

J. MARK NIELSEN
2nd Vice

Third District

WILLIAM S. BRADLEY
First District

RAYMOND J. NUTTING
Second District

Clerk of the Board
Dixie L. Foote

Chief Administrative Officer
Michael B. Hanford

County Counsel
Louis B. Green

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 speaking for a group are allocated 5 minutes. (Adopted 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.

**HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE**

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

9:00 A.M. - OPEN SESSION

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar. (Discussion and action on items removed from the Consent Calendar will be after Presentations and Open Forum.)

PRESENTATION by the Ranch Marketing Community.

PRESENTATION by the Live Oak Theatre.

✓
12001

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. Approval of Board of Supervisors Conformed Agenda (Minutes) of September 9, 1997.
RECOMMENDED ACTION: Approve.

✓

- 2. District Attorney recommending Resolution authorizing same to execute a Grant Award Agreement for the Auto Insurance Fraud Program for fiscal year 1997/98.
RECOMMENDED ACTION: Adopt Resolution No. 210-97.

9628

- 3. District Attorney recommending the following:
 - a. Approve designating \$293,868.05 of the fiscal year 1996/97 fund balance as District Attorney Family Support "excess incentive revenue";
 - b. Authorize the Auditor/Controller to designate and establish in fiscal year 1997/98 a trust fund for fiscal year 1996/97 Family Support excess incentive revenue; and
 - c. Authorize District Attorney to manage disbursements from said trust.
RECOMMENDED ACTION: Approve.

12244

- 4. Agriculture, Weights & Measures Department recommending Agreement with the Apple Hill Growers Association for the term September 1, 1997 through August 30, 1998 authorizing the Agricultural Commissioner to perform services necessary for verification and clarification of responsibilities of each party for compliance with the Quality Assurance Plan for apple juice/cider.
RECOMMENDED ACTION: Approve, and authorize Chairman to sign.

12245

5. Transportation Department recommending Resolution authorizing said Department to claim \$85,862.71 of **Transportation Development Act Funds** for road maintenance purposes. *10479*
RECOMMENDED ACTION: Adopt Resolution No. 211-97.
6. Transportation Department recommending Resolution authorizing said Department to claim \$179,806.93 of **Transportation Development Act Funds** for road maintenance for fiscal year 1997/98. *10479*
RECOMMENDED ACTION: Adopt Resolution No. 212-97.
7. County Counsel recommending Resolution terminating the **Meyers/Tahoe Cable TV Franchise Review Board**. *12246*
RECOMMENDED ACTION: Adopt Resolution No. 213-97
8. Chief Administrative Officer recommending reappointment of **Bill Snodgrass** as Agricultural Commissioner and Sealer of Weights and Measures for the term August 19, 1997 through August 18, 2001. *10310*
RECOMMENDED ACTION: Approve reappointment.
9. County Service Area No. 10 consideration of Agreement with **FML Linings, Inc.** in the amount of \$52,272 for adequate winterization for the Union Mine Disposal site. *8259*
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. Board approved award of the contract by the Director of Environmental Management to FML Linings, Inc., and authorized the Director of Environmental management to execute same.
NUBNuS
10. Supervisor Nielsen requesting Board recognition of the **American Diabetes Association's America's Walk for Diabetes Walktoberfest** to be held in Apple Hill on Saturday, October 11, 1997, and support the efforts of El Dorado County employees who wish to participate in this noteworthy event. *12001*
RECOMMENDED ACTION: Approve.
11. Planning Department recommending **Final Map for Crystal Heights, Phase 1; and Agreement to Make Subdivision Improvements** with Dorian Mackay, Edward Mackay and John Mackay. *12247*
RECOMMENDED ACTION: Approve, and authorize Chairman to sign.

BOARD ACTION - Consent Calendar approved as recommended with the exception of item #9 as noted. UNuBNS

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. Transportation Department recommendation regarding award of construction contract for the **Latrobe Road Intersection Improvements Project** (JN 72338) at Investment Boulevard and Golden Foothill Parkway. 12228

BOARD ACTION - Construction contract awarded to Granite Construction, Inc., in the amount of \$472,667.00. NuBNSU

51. Planning Department submitting outline of the funding strategy for the **Rare Plant Preserve Program** and recommending the following pertaining to same: 12248

a. Consideration of funding for Phase 1 (acquisition of the first parcel) only at this time, and identification of source of said funding;

BOARD ACTION - CAO, in consultation with the Planning Director and other County staff as deemed appropriate, requested to report back to the Board on **September 23, 1997**, on suggested funding sources for the contemplated County share of Phase I, and direction given that until such time as funds for Phase I are recovered, the County will not proceed into further Phases; additionally, the Planning Director was authorized to enter into discussions with Mr. Dick Smith, owner of subject parcel, to explore financing options. NUNuS B(n)

b. Adoption of Resolution of Intention to set a public hearing(s) to consider amendment of the El Dorado County General Plan to include a fifth and southern Ecological Preserve.

BOARD ACTION - Continued to September 23, 1997. UNBNuS

52. Supervisor Nutting recommending Resolution supporting El Dorado Irrigation District's **Deer Creek Wastewater Treatment Plant** permit renewal conditions to be considered by the Central Valley Regional Water Quality Control Board on September 19, 1997; and a Board member be authorized to deliver same at said Board meeting. 12027

BOARD ACTION - RESOLUTION NO. 215-97 adopted as modified. NuNSU B(n)

53. Supervisor Nutting recommending Board oppose the California Watershed Protection, Parks, and Wildlife Conservation Act Initiative which will be on the November 1998 ballot. *12249*
BOARD ACTION - Board voted to oppose said Initiative. NuNBSU

TIME ALLOCATION - 10:00 A.M.

70. Chief Administrative Officer recommending Board review and make necessary changes to the Response to the 1996/97 Grand Jury Report; accept public comment and input from the immediate past Grand Jury; and adopt the Response to the 1996/97 Grand Jury Report. *12250*
BOARD ACTION - Response to the 1996/97 Grand Jury Report adopted as presented. NuUBNS

Board of Supervisors to recess and convene as the Public Housing Authority to consider the following:

71. Community Services Department recommending Resolution approving a \$18,900 Community Development Block Grant Planning and Technical Assistance Application for execution by the Chairman, and further authorizing the Director of said Department to execute and administer the standard agreement and other grant related documents if said application is funded. *12251*

BOARD ACTION - Deleted from the Agenda upon its adoption.

72. Community Services Department recommending Resolution approving a \$19,600 Community Development Block Grant Planning and Technical Assistance Application for execution by the Chairman, and further authorizing the Director of said Department to execute and administer the standard agreement and other grant related documents if said application is funded. *12251*

BOARD ACTION - RESOLUTION NO. PHA 4-97 adopted. BNuNSU

Adjournment of the Public Housing Authority and Board of Supervisors to reconvene.

COMMITTEE REPORTS


LUNCH RECESS

TIME ALLOCATION - 2:00 P.M.

80. Consideration of Appeal submitted by William S. Bradley on approval of the mitigated negative declaration and Planned Development (PD97-03) for the **Glenview Apartments** in the Cameron Park Area, Applicant: NHG California One (District I). (Hearing closed 8/26/97, Item 80) 12216
- BOARD ACTION** - Board denied the Appeal and approved Planned Development 97-03 conceptually, subject to conditions and based on findings to be brought back by staff in written form on **September 30, 1997**, for final approval; and Department of Transportation was requested to take before the Traffic Advisory Committee the proposal to prohibit parking on the north side of Parkdale Road. SNuNU B(n)


ADJOURNMENT

APPROVED:



WALTER L. SHULTZ, Chairman

ATTEST:



Dixie L. Foote, Clerk of the Board

"AGENDA HOTLINE" (916) 621-6622

Notice of any Agenda ADDENDA will be recorded on the "Agenda Hotline" no later than 8:00 a.m. on Saturday preceding the Tuesday meeting.

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

September 16, 1997

8:00 A.M.

CLOSED SESSION pursuant to Government Code cited:

Public Employee Performance Evaluation pursuant to Government Code Section 54957 - Position Title: Director of Public Health. ✓

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

a. Cimmarusti vs Atwood, et al. BOARD ACTION - Continued to September 23, 1997. ✓

b. Howard Jarvis Taxpayers Association, et al vs County of El Dorado, et al. (No action reported.) ✓

Anticipated litigation pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation, Title: Kirk Youngberg vs El Dorado County. BOARD ACTION - Claim rejected. 11615

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

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8:00 A.M.

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DEPARTMENT MATTER

54. Supervisor Shultz recommending an independent audit of the *12252* Transportation Department to eliminate confusion, erroneous information or lack of credibility regarding the fiscal and financial status or performance status involving the current and future costs of maintaining the County's road system.
BOARD ACTION - Supervisor Shultz withdrew the matter from the agenda.