

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, January 27, 1998

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.co.el-dorado.ca.us

JOHN E. UPTON
Chairman
Fifth District

J. MARK NIELSEN
1st Vice Chairman
Third District

RAYMOND J. NUTTING
2nd Vice Chairman
Second District

WILLIAM S. BRADLEY
First District

WALTER L. SHULTZ
Fourth 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

CONSENT CALENDAR: Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar. Pursuant to Board direction on 4/23/96, a Supervisor may clarify for the record that he supports the motion before the Board approving the Consent Calendar while registering his opposition to a particular item or items on that Calendar; and with regard to Consent Calendar matters that are not approved in the omnibus Consent Calendar approval, the Chairman has the discretion as to whether to entertain that matter immediately following the Consent Calendar or at a later time during the course of the meeting.

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of January 13, 1998. ✓

RECOMMENDED ACTION: Approve.

2. Releases of Liens (2). 12350

RECOMMENDED ACTION: Authorize Chairman to sign.

3. Community Services Department recommending Resolution authorizing a Professional Services Agreement with Amador-Tuolumne Community Action Agency in the amount of \$28,693 for the term April 1, 1997 through March 31, 1998 for the Department of Energy Weatherization Program, and for the County to act as Sub-contractor on State Contract (No. 97C-9101) for weatherization assistance. 12364

RECOMMENDED ACTION: Adopt Resolution No. 012-98 authorizing Chairman to execute Agreement and Director of said Department to execute further documents relating to same.

4. General Services Department recommending Bid 405-027 for propane to be used by County offices on the West Slope. 12373

RECOMMENDED ACTION: Authorize Purchase Order to the low bidder, Suburban Propane of Placerville, in an amount not to exceed \$95,000 including applicable sales tax.

5. General Services Department recommending declaration of surplus property as outlined in Agenda Transmittal dated January 8, 1998, and disposal of same at public action. 11342

RECOMMENDED ACTION: Approved.

6. General Services Department recommending Agreement (No. 204-S9811) and Escrow Agreement with Kevin Delaney, dba Decade Software Company in an amount not to exceed \$31,000, for the software license and maintenance agreement necessary to track, manage, issue and store data for various Environmental Managed Programs/Projects. 12374
RECOMMENDED ACTION: Authorize Chairman to sign.
7. General Services Department recommending Amendment 1 to Agreement (No. 267-S9811) with Cooper, Thorne and Associates to assist the Planning Department with engineering services for the Bass Lake Hills Specific Plan; and Amendment 1 to Agreement (No. 268-F9811) with Bass Lake Hills Specific Plan Trust to reimburse the County for same. 9476
RECOMMENDED ACTION: Authorize Chairman to sign.
8. General Services Department recommending Amendment 1 to Agreement (No. 128-S9811) with LSA Associates, Inc. increasing the amount to \$77,800 to assist the Planning Department in preparing an Environmental Impact Report for the Silver Springs Subdivision. 12271
RECOMMENDED ACTION: Authorize Chairman to sign.
9. General Services Department recommending Amendment 1 to Agreement (No. 135-S9711) with David M. Griffith and Associates, Ltd. increasing the amount to \$39,000 for the term December 16, 1997 through December 15, 1998, for cost claiming services to the Auditor-Controller. 11785
RECOMMENDED ACTION: Authorize Chairman to sign.
10. General Services Department recommending Agreement (No. 212-S9811) with Joseph Thomas Janczyk, Ph.D., dba Empire Economics in an amount not to exceed \$12,000 for a term to expire June 30, 1998, to update the Market Absorption and Water Studies for the El Dorado Hills Community Facilities District. 9516
RECOMMENDED ACTION: Authorize Chairman to sign.
11. General Services Department recommending Agreement (No. 220-S9811) with Motherlode Rehabilitation Enterprises, Inc. in an amount not to exceed \$34,548 for a one year term for selected janitorial services for the Department of Social Services. 11462
RECOMMENDED ACTION: Authorize Chairman to sign.

12. County Counsel recommending Board ratify its action approving seven recommendations specifically authorizing Department of Transportation to bid the Green Valley Road improvements for Francisco Drive and Green Valley Road, and actions related thereto, previously considered at the Board of Supervisors Meeting of January 13, 1998. **12328**
RECOMMENDED ACTION: Approve.
13. County Counsel recommending claim of Chi Duy Tran in an amount in excess of \$10,000 be rejected. **12362**
RECOMMENDED ACTION: Reject claim.
14. County Counsel submitting Third and Fourth Quarter Calendar 1997 Collections Reports. **12375**
RECOMMENDED ACTION: Receive and file.
15. District Attorney recommending Agreement (No. 287-S9811) with Integral Networking, Inc. in an amount not to exceed \$53,374.50 for a term to expire June 30, 1998, for management services for the design and implementation of a computer network in the Family Support Division; and Budget Transfer No. 1804 establishing budget appropriations and offsetting revenues of \$79,195 for child support related activities. **12376**
12351
RECOMMENDED ACTION: Authorize Chairman to sign.
16. Sheriff's Department recommending Revised Plan for Expenditure of fiscal year 1997/98 Citizens Option for Public Safety (COPS) Program Funds; and Budget Transfer No. 1798 increasing Estimated Revenue by \$7,000 for implementation of said Plan. (4/5 vote required) **10450**
12351
RECOMMENDED ACTION: Approve.
17. Sheriff's Department recommending Joint Operating and Financial Plan for Visitor Protection for the term May 1, 1997 through September 30, 1997 and Joint Operating and Financial Plan for Controlled Substances for the term January 1, 1997 through December 31, 1997 with the U.S. Forest Service; and Budget Transfer No. 1797 increasing Estimated Revenue by \$9,960 for same. **11343**
12351
RECOMMENDED ACTION: Authorize Chairman and Sheriff to execute documents.

18. Sheriff's Department recommending the following for the Citizens Option for Public Safety (COPS) Program:

- a. COPS MORE 96 Grant Award with U.S. Department of Justice; **10450**
- b. Budget Transfer No. 1799 increasing Estimated Revenue by \$40,439 and transferring \$16,980 from Contingency Reserve for the required fiscal year 1997/98 match and the one-time-only cost for equipment for new staff; (4/5 vote required) **12351**
- c. Resolution amending Authorized Personnel Allocation Resolution No. 230-97 adding 3.5 Community Service Officers and one Departmental Systems Coordinator for same. **10450**
RECOMMENDED ACTION: Approve and adopt RESOLUTION NO. 13-98.

19. Transportation Department recommending Purchase and Sale Agreement with James E. and Linden L. Louk in the amount of \$24,000 for APN 327-210-061 and Certificate of Acceptance for property acquisition for the Missouri Flat Road Widening Project, Phase II. **9555**

RECOMMENDED ACTION: Authorize Chairman to sign.

20. Transportation Department recommending Grant of Easement with the U.S. Department of the Interior, Bureau of Reclamation for an easement for widening of Green Valley Road (No. 72303); and Certificate of Acceptance for said easement. **11709**

RECOMMENDED ACTION: Authorize Chairman to sign.

21. Transportation Department recommending Amendment 2 to Agreement (No. 205-S9711) with Harland Bartholomew and Associates, Inc. increasing amount to \$68,935 to assist said Department in preparing a Mitigated Negative Declaration for the realignment of Brittany Way and El Dorado Hills Boulevard (Green Valley Road Ultimate Improvements Project). **11993**

RECOMMENDED ACTION: Authorize Chairman to sign.

22. Unified Courts and Human Resources Department recommending Resolution amending **Authorized Personnel Allocation** Resolution No. 230-97 adding one Limited Term (2 year) Dispute Resolution Officer position and one permanent Department Systems Coordinator position, establishing classification and salary 12378 range for same; and **Budget Transfer No. 1802** increasing 12351 Estimated Revenue by \$24,000 for the Dispute Resolution Officer position and **Budget Transfer No. 1803** increasing Estimated Revenue by \$25,000 for the Departmental Systems Coordinator position. (4/5 vote required)
RECOMMENDED ACTION: Adopt Resolution No. 014-98.
23. Human Resources Department recommending Resolution adopting 12369 **Salary Range Schedule** and establishing the corrected equity adjustments for the classifications of Computer Operator I/II, Senior Computer Operator and Supervising Computer Operator.
RECOMMENDED ACTION: Adopt Resolution No. 015-98.
24. Human Resources Department recommending Resolution 12344 establishing **salary range** and designating bargaining unit for the class of **Right of Way Agent**, Department of Transportation; and adopting job specification for same.
RECOMMENDED ACTION: Adopt Resolution No. 016-98.
25. Planning Department recommending Amendment No. 5 to the Agreement with **EIP Associates** in the amount of \$41,784.58 for additional work beyond that in the original scope of work for the **Marble Valley Environmental Impact Report**; and Amendment No. 5 to the Reimbursement Agreement with **S. H. Cowell Foundation** for reimbursement of County costs for funding EIP Associates. 11772
RECOMMENDED ACTION: Authorize Chairman to sign.
26. Supervisor Nielsen recommending County Surveyor issue a clear 12377 **Certificate of Compliance (COC)** for APN 327-160-01 for David H. Rathcamp, et al, (COC Nos. 97-194 and 97-195).
RECOMMENDED ACTION: Approve.

27. Supervisor Upton requesting ratification of Chairman's signature on letters sent to Congressmen John Doolittle and Jim Gibbons (NV), and Senators Diane Feinstein, Barbara Boxer, Harry Reid (NV), and Richard Bryan (NV) for urgent intervention in the possible termination of Federal Aviation Administration Air Tower operations at the South Lake Tahoe Airport. **12393**

RECOMMENDED ACTION: Ratify signature.

BOARD ACTION - Consent Calendar approved.

NNuSU B(a)

END CONSENT CALENDAR

OPEN FORUM (Public comments during Open Forum are limited to three minutes per person.)

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. County Counsel recommending Resolution be adopted, at the request of Tahoe-Truckee Unified School District, implementing a portion of the California Education Code to enable the District to establish and finance a school facility improvement district. **12379**

BOARD ACTION - RESOLUTION NO. 17-98 adopted.

NSNuU B(a)

51. El Dorado County Transportation Commission Executive Director reporting on status of Sacramento Placerville Transportation Corridor Master Plan. **12380**

BOARD ACTION - Report received and filed.

BNuNSU

52. Supervisor Upton recommending Urgency Ordinance replacing Tahoe Basin Building Allocation Ordinances Nos. 4281 and 4186. **12381**

BOARD ACTION - ORDINANCE NO. 4476 adopted.

BNNuSU

TIME ALLOCATION - 10:00 A.M.

53. Charter Review Committee presenting proposed revisions to the County Charter which the Committee recommends the Board of Supervisors consider placing on the ballot for a vote of the electorate.

10721

BOARD ACTION - Board acted on the following proposed amendments to the County Charter (proposed amendments are identified by their number on "The List" of all 2 recommendations submitted to the Committee):

- #1 Charter Section 210.a.(3) be amended to read as follows: "The Court Executive Officer, or successor position(s), shall be appointed by and serve at the pleasure of the Courts; provided, that in the event successor positions are created specific to the Superior and Municipal Courts, then the officers shall be appointed by and serve at the pleasure of their respective courts."

BOARD ACTION - Action deferred to February 24, 1998, and staff requested to draft appropriate language to further amend Section 210.a.(3) to clarify that members of County boards and commissions, like non-elected department heads, serve at the pleasure of the Board of Supervisors "except as otherwise provided in the County Charter or State law".

NNuBSU

- #2 Charter Section 210.a.(9), first sentence, be amended to read as follows: "Adopt a uniform format that, as a minimum, shall provide for responses to findings and recommendations of reports of the Grand Jury pursuant to Section 933 et seq of the Penal Code."

BOARD ACTION - Board approved placing the amendment as proposed on the ballot for a vote of the electorate with the understanding the amended first sentence will replace the entire existing subparagraph a.(9); i.e., the second and third sentences of the existing Section 210.a.(9) will be deleted.

NNuBSU

- #3 Charter Section 210.a.(12) be added to the Charter and read as follows: "The Board of Supervisors shall adopt a policy and procedures for wide distribution of the Grand Jury Final Report and the Board of Supervisors Response to the Final Report."

BOARD ACTION - Board approved placing the amendment as proposed on the ballot for a vote of the electorate.

SNuBNU

- #7 Charter Section 210 be amended to add the requirement that "The Board of Supervisors shall adopt a campaign finance reform ordinance."; and if passed by the electorate, the Board of Supervisors consider using the "Draft Ordinance" submitted by the League of Women Voters as a starting point for such an Ordinance; and the Committee further recommended a Charter Amendment to "provide for online reporting of campaign documents for candidates spending over \$5,000 when the software that is compatible with the upcoming State requirements becomes available".

BOARD ACTION - Board declined to place the proposed amendment on the ballot for a vote of the electorate.

NSU B(n)Nu(n)

- #11 Charter Section 210.a.(10) be amended read as follows: "Adopt a policy as to financial participation paid by the county for its officers and employees in ~~non-county~~ organizations, and require public disclosure of the cost to the county of such participation."

BOARD ACTION - Action deferred to February 24, 1998, to allow further review and clarification.

NSBNUU

- #12 Charter Section 210.b.(6) be amended to read as follows:
"In addition to those special services permitted to be contracted for under Section 31000 of the Government Code and public works projects governed by the Public Contract Code, when it finds that work can more economically and or feasibly be performed by independent contractors, enter into contracts for the performance of such work. Any such contract shall require formal Board action. The Board of Supervisors shall adopt an ordinance specifying criteria for entering into such contracts, and specify when competitive bidding procedures for the award of such contracts shall be required. Notwithstanding the provisions of this Section, the county may enter into any contract or agreement with or among any other governmental entities or agencies or contracts which, by legislative authority, mandate the services be performed by independent contractors, or contracts necessary to protect against conflict of interest or to ensure independent, unbiased findings where there is a need for outside perspective."

BOARD ACTION - Action deferred to February 24, 1998, and staff directed to work with the Employees Association to determine whether acceptable language can be developed as a proposal to be brought back to the Board. UNuBN S(n)

- #13 Charter Section 210.c. be amended to add the following:
"The requirements of this section shall not apply to any increase to any current benefit assessment, nor to the imposition of any new benefit assessment, which is subject to the property owner balloting and majority protest procedures established by Section 4 of Article XIII D of the California Constitution."

BOARD ACTION - Board approved placing the amendment as proposed on the ballot for a vote of the electorate.

NSBNuU

Finally, the Board directed the Chief Administrative Officer (CAO) to bring forth a potential Code of Ethics Ordinance (refer #4 on "The List" of proposed Charter amendments) along the lines of that adopted by Placer County. NuSBNU

TIME ALLOCATION - 2:00 P.M.

80. Final approval of the following for 23.67 acres in the El Dorado Hills Area, Applicant: Rodney Naef (District I): (Public hearing closed on 1/13/98 except on the issue of mitigation of impacts on schools.) **12372**

a. Rezoning (Z97-12) RE-10, Estate Residential Ten-acre Zone to RE-5, Estate Residential Five-acre Zone; and

b. Tentative Map 97-1334 creating four parcels with design waiver request that no improvements be required for Lakehills Court. (Continued 1/13/98, Item 81)

BOARD ACTION - Upon receipt of a letter dated January 27, 1998, from William M. Wright, attorney representing the impacted school districts, wherein he advises there is now a School Impact Mitigation Agreement between the school districts and the applicant, the Board adopted the mitigated negative declaration as prepared; waived reading, read by title only and adopted ORDINANCE NO. 4477 approving the rezoning; and approved Tentative Map 97-1334 subject to conditions and based on findings set forth in Attachments 1 and 2 to Planning Department Agenda Transmittal dated 1/6/98, with modification of mitigation measure 2 and conditions 5 and 11, and addition of a condition requiring the applicant to contact the Local Agency Formation Commission (LAFCO) regarding the process to adjust the El Dorado Hills Community Service District boundary line to conform with the proposed parcel lines. BNU NSU

THE BOARD ADJOURNED IN MEMORY OF H. FRANCIS BACCHI.

APPROVED:

John E. Upton
JOHN E. UPTON, Chairman

ATTEST:

Dixie L. Foote
Dixie L. Foote, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

January 27, 1998

8:00 A.M.

CLOSED SESSION pursuant to Government Code cited:

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

a. Enrico Adamo, et al vs County of El Dorado, et al. U.S. District Court Case No. CIV-S-96-1037 DFL GGH; ✓
No action reported.

b. El Dorado County Employees Association, Local No. 1 vs County of El Dorado, et al. (Thresher Contract) El Dorado County Superior Court Case No. PV-003022; ✓
No action reported.

c. Donald and Patricia Wills vs County of El Dorado CIVS-96--296. ✓
No action reported.

Anticipated litigation pursuant to Government Code Section 54956.9(b) (1) regarding significant exposure to litigation. Existing facts and circumstances-threatened litigation related to River Management Plan Update, per section 54956.9(b) (3) (E). ✓
No action reported.

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

Regular Meeting of the Board of Supervisors

January 27, 1998

8:00 A.M.

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

CLOSED SESSIONS

Existing litigation pursuant to Government Code Section 54956.9 regarding John Euer, et al vs County of El Dorado County Superior Court Case No. PV-003200.

Board authorized retention of Mr. James Curtis and his firm to provide preliminary consultation and review of that matter preparatory for the potential litigation. 11263

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

Removed from the Agenda upon its adoption at the request of County Counsel.