

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, March 24, 1998

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A
Placerville, California

530 621-5390

FAX 622-3645

<http://co.el-dorado.ca.us/bos>

JOHN E. UPTON

Chairman
Fifth District

J. MARK NIELSEN

1st Vice Chairman
Third District

RAYMOND J. NUTTING

2nd Vice Chairman
Second District

nutting@inforum.net

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. Consent Calendar matters not approved in the omnibus Consent Calendar approval will be taken up at a time determined by the Chairman.

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of March 17, 1998 (on file with Clerk). ✓

RECOMMENDED ACTION: Approve.

2. Release of Lien (on file with Clerk). 12350

RECOMMENDED ACTION: Authorize Chairman to sign.

3. Assessment Roll Changes (on file with Clerk). 12402

RECOMMENDED ACTION: Authorize Chairman to sign.

4. Public Health Department recommending Resolution amending Authorized Personnel Allocation Resolution No. 230-98 adding two FTE Fiscal Assistant I/II positions for the Ambulance Billing unit. 12445

RECOMMENDED ACTION: Adopt Resolution No. 047-98.

5. Community Services Department recommending Proclamation honoring all the volunteers who assist said Department. 12361

RECOMMENDED ACTION: Adopt Proclamation.

6. Community Services Department recommending Memorandum of Understanding with South Tahoe Public Utility District for administrative services for said District's Helping Hands Outreach (H²O) Program which assists eligible Tahoe residents with payment of water and sewer utilities. 12446

RECOMMENDED ACTION: Authorize Director of said Department to execute Memorandum of Understanding.

7. Community Services Department recommending Resolution authorizing an Application to the California Debt Limit Allocation Committee to permit the issuance of qualified Mortgage Credit Certificates (MCC) throughout the County; and authorizing Director of said Department to execute and/or amend agreements with the Cities of Placerville and South Lake Tahoe to utilize MCC allocation within their corporate limits.
RECOMMENDED ACTION: Adopt Resolution No. 048-98. 12447

8. Community Services Department recommending the following pertaining to Governor Wilson's Budget Proposal and the C4A Budget Augmentation to increase State funding to expand Senior Services in the County: 11780
 - (1) Authorize Chairman to execute letters of support to Governor Wilson, Senator Leslie and Assemblyman Oller;

 - (2) Request California State Association of Counties (CSAC) support of same;

 - (3) Direct County's legislative consultant, Wagerman Associates, Inc. to amend the County Legislative Platform to provide necessary support.
RECOMMENDED ACTION: Approve.

9. Social Services Department recommending Resolution authorizing the Chief Administrative Officer to represent the County concerning the Job Creation Investment Fund application and grant through the California Trade and Commerce Agency.
RECOMMENDED ACTION: Adopt Resolution No. 049-98. 12448

10. General Services Department recommending procurement of traffic beads used with traffic line paint for annual road maintenance by the Department of Transportation. 11723
RECOMMENDED ACTION: Authorize blanket purchase order to State contract vendor in the amount of \$27,383 including sales tax and delivery.

11. General Services Department recommending procurement of computer hardware/software for said Department and addition of lease "supplement" to Master Lease Agreement with Calease. **12151**
RECOMMENDED ACTION: Authorize purchase order to VanStar, of Livermore, in the amount of \$71,435 including applicable sales tax; and execution of lease supplement by the Chairman upon receipt of documents from Calease.
12. General Services Department requesting confirmation for emergency purchase of computer hardware/software for the Mental Health Department and addition of lease "supplement" to Master Lease Agreement with Calease. **12151**
RECOMMENDED ACTION: Authorize Chairman to execute lease supplement documents in the amount of \$51,415 including sales tax upon receipt of documents from Calease.
13. General Services Department award of Bid No. 485-026 for janitorial cleaning supplies for Central Stores inventory. **12449**
RECOMMENDED ACTION: Authorize Purchase Order to the low bidder, Raban Supply Company of San Leandro in an amount not to exceed \$20,000 including tax.
14. General Services Department recommending amendment to Master Lease Agreement (No. 045-09811) with Calease Public Funding Corporation for financing the purchase of computer equipment and other selected commodities. **12151**
RECOMMENDED ACTION: Authorize Chairman to sign Agreement.
15. General Services Department recommending Agreement (No. 317-S9811) with Danilo and Gloria Ibanez dba Grace Home in an amount not to exceed \$25,500 for a term to expire June 30, 1998 for supplemental residential care services for mentally disordered adults on an "as needed" basis for the Mental Health Department. **9828**
RECOMMENDED ACTION: Authorize Chairman to sign.

16. General Services Department recommending Agreement (No. 316-S9811) with Judith V. Brown dba Tahoe Manor Guest Home in an amount not to exceed \$20,500 for a term to expire June 30, 1998 for supplemental residential care services for mentally disordered adults on an "as requested" basis for the Mental Health Department.
RECOMMENDED ACTION: Authorize Chairman to sign. **9828**
17. General Services Department recommending Agreement (No. 315-S9811) with Amado and Carmelita Santos dba St. Mary's Home and New Horizons Guest Home in an amount not to exceed \$60,000 for a term to expire June 30, 1998 for supplemental residential care services for mentally disordered adults on an "as requested" basis for the Mental Health Department.
RECOMMENDED ACTION: Authorize Chairman to sign. **9828**
18. General Services Department recommending Agreement (No. 337-S9811) with Parsons Harland Bartholomew & Associates, Inc. in an amount not to exceed \$50,000 for a term to expire December 31, 1998 for the preparation of a Recreation Facilities Master Plan for the South Lake Tahoe Region.
RECOMMENDED ACTION: Authorize Chairman to sign. **12297**
19. Probation Department recommending Budget Transfer No. 1844 increasing Estimated Revenue by \$12,991 and decreasing Contingency by \$96,677 for juvenile care and support costs for fiscal year 1997/98. (4/5 vote required)
RECOMMENDED ACTION: Approve. **12351**
20. Probation Department recommending appointment of the Interagency Coordinating Board of the El Dorado County Children and Families Network as the planning council to advise the Chief Probation Officer in developing expenditure plan for Temporary Assistance to Needy Families (TANF) funds.
RECOMMENDED ACTION: Approve. **12450**
21. Unified Courts recommending Resolution approving the staffing structure of the Unified Court as required by Government Code Section 69894.2.
RECOMMENDED ACTION: Adopt Resolution 050-98. **12451**

22. Transportation Department recommending summary vacation (AOE98-005) of a 10 foot public utility easement along the northeasterly lot line of Lot 41 of Diamond Springs Estates, requested by Steve and Lisa Lockhart.
RECOMMENDED ACTION: Adopt Resolution No. 051-98.

12452

23. Transportation Department recommending summary vacation (AOE98-006) of a 10 foot public utility easement along the rear lot line of APN 113-203-13, requested by Murray M. Davis.
RECOMMENDED ACTION: Adopt Resolution No. 052-98.

12453

24. Transportation Department recommending summary vacation (AOE98-002) of a 10 foot wide strip of land on the south side of APN 110-353-13, requested by William K. Kendall.
RECOMMENDED ACTION: Adopt Resolution No. 053-98.

12454

25. Transportation Department recommending Purchase and Sale Agreement with Lake Forest Partners, LLC, and Certificate of Acceptance for acquisition of right of way from APN 110-030-12.
RECOMMENDED ACTION: Authorize Chairman to sign.

12455

26. Transportation Department recommending Purchase and Sale Agreement with Bank of Stockton and Certificate of Acceptance for property acquisition (APN 111-110-41) necessary for a slope easement for the Green Valley Road Widening Project.
RECOMMENDED ACTION: Authorize Chairman to sign.

11709

27. Transportation Department recommending the following for Village H, Phase III (TM91-1239):

7135

(1) Accept Village H, Phase III as complete;

(2) Release Performance Bond No. 173513 in the amount of \$856,292;

(3) Hold previously posted Laborers and Materialmen Bond No. 173513 in the amount of \$428,146 to guarantee payment and authorize said Department to release after six months; and

(4) Accept the posted Maintenance Bond No. 184799 in the amount of \$85,629 and authorize said Department to release one year after acceptance.

RECOMMENDED ACTION: Approve.

28. Transportation Department requesting authorization to advertise for a Request for Proposal to acquire professional, specialized services to prepare a combined Project Study Report/Project Report for the proposed El Dorado Road/US 50 Interchange.

12456

RECOMMENDED ACTION: Approve.

29. Transportation Department recommending Easement Acquisition Agreement and Certificate of Acceptance with John Doyle Roche, Jr. and Burton Brown Boettiger in the amount of \$250 for APN 34-491-17 for the Apache Erosion Control Project (JN 95024).

12457

RECOMMENDED ACTION: Authorize Chairman to sign.

30. Mental Health Department recommending Performance Agreement (No. 96-76199) with State Department of Mental Health for services to mentally disordered clients for fiscal year 1996/97. (Not processed in 1996/97 fiscal year)

11639

RECOMMENDED ACTION: Authorize Chairman to sign.

31. Mental Health Department recommending Performance Agreement (No. 97-77141) with State Department of Mental Health for services to mentally disordered clients for fiscal year 1997/98.

11639

RECOMMENDED ACTION: Authorize Chairman to sign.

32. Human Resources Department recommending Resolution adopting the adjusted salary range for the **Court Operations Supervisor** effective January 3, 1998; and job specification for the classification of **Court Commissioner**.
RECOMMENDED ACTION: Adopt Resolution No. 054-98. **12378**
33. Chief Administrative Officer requesting authorization to send a letter in opposition to **Assembly Bill 2147** (Thompson) which will strike Section 56845 of the Government Code eliminating revenue neutrality as it relates to **potential incorporations**.
RECOMMENDED ACTION: Approve. **12458**
34. Chief Administrative Officer (CAO) recommending waiver of all Planning Department, Building Department, and road traffic impact mitigation fees for a new fire station in Grizzly Flat to be built by the **Pioneer Fire Protection District**, and for a portable building the **Cameron Park Community Services District (CSD)** plans to place on CSD property in Cameron Park to be used for a Sheriff's sub-station and an office for the Regional Pre-Hospital and Emergency Services Joint Powers Authority; and CAO further recommending the Pioneer Fire Protection District's request that a parcel map not be required for its fire station project be referred to the Planning Department and County Counsel.
RECOMMENDED ACTION: Approve. **11735**
35. Risk Management recommending Chairman be authorized to sign Memoranda of Understanding with **Meeks Bay Fire Protection District, Happy Homestead Cemetery District and Tahoe Resource Conservation District** for affiliated employers health benefits, including retiree continuation benefits; and recommending execution of a Memorandum of Understanding yet to be drafted with **Garden Valley Fire Protection District** upon final approval by County Counsel.
RECOMMENDED ACTION: Approve. **12459**
36. Supervisor Upton recommending April 1, 1998, be proclaimed **"TAKE A STEP DAY"** in El Dorado County celebrating recognition that recovery from addiction begins by taking that first step.
RECOMMENDED ACTION: Adopt Proclamation. **12361**

37. Supervisor Upton recommending execution of the Counties Exhibits Entry Form for the 1998 California State Fair.
RECOMMENDED ACTION: Authorize Chairman to sign.

10969

38. Transportation Department recommending Agreement (No. 272-S9811) with Fehr and Peers Associates, Inc. in an amount not to exceed \$39,000 for a term to expire June 30, 1998 for consulting traffic modeling services necessary to update the El Dorado county General Plan MINUTP traffic model.
RECOMMENDED ACTION: Authorize Chairman to sign.

12460

39. Supervisor Bradley recommending adoption of Resolution supporting the conversion of the 940th Air Refueling Wing KC-135E model aircraft to KC-135R models thereby providing noise and air pollution mitigation and preserving the unit as a Northern California asset.
RECOMMENDED ACTION: Adopt Resolution No. 055-98.

12461

40. General Services Department recommending procurement of a video taping system to be used to tape Board of Supervisors meetings in the Board Chamber.
RECOMMENDED ACTION: Authorize Purchase Order to ATV Video Center of Sacramento in the amount of \$21,794 including applicable sales tax. (Approved with the understanding copies of the video tapes of Board meetings will be made available to the public at County libraries.)

12038

41. Refer Addendum No. 1

42. Refer Addendum No. 1

BOARD ACTION - Consent Calendar items approved as recommended with items 40 and 42 acted upon separately; and Department Matters 51, 52 and 54 added to the Consent Calendar for action proposed.

SNUBNU

END CONSENT CALENDAR

PRESENTATION of the 1997 California State Fair Counties Exhibit Award.

12361

PRESENTATION proclaiming April 1998 as Parliamentary Law Month in El Dorado County. NuBNSU

12361

OPEN FORUM (Public comments 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. Hearing to consider adoption of Resolution documenting local match in the form of property, fee waivers and services for a \$500,000 Community Development Block Grant application for a Georgetown Divide Community Center; authorizing submission to the State Department of Housing and Community Development; authorizing Chairman to execute required Statement of Assurances; authorizing Community Services Director to execute all documents relating to same; and Budget Transfer No. 1845 in the amount of \$18,540 providing funds from the Planning/Technical Assistance Grant for consultant services. BOARD ACTION - RESOLUTION NO. 56-98 adopted. BSNUU

12073
12351

51. County Counsel recommending Resolutions of Necessity (2) against S.H. Cowell Foundation and Cambridge Square Partners for off-site road construction easements needed for the Cambridge Oaks Subdivision Project; and law firm of Hyde, Miller, Owen & Trost be authorized to prosecute/settle said eminent domain actions. (Continued 3/17/98, Item 52) BOARD ACTION - Continued to April 21, 1998. SNUBNU

11997

52. Planning Department submitting Planned Development (PD97-06) for the expansion of the Lucky Supermarket in the Missouri Flat area, Applicant: HPBA II-Placerville Associates, LLC. (District III) (Continued 3/10/98, Item 52) BOARD ACTION - Continued to April 21, 1998. SNUBNU

12388

- 53. Supervisor Nutting submitting request of Ross Toliver, Agent for Armida Frias, for issuance of Certificate of Compliance (C.O.C.) for APN 077-021-23. (Continued 3/17/98, Item 50)
BOARD ACTION - Supervisor Nutting's motion to issue the C.O.C. subject only to the condition that the applicant provide proof of emergency deeded easement access to the site, was amended by the Board to add a second condition requiring improvement of the roadway to Wish Upon Way to driveway Fire Safe Standards subject to approval of the fire district. BNSU Nu(n)

12410

The original motion then passed unanimously, authorizing issuance of the C.O.C. subject to the two conditions. NuSBNU

- 54. Supervisor Nutting recommending appropriate staff attend **Public Utilities Commission** public participation hearings on April 16, 1998 at the Placerville Town Hall.
BOARD ACTION - Approved. SNuBNU

12462

- 55. Supervisor Nutting submitting request of A. L. Hamilton that the Board determine the continued use of existing gates on **Royal Equestrian Estates** not require a special use permit.
BOARD ACTION - Board determined the gates are not subject to a special use permit, based on the totality of circumstances set out this date, but imposed a requirement for a Notice to be recorded relative to the existence of the gates and the fact that said gates would be removed if the County ever accepts the offered 80-foot right-of-way through the project for a County collector road. NNuBSU

8559

TIME ALLOCATION - 10:00 A.M.

60. Mental Health Commission Annual Report.
BOARD ACTION - No action taken.

12463

TIME ALLOCATION - 11:00 A.M.

Board of Supervisors recessed and convened as the Air Pollution Control District Board.

61. Hearing to consider adoption of the findings of Authority, Necessity, Clarity, Consistency, Nonduplication, and Reference for Rule 239 Natural Gas-Fired Residential Water Heaters, and adoption of District-wide Rule 239.
BOARD ACTION - Findings adopted. NNUBU S(n)

12464

Air Pollution Control District Board adjourned and Board of Supervisors reconvened.

TIME ALLOCATION - 2:00 P.M.

80. General Services presenting responses to Request for Proposal No. 925-025 for 16 acres of County-owned land in the Cameron Park area (APNs 109-230-09 and -10); and requesting direction as to which, if any, of the proponents the Board would have formal negotiations initiated.
BOARD ACTION - Staff instructed to engage in negotiations with Silicon Casting, Inc., (SCI) for sale or exchange of the land.

BSNuNU

11335

81. Hearing to consider **General Plan Amendment (A97-09)** initiated by El Dorado County to amend the County General Plan to include a **fifth Ecological Preserve** in Cameron Park north of U.S. Highway 50 and east of Cameron Park Drive.

BOARD ACTION - As recommended by the Planning Commission, the Board: (1) found the project Categorical Exempt from the California Environmental Quality Act; (2) amended Policy 7.4.1.1 of the Conservation and Open Space Element to recognize five ecological preserves; (3) amended the General Plan Land Use Map to include an Ecological Preserve Overlay affecting 315 acres in Cameron Park known as the Smith & Gabbert property, acknowledging the pending property line adjustment will not affect the overall acreage involved, based on the findings proposed by staff; and (4) acknowledged the ultimate goal of the County for the Ecological Preserve is 400 acres; further, the Board directed the Planning Department and CAO to explore the prospect of obtaining Proposition 117 funds, or any other available State and Federal funds set aside for purchase of lands for the protection of rare or endangered species.

NSBU Nu(n)

82. Hearing to consider an **Ecological Preserve Fee Ordinance** providing for payment of an in-lieu fee to the County at the time of issuance of a building permit.

BOARD ACTION - Hearing continued to April 21, 1998, 2:00 p.m.

NuBNSU

83. Hearing to consider an **Appeal (S97-35)** on denial of entry gates as an allowed use for **Pioneer Place Subdivision** in the Rescue area, Appellant: Richard Smith (District I). Appellant has requested hearing be continued to the earliest meeting after April 8, 1998.

BOARD ACTION - Hearing continued to April 21, 1998, 2:00 p.m.

BNuNSU

12465

12466

8225

84. Hearing to consider Planned Development (PD97-04) for Kragen Center in the Diamond Springs/El Dorado area; hearing confined to specific issue of the continued effectiveness of General Plan Policy 2.1.4.8, its application to this project, and any actions required to ensure compliance with that policy; applicant: Allan Lindsey, Missouri Flat Venture. (Referred 3/10/98, Item 53)

12425

BOARD ACTION - Planned Development (PD) approved as approved by the Planning Commission with the additional condition that the PD approval would become operative only at the time of the adoption by the Board of a Missouri Flat Circulation and Funding Plan. NSBNUU

85. Resolution amending the County General Plan pursuant to Amendment applications approved March 17 and 24, 1998.

12043

BOARD ACTION - RESOLUTION NO. 57-98 adopted. NSBNUU

ADJOURNMENT

APPROVED:

ATTEST:

John E. Upton
JOHN E. UPTON, Chairman

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

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

March 24, 1998

8:00 A.M.

CLOSED SESSIONS pursuant to Government Codes cited:

Conference with Labor Negotiator pursuant to Government Code Section 54957.6: County Negotiators: Human Resources Director and Deputy Director and Employee Organization: Operating Engineers Local Union No. 3.

BOARD ACTION - No action reported.

Existing litigation pursuant to Government Code Section 54956.9 regarding Goldzband vs El Dorado County and Brunius (Weber Creek Quarry), El Dorado County Superior Court Case No. PV-002958; Goldzband vs El Dorado County and Brunius (Diamond Creek Quarry), El Dorado County Superior Court Case No. PV-002959.

BOARD ACTION - No action reported.

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

BOARD ACTION - No action reported.

ADDED TO THE AGENDA UPON ITS ADOPTION:

Existing litigation "El Dorado County Taxpayers for Quality Growth" vs. County of El Dorado re: Carson Creek.

BOARD ACTION - 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
of El Dorado County

March 24, 1998

8:00 A.M.

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

CONSENT CALENDAR

41. Supervisor Nutting recommending reinstatement to May 3, 1998, of Plan Check Application (No. 103200) for Tiffany and David Lanthier.

RECOMMENDED ACTION: Approve.

12467

42. County Counsel recommending Board approve the Union Mine Landfill Gas Collection System Project and: (1) authorize acceptance of the assignment of the contract with SCS Field Services; (2) approve Budget Transfer No. 1822 in the total amount of \$836,861 from County Service Area No. 10 Solid Waste Fund Balance for expenditures in professional and specialized services and fixed assets; (3) adopt the Charter and procurement findings presented by staff; (4) find that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061, 15301, 15304, 15308 and 15368; and, (5) authorize acquisition of required equipment and commencement of work on design and construction of the Gas Collection System. Nothing in this action constitutes approval of or authorization to commence work on the Electric Generation Facility. (Copy of the Assignment Agreement on file with the Clerk of the Board.)

RECOMMENDED ACTION: Approve.

NSNuU B(n)

12432
12351