

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, December 15, 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 December 8, 1998.
RECOMMENDED ACTION: Approve.
2. Release of Lien (on file with Clerk).
RECOMMENDED ACTION: Authorize Chairman to sign.
3. Public Health Department recommending Resolution supporting December as Drunk and Drugged Driving Prevention Month (3D) in El Dorado County.
RECOMMENDED ACTION: Adopt Resolution 299-98.
4. Community Services Department recommending Certificates of Appreciation for Willette Strong, Tahoe Basin Senior Center, Inc., and the City of South Lake Tahoe for their respective contributions to renovating the kitchen area at the Tahoe Senior Center.
RECOMMENDED ACTION: Authorize Chairman to sign.
5. General Services Department recommending mobile home (License No. AAU7544) be declared surplus and Director of said Department be authorized to accept an offer in the amount of \$2,500 for purchase of same.
RECOMMENDED ACTION: Approve.
6. General Services Department recommending procurement of proprietary monitoring software for Information Services.
RECOMMENDED ACTION: Authorize Purchasing Agent to issue a blanket purchase order to Candle Corporation, of Santa Monica, in the amount of \$39,040 including applicable sales tax.

7. General Services Department recommending procurement of computer equipment for the Transportation Department, and add a lease "Supplement" to the existing Master Lease Agreement with Calcase.
RECOMMENDED ACTION: Authorize purchase orders to Compucom Systems of Rancho Cordova, in the amount of \$91,083.14 including sales tax; and authorize Chairman to execute lease supplement.
8. General Services Department recommending Agreement 225-S9911 with The Continental Alliance, Inc. for collecting unpaid fines, fees, and penalties imposed by Superior Court.
RECOMMENDED ACTION: Authorize Chairman to sign.
9. General Services Department recommending Lease 212-L9911 with Cameron Park Community Services District in the amount of \$530 per month for the term November 1, 1998 to October 31, 2001, for office space located at 3200 Country Club Drive, Cameron Park, for the Sheriff Substation.
RECOMMENDED ACTION: Authorize Chairman to sign.
10. General Services Department recommending Agreement 190-D9911 with David E. Lane, Inc. in an amount not to exceed \$35,000 for a term to expire March 31, 1999, for a "Self-Contained Appraisal Report" of El Dorado Hills Community Facilities District 1992-1.
RECOMMENDED ACTION: Authorize Chairman to sign.
11. General Services Department recommending Agreement 146-V9911 with EBSCO Publishing, Inc. in an amount not to exceed \$31,480 for a one year term for the license to the EbscoHost database for the library patrons.
RECOMMENDED ACTION: Authorize Chairman to sign.
12. General Services Department recommending Agreement 117-S9911 with Crestwood Behavioral Health, Inc. in an amount not to exceed \$80,355 for a term to expire June 30, 1999 for 24-hour special treatment services for mentally ill adults on an "as requested" basis for the Department of Mental Health.
RECOMMENDED ACTION: Authorize Chairman to sign.

13. General Services Department recommending Agreement 216-S9911 with Vanir Construction Management Inc. in an amount not to exceed \$101,966 for a term to expire March 1, 2000 for project management services relating to Juvenile Hall Expansion Project 97-20.
RECOMMENDED ACTION: Authorize Chairman to sign.
14. General Services Department recommending Amendment IV to Agreement 010-S9811 with Economic and Planning Systems, Inc. in the amount of \$143,060 for additional management services required for the Missouri Flat Road Infrastructure Financing Plan and Development Agreement negotiations for the Planning Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
15. General Services Department recommending Amendment I to Agreement with the State Department of Boating and Waterways to construct a restroom facility on Bureau of Land Management property on the South Fork of the American River.
RECOMMENDED ACTION: Authorize Chairman to sign.
16. Sheriff Department recommending fiscal year 1998/99 Memorandum of Understanding for the South Lake Tahoe/El Dorado County Narcotic Enforcement Team (SLEDNET).
RECOMMENDED ACTION: Authorize Sheriff, District Attorney and Chief Probation Officer to execute Memorandum of Understanding.
17. Sheriff Department recommending Resolution amending Salary and Benefits Resolution for Unrepresented Employees to add certificate pay for the Sheriff effective January 2, 1999.
RECOMMENDED ACTION: Adopt Resolution 300-98.
18. Sheriff Department recommending Budget Transfer 2169 increasing Estimated Revenue by \$2,250 to purchase a water cannon for installation on the boat used to patrol Fallen Leaf Lake and Echo Lake. (4/5 vote required)
RECOMMENDED ACTION: Approve and accept with thanks contributions from the Lake Valley Fire Protection District, Lake Valley Firefighters' Association and Echo Lake Homeowners Association.

19. Sheriff Department recommending Agreement 289-S9811 with Digital Equipment Corporation in an amount not to exceed \$20,000 for a term to expire December 31, 1998 for hardware and software maintenance and support services to the El Dorado County Central Dispatch consoles (DEC equipment).
RECOMMENDED ACTION: Authorize Chairman to sign.
20. Auditor/Controller recommending Resolution increasing change fund to \$200 for the Department of Transportation.
RECOMMENDED ACTION: Adopt Resolution 301-98.
21. Superior Court recommending letter approving the submission of a grant application by the Court Appointed Special Advocate (CASA) Program of El Dorado County to the State Judicial Council for funding of a CASA case manager position for fiscal year 1998/99.
RECOMMENDED ACTION: Authorize Chairman to sign.
22. District Attorney recommending Budget Transfer 2165 increasing Estimated Revenue by \$12,000 for the District Attorney's Multi Disciplinary Interview Center. (4/5 vote required)
RECOMMENDED ACTION: Approve.
23. Transportation Department recommending Notice of Completion for the Hekpa Erosion Control Project 95142 under contract with White Rock Construction.
RECOMMENDED ACTION: Authorize Chairman to sign.
24. Transportation Department recommending Agreement 71347 with URS Greiner Woodward Clyde in an amount not to exceed \$202,701 for a one year term for consulting engineering services for the El Dorado Road/US 50 Interchange Combined Project Study Report/Project Report.
RECOMMENDED ACTION: Authorize Chairman to sign.
25. Transportation Department recommending Resolution authorizing said Department to claim \$87,000 of Transportation Development Act (TDA) funds for the El Dorado Trail Extension.
RECOMMENDED ACTION: Adopt Resolution 302-98.

26. Planning Department recommending final map for Newtown Acres II, Phase II (TM93-1284) creating 13 residential lots on 67 acres in the Placerville Periphery area, Applicant: KFRD Investments, Kenneth Wilkinson.
RECOMMENDED ACTION: Approve and authorize Chairman to execute Subdivision Improvement Agreements. NuNU B(n)S(a)
27. County Counsel recommending a purchase order in the amount of \$19,775 for a subscription to Westlaw and CD-Rom Law Library for legal research for fiscal year 1998/99.
RECOMMENDED ACTION: Authorize Purchasing Agent to issue purchase order.
28. Chief Administrative Officer recommending renewal of Agreement with PacifiCare to provide HMO and Secure Horizons Plans for the 1999 coverage period.
RECOMMENDED ACTION: Authorize Chairman to sign.
29. Human Resources Department recommending Resolution implementing new rates for the classes covered by El Dorado County Charter Section 504, and by the Memoranda of Understanding between the County and El Dorado County Employees Association Local No. 1, El Dorado County Deputy Sheriff's Association and the Salary and Benefits Resolution, Section 704, effective January 2, 1998.
RECOMMENDED ACTION: Adopt Resolution 303-98.
30. Supervisor Bradley recommending the approval of Assessor's recommendation to rebate \$36,684.75 in property taxes collected from California Precision Molding, Inc. in accordance with Revenue and Taxation Code 5108.
RECOMMENDED ACTION: Approve.
31. Supervisor Nutting recommending Certificate of Commendation for Joseph B. Elison in obtaining the honor of Eagle Scout.
RECOMMENDED ACTION: Authorize Chairman to sign.

32. Director Bradley recommending County Service Area No. 007 Board of Directors approve the recommendation of the Assessor to rebate \$2,204.28 in property taxes collected from California Precision Molding, Inc. in accordance with Revenue and Taxation Code 5108.

RECOMMENDED ACTION: Approve. Referred to CAO and County Counsel for further analysis. NBNuU S(a)

33. County Service Area No. 010 consideration of Notice of Completion for supply and installation of geosynthetic material at the Union Mine Landfill under contract to National Seal Company, Inc.

RECOMMENDED ACTION: Authorize Chairman to sign and authorize final payment in the amount of \$268,027.72.

34. District Attorney requesting Closed Session regarding the potential purchase of property identified as APN 031-290-29-100, 972 Silver Dollar Avenue; negotiations will be with Marjorie and Melvin Springmeyer; and APN 023-241-44-100, 2200 Barton Avenue; negotiations will be with Jim McKinney, Nancy Croft, Debra Howard, James K. McKinney, Nancy A. Croft and Debra K. Howard.

RECOMMENDED ACTION: Approve Closed Session to provide direction regarding both price and terms of purchase.

35. - 41. (Refer Agenda Addendum No. 1 attached.)

BOARD ACTION - Consent Calendar approved with exception of item 32 as noted, and with Supervisor Bradley registering a "no" vote on item 26. NuNBU S(a)

END CONSENT CALENDAR

PRESENTATION by the Placerville "Hangtown" Chapter 512 of the Experimental Aircraft Association.

PRESENTATION of Certificates of Appreciation by Supervisor Shultz to appointed Commission/Committee members who have represented District IV during his term of office.

PRESENTATION of Certificates of Appreciation by Supervisor Upton to appointed Commission/Committee members who have represented District V during his term of office.

OPEN FORUM

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. Adoption of Ordinance amending Section 2.12.04 of Chapter 2 of Title 2 of the Ordinance Code regarding eligibility criteria for Treasurer/Tax Collector candidates and appointees. (Introduced 12/8/98, Item 18)

BOARD ACTION - ORDINANCE NO. 4518 adopted. NBSU Nu(a)

51. Direction to staff to conduct another comprehensive review of the Traffic Impact Mitigation (TIM) Fee Program in light of passage of Measure Y. (Referred 12/8/98, Item 81)

BOARD ACTION - Approved (staff so directed). NSBU Nu(a)

52. Supervisor Nutting submitting for consideration Resolution regarding the forest management plan of the Sierra Nevada forest; and requesting discussion of the County's position on the management of the Eldorado National Forest; and directing Chief Administrative Officer (CAO) to prepare a position statement, to include the summary of the declining Federal Forest Reserve Funding to El Dorado County for road maintenance, to be delivered to the US Forest Service by January 19, 1999.

BOARD ACTION - RESOLUTION NO. 305-98 adopted, and direction given to CAO as requested by Supervisor Nutting. BSNuNU

TIME ALLOCATION - 11:00 A.M.

70. Hearing to consider Resolution adopting a 6.13% rate increase for each of the next two years for the collection of solid waste within the South Tahoe Refuse Co., Inc. franchise area.

BOARD ACTION - RESOLUTION NO. 306-98 adopted. UNB S(n) Nu(a)

TIME ALLOCATION - 11:30 A.M.

71. Adoption of the 1999 Legislative/Regulatory Platform for El Dorado County.

BOARD ACTION - Adopted as amended. NSBNuU

COMMITTEE REPORTS

 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.

TIME ALLOCATIONS - 2:00 P.M.

80. Board of Supervisors to take final action on the following:
(Continued 12/8/98, Item 81, Hearing Closed)

a. Environmental Impact Report (EIR) for the Missouri Flat Area Master Circulation and Funding Plan (MC&FP);

BOARD ACTION - Board certified the EIR together with expansions and amendments that have been set forth this date, and County Counsel authorized to review all documents prior to Chairman's execution of same to ensure consistency with all changes made. NNuBSU

b. General Plan Amendment A98-07, amending the table in General Plan Policy 3.5.1.6;

BOARD ACTION - Withdrawn by the Planning Department this date.

c. EIR, Planned Development PD97-12, and Development Agreement DA98-02 for El Dorado Villages Shopping Center;

BOARD ACTION - Board certified the EIR, approved Planned Development 97-12, and waived reading, read by title only and adopted **ORDINANCE NO. 4519** approving Development Agreement 98-02, together with expansions and amendments that have been set forth this date; and County Counsel authorized to review all documents prior to Chairman's execution of same to ensure consistency with all changes made. NNuBSU

d. EIR, Zoning Boundary Amendment Z97-22, Planned Development PD97-11, Development Agreement DA98-01, and Tentative Parcel Map 97-17 for Sundance Plaza.

BOARD ACTION - Board certified the EIR, waived reading, read by title only and adopted **ORDINANCE NO. 4520** approving Zoning Boundary Amendment 97-22, approved Planned Development 97-11, waived reading, read by title only and adopted **ORDINANCE NO. 4521** approving Development Agreement 98-01, and approved Tentative Parcel Map 97-17, together with expansions and amendments that have been set forth this date; and County counsel authorized to review all documents prior to Chairman's execution of same to ensure consistency with all changes made.

NSBNuU

81. Hearing to consider the following pertaining to WalMart Stores, Inc., in the Diamond Springs Area:
- a. Environmental Impact Report (EIR);
 - b. Rezone (Z94-08) property from RE-10, Estate Residential Ten-acre zone to C-PD, Commercial-Planned Development;
 - c. Development Plan PD94-02 for a retail store; and
 - d. Development Agreement DA98-04.

BOARD ACTION - Board approved Planning Commission's recommendations 1 through 8 set forth on Page 2 of Agenda Transmittal dated 12/7/1998 and Addendum thereto from Janet Postlewait dated 12/13/1998 and with modification of the proposed Policy 3.2.2.4 Finding and Condition No. 6; and Board waived reading, read by title only and adopted **ORDINANCE NO. 4522** approving the rezoning and **ORDINANCE NO. 4523** approving the development agreement. NUBNU

82. Hearing to consider an Appeal filed by the Green Spring Ranch Landowners Association, appealing certification of the Environmental Impact Report and approval of Tentative Map (TM97-1330) for the Silver Springs Subdivision in the Rescue Area.

BOARD ACTION - Board denied the Appeal, and affirmed the action of the Planning Commission, adding a condition for approval requiring the applicant to construct right and left turn lanes on Green Valley Road at its intersection with Green Springs Road and Deer Valley Road, and correcting condition 56 by changing "Russ" to "Rust". BSNU

- 83. Hearing to consider the following for the Pilot Hill Ranch Specific Plan:
 - a. Environmental Impact Report;
 - b. Amendment of General Plan designation (AZ97-01) deleting the land use table included in Policy 2.1.4.3, changing the Planned Community overlay land use designation on the General Plan land use map for the project area to an Approved Plan land use designation, and amendment to the Pilot Hill Rural Center boundaries to include the Pilot Hill Ranch Specific Plan area;
 - c. Rezoning from R1, One-family Residential, R1A, One-acre Residential, RE-5, Estate Residential Five-acre, and RE-10 Estate Residential Ten-acre to Pilot Hill Ranch Specific Plan;
 - d. Specific Plan; and
 - e. Development Agreement and Public Facilities and Services Plan.

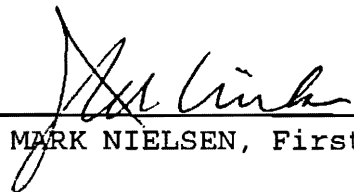
BOARD ACTION - Continued off calendar. NuNBSU

- 84. Resolution amending the County General Plan pursuant to Amendment applications approved on December 15, 1998.

BOARD ACTION - No action taken.

ADJOURNMENT

APPROVED:



 J. MARK NIELSEN, First Vice Chairman

ATTEST:

Dixie L. Foote, Clerk of the Board

BY 
 Deputy Clerk

CLOSED SESSION ROSTER

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

BOARD ACTION - No action reported.

Closed Session added to the Agenda upon its adoption regarding exposure to litigation regarding USCS International Memorandum of Understanding and letter regarding same, dated 12/11/1998, received from law firm of Zumbrun & Findley on 12/14/1998.

BOARD ACTION - No action reported.

Closed Session after action on Consent Calendar Item 34:

Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 to give instructions to the Board negotiator regarding real property described as 972 Silver Dollar Avenue; APN 031-290-44-100 and 2200 Barton Avenue; APN 023-241-44-100. The person or persons with whom the negotiator may negotiate are Marjorie and Melvin Springmeyer for APN 031-290-29-100 and Jim McKinney, Nancy Croft, Debra Howard, James K. McKinney, Nancy A. Croft, Debra K. Howard for APN 023-241-44-100. Instructions to negotiator will concern price and terms of payment.

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
County of El Dorado

December 15, 1998

8:00 A.M.

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

CLOSED SESSION

Existing litigation pursuant to Government Code Section 54956.9 regarding Goldbandz vs El Dorado County, Case #PV002958 (Brunius).

BOARD ACTION - No action reported.

CONSENT CALENDAR

35. Agriculture Department recommending Memoranda of Understanding with the State Department of Food and Agriculture for 1998/99 for El Dorado and Alpine Counties Seed Law Program.

RECOMMENDED ACTION: Authorize Chairman to sign.

36. Probation Department requesting authorization to contract for consultant services regarding options for a new juvenile hall; formulate suitable design and cost estimates; and submit the County's grant application to the Board of Corrections Construction Grants Program.
RECOMMENDED ACTION: Chief Administrative Officer recommending staff and consultant be directed to return to the Board for direction regarding the Project(s) to be proposed to the Board of Corrections for grant funding; said direction should not be sought until after receipt, review, and analysis of the Juvenile Facility Needs Assessment currently being completed by contracted professional services.
37. Sheriff Department recommending Resolution appointing the Sheriff as Chairman of the El Dorado County Mentally Ill Offender Crime Reduction (MIOCR) Strategy Committee, authorizing Sheriff to execute application for State planning grant; and appointing members to said Committee.
RECOMMENDED ACTION: Adopt Resolution 304-98.
38. County Counsel requesting authorization to retain outside legal counsel to consult with County Counsel regarding interpretation and implementation of Measure Y.
RECOMMENDED ACTION: Approve.
39. County Counsel recommending Budget Transfer 2172 transferring \$50,000 from General Fund Contingency for expenses incurred through trial and for the completion of the General Plan litigation (El Dorado County Taxpayers vs El Dorado County, Case No. 96-CS-01290). (4/5 vote required)
RECOMMENDED ACTION: Approve.
40. County Service Area No. 010 consideration of Agreement for Assignment of the Amador Disposal Service, Inc. refuse collection franchise.
RECOMMENDED ACTION: Authorize Chairman to sign.

41. County Service Area No. 010 consideration of the following:

a. Agreement with National Seal Company, Inc., in the amount of \$50,434 for the installation of a wastewater injection system at the Union Mine Landfill; Agreement with COP LFG, L.L.C. for the Union Mine "Landfill Gas Sales"; Agreement with COP LFG, L.L.C./Montauk, Inc. for a "Facilities and Lease Agreement" of the Union Mine Landfill Gas Collection System; and

b. Notice of Exemption;

c. Charter Findings; and

d. Wastewater injection system be approved as a beneficial use of landfill gas.

RECOMMENDED ACTION: Approve and authorize Chairman to sign. Approved with Board finding, pursuant to Ordinance Code Section 3.12.130.E, that competitive bidding on the Landfill Gas Sales agreement, and any other elements of the transaction, would not be in the public interest due to the unique nature of the property and services required precludes receiving bids.

NNuBSU