

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

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

Tuesday, September 28, 1999 - 2:30 P.M.

**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>**

J. MARK NIELSEN
Chairman
Third District

WILLIAM S. BRADLEY
First Vice Chairman
First District

PENNY HUMPHREYS
Second Vice Chairman
Fourth District

RAYMOND J. NUTTING
Second District
rnutting@co.el-dorado.ca.us

DAVID A. SOLARO
Fifth District

Clerk of the Board
Dixie L. Foote

Chief Administrative Officer
Michael B. Hanford

County Counsel
Louis B. Green

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

ADOPTION OF AGENDA

CLOSED SESSIONS

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

a. Parkview Heights Coalition, et al vs County of El Dorado County, et al. (Promontory), El Dorado County Superior Court Case No. PV-003115; and

b. El Dorado County Taxpayers for Quality Growth, et al vs El Dorado County Board of Supervisors, et al (Carson Creek) El Dorado County Superior Court Case No. PV-002584.

-OVER-

OPEN SESSION

Palisades Development, Inc. requesting Board certify an addendum to the Environmental Impact Report (EIR) and consider minor amendments to the Specific Plan and development agreement for Carson Creek in the El Dorado Hills area, (APNs 108-040-04, -05, -06, -07, -12, and 108-050-02).

BOARD ACTION - Board adopted the findings proposed by staff, and approved the Specific Plan amendments which have been presented. BSNuNH


Russell Ranch Limited Partnership, AKT Development as Managing General Partner, Angelo K. Tsakopoulos, requesting Board certify an addendum to the Environmental Impact Report and consider minor amendments to the Specific Plan and development agreement for the Promontory in the El Dorado Hills area, (APNs 067-040-05, 111-020-51, and 108-030-01).

BOARD ACTION - Board adopted the findings proposed by staff, and approved the Specific Plan amendments which have been presented. BSNuNH

ADJOURNMENT

Board of Supervisors Special Meeting of September 28, 1999
attached hereto and approved by the Board on October 26, 1999,
1999.

APPROVED:

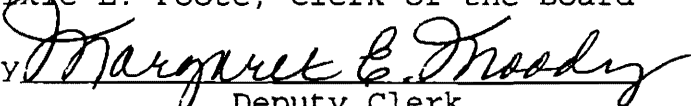


J. MARK NIELSEN, CHAIRMAN

ATTEST:

Dixie L. Foote, Clerk of the Board

By



Deputy Clerk

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

September 28, 1999

8:00 A.M.

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

CLOSED SESSIONS

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

No action reported.

Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding real property described as APN 054-422-53. The person or persons with whom the negotiator may negotiate are Joe L. and Sharon J. Springer. Instructions to negotiator will concern price and terms of payment.

No action reported.

Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 regarding real property described as APN 054-411-44. The person or persons with whom the negotiator may negotiate are Phillip D. and Mabel Morton, et al. Instructions to negotiator will concern price and terms of payment.

No action reported.

CONSENT CALENDAR

34. Sheriff Department recommending Attachment 1 to Joint Operating and Financial Plan for the term October 1, 1998 through September 30, 1999 for visitor protection; Attachment 2 to Joint Operating and Financial Plan for the term January 1, 1999 through December 31, 1999 for controlled substances with the US Forest Service; and Budget Transfer 20031 increasing Estimated Revenue by \$41,000 for same.

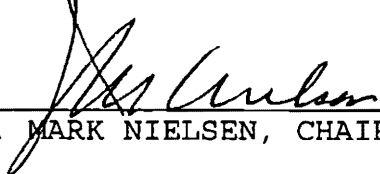
RECOMMENDED ACTION: Authorize Chairman and Sheriff to sign.

35. Sheriff recommending purchase of pneumatic work stations for the Dispatch Center at a cost of \$62,475.

RECOMMENDED ACTION: Authorize issuance of purchase order to Watson Furniture Systems of Bainbridge Island, Washington, accompanied by check in the amount of \$31,237.50.

Board of Supervisors Meeting of September 28, 1999 attached hereto and approved by the Board on October 26, 1999, 1999.

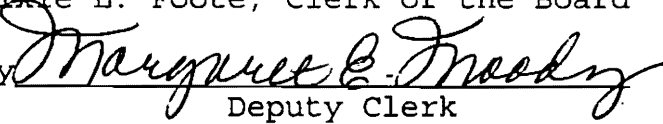
APPROVED:



J. MARK NIELSEN, CHAIRMAN

ATTEST:

Dixie L. Foote, Clerk of the Board

BY 

Deputy Clerk

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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 28, 1999

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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. - ADOPTION OF AGENDA AND CLOSED SESSIONS

9:00 A.M. - OPEN SESSION

PLEDGE OF ALLEGIANCE TO THE FLAG

CONSENT CALENDAR: Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar approval will be taken up at a time determined by the Chairman.

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of September 21, 1999.
RECOMMENDED ACTION: Approve.
2. Releases of Lien (on file with Clerk).
RECOMMENDED ACTION: Authorize Chairman to sign.
3. Assessment Roll Change (on file with Clerk).
RECOMMENDED ACTION: Authorize Chairman to sign.
4. Public Health Department recommending October 23 through October 31, 1999 be proclaimed Red Ribbon Week in El Dorado County showing commitment toward the creation of a drug-free County.
RECOMMENDED ACTION: Adopt Proclamation.
5. Public Health Department recommending the biennial report "A Report to the Community" describing the diversity and depth of effort of said Department.
RECOMMENDED ACTION: Receive and file.
6. General Services Department recommending Agreement with Charles Reeves, dba C & C Cable renewing the cable television franchise serving the Kyburz-Silverfork area and the communities of Whitehall and Strawberry.
RECOMMENDED ACTION: Authorize Chairman to sign.
7. General Services Department recommending property outlined in Agenda Transmittal dated September 16, 1999, be declared surplus.
RECOMMENDED ACTION: Authorize Purchasing Agent to dispose of same at public auction.
8. General Services Department recommending Amendment I to Agreement 078-S9911 with Eskaton Properties, Inc., dba Fruitridge Transitional Home and Crestwood Behavioral Health, Inc. for a long-term 24-hour special treatment program for mentally ill adults for the Mental Health Department.
RECOMMENDED ACTION: Authorize Chairman to sign.

9. General Services Department recommending Agreement 010-S0011 with The Gables, LLC, in an amount not to exceed \$44,000 for a term to expire June 30, 2000 for supplemental residential treatment services for mentally disordered adults on an "as requested" basis for the Mental Health Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
10. General Services Department recommending Agreement 143-S0011 with EDAW, Inc. in an amount not to exceed \$208,312 for a one year term for an environmental impact analysis for the General Plan Environmental Impact Report for the Planning Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
11. General Services Department requesting authorization to proceed with an emergency replacement of two boilers at the South Lake Tahoe Government Center.
RECOMMENDED ACTION: Approve.
12. Environmental Management recommending Agreement 6039-9 with the Governor's Office of Emergency Services in the amount of \$10,108 for the term August 2, 1999 through March 31, 2000 for assisting the State on the development of the criteria to prioritize the potential for a Y2K related accidental hazardous material release within its jurisdiction; and Budget Transfer 20029 increasing Estimated Revenue by \$10,108 for same. (4/5 vote required)
RECOMMENDED ACTION: Approve and authorize Chairman to sign.
13. Sheriff recommending Agreement with the City of Placerville for dispatch services for fiscal year 1999/2000.
RECOMMENDED ACTION: Authorize Chairman to sign.
14. Sheriff recommending Agreement 075-S0010 with Jim Barnes for a three year term for canine training services.
RECOMMENDED ACTION: Authorize Chairman to sign.

15. Elections Department recommending Amendment I to Agreement 278-S9911 with Data Information Management Systems, Inc. in an amount not to exceed \$61,000 to upgrade existing ballot counting system and election file server.

RECOMMENDED ACTION: Authorize Chairman to sign.

16. Transportation Department recommending the following for the El Dorado Hills Boulevard Class I Bike Path Project (Francisco Drive to Governors Way); Harvard Drive Class I Bike Path (Clermont to El Dorado Hills Boulevard); and Cool Bike Path (Northside School to Auburn Lake Trails):

a. Adopt Resolutions (3) authorizing applications for Transportation Enhancement Activities (TEA) grant monies for preliminary engineering and environmental review;

b. Authorize said Department to submit an application to the Air Pollution Control District (APCD) - Department of Motor Vehicles, for required matching funds; and

c. Approve the use of Road Funds as the source of matching funds for the El Dorado Hills Boulevard and Harvard Drive projects if the effort to secure APCD funding is not successful, and for the use of reasonable increases in cost on said projects.

RECOMMENDED ACTION: Adopt Resolutions 222-99, 223-99 and 224-99.

17. Transportation Department recommending Purchase and Sale Agreement and Certificate of Acceptance with Marian C. Hammond, Successor Trustee, in the amount of \$150,000 to acquire APN 018-281-07 for the Cascade Erosion Control Project JN 95056.

RECOMMENDED ACTION: Authorize Chairman to sign.

18. Transportation Department recommending Resolution authorizing said Department to claim \$50,000 of Transportation Development Act (TDA) Non-Motorized Funds for the installation of safety and access-restriction improvements on the Sacramento-Placerville Transportation Corridor.

RECOMMENDED ACTION: Adopt Resolution 225-99.

19. Transportation Department recommending a Subordination Agreement, subordinating the traffic impact fee deferral balance of \$7,238 to a new First Trust Deed on the Daryl and Adolph Zierke property.
RECOMMENDED ACTION: Authorize Chairman to sign.
20. Planning Department recommending Agreement for Services with Paul T. Converse in an amount not to exceed \$21,000 for a one year term for the preparation of the 1998 Water Supply and Demand Report.
RECOMMENDED ACTION: Approve. Request denied; Agreement not approved.
NuBN H(n)S(n)
21. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easement and Certificate of Acceptance from Kenneth D. Swanson for property in the vicinity of Lake Tahoe Airport.
RECOMMENDED ACTION: Approve.
22. Planning Department recommending Chairman be authorized to sign Avigation and Noise Easements for August R. Junkert (R/J Properties, LLC), David C. Cordano and Jeanne M. Cordano, Kevin Allen Mickelson and LaVonna Lee Mickelson, Kurt Rademacher and Sandy Rademacher, and Robert Williams and Michele Williams for properties in the vicinity of Cameron Park Airport.
RECOMMENDED ACTION: Approve.
23. Planning Department submitting Final Map (TM91-1242R) for Serrano, Village A, Unit 004 in the El Dorado Hills Area, Applicant: Serrano Associates, LLC; and recommending Subdivision Improvement Agreements with L.M.D. El Dorado, LLC, Agreement on Conditions for Acceptance of Drainage Easements and Agreement on Conditions for Acceptance of Roads.
RECOMMENDED ACTION: Approve and authorize Chairman to sign.
24. Veterans Services recommending Subvention Certificate of Compliance and Medi-Cal Certificate of Compliance with the State Department of Veterans Affairs for fiscal year 1999/2000.
RECOMMENDED ACTION: Authorize Chairman to sign.

25. Human Resources Department recommending Resolution adopting new salary ranges for the classifications of Assistant Building Inspector, Building Inspector I/II, Senior Building Inspector, Senior Code Compliance Officer and Operations Supervisor effective October 9, 1999 superceding previously approved equity increases scheduled for January 2000.
RECOMMENDED ACTION: Adopt Resolution 226-99.
26. Human Resources Department recommending Resolution establishing salary range and designating bargaining unit for the classification of Public Defender, Senior Investigator.
RECOMMENDED ACTION: Adopt Resolution 227-99.
27. Human Resources Department recommending Resolution amending Authorized Personnel Allocation Resolution adding one Sheriff's Technology Manager position, adopting classification specification and salary ranges and designating the bargaining unit to be effective the first full pay period following adoption of same.
RECOMMENDED ACTION: Adopt Resolution 228-99.
28. Human Resources Department recommending Resolution adopting the Authorized Personnel Allocation for fiscal year 1999/2000.
RECOMMENDED ACTION: Adopt Resolution 229-99.
29. Human Resources Department recommending Resolution modifying the Mental Health Clinician and Mental Health Program Coordinator classifications, establishing salary ranges, and establishing corrected equity rates for the associated Unrepresented Management class, to be effective January 1, 2000, and associated General, Professional and Supervisory classifications, to be effective April 8, 2000.
RECOMMENDED ACTION: Adopt Resolution 230-99.
30. Chief Administrative Officer recommending letter urging Governor Davis to veto Assembly Bill 1127 which will make California counties subject to Cal-OSHA fines.
RECOMMENDED ACTION: Authorize Chairman to sign.

31. Supervisor Nielsen recommending extension of Permit Application 114569 for James Kidder for a Lube Express.

RECOMMENDED ACTION: Extend permit for 6 months with an additional 6 months to be considered if the issue is still not resolved.

32. Supervisor Solaro recommending letter of commitment, including an in kind contribution for the Lake Tahoe Sustainable Resources Project/ Sustainable Development Challenge Grant that would convert forest and yard waste to value-added mulch and compost products.

RECOMMENDED ACTION: Authorize Chairman to sign.

33. County Service Area 010 consideration of a Resolution authorizing re-refined oil use and purchasing; Resolution authorizing green procurement; and Resolution authorizing used oil and household hazardous waste grant applications from the California Integrated Waste Management Board in association with the cities of Folsom, Placerville and South Lake Tahoe.

RECOMMENDED ACTION: Adopt Resolutions 231-99, 232-99 and 233-99.

34. Refer Agenda Addendum No. 1 attached.
35. Refer Agenda Addendum No. 1 attached.

BOARD ACTION - Consent Calendar approved with the exception of item 20 which was held off for separate action, and with the addition of Department Matters 50, 52 and 53 for action on same. SHBNuN

END CONSENT CALENDAR

PRESENTATION to recognize National 4-H Week, October 3 - 9, 1999.

PRESENTATION of Proclamation observing October 2 - 8, 1999 as Aviation-Aerospace Week. NSBNuH

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. Transportation Department recommending award of bid for the Sand Ridge Road and Bridge Storm Damage Repair Project JN 78557.

BOARD ACTION - All bids rejected, and Department of Transportation directed to re-scope the project and return in Spring, 2000, for authorization to re-bid the project. SHBNuN

51. County Counsel, Planning and Transportation Departments requesting guidance on Measure Y interpretation issues and Interim Transportation Impact Fee Policy issues. (Referred 9/14/99, Item 51)

BOARD ACTION - Removed from the Agenda upon its adoption, due to the Planning Commission's continued deliberations on the matter. HSBNuN

52. General Services Department submitting the feasibility study for a juvenile hall to be located in South Lake Tahoe and requesting direction regarding same.

BOARD ACTION - Report received and filed, and General Services and Probation Departments authorized to initiate actions necessary to proceed with the development of an application for grant funding for a new Juvenile Hall in South Lake Tahoe as discussed in the Study Report and letter from the Chief Probation Officer dated September 3, 1999; said actions to include: selection of a consultant and preparation of the required Needs Assessment; discussion with the South Lake Tahoe Unified School District relative to the acquisition of School District property adjacent to the Government Center; discussions with and submittal of any required applications to the Tahoe Regional Planning Agency (TRPA). SHBNuN

53. Supervisor Nutting, on behalf of Jack Sweeney and Lee's Trucking, requesting Department of Transportation be directed to provide a notice of completion for Grading Permit 116132; and applicant requesting waiver of standards on four areas of the Notice of Correction issued by said Department.
BOARD ACTION - Removed from the Agenda at the request of Supervisor Nutting. SHBNuN

TIME ALLOCATIONS - 10:00 A.M.

60. Supervisors Humphreys and Nielsen recommending adoption of a Board Policy establishing and creating a Placerville Airport Advisory Committee and a Georgetown Airport Advisory Committee, and repealing Policy I-3, adopted on August 22, 1989, that established a County Airport Commission.
BOARD ACTION - Policy adopted as proposed. HSBNuN
61. Chief Administrative Officer recommending Board review and make necessary changes to the Response to the Grand Jury Report; accept comments; and adopt Response to the 1998/99 Grand Jury Report.
BOARD ACTION - Board adopted the Response to the 1998/1999 Grand Jury Report as presented. SNUBNH
62. Y2K Committee Update.
BOARD ACTION - By order of the Chairman, the Committee's report was continued to the next regular meeting of the Board or a meeting thereafter.

TIME ALLOCATION - 10:30 A.M.

63. Environmental Management recommending the following pertaining to the Expanded Grading and Construction Ordinance and related issues:

a. Extend, by urgency or non-urgency Ordinance, the existing modified grading and construction Ordinance and/or adopt the expanded Ordinance providing direction on maximum asbestos limits for surfacing materials;

BOARD ACTION - Board adopted Urgency Ordinance No. 4539 entitled "Special Guidelines for Grading and Construction" (extending the existing modified grading and construction Ordinance). BSNuNH

Motion to adopt the expanded Ordinance (entitled "The Naturally Occurring Asbestos and Dust Protection Ordinance") with a 1% (content) limit, failed by a three-two vote. BH Nu(n)N(n)S(n)

Supervisor Solaro's motion to adopt "The Naturally Occurring Asbestos and Dust Protection Ordinance" with a 5% content limit, died for lack of a second.

Supervisor Bradley's motion to approve items b., c., d. and e. (below) carried unanimously after Supervisor Nutting's motion to continue the items to the next regular Board meeting failed.

b. Authorize Chairman to sign letters to the California Department of Conservation, Air Resources Board, Toxic Substances Control Division, Office of Environmental Health Hazard Assessment and Federal Environmental Protection Agency;

BOARD ACTION - Approved. BHNuNS

c. Authorize Environmental Management Department to return to the Board with an Agreement with the California Air Resources Board to utilize its air monitoring equipment and receive training for use thereof;

BOARD ACTION - Approved. BHNuNS

Continued next page

d. Authorize said Department to return to the Board with a personnel allocation and laboratory services agreement for air monitoring labor and testing;

BOARD ACTION - Approved.

BHNuNS

e. Authorize said Department to pursue and return to the Board with potential funding sources for said air monitoring program;

BOARD ACTION - Approved.

BHNuNS

f. Find that the Ordinance(s) provisions are categorically exempt from the California Environmental Quality Act.

BOARD ACTION - Findings adopted concurrent with adoption of Ordinance No. 4539 (item a. above). BSNuNH

TIME ALLOCATIONS - 11:00 A.M.

64. Hearing to determine the party or parties of interest entitled to the excess proceeds from tax deeded land sale (APN 041-722-1510) on November 7, 1997 (Tax Sale 270, Default 37893).

BOARD ACTION - Entire amount of excess proceeds (\$1,500.91) awarded to Betty Poppleton.

BSNuNH

65. Hearing to determine the party or parties of interest entitled to the excess proceeds from tax deeded land sale (APN 088-020-0910) on November 7, 1997 (Tax Sale 300, Default 39300).

BOARD ACTION - Entered amount of the excess proceeds awarded to Thomas R. Jurich and Jean M. Jurich as the only legitimate claimant to same; said distribution to be withheld for a period of 90 days from the date of the decision of the Board of Supervisors, and if no judicial review has been commenced by that time the excess be paid by the Auditor-Controller.

BSNuNH

66. Hearing to determine the party or parties of interest entitled to the excess proceeds from tax deeded land sale (APN 061-612-0310) on November 7, 1997 (Tax Sale 276, Default 38387).
BOARD ACTION - Sum of \$2,950.25 awarded to Harold M. Hoffman for Travelers Indemnity Company; sum of \$540.00 awarded to David E. Willians for Greenwood Lake Estates Homeowners Association; sum of \$7,924.21 awarded to the Internal Revenue Service; said distributions to be withheld for a period of 90 days from the date of the decision of the Board of Supervisors, and if no judicial review has been commenced by that time, the monies are to be paid by the Auditor-Controller. BSNuNH
67. Hearing to determine the party or parties of interest entitled to the excess proceeds from tax deeded land sale (APN 090-420-0310) on November 7, 1997 (Tax Sale 301, Default 39426).
BOARD ACTION - Upon hearing the protest of Mr. Philip H. Greenlee to County Counsel's recommendation that the excess proceeds be awarded to Michael Kaufenberg on behalf of Allante Carmichael Place, Ltd., the hearing was continued to October 26, 1999. NuNBHS
68. Hearing to determine the party or parties of interest entitled to the excess proceeds from tax deeded land sale (APN 084-070-1710) on November 7, 1997 (Tax Sale 299, Default 39106).
BOARD ACTION - Entire amount of excess proceeds awarded to James L. Patterson; said distribution to be withheld for a period of 90 days from the date of the decision of the Board of Supervisors, and if no judicial review has been commenced by that time, the excess is to be paid by the Auditor-Controller. BSNuNH
69. Hearing to consider Resolution approving the El Dorado Hills Community Services District Annual Report and park and recreation impact fees.
BOARD ACTION - RESOLUTION NO. 234-99 adopted as modified. BHNuNS

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to rescind a previous amended map approval for Crown Valley, Unit 001, and approve the September 1999 amended final map based on findings as outlined in Agenda Transmittal dated September 16, 1999, requested by U.S. Home Corporation.
BOARD ACTION - Hearing no protests, Board rescinded the action of July 27, 1999, on the previous amended final map for Crown Valley, Unit 001 (Subdivision H-150), and approved the September 1999 amended final map based on the findings set forth in Attachment 1 to the Planning Department's Agenda Transmittal dated 9/16/1999. HSBNuN
81. Board deliberation on the Appeal of Steve and Stacy Nieman on the denial of the portion of Variance 99-03 to allow a building encroachment into a side yard setback to accommodate an existing residence on an irregular shaped lot in the Rescue Area. (Hearing closed 8/31/99, Continued 9/14/99, Item 80)
BOARD ACTION - By consensus, Board continued the item to October 26, 1999.
- 82A. Hearing to consider an Appeal submitted by Supervisor Sam Bradley on the approval and conditions of approval for Tentative Map TM98-1356, Promontory, Villages 1-5 in the El Dorado Hills Area; Applicant: Palisades Properties. (Continued 9/14/99, Item 83A)
BOARD ACTION - By consensus, Board continued the hearing to December 14, 1999.
- 82B. Hearing to consider an Appeal submitted by El Dorado County Taxpayers for Quality Growth on the approval of Tentative Map TM98-1356, Promontory, Villages 1-5 in the El Dorado Hills Area; Applicant: Palisades Properties. (Continued 9/14/99, Item 83B)
BOARD ACTION - By consensus, Board continued the hearing to December 14, 1999.

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

September 28, 1999

8:00 A.M.

Conference with Labor Negotiator pursuant to Government Code Section 54957.6, County Negotiators: Director and Deputy Director of Human Resources and Employee Organization: Deputy Sheriff's Association.
No action reported.