

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, August 22, 2000

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>

WILLIAM S. BRADLEY
Chairman
First District

PENNY HUMPHREYS
First Vice Chairman
Fourth District

DAVID A. SOLARO
Second Vice Chairman
Fifth District

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

J. MARK NIELSEN
Third 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. 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. - 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. 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 August 15, 2000.

RECOMMENDED ACTION: Approve.

2. Public Health Department recommending Resolution increasing the imprest petty cash account to \$125 for the South Lake Tahoe Public Health Department.

RECOMMENDED ACTION: Adopt Resolution 238-2000.

3. Public Health Department recommending Emergency Medical Services Agency Advanced Life Support Mutual Aid Agreement with the Regional Emergency Medical Services Authority, dba REMSA of Reno, Nevada for emergency medical aircraft services to El Dorado County.

RECOMMENDED ACTION: Authorize Chairman to sign and Public Health Director to execute additional mutual aid agreements with other neighboring emergency helicopter companies. Removed upon adoption of the Agenda at the request of the Public Health Department.

NuHBNS

4. Public Health Department recommending Agreement with Tahoe Youth and Family Services in the amount of \$38,000 and two Agreements with New Morning Youth and Family Services, Inc. in the amounts of \$88,000 and \$50,000 for the term July 1, 2000 through June 30, 2001 for high risk youth counseling and shelter services.

RECOMMENDED ACTION: Authorize Chairman to sign and Public Health Director to execute subsequent documents relating to same.

5. Community Services Department submitting Fiscal Year 1999/2000 Housing Authority Summary of Activities.

RECOMMENDED ACTION: Receive and file.

6. General Services Department recommending Amendment One to Agreement 108-S0010 with Kenneth W. Crawford, dba Dick's Carpet Outlet in an amount not to exceed \$20,000 for the term July 1, 1999 through June 30, 2001 for carpet and vinyl installation services on an "as requested" basis for clients enrolled in the Multi-Purpose Senior Service Program (MSSP) and Linkages Program for the Community Services Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
7. General Services Department recommending Agreement 017-S0111 with Sierra Economic Development District in an amount not to exceed \$12,000 for a term to expire June 30, 2001 to complete economic development loans to qualified local entities from the Community Development Block Grant revolving loan fund for the Community Services Department.
RECOMMENDED ACTION: Authorize Chairman to sign.
8. General Services Department recommending supplemental Budget Transfer 21004 increasing Estimated Revenue by \$20,927 to bring funding up to \$62,780 to be consistent with contract approved by the Board on July 25, 2000 with Telesonics, Inc., dba Sonitrol of Sacramento for an access control system at the Unified Courts. (4/5 vote required)
RECOMMENDED ACTION: Approve.
9. Superior Court recommending Judicial Secretary Deborah Gwaltney be placed at Step 3 of the salary range.
RECOMMENDED ACTION: Approve.
10. Sheriff recommending Resolution amending Authorized Personnel Allocation Resolution 229-99 deleting one vacant Information Technology Department Specialist position and adding one Department Systems Analyst position to develop and administer the stand-alone network and web site.
RECOMMENDED ACTION: Adopt Resolution 239-2000.

11. Planning Department recommending Avigation and Noise Easements and Certificates of Acceptance from Larry Jackson and Debbie Jackson, John Lowe, Barclay Industries, Inc., and William C. Moisson and Esther Chung-Moisson for property in the vicinity of Lake Tahoe Airport.
RECOMMENDED ACTION: Approve.
12. Planning Department recommending Avigation and Noise Easement and Certificate of Acceptance from Herman Boswell and Betty Boswell for property in the vicinity of Placerville Airport.
RECOMMENDED ACTION: Approve.
13. Planning Department recommending Avigation and Noise Easements and Certificates of Acceptance from David H. Steimle and Barbara H. Steimle, Frank and Mona Evans and Rich and Kathy Kludjian, Gary M. Jones and Glenda R. Jones, Carol H. Hampton and Gerald N. Hampton, Mark E. Cooke and Rebecca A. Cooke, Kevin A. Mickelson and La Vonna L. Mickelson, Mark O. Perkins and Debbie K. Perkins, and Barbie Lussier for property in the vicinity of Cameron Park Airport.
RECOMMENDED ACTION: Approve.
14. Planning Department submitting Final Map for Village D-002, Unit 002 (TM97-1343); and authorize Chairman to sign Agreement to Make Subdivision Improvements, Agreement on Conditions for Acceptance of Drainage Easements, and Agreement on Conditions of Acceptance of Roads. (District I)
RECOMMENDED ACTION: Approve.
15. Chief Administrative Officer recommending Memorandum of Agreement with the Superior Court of California, County of El Dorado for the term July 1, 2000 through December 31, 2000 to implement the provisions of the Lockyer-Isenberg Trial Court Funding Act of 1977 (AB233).
RECOMMENDED ACTION: Authorize Chairman to sign.

16. Supervisor Nutting recommending appointment of the following to the Pollock Pines Design Review Committee: Tooraj Agahi of Crystal View Station and Don Costa of Pollock Pines Hardware as business representatives and Claudia Stoll Bethke, Robert Schulhauser and Edith Stellmaker as resident representatives.

RECOMMENDED ACTION: Approve appointment.

17. Supervisors Nutting and Solaro recommending Planning Department staff be directed to amend the current zoning ordinance to allow vacation rental use in residential zones and to also propose review procedures to ensure that this use does not alter the current character of the neighborhood.

RECOMMENDED ACTION: Approve and return to Board for final approval.

18. County Service Area 010 consideration of Memorandum of Agreement with Cameron Park Community Services District to implement recycling, litter abatement and public education programs within the District boundaries to be funded through new franchise fees resulting from mandatory collection.

RECOMMENDED ACTION: Authorize Chairman to sign.

19. County Service Area 010 consideration of Franchise Agreements with South Tahoe Refuse Company, Inc., dba Sierra Disposal Service and South Tahoe Refuse Company, Inc., dba American River Disposal Service for a term to expire December 31, 2004.

RECOMMENDED ACTION: Authorize Chairman to sign.

BOARD ACTION - Consent Calendar approved with the exception of item 3 which was removed upon adoption of agenda.

NHBNU5

END CONSENT CALENDAR

PRESENTATION by Human Resources Department on the Employee Art and Innovation Show.

OPEN FORUM

Dick Moody, Administrative Assistant to the Shingle Springs Tribal Government, spoke about the Tribe's plans to construct an overpass over Highway 50 directly to the Shingle Springs Rancheria thereby eliminating the need to use or impact County roads to gain access to their gaming facility. However, pursuant to the Tribal Government's agreement with the State of California, the Tribe is informing the County of its plans and will agree to meet with the Board, if the Board so desires, to discuss mitigation of significant adverse off-reservation environmental impacts.

BOARD ACTION - Board directed the Chief Administrative Officer, County Counsel and such other departments as they deem appropriate to pursue the matter and advise the Board of the potential range of reactions to Mr. Moody's appearance this date.

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 requesting authorization to seek proposals from qualified traffic engineering consultants to provide an independent Highway 050 capacity analysis. (Continued 8/8/00, Item 50)

BOARD ACTION - Staff authorized to proceed with Alternative "A", a Request For Proposals (RFP) with the "emphasis on time", for performing the work at a cost not to exceed \$50,000 and the scope of work to include assessment of the impact of additional jobs in the El Dorado Hills Business Park when it is built out.

NBH Nu(n)S(n)

51. Adoption of Ordinance amending Section 2.60.065, Chapter 2.60 of Title 2 of the County Ordinance Code providing a limited right of return into the classified service for the exempt class of Undersheriff. (Introduced 8/15/00, Item 12)

BOARD ACTION - ORDINANCE NO. 4562 adopted. NuHBN S(a)

52. Report on all the legal, operational and social ramifications of the Initiative Measure Requiring Specified Sums From Tobacco Settlement Monies to be Used for Health Related Programs and Control of Tobacco Use. (Referred 7/25/00, Item 90)

BOARD ACTION - Referred to Registrar of Voters to set for the next appropriate election; and staff requested to bring back refinements to potential uses of 25% of the Tobacco Settlement Monies for the next one and one-half years without prejudice to anyone. NNuBHS

County Counsel authorized to proceed with litigation challenging the legality of the measure. NHBS Nu(n)

TIME ALLOCATIONS - 11:00 A.M.

60. Hearing to consider the adoption of the Final Mitigated Negative Declaration for the Green Valley Road Widening Project (JN72339) and Mitigation Monitoring and Reporting Program.

BOARD ACTION - Approved. NBNUHS

61. Consideration of impacts of the Vehicle License Fee Initiative filed by the Builder's Exchange set as County Ballot Measure H in the November 2000 election and possible Board position supporting or opposing Measure H.

BOARD ACTION - Board voted to oppose Measure H.

NHBS Nu(n)

BOARD OF SUPERVISORS CONVENED AS AIR POLLUTION CONTROL DISTRICT BOARD OF DIRECTORS TO CONSIDER THE FOLLOWING:

70. Environmental Management recommending approval of Department of Motor Vehicle funding of Motor Vehicle Emission Reduction Projects as outlined in Agenda Transmittal dated August 10, 2000; and authorization for staff to return to the Board with applicable agreements for same.

BOARD ACTION - Motion by Supervisor Nutting to approve projects "b" through "g" only, failed for lack of a second.

A motion by Supervisor Bradley, seconded by Supervisor Humphreys, to approve projects "a" through "g", received the following vote: Supervisor Nutting aye except no on project "a"; Supervisor Nielsen aye except no on project "a"; Supervisor Humphreys aye; Supervisor Bradley aye; and Supervisor Solaro absent.

After some discussion about the status of project "a", i.e., there not being a majority vote for approval, the Chairman ordered the entire item trailed until Supervisor Solaro returned to the meeting. However, Supervisor Solaro did not return to the meeting and the Board finally acted as follows:

Projects "b" through "g" approved with the understanding that Project "a" is open for a vote of the Board at another Board meeting. NuNH B(n)S(a)

AIR POLLUTION CONTROL DISTRICT BOARD OF DIRECTORS ADJOURNED AND PUBLIC HOUSING AUTHORITY CONVENED TO CONSIDER THE FOLLOWING:

71. Community Services Department recommending Chairman and Executive Director of said Department be authorized to sign the 1999-2000 Section 8 Management Assessment Program Certification for submission to the U.S. Department of Housing and Urban Development.

BOARD ACTION - Approved. NHBNU S(a)

PUBLIC HOUSING AUTHORITY ADJOURNED AND BOARD OF SUPERVISORS RECONVENED.

COMMITTEE REPORTS

TIME ALLOCATION - 2:00 P.M.

80. Hearing to consider Appeal of the revision of Special Use Permit 90-51R for the Cameron Park Montessori Preschool and Daycare in the Shingle Springs Area (District II) to allow a 1,440 square foot building and children up to the age of 14 to attend; Applicant: Deanne Gardner, Appellant: Thomas B. Gillespie.

BOARD ACTION - Board denied the Appeal, upholding the Planning Commission's conditional approval of the Special Use Permit, with revision of conditions 4 and 13 as proposed this date and revision of the site plan to move the new building to the area known as the "soccer field" and to allow expansion of the play area on the west side to compensate for the loss of the soccer field.

NuHB N(n)S(a)

ADJOURNMENT

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

August 22, 2000

8:00 A.M.

Public Employee Appointment pursuant to Government Code Section 54957: Public Defender.

BOARD ACTION - By unanimous vote in closed session Board appointed Richard "Rick" Meyer to the position of Public Defender. Later, in open session, by a unanimous vote of those present (Supervisor Solaro absent) Board authorized Mr. Meyer to be placed at step 5 of the salary range for Public Defender effective at the start of a pay period.

Existing litigation pursuant to Government Code Section 54956.9(a) regarding David Pollock vs County of El Dorado, et al, El Dorado County Superior Court Case No. PC20000073.

BOARD ACTION - By unanimous vote, Board authorized defense of all parties by the firm of Barkett, Gumpert & Reiner.

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

No action reported.

Conference with Labor Negotiator pursuant to Government Code Section 54957.6. County negotiators: Director and Deputy Director of Human Resources; Employee Organization: Operating Engineers Local 003, Trades and Crafts.

No action reported.

Conference with Labor Negotiator pursuant to Government Code Section 54957.6. County negotiator: Deputy Director of Human Resources; Employee Organization: Deputy Sheriff's Association.

No action reported.

Pending litigation (Added upon adoption of Agenda):

Gigena v El Dorado County, et al, U.S. District Court Case #CIV S-00-1753 FCD GGH.


No action reported.

Klein v El Dorado County, U.S. District Court Case #CIV S-00-922-GEB.

BOARD ACTION - By unanimous vote, Board authorized defense of all parties by the firm of Barkett, Gumpert & Reiner.

Board of Supervisors Meeting of August 22, 2000 attached hereto
and approved by the Board on August 29, 2000.


APPROVED:



WILLIAM S. BRADLEY, CHAIRMAN

ATTEST:

Dixie L. Foote, Clerk of the Board

By 

Deputy Clerk