

Closed Session pursuant to Government Code Section 54956.9: Significant exposure to litigation.

Closed Sessions (4) pursuant to Government Code Section 54056.9 regarding the following:

- a. AT&T Communications vs State Board of Equalization Case Nos. 517786 and PV91-0064;
- b. Sherrie DeVee, et al vs El Dorado County, et al;
- c. El Dorado Council vs Board of Supervisors; and
- d. David E. Whittington vs El Dorado County.

9:00 A.M. INVOCATION - Pastor Bob Fesmire, First Baptist Church

PLEDGE OF ALLEGIANCE TO THE FLAG

Presentation by the Ranch Marketing Community

Presentation of Proclamation proclaiming December 1992 as National Drunk and Drugged Driving Prevention Month in El Dorado County; and Supervisor Center requesting Board declare Tuesday, December 8, 1992 as "Lights on for Life Day", in remembrance of those who have lost their lives in alcohol and/or drug related traffic accidents.

9316

CONSENT CALENDAR (All Matters on the Consent Calendar are to be approved by one motion unless a Board member requests separate action on a specific item.)

- 1. Approval of Conformed Agenda (Minutes) of November 24, 1992.
RECOMMENDED ACTION: Approve
- 2. Assessment Roll Changes submitted by the Assessor.
RECOMMENDED ACTION: Approve
- 3. Health Department recommending Resolution be adopted supporting the establishment and continued operation of the El Dorado County Child Death Review Team as an advisory body to the Board of Supervisors.
RECOMMENDED ACTION: Adopt Resolution No. 355-92

✓

9265

10022

4. Health Department recommending the following:

a. Chairman be authorized to sign an Agreement with New Morning Youth and Family Services in an amount not to exceed \$113,195 for the term July 1, 1992 through June 30, 1993 for intervention services for status offenders on the Western Slope;

b. Chairman be authorized to sign an Agreement with New Morning Youth and Family Services in an amount not to exceed \$151,184 for adolescent alcohol/drug treatment services; and

c. Budget Transfer No. 35 be approved transferring \$106,970 from various Appropriation Accounts to Professional Services Account for same. (4/5 vote required)

RECOMMENDED ACTION: Approve (Approved with amendment to the agreement for status offenders' intervention services to delete "shelter services".) DUGSC

5. Department of Social Services requesting the Board designate said Department as the County agency to administer funds through the Child Abuse Prevention, Intervention and Treatment (CAPIT) program.

RECOMMENDED ACTION: Approve

6. Senior & Family Services recommending Resolution be adopted authorizing the Chairman to sign Amendment No. 5 to Contract (No. 85-HAP-064) and Certifications with the State Department of Housing and Community Development increasing the housing assistance voucher program annual reimbursement amount to \$35,487 and extending the term of the Contract to June 30, 2000; and further authorizing the Director of the Senior & Family Services to execute further documents relating to said Contract.

RECOMMENDED ACTION: Adopt Resolution No. 356-92

7. General Services Department recommending Chairman be authorized to sign Plans and Specifications for the Welfare Department Remodel Project (No. 920022); and requesting authorization to advertise for bids to be received January 13, 1993.

RECOMMENDED ACTION: Approve (Continued to December 15, 1992.) DUGSC

8. Release of Liens (5) submitted by County Counsel.

RECOMMENDED ACTION: Approve

9373

9890

9423

8634

9270

9266

9. County Counsel recommending the following claims be rejected:
- a. Barry V. Saylor in the amount of \$225; and 9929
 - b. Larry Hanks in the amount of \$116.
RECOMMENDED ACTION: Approve
10. Administration recommending Resolution be adopted appointing Edio Delfino as Agricultural Commissioner and Sealer of Weights and Measures for a four-year term. 10023
RECOMMENDED ACTION: Adopt Resolution No. 357-92
11. Agricultural Commissioner recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 12-34-73-0252 RA) with the U.S. Department of Agriculture for Animal Damage Control. 5432
RECOMMENDED ACTION: Approve
12. Purchasing Department recommending Chairman be authorized to sign Professional Services Agreement (No. C23-030) with International Cancer Screening Laboratories, Inc. in an amount not to exceed \$20,000 for a term to expire June 30, 1993 for medical laboratory testing. 10024
RECOMMENDED ACTION: Approve
13. Award of Bid No. 250-046 for forty-eight hand-held radio units, two six-gang wall mountable chargers, and selected accessories for use by the Sheriff's Department. 10025
RECOMMENDED ACTION: Award to the low bidder Capital Wholesale Electric of Sacramento; and authorize the Purchasing Agent to issue a purchase order in the amount of \$28,642.19 including sales tax for same.
14. General Services Department recommending Chairman be authorized to sign Amendment No. 1 to Contract (No. C12-003) with Construction Management Resources increasing the amount of said Contract by \$26,400 for construction management services for the South Lake Tahoe Jail Expansion Project. 8090
RECOMMENDED ACTION: Approve
15. Risk Management recommending Resolution be adopted finding Richard Riedman is incapacitated as a Correctional Officer II and is found to be disabled within the meaning of the Public Employees Retirement System. 9277
RECOMMENDED ACTION: Adopt Resolution No. 358-92

16. Transportation Department recommending the Board authorize dispensing with the bidding procedures required by Purchasing Ordinance Section 3.12.130 and authorize the Purchasing Agent to negotiate the purchase of truck mounted hot patcher with PB Loader Corporation.

10026

RECOMMENDED ACTION: Approve

UDGSC

17. Transportation Department recommending Chairman be authorized to sign Change Order No. 2 to Contract (No. 95116) with Don Garcia Excavating and Paving increasing the amount of the Contract by \$26,386.81 for various changes as outlined in said Change Order for the Pat Lowe Memorial Bike Trail Project.

9313

RECOMMENDED ACTION: Approve

18. Transportation Department recommending the release of Laborers & Materialsmen Bond No. 5644683 in the amount of \$501,502 and Maintenance Bond No. 5644683 in the amount of \$98,835 for the Crescent Ridge Unit II Subdivision.

8467

RECOMMENDED ACTION: Approve

19. Building Department recommending Chairman be authorized to sign Memorandum of Understanding between Tahoe Regional Planning Agency (TRPA) and the County for review and administration of TRPA applications for residential additions, modifications and new construction of single and multiple family residential structures (four units or less), including qualified exempt residential activities located within the County; and approve the delegation process which delineates the applicable fees.

10027

RECOMMENDED ACTION: Approve

20. Building Department recommending approval of Budget Transfer No. 22 increasing Estimated Revenue by \$5,210 and transferring said amount to various Appropriation Accounts for expenses incurred performing the Local Enforcement Agency function. (4/5 vote required)

9890

RECOMMENDED ACTION: Approve

21. Planning Department recommending Chairman be authorized to sign Certificate of Acceptance and Avigation and Noise Easement in the vicinity of Cameron Park Airport from Marvin Burklow and Kathie Huggins.

9314

RECOMMENDED ACTION: Approve

22. Human Resources recommending Resolution be adopted amending Unrepresented Employee & Benefits Resolution No. 48-92 adding Section 309.1 stating that Elected Official's Personal Staff are not subject to the County's civil service system and are exempt from overtime provisions and revising Section 1802.1 stating Elected Official's Personal Staff are exempt from overtime provisions within the meaning of the Fair Labor Standards Act.

10028

RECOMMENDED ACTION: Adopt Resolution No. 359-92

23. Chief Administrative Officer recommending Resolution be adopted providing for annexation of lands to the Georgetown Divide Public Utility District (Project 92-06) submitted by adoption of a Resolution of Intention to Annex by Georgetown Divide Public Utility District's Board of Directors and acknowledging that no exchange of property tax revenue will occur since the property is under federal ownership and unassessed.

10029

RECOMMENDED ACTION: Adopt Resolution No. 360-92

24. Chief Administrative Officer recommending the Board accept his donation of \$150 to the General Fund of the County to be used in any manner deemed appropriate.

10030

RECOMMENDED ACTION: Accept donation

25. Supervisor Upton recommending the Board accept the resignation of Dawn Olivo as a member of County Service Area No. 3 Recreation Committee and appoint Daniel F. McLaughlin to same.

9321

RECOMMENDED ACTION: Approve

26. Purchasing Department requesting Board declare twelve jury chairs as surplus property and authorize the Purchasing Agent to dispose of same.

10031

RECOMMENDED ACTION: Approve

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 4 and 7 as noted (item 16 also acted upon separately). CUDGS

END MORNING CONSENT CALENDAR

TIME ALLOCATION - 10:00 A.M.

27. Hearing to consider the following pertaining to the proposed El Dorado Hills Specific Plan Community Facilities District 1992-1:
- a. Resolution of Formation of Community Facilities District and to Levy a Special Tax;
 - b. Resolution Deeming it Necessary to Incur Bonded Indebtedness;
 - c. Resolution Calling Special Mailed-Ballot Election;
 - d. Resolution Declaring Election Results;
 - e. Resolution Authorizing Validation Action; and
 - f. Amendments to the Acquisition, Funding and Disclosure Agreement. (Continued 10/27/92, Item 22)
- BOARD ACTION - Hearing continued to January 26, 1993, at 10:00 a.m. UCDGS

9516

DEPARTMENT MATTERS

28. Presentation of the Local Economy Task Force Draft Report. BOARD ACTION - Report received and filed with the notation that Board members will give written direction to the plan; and staff was directed to review the recommendations and report back to the Board with an analysis and recommended actions that can be taken on the items highlighted in the report. UCDGS
29. Purchasing Department recommending Award of Bid No. 110-044 for thirteen vehicles and Environmental Management Haz Mat Vehicle to the low bidders: Drew Ford, South Shore Motors, Lasher Motors, Gold Country, and Maita Chevrolet; and authorize Purchasing Agent to issue purchase orders at a total amount of \$208,069.97 including sales tax for same. BOARD ACTION - Approved DUGSC
30. Environmental Management Department submitting for introduction an Amendment to the El Dorado County Hazardous Materials Ordinance. BOARD ACTION - Ordinance introduced, the reading thereof waived, and continued to December 15, 1992, for adoption. DUGSC

9836

10032

8884

31. Human Resources Department submitting for introduction an Ordinance adding Section 2.60.065 to the County Ordinance Code to return the position of Undersheriff to Civil Service Status; said entitlement only as outlined in said Section. (Continued 11/17/92, Item 28)

BOARD ACTION - Ordinance introduced, the reading thereof waived, and continued to December 15, 1992, for adoption. SDGCU

10010

32. Social Service Department recommending the following for control of costs in the General Relief program:

a. Adoption of an Urgency Ordinance repealing Chapter 2.63 of Title 2 of the Ordinance Code and adding a new Chapter 2.63 to streamline program operations, clarify residency requirements, promote self-sufficiency among recipients and make Ordinance language consistent with State law; and

b. Adoption of Resolution repealing Resolution No. 172-92 establishing a sufficient standard of aid pursuant to the requirements of the proposed Ordinance.

BOARD ACTION - ORDINANCE NO. 4265 adopted as an urgency measure, to take effect immediately; and RESOLUTION NO. 361-92 adopted. DUGSC

9678

33. Planning Department recommending the Board find that there is no sewer moratorium in the Cameron Park area, as requested by Dennis Nickson, developer of Redtail Run Project. (Referred 11/24/92, Item 29)

BOARD ACTION - Under the facts and circumstances of the application (TM88-1107), the Board made the finding that there was a defacto sewer moratorium based upon the failure of the providing agency (El Dorado Irrigation District) to approve sewer connection service to the property; said moratorium lasting from the time that the approved plans had been submitted (August 30, 1989) and were failed to be approved, up until October 19, 1992. DUGSC

5297

34. Transportation Department submitting a summarization of recommendations made by the Working Committee and staff relating to the Road Zone of Benefit Program; and requesting direction on how to proceed with same.

BOARD ACTION - Staff directed to immediately start working on two pieces of legislation to (1) expressly authorize the County to require parcel owners in a zone of benefit to pay for casualty insurance through parcel assessments; and (2) allow the County to act as a collection agent for homeowners associations, without assuming the liability of public roads, so those associations can continue to self govern. SUDGC

9354

Board directed staff to report back with drafts of the aforementioned two pieces of legislation in a workshop session in early January, 1993; said workshop to include discussion on the nine policy statements contained in the Committee's Position Paper submitted this date. UCDGS

35. Transportation Department submitting request of Vicki Countz that the Board consider postponing collection of the traffic impact mitigation fee from R. E. Alex and June Hansen on Plan Check No. 81503.

BOARD ACTION - Board directed that the fee be postponed until the close of escrow on the permanent mobile home on November 16, 1994, and that a lien be attached against the real property or the mobile home. CDGSU

9415

36. Transportation Department and Building Department recommending adoption of the Traffic Impact Mitigation (TIM) fee policy for building permit reinstatements. (Referred 10/20/92, Item 31)

BOARD ACTION - Continued off calendar with the intent it be brought back in January after revision pursuant to Board direction and discussion with County Counsel's office. CUDGS

9415

37. Introduction of Ordinance adding Chapter 13.30 to the County Ordinance Code to enable Community Services Districts to collect impact fees on new development taking place within the District. (Approved in concept 11/24/92, Item 27)

BOARD ACTION - Motion to introduce the Ordinance failed.

DU G(n)S(n)C(n)

9981

38. Supervisor Dorr recommending an engineering evaluation be prepared to solve the Rodeo Road drainage problem including property downstream, and discuss with the property owners the alternate facilities for handling the drainage flow with said evaluation to include a cost analysis of the facilities needed; and further recommending County Counsel be directed to conduct a title search for this section of Rodeo Road, if the cost is less than \$500. 9630

BOARD ACTION - Board approved the request in concept, and authorized up to \$15,500 for a study with the provision that other engineering firms be contacted and the best estimate used. DGSCU

39. Supervisor Dorr submitting request of Jane Trafzer to discuss the future of the El Dorado Hills/Oak Ridge High School Joint Use Library. 10033

BOARD ACTION - No action taken.

40. Supervisor Gerwer submitting request of Smith & Gabbert, Inc. that the Surveyor's Office be directed that the El Dorado Irrigation District's Facility Improvement letter meets Condition No. 8 of Tentative Parcel Map P90-67, or that Condition No. 8, approved by the Board on May 19, 1992, be revised as follows: "A notice of restriction shall be recorded which shall state that no other permit for development of the property shall be issued until such time as written proof is obtained that water and sewer service is available to the property." 8781

BOARD ACTION - Board determined that a notice of restriction meets condition 8 on Tentative Parcel Map 90-67. DSGCU

41. Appeal of Roland C. Craven regarding an encroachment permit for Assessor's Parcel 070-150-20; and Supervisor Sweeney requesting an explanation from the Department of Transportation as to their lack of response to Mr. Craven's letter of October 23, 1992. 10034

BOARD ACTION - Board upheld the Appeal on the requirement for upgrading of the encroachment (i.e., upgrade does not need to be done at this time as part of this project). SDGCU

42. Long Range Planning recommending the Board receive and file the County Fairgrounds Relocation Study; and requesting further direction relating to same. (Continued 11/3/92, Item 20, referred to Fair Manager to work with CAO to bring back a financial plan.) 8708

BOARD ACTION - Continued to December 15, 1992.

CUDGS

43. Chief Administrative Officer recommending the following:
- a. Board accept the resignation of John Thorne, County Assessor, effective December 8, 1992;
 - b. Board provide direction to staff on the procedure to employ in appointing a new County Assessor;
 - c. John Winner be appointed as Acting County Assessor for any interim period; and
 - d. Board express sincere appreciation to John Thorne for his many years of service to the citizens of El Dorado County.
- BOARD ACTION** - Board accepted the resignation of John Thorne noting its expression of appreciation will be on the Board's agenda on December 15, 1992. DSGCU

Board appointed John Winner as Acting Assessor pending the outcome of an election on June 8, 1993, and staff directed to bring back a Resolution calling for said election to be adopted by the Board prior to January 26, 1993. SCDGU

44. Report and recommendation on various issues relating to the procedure for individual school districts to impose impact mitigation fees on building permits, including the issues of vesting tentative maps and failure to obtain voter approval of ACA 6 in June 1994. (Hearing Closed 10/27/92, Item 33)
- BOARD ACTION** - Board adopted RESOLUTION NO. 362-92 amending Resolution No. 220-91 regarding school impact fees; said amendment being that Resolution No. 220-91 will become inoperative on January 1, 1993, but shall be in full force and effect in the event Assembly Constitutional Amendment (ACA) 6 fails to pass, and further stating that all discretionary development entitlements approved after January 1, 1993, shall include a condition that, in the event ACA 6 fails to pass, the terms of Resolution No. 220-91, or any successor thereto, shall be deemed to apply effective January 1, 1993; additionally, the Board approved Exhibit "A" attached to County Counsel's memorandum to the Board dated 11/20/92, entitled "Condition Re: School Impact Fees for Discretionary Approvals". SUDGC

COMMITTEE REPORTS

1:50 P.M. - PUBLIC FORUM/PUBLIC COMMENT

AFTERNOON SESSION - 2:00 P.M.

45. Hearing to consider the Appeal filed by John Cost and John Couperus on the decision of the 2010 General Plan Team to not allow further processing of their General Plan Amendment application (IGPAP 92-25). 10036

BOARD ACTION - Appeal denied, and request referred to the 2010 General Plan hearing process. GUDSC

46. Hearing to consider the following:

a. Appeal filed by Richard H. Bush, et al appealing Conditions 2, 3, 9 and 14 imposed on Tentative Parcel Map 92-12, creating three agricultural parcels (APN 78-28-04) on 123 acres, with a design waiver request to exempt the project from all road improvement conditions in the Pleasant Valley/Oak Hill/Sly Park Area (Agent: Furtwangler Engineering); and 10037

b. Appeal filed by David H. Bush, et al appealing Conditions 2, 8 and 20 imposed on Tentative Parcel Map 92-39, creating three parcels (APN 78-28-03) on 120 acres with a design waiver request to exempt the project from all road design improvement conditions in the Pleasant Valley/Oak Hill/Sly Park Area (Agent: Furtwangler Engineering).

BOARD ACTION - Hearing closed; Board conceptually approved Tentative Parcel Maps 92-12 and 92-39, based on the findings of the Parcel Map Hearing Officer on 11/5/92, subject to conditions as modified this date; and staff directed to bring back said conditions in final form for approval by the Board on December 15, 1992. CSDGU

47. Hearing to consider the following for Cameron Valley Estates:

a. Rezoning (Z89-44) of 55.7 acres in the Cameron Park Area from RE-10, Estate Residential Ten-Acre Zone to R1, One-family Residential Zone (Applicant: 126 Partners); and

b. Vesting Tentative Subdivision Map (TM89-1159) creating 123 lots and two open space parcels (Engineer: KASL Consulting Engineers, Inc.). (Continued 11/24/92, Item 32) 9983

BOARD ACTION - Board approved the Negative Declaration; approved the rezoning by adoption of ORDINANCE NO. 4266; approved Vesting Tentative Map 89-1159 with Phasing Plan subject to conditions proposed and modified by the Board this date; based on the findings proposed and revised by the Planning Commission on 10/8/92. DSG C(n)U(n)

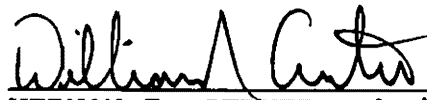
47A. (New Business) The Purchasing Agent was authorized to procure five (5) transit buses, replacing the five lost in a fire, piggybacking on formal bid #115-018 awarded by the Joint Transit Agency on 8/6/92 to the low bidder, El Dorado Bus Sales of Foster City, in the amount of \$51,325.00 plus sales tax, per unit. 10038
SUDGC

48. Hearing to consider conceptual approval of alternative land use concepts for the Bass Lake Road Study Area that may be included into the 2010 General Plan Project description, and/or addendum to the Program Environmental Impact Report, and Specific Plan for consideration of the certification of Addendum to the Bass Lake Road Study Area Program Environmental Impact Report for the subject project, and consideration of the Bass Lake Road Specific Plan which proposes land use, public infrastructure, and resource conservation policies in addition to current El Dorado Hills/Salmon Falls Area Plan policies which could ultimately result in the construction of 2596 residential units on approximately 1223 acres in the El Dorado Hills/Salmon Falls area. 9476

BOARD ACTION - Planning staff directed to incorporate Alternate 3A, presented this date, into the 2010 General Plan project description. (When making said motion, Supervisor Dorr noted that, when incorporating Alternate 3A, staff will have to address the school site concerns that have been raised this date and other items deemed appropriate.) DSGU C(n)


BOARD OF SUPERVISORS ADJOURNED

APPROVED:



~~VERNON F. GERWER~~, Chairman
 William D. Center

ATTEST:



 DIXIE L. FOOTE, Clerk of the Board