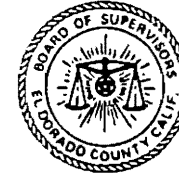


County of El Dorado

BOARD OF SUPERVISORS

WILLIAM S. BRADLEY.....DISTRICT I
 RAYMOND J. NUTTING.....DISTRICT II
 J. MARK NIELSEN.....DISTRICT III
 WILLIAM N. CENTER.....DISTRICT IV
 JOHN E. UPTON.....DISTRICT V
 DIXIE L. FOOTE.....CLERK OF THE BOARD

330 Fair Lane • Placerville, CA 95667
 Telephone (916) 621-5390



C O N F O R M E D

A G E N D A

December 7, 1993

8:00 A.M.

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

WILLIAM N. CENTER, Chairman Dixie L. Foote, Board Clerk
 SUPERVISORS: BRADLEY, NUTTING, NIELSEN, CENTER AND UPTON
 All members present

Public testimony will be permitted on each agenda item as it is called. Anyone wishing to speak on a Consent Calendar item must advise the Clerk prior to 9:00 a.m. Speakers are encouraged to limit comments to three minutes. Matters not on the agenda may be addressed by the general public during the Open Forum at 1:50 p.m., providing a request to do so is presented to the Board Clerk prior to the lunch recess. Public comments during Open Forum are limited to five minutes per person.

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

CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda and Addendum No. 1 thereto adopted with the addition of a closed session, pursuant to Government Code Section 54956.9, regarding litigation initiated formally entitled "Kimzey v. Neasham". UNBNuC

At the recommendation of County Counsel, the Board also added to its Agenda a closed session, pursuant to Government Code Section 54956.9, regarding litigation initiated formally entitled "York v. County of El Dorado". CBNU N U(a)

8:00 A.M. - Closed Session (Personnel) for Board of Supervisors to give direction to its authorized representatives regarding Operating Engineers, County Employees Association, Deputy Sheriffs Association and Unrepresented Employees.

Closed Session pursuant to Government Code Section 54956.9 regarding the following:

- a. County of El Dorado vs Richard North, et al;
- b. County of El Dorado vs Cheryl Jeffcoat Henry, et al;
- c. County of El Dorado vs Guy G. Gibson, et al;
- d. Pierson vs County of El Dorado; and
- e. Skarry vs County of El Dorado.

Closed Session pursuant to Government Code Section 54956.9 regarding significant exposure to litigation.

9:00 A.M. - PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENTATION by the Ranch Marketing Community.

PRESENTATION of Resolution No. 344-93 declaring December, 1993 as "National Drunk and Drugged Driving (3-D) Prevention Month". NuUBNC

10676

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 23, 1993 (on file with Clerk of the Board).
RECOMMENDED ACTION: Approve ✓

- 2. Health Department recommending Chairman be authorized to sign Board Certification for Description of Proposed Expenditure of Rural Health Services Funds for fiscal year 1993/94.
RECOMMENDED ACTION: Approve

10688

- 3. Health Department recommending Chairman be authorized to sign a letter of agreement with the City of South Lake Tahoe through the Tahoe Prevention Network whereby the City will provide the County \$40,000 to develop and build the Tahoe Earthship Project.
RECOMMENDED ACTION: Approve

10714

4. Health Department recommending Resolution be adopted approving Amendment No. 3 to Contract No. 89-97898 with the State Department of Health Services in the amount of \$639,496 for the Tobacco Use Prevention Program for fiscal year 1993/94; and Chairman be authorized to sign said Amendment. **RECOMMENDED ACTION:** Adopt Resolution No. 345-93 8527
5. Mental Health Department recommending Chairman be authorized to sign an Agreement with Amador County wherein El Dorado County will charge Amador County \$52,006 for psychiatric health facility services for fiscal year 1993/94. **RECOMMENDED ACTION:** Approve 10474
6. General Services Department recommending award of Bid No. 110-030 for replacement vehicles for the Fleet Management Program. **RECOMMENDED ACTION:** Award to the two low bidders, South Shore Motors for a 15-passenger van in the amount of \$20,675.66 and Lasher Motors for a 3/4 ton 4x4 cab and chassis in the amount of \$14,424.05 and a 1/2 ton 4x4 cab and chassis in the amount of \$14,960.30; and authorize the Purchasing Agent to issue purchase orders totalling \$50,060.01, including sales tax, for same. 10715
7. General Services Department recommending award of Bid No. 165-039 for propane gas for the West Slope. **RECOMMENDED ACTION:** Award to the low bidder Empire Gas of Placerville; and authorize the Purchasing Agent to issue a purchase order for same using the \$.224 differential rate over the fluctuating rate of the Bakersfield Arco Posting Price. 10716
8. General Services Department recommending Chairman be authorized to sign Agreement No. C34-027 with Law Enforcement Psychological Services in an amount not to exceed \$22,000 for a term to expire June 30, 1994 for pre-employment psychological services for the Sheriff's Department. **RECOMMENDED ACTION:** Approve (continued to December 14, 1993, at the request of the CAO) BUNuNC 10717
9. Community Services Department recommending the General Services Director be authorized to issue Request for Proposals for consulting services for the County's Community Development Block Grant Programs. **RECOMMENDED ACTION:** Approve 5679
10. Auditor-Controller recommending Resolution be adopted establishing an imprest cash fund in the amount of \$50 to be used by the Health Department Laboratory. **RECOMMENDED ACTION:** Adopt Resolution No. 346-93 10718

11. District Attorney recommending approval of Budget Transfer No. 38 increasing Estimated Revenue by \$38,523 and transferring said amount to various Appropriation Accounts for the Auto Insurance and Workers' Compensation Insurance Fraud Programs. (4/5 vote required) 10585
RECOMMENDED ACTION: Approve
12. Transportation Department recommending Chairman be authorized to sign the Notice of Completion for the Mother Lode Drive Turnpockets Project under contract to Doug Veerkamp, General Engineering. 10197
RECOMMENDED ACTION: Approve
13. Transportation Department recommending the El Dorado County Transportation Commission be requested to submit the schedule change and project revision for a phased overpass for the Ray Lawyer Drive/Government Center Interchange in this year's Regional Transportation Improvement Plan, to be included in the State Transportation Improvement Program, the Metropolitan Transportation Plan, and the Federal Transportation Improvement Program. 8304
RECOMMENDED ACTION: Approve
14. Elections Department submitting for approval results of the votes cast at the McKinney Water District Election held on November 2, 1993. 10421
RECOMMENDED ACTION: Approve
15. Human Resources Department recommending Chairman be authorized to sign a Letter of Agreement between the County and Operating Engineers, Local 3 Group Counselor Bargaining Unit to extend the existing Memorandum of Agreement from October 31, 1993 to January 31, 1994. 9317
RECOMMENDED ACTION: Approve
16. Human Resources Department recommending Chairman be authorized to sign a Letter of Agreement between the County and Corrections Bargaining Unit represented by Operating Engineers, Local 3 to extend the existing Memorandum of Agreement from October 31, 1993 to January 31, 1994. 9317
RECOMMENDED ACTION: Approve
17. Supervisor Center recommending ratification of Chairman's signature on the annual letter to the State Judicial Commission supporting the Court Appointed Special Advocate (CASA) Program grant application. 8339
RECOMMENDED ACTION: Ratify Chairman's signature

18. Supervisors Upton and Nutting recommending Resolution be adopted supporting the Lake Tahoe Regional Fire Chiefs' Association in its effort to urge the US Forest Service to meet the immediate and long term vegetation management needs of the Lake Tahoe Basin.

RECOMMENDED ACTION: Adopt Resolution No. 347-93 (Resolution 347-93 adopted with additional direction that copies of same be forwarded to our Congressional delegates.) NuUBNC

10719

19. Supervisor Upton recommending Chairman be authorized to sign an Agreement with the Department of Boating and Waterways for fiscal year 1994/95 financial aid program for the South Lake Tahoe Police Department.

RECOMMENDED ACTION: Approve

10720

20. Waive reading, read by title only, and adopt Ordinance rezoning (Z89-49) 124.4 acres in the El Dorado Hills/Salmon Falls Area (District I) (Applicant: Rancho Dorado Partners). (Introduced 11/23/93, No. 82)

RECOMMENDED ACTION: Adopt Ordinance No. 4315

10684

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 8, and additional direction on item 18 as noted. NuUBNC

END MORNING CONSENT CALENDAR

50. (Refer Agenda Addendum No. 1)

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.)

51. Elections Department submitting results of the votes cast at the Consolidated Special Election held on November 2, 1993. (Continued 11/23/93, No. 4)

BOARD ACTION - Board declared the results of said election.

NuNBCU

10705

52. Transportation Department (DOT) reporting on methodology for calculating the Traffic Impact Mitigation (TIM) Fees based on the different land use alternatives of the General Plan as described in the memorandum to the Board dated 11/23/93; and seeking direction as to the categories to be considered in the calculation of same.

BOARD ACTION - Board received and filed the report, and directed DOT staff to take into consideration the direction and discussion this date and bring back to the Board in six to eight weeks (February 1994), a more complete report which the Board can act on formally; additionally, the Board directed DOT to include the following standard condition on all discretionary actions resulting in increased traffic impacts on Highway 50 and other arterial roadways until such time as the Board adopts a new General Plan: "In recognition of the need for expanded infrastructure and services to meet the demand on Highway 50 and other arterial roadways generated by cumulative residential and non-residential development, the developer shall participate in a regional assessment district or similar fair and appropriate mechanism to provide such funds, or shall pay such fees as may be lawfully adopted for said purposes, should such mechanism or fee be established by the County. In the event such funding mechanism or fee is not established by the time of final map, a notice of restriction shall be recorded referencing the requirements of this condition".

CUBNuN

9415

53. Administration recommending Resolution be adopted restoring allocated public safety positions to the 1992/93 levels as a result of Proposition 172; and recommending approval of Budget Transfers increasing Estimated Revenues and Appropriations as necessary to accomplish same. (4/5 vote required)

BOARD ACTION - RESOLUTION NO. 348-93 adopted and Budget Transfers approved as recommended by the CAO.

UBNuC

10516

10585

54. Supervisors Nielsen and Nutting requesting formation of a County Charter Commission.

BOARD ACTION - Continued to December 14, 1993, with the understanding that if the Board decides at that time to form a County Charter Commission, it will then determine the appropriate methodology for appointment of members to same.

UBNuC

10721

- 55. Supervisor Nutting recommending the Planning Director be directed to develop, for Board consideration, a General Plan or land use policy which recognizes the need to protect the stability of the local community and economy based on the economic viability of the timber and logging industries within the County; and a notification process wherein all federal agencies are advised that the County wishes to be informed of and participate in activities and decision-making activities of federal agencies occurring within the County which affect the stability of the local community and economy.

10722

BOARD ACTION - Continued to January 11, 1994, at 11:00 a.m.

NuNBCU

- 56. Chamber of Commerce recommending the Board adopt an Urgency Ordinance amending County Ordinance Code Section 12.64.040 allowing the Board to waive the prohibition against the use of motorboats on the South Fork of the American River on a case by case basis.

10723

BOARD ACTION - ORDINANCE NO. 4316 adopted as an urgency measure, to become effective immediately, based on the findings iterated therein.

NUBNUC

COMMITTEE REPORTS

LUNCH RECESS

 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.

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

Dick Moody re: Ambulance Service Parcel Assessments
Richard Howell re: Services for the Homeless in EDC

10395

CLOSED SESSION REPORTS: In closed session held this date, pursuant to Government Code Section 54956.9, regarding litigation initiated formally, the Board acted as follows:

- a. In the matter of County of El Dorado vs Richard North, et al, the Board authorized settlement agreement in the amount of \$8000 and authorized the Chairman to execute documents relating thereto;
- b. In the matter of County of El Dorado vs Cheryl Jeffcoat Henry, et al, the Board authorized settlement agreement in the amount of \$125,000 and authorized the Chairman to execute documents thereto;
- c. In the matter of County of El Dorado vs Guy G. Gibson, et al, the Board authorized settlement agreement in the amount of \$6500 and authorized the Chairman to execute documents relating thereto. UBNuNC

10724

PLANNING MATTERS - 2:00 P.M.

80. Board to consider the following:

A. County Counsel submitting required documents to implement changes in discretionary land use project review procedures in accordance with General Plan restrictions approved by the Board on 11/10/93 as follows:

1. Ordinance amending County Code Section 2.06.090 to require a four-fifths vote for amendments to the County's zoning map or changes to land use designations;
BOARD ACTION - Supervisor Nielsen moved to waive the reading, read by title only, and introduce the Ordinance adding a "sunset clause" to same whereby said Ordinance will remain in effect until August 19, 1994, the day after expiration of the Office of Planning and Research (OPR) extension.

By motion of Supervisor Center, seconded by Supervisor Bradley, Supervisor Nielsen's motion was amended to provide that the Ordinance will remain in effect until December 7, 1994. 9399
CBNu N(n)U(n)

Supervisor Nielsen then modified his motion, seconded by Supervisor Upton, to waive the reading, ready by title only, and introduce the Ordinance adding a "sunset clause" whereby said Ordinance will remain in effect until December 7, 1994, or the date of expiration of the OPR extension. NUBNUC

2. Ordinance amending County Code Section 16.48.060 to require all parcel maps to be filed with the Board before becoming final, parallelling the procedures for subdivision maps;
BOARD ACTION - Board waived the reading, read by title only, and introduced the Ordinance adding a "sunset clause" whereby said Ordinance will remain in effect until December 7, 1994, or the date of expiration of the OPR extension. NCBNUU

(continued from page 9)

3. Ordinance amending County Code Section 16.44.120(L) to provide that public water systems shall be required for all lots or parcels smaller than 20 acres, or an average of 20 acres, created pursuant to application filed with the County after November 10, 1993;

BOARD ACTION - As an alternative to said Ordinance, the Board took the following actions as recommended by the Planning Director in his memorandum to the Board dated 12/3/93: CBNU Nu(n)

(a) Designated the Seconded Administrative Draft General Plan Land Use Map as the map for the Public Review Draft General Plan;

(b) Directed staff to modify the text of the Public Review Draft General Plan to reflect the land use designations contained in the map for the Second Administrative Draft;

(c) Retained the Project Description and the Alternative for the Environmental Impact Report (EIR) as defined by the Board on November 10, 1993.

4. Resolution amending the Design and Improvement Standards Manual to require public water supply and distribution systems to be provided for all parcels in new subdivisions in which the parcels created are less than 20 acres in size or in which the average parcel size is less than 20 acres;

BOARD ACTION - Refer to action on paragraph 3 above.

continued on page 11 . . .

(continued from page 10)

B. Planning Department reporting on tasks to be completed in order to have a General Plan adopted by August 18, 1994. (Continued 11/23/93, Item 54)

BOARD ACTION - After discussion and review of the 13 recommendations of the Planning Director, listed on "Attachment 4" to his memorandum to the Board dated 12/1/93, the Board took the following actions:

1. Directed staff to review the status of the inclusion requests and report back to the Board in February, 1994, on their consistency with the Third Administrative Draft for Board determination and disposition; UNuBN C(n)

2. Approved the 13 recommendations of the Planning Director, listed on "Attachment 4" of his memorandum to the Board dated 12/1/93, with modification of recommendations 2 and 11 as follows: UNBNuC

(a) Recommendation 2 amended to read, "Direct that the site specific requests be analyzed and reviewed as part of the General Plan adoption process following EIR certification.";

9399

(b) First sentence of Recommendation 11 amended to read, "Authorize staff to obtain overtime for planners to assist in meeting the other departmental priorities during the time that the EIR is being prepared, and direct staff to bring to the Board alternative approaches including the reassignment of staff and priorities." UNBNuC

3. Requested the Planning Director and Planning Commission to meet and report back to the Board no later than the middle of January, 1994, with a proposal for additional professional oversight of the EIR preparation process. UNNu B(n)C(n)

C. A motion by Supervisor Center, seconded by Supervisor Bradley, to submit to the voters subsequent to the completion of the EIR, an Ordinance which would enable the voters to adopt either the Third Administrative Draft General Plan as modified on November 10, 1993, which is known as the Project Description, or the Alternative to the Project as described and directed by the Board on November 10, 1993, failed.

CB Nu(n)N(n)U(n)

BOARD OF SUPERVISORS ADJOURNED IN MEMORY OF FAY RUPLEY

NuUBNC

ATTEST:

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

APPROVED:

William Center
WILLIAM CENTER, Chairman

County of El Dorado

BOARD OF SUPERVISORS

WILLIAM S. BRADLEY.....DISTRICT I
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A G E N D A A D D E N D U M N O . 1

Regular Meeting of the Board of Supervisors

December 7, 1993

8:00 A.M.

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

TIME ALLOCATION - 10:00 A.M.

50. Hearing to consider an Appeal filed by Rex Tophigh on conditions imposed by the Department of Transportation (DOT) on an encroachment permit for driveway access onto Park Drive from property located at 305 Arches Avenue, El Dorado Hills. **BOARD ACTION** - Hearing continued to December 14, 1993, at 10:00 a.m., to allow the District I Supervisor an opportunity to meet with the appellant and Transportation Department staff at the site. 10725
- BUNuNC