

County of El Dorado

BOARD OF SUPERVISORS



WILLIAM S. BRADLEY DISTRICT I
 RAYMOND J. NUTTING DISTRICT II
 J. MARK NIELSEN DISTRICT III
 WALTER L. SHULTZ 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

Regular Meeting of the Board of Supervisors

March 14, 1995

8:00 A.M.

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

J. MARK NIELSEN, Chairman Dixie L. Foote, Board Clerk
 SUPERVISORS: BRADLEY, NUTTING, NIELSEN, SHULTZ AND UPTON
 All Supervisors present

Persons wishing to speak on a Consent Calendar item are requested to so advise the Chairman or Clerk prior to 9:00 a.m. 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 representing a group are allocated 5 minutes. (Adptd 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 five 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 AND ADOPTION OF AGENDA

BOARD ACTION - Agenda and Addendum No. 1 thereto adopted with Consent Calendar item 9 continued to March 28, 1995. UBNuNS

Agenda amended to add one New Business item: recommendation of the Office of Emergency Services that the Board adopt a Proclamation declaring a local emergency due to damage from recent storms, and adopt a Resolution requesting the Governor to proclaim a state of emergency. USBNuNS

11258

Closed Session (refer Closed Session Roster attached)

8:45 A.M. - Board of Equalization (refer to separate agenda)

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

OPEN FORUM

Steven N. Thomas re: County Social Services Dept. funding shortfall
Steve Proe re: cost saving suggestions

10395

CLOSED SESSION REPORTS

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 March 7, 1995, on file with Clerk of the Board.

✓

RECOMMENDED ACTION: Approve

2. Assessor recommending Chairman be authorized to sign Assessment Roll Changes on file with Clerk of the Board.

11223

RECOMMENDED ACTION: Approve

3. County Counsel recommending Chairman be authorized to sign Release of Lien on file with Clerk of the Board.

11224

RECOMMENDED ACTION: Approve

4. County Counsel reporting payment of claim submitted by Edward J. Rogers in the amount of \$1,136.84.

11225

RECOMMENDED ACTION: Receive and file

5. County Counsel recommending the following claims be rejected:

a. Easley Nursery, Inc. in the amount of \$9,638.08;

b. Tony Montalbano on behalf of a minor in an amount exceeding \$10,000; and

11225

c. Rebekah Plummer on behalf of a minor in an amount exceeding \$10,000.

RECOMMENDED ACTION: Reject claims

6. Public Health Department recommending approval of the Implementation Plan for Certification of Drug Diversion Programs and Program Standards; and authorization for the County Alcohol and Drug Program Administrator to accept applications for program certification for fiscal year 1995/96, to assess a \$100 application processing fee, and to assess a \$5 County administrative fee per enrolled participant.

11292

RECOMMENDED ACTION: Approve

7. Community Services Department recommending Resolution be adopted amending Resolution No. 274-93 adding one .42 Community Service Program Assistant position and two Program Aide positions for the Senior Day Care Center. 11293
RECOMMENDED ACTION: Adopt Resolution No. 63-95
8. Community Services Department recommending Chairman be authorized to sign letters opposing inclusion of Senior Nutrition Programs, currently funded under the Older American's Act, into House Resolution 4. (Cont 2/28/95/Item 8) 10988
RECOMMENDED ACTION: Approve
9. Superior Court recommending approval of Budget Transfer No. 668 transferring \$9,900 from Contingency Reserve to Appropriations for the Grand Jury. (4/5 vote required) 11231
RECOMMENDED ACTION: Approve (Continued to March 28, 1995, upon adoption of the Agenda, at the request of the Interim Chief Administrative Officer.) UBNU NS
10. Probation Department recommending approval of Budget Transfer No. 661 increasing Estimated Revenue by \$222 to purchase a portable radio for officer safety at the Probation Office in South Lake Tahoe. (4/5 vote required) 11231
RECOMMENDED ACTION: Approve
11. Elections Department requesting authorization to purchase increased disk space in an amount not to exceed \$4,000 to comply with the National Voter Registration Act. 10208
RECOMMENDED ACTION: Approve NuUBNS
12. California Native Plant Society recommending Chairman be authorized to sign an Agreement (No. 160-09510) with same to use the parking lot and walkways of the Community Development Department (Building C), 2850 Fairlane Court, Placerville, at no charge, for a plant sale on Saturday, April 1, 1995, from 7:00 a.m. to 5:00 p.m. 11178
RECOMMENDED ACTION: Approve
13. General Services Department recommending approval of Budget Transfer No. 664 increasing Estimated Revenue by \$9,200 and transferring said amount for modifications to the Senior Day Care Center. (4/5 vote required) 11231
RECOMMENDED ACTION: Approve
14. Transportation Department recommending Resolution be adopted summarily vacating (AOE 95-001) public utility easements along the boundary lines common to Lots 39 and 40 of Bridlewood Canyon, Unit No. 1 in the Bass Lake Area. 11294
RECOMMENDED ACTION: Adopt Resolution No. 64-95

15. Transportation Department recommending Resolution be adopted summarily vacating (AOE 94-005) a 550 foot portion of Forgotten Loop Road which exits onto State Highway 49 in the Pilot Hill Area. **11295**
RECOMMENDED ACTION: Adopt Resolution No. 65-95 (Continued to March 28, 1995, at the request of the Trails Advisory Committee.) **BNuNSU**
16. Transportation Department recommending Chairman be authorized to sign Amendment 3 to Contract No. 4-647-160-3 with the State Water Resources Control Board permitting a time extension to allow construction of the Mountain Drive portion of the Rubicon Control Project. **2692**
RECOMMENDED ACTION: Approve
17. Transportation Department recommending Chairman be authorized to sign Easement Acquisition Agreements and Certificates of Acceptance with the following for purchase of easements for the Black Bart Erosion Control Project No. JN95025:
- a. James R. and Patricia Doyle (APN 025-331-07) in the amount of \$2,700; **9465**
- b. Donald J. and Sharon M. Carter; Leo J. and Marilyn J. Murphy; Danny J. and Susan Thomas and Bernard H. and Mary C. Hanneman (APN 025-301-17) in the amount of \$400; and
- c. M. Elise McDowell (APN 025-331-06) in the amount of \$2,300.
RECOMMENDED ACTION: Approve
18. Sheriff recommending Chairman be authorized to sign Application No. CA00900 for a Federal assistance grant application for a COPS MORE grant in the amount of \$583,719 to purchase an automated crime report system, hire two Community Service Officers and pay for 840 hours of overtime. **10450**
RECOMMENDED ACTION: Approve **BUNuNS**
19. Administration recommending Resolution be adopted accepting the proposed exchange of the property tax increment for LAFCO Project 94-05. (Item 8, 3/7/95) **11289**
RECOMMENDED ACTION: Adopt Resolution No. 62-95
20. Supervisor Bradley recommending Resolution be adopted reaffirming the Board's opposition to the McClellan Air Force Base closure. **10466**
RECOMMENDED ACTION: Adopt Resolution No. 66-95

- 21. Supervisor Upton recommending Chairman be authorized to sign Amendments to the Agreement with South Tahoe Public Utility District for funds from the California Tahoe Conservancy to pass through to South Tahoe Public Utility District for the emergency retention basin pipeline replacement project.
RECOMMENDED ACTION: Approve UNuBNS

11240

- 22. Transportation Department submitting Resolution adopting the El Dorado County Drainage Manual; and requesting authorization to collect a reimbursement fee of \$15 per copy.
RECOMMENDED ACTION: Adopt Resolution No. 67-95

10509

23. (refer Addendum No. 1)

24. (refer Addendum No. 1)

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 9 and 15 as noted (items 11, 18 and 21 also acted upon separately); and Department Matter 52 added to the Consent Calendar and approved as part of same. NuBNSU

END CONSENT CALENDAR

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. Agriculture/Weights & Measures Department recommending Howard Neilsen be reappointed to the Agricultural Commission representing the Livestock Industry for a term to expire January, 1999, and Edio Delfino be appointed to the Agricultural Commission representing Fruit & Nut Farming for a term to expire January, 1999. (Continued 2/28/95, Item 14)
BOARD ACTION - Board determined it would act on the appointments individually. NuBNSU

10143

Howard Neilsen reappointed to the Agricultural Commission representing the livestock industry for a term to expire in January 1999. NuBNSU

(item 51 continued from page 5)

Supervisor Shultz made a motion, seconded by Supervisor Upton, to appoint Earl Larsen as the fruit and nut farming representative on the Agricultural Commission.

Supervisor Nutting made a motion, seconded by Supervisor Bradley, to amend the motion to continue action on this appointment for two weeks to allow Board members an opportunity to review all applications. The amendment was approved by a three-two vote. NuBU N(n)S(n)

10143

The Board then voted unanimously to approve the motion of Supervisor Shultz as amended to continue action on the appointment of a fruit and nut farming representative to the Agricultural Commission to March 28, 1995. SUBNuN

- 51. General Services Department recommending award of Bid No. 998-036 to the low bidders as outlined on the "Vendor Award Schedule" for the annual replacement and addition of vehicles required County-wide; and authorize Purchasing Agent to issue purchase order(s) in the total amount of \$782,953 including sales tax for same.

BOARD ACTION - Approved USN B(n)Nu(n)

11288

- 52. Library Department recommending the following:

a. Resolution be adopted amending Resolution No. 134-93 to include "recommended fees" for library services;

BOARD ACTION - RESOLUTION NO. 69-95 adopted. NuBNSU

b. Resolution be adopted amending Resolution No. 344-91 regarding meeting room fees at the libraries;

BOARD ACTION - RESOLUTION NO. 70-95 adopted. NuBNSU

10381

c. County departments, where not otherwise set by statute, be allowed to charge 15 cents per copy for standard documents.

BOARD ACTION - Approved NuBNSU

53. Planning Department submitting the following recommendations of the Planning Commission to accelerate adoption of the General Plan:

- (1) Receive and file report;
- (2) Accept the accelerated schedule and the revised program for processing Current Planning projects;
- (3) Direct staff to schedule Current Planning projects during windows of General Plan adoption inactivity; and
- (4) Direct the Planning Commission to reconsider the revised program for processing Current Planning projects if the adoption schedule is significantly delayed. (Continued 2/28/95, Item 57)

BOARD ACTION - Board approved the four recommendations with the modification that while the Planning Commission is actively deliberating on the General Plan, it will also conduct a Commission meeting at least once a month to consider Current Planning projects; and with further modification to eliminate the relocation of Current Planning staff for evaluation of the Environmental Impact Report (EIR) responses; and the Planning Commission was requested to proceed with all reasonable haste to formulate its proposed General Plan.

SNBNuU

County Counsel was requested to report back to the Board at the appropriate time with its opinion on legal issues raised in testimony this date regarding the processing of the EIR; and the Planning Director was requested to report back to the Board on the matter of accomplishing the Zoning Ordinance update to implement the General Plan.

SUBNuN

54. County Counsel submitting for introduction an Ordinance amending Title 2, Chapter 2.03, Section 2.03.020 to provide at least one meeting of the Board of Supervisors per year shall be held in each supervisorial district, in accordance with Section 205 of the County Charter.

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance as presented (to be adopted March 21, 1995).

NuUBNS

9399

10721

- 55. County Counsel submitting for introduction an Ordinance amending Title 2, Chapter 2.06, Section 2.06.090 to provide voting by the Board of Supervisors will be by simultaneous voice vote called by the Chairman of the Board, rather than by roll call taken by the Clerk, unless roll call voting is requested by a Board member. (Approved in concept 1/31/95, Item 58)

11241

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance as modified this date (to be adopted March 21, 1995).
SUNuN B(n)

- 56. Supervisor Nutting submitting request of Robert Swan that the Board find that his project (P94-01) has de minimis impact as it related to the fee collected for the State Department of Fish and Game.

BOARD ACTION - Board determined it would reconsider its action of 9/27/94 on Tentative Parcel Map 94-01 and the imposition of conditions thereon.
NuNS B(n)U(n)

11155

The Board found that the project does not have an adverse impact on plant and animal life, relieving the applicant of the requirement to pay a \$1250 fee to the State Department of Fish & Game, stipulating that the applicant (not the County) will have to pay the fee if the State Department of Fish & Game protests this action.
NuSNU B(n)

- 57. Supervisor Nielsen recommending consideration of the request of D. W. Andrews that the County refund Wetsel-Oviatt Lumber Company \$3,234.14 which is the balance of the initial advance paid the County for analysis of specific development proposals for Omo Ranch Resort; and that the Board also consider such refunds for the following projects: Vannier Ranch; Carson Creek; Ervin Ranch; Lime Rock; Morales Ranch; Marble Valley; Cinnibar; Valley View; Big Sky; Heritage Village; Big Apple; The Promontory; and Sundance Plaza. (Continued 2/28/95, Item 64)

11285

BOARD ACTION - Chairman advised that the Board received written notification from The Mansour Company that no such deposit was required for the Valley View project, therefore, no refund need be considered.

Board denied the requested refunds.

UBN Nu(ab)S(n)

58. Supervisor Shultz recommending Planning Department be directed to give the Gold Creek Golf Course project in Camino priority processing "fast-track" in a manner similar to the recent Atlanta Precision Molding application.
BOARD ACTION - Approved, with direction that the Planning Commission hearing on the project be held on May 11, 1995, or May 25, 1995, at the very latest. SUBNuN

11296

59. (refer Agenda Addendum No. 1)

60. (New Business) RESOLUTION NO. 71-95 adopted proclaiming the existence of a Local Emergency finding conditions of extreme peril to the safety of persons and property caused by rainstorms, flooding, wind, mud slides, heavy snow conditions, and erosion commencing on or about March 9, 1995; and requesting the Governor proclaim the County of El Dorado to be in a state of emergency and request a Presidential Declaration. NuUBNS

11258

TIME ALLOCATION - 10:30 A.M.

70. Supervisor Bradley requesting discussion and possible action to authorize expenditure of \$400 for hotel accommodations and transportation for the Sacramento Area Commerce and Trade Organization (SACTO) Target Tour April 10-14, 1995.
BOARD ACTION - Approved SUNuN B(ab)

11221

TIME ALLOCATION - 11:00 A.M.

County Service Area No. 10 meeting (refer to separate agenda)



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.

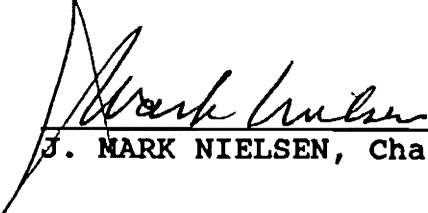
PLANNING MATTERS - 2:00 P.M.

- 80. Consideration of Tentative Parcel Map P91-35 creating 3 parcels, with design waivers, on property (APN 327-150-36) in the Diamond Springs/El Dorado Area (District III) Applicant: James B. Leroy. (Hearing Closed 2/28/95, Item 80)
BOARD ACTION - Board ~~denied~~ Tentative Parcel Map 91-35 based on the finding the proposed land division requires a tentative and final subdivision map. BUNuNS

11260


MEETING ADJOURNED

APPROVED:



 J. MARK NIELSEN, Chairman

ATTEST:



 DIXIE L. FOOTE, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

March 15, 1995

8:00 A.M.

Closed Session has been scheduled to discuss the following pursuant to Government Codes cited:

1. **Existing litigation** pursuant to Government Code Section 54956.9 regarding Gerald Daniel Swift vs Sheriff Don McDonald, et al, U.S. District Court No. CIV S-94-1301, DFL GGH P. **BOARD ACTION** - No report. ✓

County of El Dorado

BOARD OF SUPERVISORS

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

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



A G E N D A A D D E N D U M N O . 1

March 14, 1995

8:00 A.M.

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

CONSENT CALENDAR

23. Supervisor Nutting recommending Resolution be adopted supporting the California Rural Home Mortgage Finance Authority Application to the California Debt Limit Allocation Committee for a \$100 million mortgage revenue bond allocation for affordable housing in rural areas of California.

RECOMMENDED ACTION: Adopt Resolution No. 68-95 NuBNSU

10328

24. Supervisor Upton recommending Clark Emch be reappointed as the District V representative on the Local Disaster Council for a term to expire January, 1999.

RECOMMENDED ACTION: Reappoint Mr. Emch NuBNSU

10150

DEPARTMENT MATTERS

59. Supervisor Nielsen seeking Board authorization for Department of Transportation (DOT) to prepare status report on Missouri Flat/Highway 50 interchange planning/financing.

BOARD ACTION - Received and filed, and Board to hear DOT's report in April 1995. UBNU NS

11298