

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
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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

October 17, 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.

8:00 A.M. - CALL TO ORDER AND ADOPTION OF AGENDA

BOARD ACTION - Agenda and Addendum No. 1 thereto adopted with the following modifications: items 55 and 56 removed from the Agenda; item 57 continued off calendar; item 53 continued to October 31, 1995; item 19 continued to October 24, 1995; and at the request of County Counsel, one closed session was added pursuant to Government Code Section 54956.9 regarding existing litigation, "County v. Fire Insurance Company", PV93-3502. SUBNuN

Closed Session (refer Closed Session Roster attached)

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

PRESENTATION of Apple Hill products by representatives of the Ranch Marketing community.

PRESENTATION of Certificate of Commendation to Jim Stone, District I Representative on the Local Disaster Council.

10150

OPEN FORUM

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 Agendas** of October 3 and 10, 1995. ✓
RECOMMENDED ACTION: Approve
- 2. County Counsel recommending Chairman be authorized to sign **Releases of Lien (2)**. 11224
RECOMMENDED ACTION: Approve
- 3. Public Health Department recommending Resolution be adopted designating October as **Breast Health Awareness Month**. 11222
RECOMMENDED ACTION: Adopt Resolution No. 269-95
- 4. Public Health Department recommending Resolution be adopted declaring October 23 - 31, 1995 as **Red Ribbon Week** in El Dorado County encouraging commitment to a drug-free and alcohol-abuse free lifestyle. 11222
RECOMMENDED ACTION: Adopt Resolution No. 270-95
- 5. Community Services Department recommending Chairman be authorized to sign a letter to the Governor and Senate and Assembly representatives requesting support for local control of **Low Income Home Energy Assistance Program Block Grant** resources. 11321
RECOMMENDED ACTION: Approve
- 6. General Services Department recommending Chairman be authorized to sign **Plans and Specifications for Henningsen-Lotus Parking Lot Paving & Grading Project**; and said Department be authorized to open bids at 3:00 p.m., Friday, November 3, 1995. 9565
RECOMMENDED ACTION: Approve
- 7. General Services Department recommending award of Bid No. 750-037 for **3/4" aggregate base** for the Department of Transportation. 11422
RECOMMENDED ACTION: Award to the low bidder, American River Aggregates; and authorize purchase order in the amount of \$29,610 including tax for same.
- 8. General Services Department recommending award of Bid No. 750-040 for **de-icing sand** for the Department of Transportation. 11422
RECOMMENDED ACTION: Award to the low bidder, Cinderlite Trucking Corp.; and authorize purchase order in the amount of \$22,200 including tax for same.

9. General Services Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 083-S9511) with Beth Morris, dba **Town and Country Janitorial Service** in an additional amount not to exceed \$21,478.56 for 1995/96 janitorial services for selected County departments. **RECOMMENDED ACTION:** Approve (Rather than approve the Agreement Amendment, the matter was referred to the Interim CAO for a report back to the Board on the County's building maintenance program.) **BNuNSU** 10760
10. General Services Department recommending Chairman be authorized to sign Facility Use Agreement (No. 136-09610) with Professional Disc Golf Association for a **frisbee golf tournament at Pioneer Park** on Sunday, October 22, 1995. **RECOMMENDED ACTION:** Approve 8729
11. General Services Department recommending approval of **Budget Transfer No. 931** transferring \$5,175 from Contingency, and authorization to contract with **Wheeldon and Associates** for a study of **Finnon Reservoir**. (4/5 vote required) **RECOMMENDED ACTION:** Approve 11446
12. Veterans Services Department recommending Chairman be authorized to sign an Agreement and Certificate of Compliance with the State Department of **Veterans Affairs** for fiscal year 1995/96 for the **Medi-Cal Cost Avoidance Program**. **RECOMMENDED ACTION:** Approve 10135
13. District Attorney recommending approval of **Budget Transfer No. 921** increasing Estimated Revenue by \$10,618 reflecting the **Victim/Witness Claims** grant award for fiscal year 1995/96. **RECOMMENDED ACTION:** Approve 11479
14. District Attorney recommending approval of **Budget Transfer No. 926** increasing Estimated Revenue by \$80,000 for improvement of **child support collections**. (4/5 vote required) **RECOMMENDED ACTION:** Approve 11479
15. District Attorney recommending approval of **Budget Transfer No. 920** increasing Estimated Revenue by \$20,638 for the hiring of a part-time employee to assist **Fraud Investigators**. (4/5 vote required) **RECOMMENDED ACTION:** Approve 11479
16. Sheriff's Department recommending Board accept with thanks the donation of an **armored personnel carrier** by Armored Transport Inc.; and Auditor/Controller add the vehicle to the Sheriff's Department fixed asset inventory with a value of \$2,400. **RECOMMENDED ACTION:** Approve 11498

17. Library recommending approval of **Budget Transfer No. 929** increasing Estimated Revenues by \$1,495 reflecting donations received to purchase **books for the South Lake Tahoe, Pollock Pines and Main Libraries.** 11479
RECOMMENDED ACTION: Approve
18. Risk Management Department recommending the County continue with the California State Association of Counties (CSAC) **excess insurance programs**, name the Risk Manager to vote at meetings of the CSAC-EIA Board of Directors, and designate the Senior Risk Analyst as an Alternate member at said meetings. 11499
RECOMMENDED ACTION: Approve
19. Transportation Department recommending Chairman be authorized to sign a Purchase and Sale Agreement with El Dorado Hills Investors, Ltd. in the amount of \$286,100 for the **Multi-Modal Transfer Facility property;** and approve the amendment for the covenants, conditions and restrictions (CCR's) for the **El Dorado Hills Town Center East.** 10459
RECOMMENDED ACTION: Approve (Continued to October 24, 1995, upon adoption of the Agenda.) 10899
SUBNuN
20. Transportation Department recommending Resolution be adopted sanctioning the closure of various County roads on Sunday, November 5, 1995 at the times as outlined in said Resolution for the 16th Annual **Apple Hill Harvest Run** in the Camino Area. 11254
RECOMMENDED ACTION: Adopt Resolution No. 271-95
21. Planning Department recommending Chairman be authorized to sign the Certificate of Acceptance and **Avigation and Noise Easement** in the vicinity of the Cameron Park Airport from Derek Platter. 10374
RECOMMENDED ACTION: Approve
22. Supervisor Bradley (District I) recommending Deborah Kiley be appointed to the **Civil Service Commission** for a term to expire January 1, 1997. 10144
RECOMMENDED ACTION: Appoint Ms. Kiley
23. Supervisor Bradley recommending Mel Kowardy be appointed as the District I representative to the **Local Disaster Council** for a term to expire January 1, 1997. 10150
RECOMMENDED ACTION: Appoint Mr. Kowardy

- 24. Supervisor Bradley recommending Resolution be adopted supporting the City of Folsom in opposing the **Folsom Modification Plan and Stepped Release Plan** if the Folsom Dam Road is to be closed to implement either Plan; and recommending support of the City's quest to have the economic impacts and impacts to the City's water supply fully discussed and mitigated.

11500

RECOMMENDED ACTION: Adopt Resolution No. 272-95

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of items 9 and 19 as noted; and **Department Matter 50** added to the Consent Calendar and approved as part of same. UNBNuS

END MORNING 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. Office of Emergency Services recommending Chairman be authorized to sign an Agreement with the Cities of South Lake Tahoe and Placerville for participation in the **El Dorado County Operational Area organization for emergency services.**

11053

BOARD ACTION - Approved UNBNuS

- 51. Supervisor Nutting recommending each County department be directed to submit recommendations for specific legislation for the **Regional Council of Rural Counties (RCRC) Preliminary 1996 Legislative Agenda** prior to November 10, 1995.

10292

BOARD ACTION - Approved BUNuNS

- 52. Supervisor Nutting submitting the request of the California Forestry Association that the Board participate in a tour of the **Eldorado National Forest** on Thursday, October 19, 1995.

10722

BOARD ACTION - Board recognized the invitation to all Board members to attend a tour of the **Stanislaus National Forest** departing from the Standard Sierra Pacific Industries Office near Sonora at 8:00 a.m. on October 19 (a tour of the Eldorado National Forest has not been scheduled). NuBNSU

- 53. Supervisor Nielsen recommending Chairman be authorized to sign a lease between El Dorado County and the House Committee of the **Veterans Memorial Building** of El Dorado County. (Referred 9/19/95, Item 10)

11215

BOARD ACTION - Continued to **October 31, 1995**, at the request of Supervisor Nielsen, upon adoption of the Agenda. SUBNuN

- 54. Supervisor Shultz recommending issuance of Certificate of Compliance for APNs 62-061-36, -38, -39 and 62-460-04 for **Tony Smeaton/Malatesta Trust**. (Continued 10/3/95, Item 54)

11487

BOARD ACTION - Request for Certificate of Compliance **denied**. NuUB S(n)N(n)

TIME ALLOCATIONS - 11:00 A.M.

El Dorado County **Redevelopment Agency Meeting** (refer to separate agenda) ✓

County **Service Area No. 10 Meeting** (refer to separate agenda) ✓

Water **Agency Meeting** (refer to separate agenda) ✓

COMMITTEE REPORTS

LUNCH RECESS

TIME ALLOCATION - 1:30 P.M.

- 70. Final response to the **1994/95 Grand Jury Report**. (Referred 10/3/95, Item 57)

11416

BOARD ACTION - Being advised that the Board's Final Response was signed and mailed on October 6, 1995, to meet the deadline for submitting same to the Presiding Judge of the Superior Court, the Board took no action this date.

 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. Hearing to consider the **Appeal** filed by Lincoln Trust Company/Edwin and Sandra Mathews on the imposition of Conditions 3, 4 and 5 on **Tentative Parcel Map 95-14** creating four parcels on 4.0 acres in the Camino/Fruitridge Area (District IV).
BOARD ACTION - Board upheld staff's recommendation on condition 5, denying the appeal on same. NuBSU N(n)

At the recommendation of staff, the Board amended conditions 3 and 4 to place a cap on the fees required as follows: a cap of \$7000 per parcel for fair share participation in the funding of the future **US50/Camino Heights interchange** (condition 3); and a cap of \$1500 per parcel for fair share participation in the funding of intersection safety street lighting until the interchange is constructed (condition 4).
UNB Nu(n)S(n)

81. Hearing to consider the **Appeal** filed by Bill Vollenhals on the imposition of Condition 1 on Design Review 95-07 (**Kentucky Fried Chicken**) limiting the height of the proposed sign to 30 feet for .66 acre in the Cameron Park Area.
BOARD ACTION - Upon being advised by the Planning Department that the Appeal has been withdrawn, the Board took no action.

82. Hearing to consider adoption of Ordinance **rezoning** (Z95-15) lands in **Village B** (TM91-1242R) of the **El Dorado Hills Specific Plan** as follows:

a. **Area A** (approximately 1.5 acres) - OS, Open Space to R1-PD, One-family Residential-Planned Development;

b. **Area B** (approximately 12.0 acres) - R1-PD, One-family Residential-Planned Development to OS, Open Space;

c. **Area C** (approximately 0.5 acre) - CP, Planned Commercial to R1-PD, One-family Residential-Planned Development; and

d. **Area D** (approximately 25.7 acres) - CP, Planned Commercial to CP-PD, Planned Commercial-Planned Development.

BOARD ACTION - Board approved the Negative Declaration and approved the rezoning by adoption of **ORDINANCE NO. 4390** based on the findings of the Planning Commission on 9/14/95. SUBNuN

- 83. Hearing to consider adoption of Ordinance **rezoning** (Z94-18) 4.1 acres (APNs 083-465-22, -27, -28) in the **Cameron Park Area** (District I) from R2-PD, Limited Multifamily Residential-Planned Development Zone to R1, One-Family Residential Zone, requested by **Robert and Mayre Aaron**.

BOARD ACTION - Board approved the Negative Declaration and approved the rezoning by adoption of **ORDINANCE NO. 4391** based on the findings of the Planning Commission on 9/14/95; and modified the Public Review Draft General Plan from Multi-Family to High Density Residential for the subject properties.

BSNuNU

11506

- 84. Hearing to consider adoption of Ordinance **rezoning** (Z94-19) 1.379 acres (APNs 083-463-06, -07) in the **Cameron Park Area** (District I) from R2-PD, Limited Multifamily Residential-Planned Development Zone to R1, One-family Residential Zone, requested by **Cameron Woods Associates, Inc.**

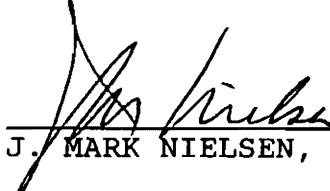
BOARD ACTION - Board approved the Negative Declaration and approved the rezoning by adoption of **ORDINANCE NO. 4392** based on the findings of the Planning Commission on 9/14/95; and modified the Public Review Draft General Plan from Multi-Family to High Density Residential for the subject properties.

BSNuNU

11507


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

October 17, 1995

8:00 A.M.

1. **Existing litigation** pursuant to Government Code Section 54956.9 regarding the following:

- a. **Chavez vs County of El Dorado, et al**, Case No. PV001053;
BOARD ACTION - Board authorized retention of the outside law firm of Barkett, Gumpert and Reiner to defend the County and the County-related defendants in that case. 11263

- b. **Beckman/Dutta vs Turner, et al**, Case No. PV94-0397; and
BOARD ACTION - No action reported. ✓

- c. **GTE Sprint Communications Corp vs County of Alameda, et al**, 26 Cal. App. 4th 992 (June 1994).
BOARD ACTION - No action reported. ✓

2. **Conference with Real Property Negotiator** pursuant to Government Code Section 54956.8 regarding instruction to the Board's negotiator for real property described as beginning at Mile Post 98.9 (Mayhew-Sac Ct.) and ending at Mile Post 149.7 (Placerville-El Dorado County). The person or persons with whom the negotiator may negotiate is **Southern Pacific**. Instructions to negotiator will concern price and terms of payment. ✓

BOARD ACTION - No action reported.

3. **Liability claims** pursuant to Government Code Section 54956.95 regarding Robert and Barbara York; Patrick C. Pallari; David and Shannon Fretwell; and Randy and Kim Subjeck. Agency claimed against is Department of Transportation. 11263

BOARD ACTION - Board authorized retention of the outside law firm of Longyear, O'Dea & Lavra to defend the County and the County-related defendants in the claims and any litigation that may result from the claims.

4. **Anticipated litigation** pursuant to Government Code Section 54956.9(c) regarding initiation of litigation. ✓

BOARD ACTION - No action reported.

5. (Added to the Agenda upon its adoption) **Existing litigation** pursuant to Government Code Section 54956.9, "County v. Fire Insurance Company", PV93-3502.

BOARD ACTION - Board authorized retention of the outside law firm of Barkett, Gumpert & Reiner to represent the County in the pursuit of damages. 11263

County of El Dorado

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

October 17, 1995

8:00 A.M.

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

CLOSED SESSIONS

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

- a. Jerry Morgan vs County, U.S. District Court Case No. CVS-93-1785; and
- b. Sterling Gentry Land Ltd. vs El Dorado County, Case No. PV94-0438, El Dorado County Superior Court.

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

Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 to give instructions to the Board's negotiator regarding real property described as **Finnon Lake**. The person or persons with whom the negotiator may negotiate is the State Wildlife Conservation Board. Instructions to negotiator will concern price and terms of payment.

BOARD ACTION - No action reported.

DEPARTMENT MATTERS

55. Supervisor Bradley recommending Interim Chief Administrative Officer (ICAO) be authorized to conduct an independent in depth analysis of the full costs to the County of **Briw Road contract** to ensure this is the most cost efficient contractual agreement and report back to the Board; ICAO be directed to provide a breakdown of costs to the County such as payment of property taxes, landscaping, insurance, moving costs, furniture/fixtures, etc.; and compare costs to the County of existing related leases and conditions to the proposed Briw Road proposal and other available options.

BOARD ACTION - Removed from the Agenda upon its adoption, understanding the ICAO has already undertaken a study of the issues. SUBNuN

11384

56. Supervisor Shultz submitting recommendations as outlined in his memorandum dated 10/12/95 regarding the Bureau of Land Management's (BLM) notice of proposed exchange of land for private land creating a large **Federal Land Island on the South Fork of the American River.**

BOARD ACTION - Removed from the Agenda upon its adoption at the request of Supervisor Shultz. SUBNuN

9638

57. Supervisor Shultz requesting discussion pertaining to the **River Management Advisory Committee (RMAC)** expansion and realignment.

BOARD ACTION - Continued off calendar at the request of Supervisor Shultz upon adoption of the Agenda. SUBNuN

9321