

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

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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

November 7, 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

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 adopted with continuation of the closed session of November 1, 1995, pursuant to Government Code Section 54957, regarding the CAO recruitment; and with the deletion of agenda item 55 at the request of Supervisor Nielsen. USBNuN

Closed Session (refer Closed Session Roster attached)

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

PRESENTATION by the ranch marketing community (Abel's Apple Acres). ✓

PRESENTATION of Proclamation recognizing November 11-18, 1995 as "Scouting for Food" Week in El Dorado County. NBNuSU 11222

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 31, 1995.
RECOMMENDED ACTION: Approve

- 2. Public Health Department recommending Resolution be adopted authorizing the Chairman to sign Amendment No. 5 to Agreement (No. 89-97898) with the State Department of Health Services in the amount of \$110,000 for fiscal year 1995/96 for continued **tobacco education and perinatal services.**
RECOMMENDED ACTION: Adopt Resolution No. 278-95

8527

- 3. Public Health Department recommending Proclamation be adopted proclaiming Thursday, November 16, 1995 as Great American Smokeout and Great American SmokeScream Day.
RECOMMENDED ACTION: Adopt Proclamation.

Board declared November 16, 1995, **Great American Smokeout Day.**
BUNuNS
A motion to adopt the Proclamation with deletion of all references to "screaming" failed. SN B(n)Nu(n)U(n)

11222

Proclamation of November 16, 1995, as **Great American Smokeout and Great American SmokeScream Day** adopted as presented.
UNuBN S(n)

- 4. General Services Department recommending Chairman be authorized to sign Agreement (No. 076-S9611) with William J. Gilles, M.D., dba **El Dorado Pathology Medical Group, Inc.** in an amount not to exceed \$126,000 for a term to expire June 30, 1996 for selected pathology and related services in Placerville and South Lake Tahoe areas for the **Sheriff's Department/Coroner's Division.**
RECOMMENDED ACTION: Approve

9038

- 5. General Services Department recommending Chairman be authorized to sign Agreement (No. 124-S9611) with Roger W. Klemm, dba Synthesis Design Group in an amount not to exceed \$35,500 for a term to expire August 1, 1996 for design and economic feasibility study for the future development of a Historical Museum site; and further recommending approval of Budget Transfer No. 940 increasing Estimated Revenue by \$36,750 and transferring same to Appropriations.
RECOMMENDED ACTION: Approve

9575

11479

6. Agricultural Commissioner recommending Chairman be authorized to sign the following for fiscal year 1995/96:
- a. Agreement (W-569009) with the State Department of Food and Agriculture, not to exceed \$441, for **inspection services for licensed weighmaster operations;**
 - b. Agreement (P-569009) with the State Department of Food and Agriculture, not to exceed \$4,032, for **inspections of establishments selling or distributing petroleum products;**
 - c. Agreement (95-0140) with the State Department of Food and Agriculture, not to exceed \$500 plus \$50, for new license law enforcement efforts for **inspections of nursery stock** of all county producer/wholesale acreage and enforcement of all laws and regulations pertaining to nursery stock and licensing;
 - d. Agreement (95-0057) with the State Department of Food and Agriculture in an amount of \$976 for **inspection of wholesale and retail eggs** in El Dorado County;
 - e. Agreement (95-0050) with the State Department of Food and Agriculture in an amount of \$185 for **inspection of wholesale and retail eggs in Alpine County;**
 - f. Agreement (95-0009) with the State Department of Food and Agriculture in an amount of \$27,247 for **pest detection activities (trapping)** in El Dorado County;
 - g. Memorandum of Understanding (959608) with the State Department of Pesticide Regulation, not to exceed \$5,200, for **pesticide use reporting;**
 - h. Agreement (95-0009) with the State Department of Pesticide Regulation in an amount of \$16,940 for **enforcement of pesticide permit regulations;**
 - i. Agreement (95-0002) with the State Department of Pesticide Regulation in an amount of \$400 for **enforcement of pesticide permit regulations in Alpine County;**
 - j. Agreement (95-0063) with the State Department of Pesticide Regulation in an amount of \$1,935 for **pesticide use reporting;**
 - k. Agreement (95-0129) with the State Department of Pesticide Regulation in an amount of \$4,165 for **"sampling" pesticide residue** in raw commodities known to have been treated with a specific pesticide.

RECOMMENDED ACTION: Approve

11523

- 7. County Counsel recommending the claim of Richard D. Hillman in the amount of \$229 be rejected.
RECOMMENDED ACTION: Reject claim

11509

- 8. County Counsel advising the following claims have been paid:
 - a. William N. Richie in the amount of \$3,450.87;
 - b. Trina Campini in the amount of \$67.50;
 - c. Judy Laam in the amount of \$323; and
 - d. Greg Smith in the amount of \$566.30.**RECOMMENDED ACTION:** Approve

11509

- 9. Human Resources Department recommending Resolution be adopted establishing salary ranges for Senior Risk Management Analyst, Supervising Systems Support Specialist and Senior Vector Control Technician positions; and approval of the job specifications for same.
RECOMMENDED ACTION: Adopt Resolution No. 279-95

11524

- 10. Transportation Department recommending Chairman be authorized to sign an Agreement with HDR Engineering, Inc. in the amount of \$198,314 for a Combined Project Study Report/Project Report for the Missouri Flat Road/Highway 50 Intersection.
RECOMMENDED ACTION: Approve

11350

BSNuNU

- 11. Transportation Department recommending Board accept the Royal Equestrian Estates Project (TM 86-1060) as complete; and authorize partial release of assignment of security (No. Acct. 20-95-2007055) in the amount of \$6,725.
RECOMMENDED ACTION: Approve

8559

SNuNU B(n)

- 12. Transportation Department recommending the following for the Black Bart/Trout Creek Culvert Project (JN 72316):
 - a. Approve plans and specifications for said Project;
 - b. Authorize advertisement for construction bids to be opened at the Tahoe Transportation Office on December 15, 1995;
 - c. Authorize Chairman to execute the contract with the lowest responsible bidder; and
 - d. Adopt Resolution sanctioning the closure of Martin Avenue during the period July 22 through October 15, 1996.**RECOMMENDED ACTION:** Approve and adopt Resolution No. 280-95

11512

BOARD ACTION - Consent Calendar matters approved as recommended with items 3, 10 and 11 acted upon separately; and Department Matters 50 and 54 added to the Consent Calendar and approved as part of same.

USBNuN

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. General Services Department recommending Request for Proposal 906-033 for the **River Management Plan Update** be awarded to R.M.I., Inc.; and the Director of said Department be authorized to negotiate a contract for same. **9638**
BOARD ACTION - Added to the Consent Calendar and approved as part of same. USBNuN
51. Adoption of Ordinance repealing Chapter 2.63 of Title 2 of the County Ordinance Code and adding a new Chapter 2.63 relating to the County **General Relief Ordinance** to control costs in the General Relief Program. (Introduced and referred to staff 10/24/95, Item 50) **11514**
BOARD ACTION - **ORDINANCE NO. 4387** adopted as amended by the Board this date to change "or" to "and" in Section 2.63.050"P" regarding residency requirements. UBNuNS
52. Redevelopment Agency recommending Resolution be adopted authorizing the Chairman to execute a Consulting Services Funding Agreement with **Wal-Mart Stores, Inc.** and **Sundance Plaza Associates, Ltd.** (Continued 10/31/95, Item 57) **11350**
BOARD ACTION - **RESOLUTION NO. 283-95** adopted with the understanding the County's required contribution of \$20,000 is part of the County's previously deposited funds. USNuN B(n)
53. Adoption of Ordinance amending Chapter 3.08 of Title 3 of the El Dorado County Ordinance Code regarding **non-competitive bidding process for airport property leases.** **11472**
BOARD ACTION - **ORDINANCE NO. 4397** adopted. USNuN B(n)
54. Clerk of the Board submitting request of the California State Association of Counties (CSAC) that the Board elect its representative to the **CSAC Board of Directors for 1996.** **10646**
BOARD ACTION - Reappointment of Supervisor John Upton as the Board's representative on the CSAC Board of Directors for 1996 was added to the Consent Calendar and approved as part of same. USBNuN

55. 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. (Continued 10/31/95, Item 17) 11215
BOARD ACTION - Removed from the Agenda upon its adoption at the request of Supervisor Nielsen. USBNuN

56. Supervisor Shultz recommending County Surveyor be authorized to clear subdivision map for APN 71-380-30 followed by issuance of **Certificate of Compliance** for Stephen R. Weiss for property located in Cool. 11525
BOARD ACTION - Approved SNBNuU

Planning Department requested report back to the Board as soon as possible with a suggestion as to how the County, procedurally, should deal with Certificates of Compliance in circumstances like this. UNuBNS

TIME ALLOCATION - 10:00 A.M.

70. Supervisor Nielsen submitting request of the Placerville City Council that the Board consider certain issues relating to the **General Plan and Environmental Impact Report**. 9399
BOARD ACTION - Board rescheduled its public hearing and action on the General Plan and Environmental Impact Report selecting the dates of January 2, 3, 4 & 5, 1996, and requested the Clerk report back on November 21, 1995, with recommended times and locations for same. NUBS Nu(n)

TIME ALLOCATIONS - 11:00 A.M.

71. Hearing to consider adoption of Resolution authorizing the Chairman to sign a **California Community Development Block Grant (CDBG) Planning and Technical Assistance Grant Application** for \$31,600 in funds, and authorizing the Community Services Director to execute all documents relating to same. 11526
BOARD ACTION - There being no public protests, the Board closed the hearing and adopted **RESOLUTION NO. 284-95** as presented. NuUBNS

- County Service Area No. 3 Meeting (refer to separate agenda)
- County Service Area No. 9 Meeting (refer to separate agenda)
- County Service Area No. 10 Meeting (refer to separate agenda)
- Redevelopment Agency Meeting (refer to separate agenda)
- Board of Equalization (refer to separate agenda)

TIME ALLOCATIONS - 2:00 P.M.

- 80. Hearing to consider adoption of Ordinance rezoning (Z95-10) 41.7 acres (APN 103-010-13) in the **Bass Lake Area** (District I) from RE-10, Estate Residential Ten-acre Zone to RE-5, Estate Residential Five-acre Zone, requested by **L. B. Industries, Inc.**
BOARD ACTION - Board adopted the Negative Declaration as prepared, and adopted **ORDINANCE NO. 4398** approving the requested rezoning based on the findings of the Planning Commission on 10/12/95. NuUBNS 11527

- 81. Hearing to consider the following for **Cool Village** on 44.69 acres in the Cool Area (District IV), Applicant: Cool Investments:
 - a. Adoption of Ordinance rezoning (Z95-01) said lands from AE, Exclusive Agricultural Zone to CG-PD, General Commercial-Planned Development; and 11528
 - b. Development Plan 95-01.
BOARD ACTION - Hearing continued to November 21, 1995, at 2:00 p.m., at the recommendation of the Planning Department. UBNuNS

82. Hearing to consider certification of the Final Bass Lake Road Study Area Program Environmental Impact Report (EIR) and Addendum to the EIR for the **Bass Lake Hills Specific Plan**; and adoption of said Plan which proposes specific residential land uses, supporting infrastructure and public facilities, resource conservation policies, design standards, and public facility financing for development of said area. (Resolution required) (Note: Board recessed for dinner and reconvened at 6:00 p.m. for further testimony and action on this item.)
- BOARD ACTION** - Board revised Figure 4-2 contained in the Draft Bass Lake Hills Specific Plan to illustrate the potential of **expansion of Bass Lake Road to four lanes** within a 100 foot right of way and place bike paths and sidewalks in the landscaping easements. NUSBNU

Board took the following actions:

SUNuN B(n)

- (1) Certified the Addendum to the **Bass Lake Road Study Area Final Program EIR** based on the findings in Resolution No. 288-95;
- (2) Found the **Bass Lake Hills Specific Plan** as amended consistent with the requirements of California Government Code Section 65450 et seq.;
- (3) Adopted **RESOLUTION NO. 288-95** adopting the Bass Lake Hills Specific Plan;
- (4) Adopted the Mitigation Monitoring Plan;
- (5) Adopted the mitigation findings required by CEQA;
- (6) Adopted the Statement of Overriding Considerations;
- (7) Adopted the findings pertaining to the Legislative Extension of Time for adoption of General Plan (SB 903) included in the Resolution; and
- (8) Directed staff to bring back to the Board the appropriate Ordinance specifying the imposition of a Specific Plan fee to cover the costs of preparing same pursuant to California Government Code Section 65456(a).

Board adopted **Alternative 3** regarding road connections to **Castansa Drive and Covello Circle**. NBNuSU

MEETING ADJOURNED

ATTEST:

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

APPROVED:

J. Mark Nielsen
J. MARK NIELSEN, Chairman

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS ON TUESDAY, NOVEMBER 14, 1995, WILL BE HELD AT THE RESCUE COMMUNITY CENTER, COMMENCING AT 1:00 P.M., IN COMPLIANCE WITH THE COUNTY CHARTER REQUIREMENT THAT ONE BOARD MEETING BE HELD IN EACH SUPERVISORIAL DISTRICT ANNUALLY.

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

November 7, 1995

8:00 A.M.

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

a. Joseph & Marilyn **Sears** and Margaret **Bell** vs El Dorado County, Case No. PV94-0315; ✓

BOARD ACTION - No action reported.

b. Robert J. **Cross** vs Judith **Burke**, Case No. PV-001274.

BOARD ACTION - Referred to the outside firm of **Mason and Thomas** for defense of the County and all County-related defendants, by unanimous vote of the Board. 11263 ✓

2. **Anticipated litigation** pursuant to Government Code Section 54956.9(b) regarding significant exposure to litigation (2). ✓

BOARD ACTION - No action reported.

3. **Conference with Labor Negotiator** pursuant to Government Code Section 54957.6 - County Negotiators are Director of Human Resources and Principal Personnel Analyst and the Employee Organization is **Operating Engineers Local Union No. 3**. ✓

BOARD ACTION - No action reported.