

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

November 21, 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.

 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 items 53 and 54 removed at the request of Supervisor Nielsen. SUBNuN

Closed Session (refer Closed Session Roster attached)

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

PRESENTATION by the Placerville "Hangtown" Chapter 512 Experimental Aircraft Association.

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 November 1 and 14, 1995.
RECOMMENDED ACTION: Approve (Approved with clarification of Supervisor Nutting's participation in the Board's selection and hiring of a new Chief Administrator Officer.) NUBNuS ✓
2. Assessor recommending Chairman be authorized to sign **Assessment Roll Changes**.
RECOMMENDED ACTION: Approve 11223
3. Health Department recommending Chairman be authorized to sign an Agreement with the County Office of Education in the amount of \$38,750 for the term July 1, 1995 through June 30, 1996 for interagency support and coordination for the **Children and Families Network**.
RECOMMENDED ACTION: Approve SBNUU 11136
4. Mental Health Department recommending Chairman be authorized to sign an Agreement with **Eskaton American River Manor** in an amount not to exceed \$312,075 for a long-term 24-hour special treatment program for mentally ill adults.
RECOMMENDED ACTION: Approve 9826
5. Community Services Department recommending Chairman be authorized to sign Agreement (No. 95-22876), and accompanying certification, with the State Department of Health Services in the amount of \$255,800 for the Women, Infants and Children **(WIC) Program**; and further recommending the Director of said Department be authorized to execute subsequent documents relating to same.
RECOMMENDED ACTION: Approve 11532
6. Community Services Department recommending Resolution be adopted confirming the designation of the Director of said Department to oversee the use of **Community Development Block Grant (CDBG) Program** income and authorizing said Director to execute CDBG Annual Program Income Reuse Reports and Certifications.
RECOMMENDED ACTION: Adopt Resolution No. 289-95 11526
7. General Services Department recommending Chairman be authorized to sign Agreement (No. 082-S9611) with **International Cancer Screening Laboratory** in an amount not to exceed \$20,800 for a term to expire June 30, 1996 for cervical cancer screening services to the Public Health Department.
RECOMMENDED ACTION: Approve 10024

8. General Services Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 082-S9511) with Jonette Taschner, dba **Jonette Taschner Janitorial Service** in the amount of \$12,600 for the term June 30, 1995 through June 30, 1996 for janitorial services to selected County departments. **RECOMMENDED ACTION:** Approve 10760
9. General Services Department recommending Chairman be authorized to sign Amendment No. 1 to Agreement (No. 076-S9511) with Sentinel Monitoring Corporation in the amount of \$52,110 for the term June 30, 1995 through June 30, 1996 for home electronic monitoring system for the Sheriff's Department. **RECOMMENDED ACTION:** Approve 8750
10. Auditor/Controller recommending Resolution be adopted ordering **judicial foreclosure of delinquent assessments** pursuant to the Improvement Bond Act of 1915 and ordering that the Treasurer/Tax Collector be credited with said assessments. **RECOMMENDED ACTION:** Adopt Resolution No. 290-95 11473
11. Sheriff's Department recommending Chairman be authorized to sign the Designation of Applicant's Agent Resolution required by the State Office of Emergency Services prior to issuing **disaster relief funds**. **RECOMMENDED ACTION:** Approve 11425
12. Agriculture Department recommending the Board accept the **donation of an Arabian horse from Mrs. Patricia Gardner**; and further requesting authorization to conduct a public auction to sell said horse with the proceeds to go to the Animal Control Division's Pet Aid Program. **RECOMMENDED ACTION:** Approve and Chairman authorized to sign letter of appreciation to Mrs. Gardner 11533
13. Fair Manager recommending Chairman be authorized to sign the El Dorado County **Fair Budget** for 1996 in the amount of \$780,870 and Budget Transfer No. 95-1 transferring \$54,275 from Continued Available to various accounts to accomplish 1995 year-end expenditures. **RECOMMENDED ACTION:** Approve 11534

BSNuNU

- 14. County Water Agency recommending Chairman be authorized to sign Amendment No. 3 to the **American River Authority Joint Powers Agreement (JPA)** adding San Joaquin County as a member entity and party to the JPA and subsequent Amendments, and so amending composition of the Board of Directors.

11501

RECOMMENDED ACTION: Approve

- 15. Planning Department recommending Board accept the final parcel map for **Town Center East, Unit No. 1** as being substantially in compliance with the approved tentative parcel map and conditions of approval, and Chairman be authorized to sign the Parcel Map Improvement Agreement.

10899

RECOMMENDED ACTION: Approve BSNuNU

- 16. County Counsel recommending Board authorize the following for acquisition of the **Sears property** (APN 88-01-19):

- a. County Counsel to retain appraisal services, order title reports, begin acquisition contact and make an offer for appraisal price for said acquisition, if a voluntary sales agreement cannot be obtained; and

11535

- b. Department of Transportation and necessary staff to prepare all necessary California Environmental Quality Act (CEQA) documentation for acquisition of said property by eminent domain, the owner being Margaret H. Bell.

RECOMMENDED ACTION: Approve

- 17. Risk Management requesting authorization to issue Request for Proposal No. 953-047 for consulting services to **audit** and evaluate the Risk Management **General Liability Program**.

8785

RECOMMENDED ACTION: Approve

- 18. Supervisor Nutting recommending Resolution be adopted expanding the scope of the **California Rural Home Mortgage Finance Authority** through the Regional Council of Rural Counties. (Continued 11/14/95, Item 11)

11297

RECOMMENDED ACTION: Adopt Resolution No. 287-95 (Continued to December 5, 1995, at Supervisor Nutting's request.) NuBNSU

- 19. (Refer Addendum No. 1)

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of item 18 as noted (items 3, 13 and 15 also acted upon separately); and **Department Matters 50 and 56** added to the Consent Calendar and approved as part of same. USBNU

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. Assessor recommending Resolution be adopted allowing El Dorado County to pursue negotiations with the State Department of Finance to secure **property tax administration funds** available through Assembly Bill 818.

11536

BOARD ACTION - Added to the Consent Calendar, and RESOLUTION NO. 291-95 adopted as part of same. USBNuN

- 51. Transportation Department submitting for introduction an **Ordinance** adding Section 12.08.155 to Chapter 12.08 of Title 12 of the County Ordinance Code delegating approval **authority to the Director of Transportation** or his/her designee for road improvement/encroachment projects up to \$100,000.

11122

BOARD ACTION - Board waived reading, read by title only, and introduced the Ordinance for adoption on **December 5, 1995**.

UBNuNS

- 52. Risk Management recommending the following:

- a. Award Request for Proposal No. 948-026 to FHP Take Care; BOARD ACTION - RFP 948-026 awarded to both FHP Take Care and Kaiser Permanente. UBN Nu(n)S(n)

- b. Authorize staff to begin contract negotiations with said Firm; BOARD ACTION - Staff authorized to begin contract negotiations with both FHP Take Care and Kaiser Permanente. UBN Nu(n)S(n)

- c. Approve a three-month Optional Benefits Plan coverage period, beginning January 1, 1996, with an election period in December, 1995; BOARD ACTION - Approved UBN Nu(n)S(n)

10895

- d. Approve the continuation of current **County Health Plan** contribution rates and current Optional Benefit Plan credits, pro-rated for a three month coverage period, allowing staff time to return to the Board with recommendations to implement an employee choice of health benefits effective April 1, 1996. BOARD ACTION - Approved, and staff requested to schedule a special meeting of the Board as soon as possible for more in-depth discussion of the issues in a workshop setting. UBN Nu(n)S(n)

53. Supervisor Nielsen recommending the oral interviews for the **County Counsel position** be limited to two, including the Board's selection interview.
BOARD ACTION - Removed from the Agenda upon its adoption at the request of Supervisor Nielsen. SUBNuN

8973

54. Supervisor Nielsen, on behalf of **Bruce Enyart**, requesting discussion regarding the division of APN 049-071-36 through rezoning or changing the General Plan designation.
BOARD ACTION - Removed from the Agenda upon its adoption at the request of Supervisor Nielsen. SUBNuN

11537

55. Clerk of the Board submitting proposed times and sites for the Board's **hearing on the County General Plan** January 2 - 5, 1996. (Referred 10/31/95, Item 70)
BOARD ACTION - The Board approved the following schedule for its hearing on the General Plan, clarifying the hearing will be conducted in the **Board's meeting room in Building "A"** at the Government Center with arrangements made for larger facilities if deemed necessary at the time: SNBNuN

| | | | |
|--------------|--------------|--------------------|---|
| Tues | Jan 2 | 8:00 am - 10:00 am | Closed Session with Planning Commission and attorneys |
| | | 10:00 am - 12 noon | Public Testimony |
| | | | lunch recess |
| | | 1:30 pm - 5:30 pm | Public Testimony |
| | | | dinner recess |
| | | 7:00 pm - 10:00 pm | Public Testimony |
| Wed | Jan 3 | 9:00 am - 12 noon | Public Testimony |
| | | | lunch recess |
| | | 1:30 pm - 5:30 pm | Public Testimony |
| | | | dinner recess |
| | | 7:00 pm - 10:00 pm | Public Testimony |
| Thurs | Jan 4 | 9:00 am - 12 noon | Board deliberation |
| | | | lunch recess |
| | | 1:30 pm - 5:00 pm | Board deliberation |
| Fri | Jan 5 | 9:00 am - 12 noon | Board deliberation |
| | | | lunch recess |
| | | 1:30 pm - 5:00 pm | Board deliberation |

9399

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

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to consider the following petition submitted by Oscar Griswold for 1.14 acres in the Diamond Springs/El Dorado Area:
- Adoption of Ordinance **rezoning** (Z95-13) said lands from R2-DC, Limited Multifamily Residential-Design Control Zone to R2-PD, Limited Multifamily Residential-Planned Development;
 - Development Plan 95-09**; and
 - Tentative Map 95-1303**.
- BOARD ACTION** - Board adopted the Negative Declaration as prepared, adopted ORDINANCE NO. 4400 approving the rezoning, adopted the development plan as the official development plan, and received and filed the tentative map for **17 condominium units**, subject to conditions proposed and based on the findings of the Planning Commission on 10/12/95. SBNUU
81. Hearing to consider the following for **Cool Village** on 44.69 acres in the Cool Area, Applicant: Cool Investments:
- Appeal** submitted by The Voit Companies on the imposition of Condition 2 on Development Plan 95-01;
BOARD ACTION - Board granted the Appeal, modifying Condition 2 to read as follows: "Final development plan provisions shall require design considerations requiring visual screening of any roof-mounted equipment on any structure located on "Pad B" (Parcel 3 of Tentative Parcel Map P95-02). Such review shall be made by the Planning Commission pursuant to County Ordinance Code Section 13.14.130." SUNuN B(n)
 - Appeal** submitted by Steve Proe on the approval of said Project;
BOARD ACTION - Appeal denied. NuSBNU
 - Adoption of Ordinance **rezoning** (A95-01) said lands from AE, Exclusive Agricultural Zone to CG-PD, General Commercial-Planned Development; (Continued 11/7/95, Item 81a);
BOARD ACTION - Board adopted the Negative Declaration as prepared and adopted ORDINANCE NO. 4401 approving the rezoning, based on the findings of the Planning Commission on 10/12/95. USBNUuN
 - Development Plan 95-01**. (Continued 11/7/95, Item 81b)
BOARD ACTION - Board approved the Development Plan PD95-01 for Phase I and Parcel 14 of Phase III (excluding parcels 3, 5, 8, and 19), adopting the development plan as the official development plan, subject to conditions and based on findings of the Planning Commission on 10/12/95. USBNUuN

11538

11528

82. Hearing to consider adoption of Ordinance rezoning (Z94-16) 5.0 acres in the Shingle Springs Area (District III) from R1A, One-acre Residential Zone to C, Commercial Zone, requested by Chris Bosio for development of a commercial sports complex (Sports Central).

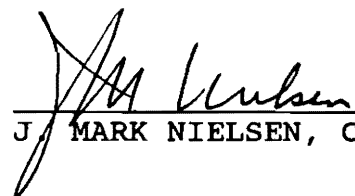
BOARD ACTION - Board determined to modify the zoning to some form of Commercial Zone to accommodate the activity proposed by Mr. Bosio. NuUBS N(n)

Board denied the requested rezoning to Commercial Zone; adopted the Negative Declaration as prepared; adopted ORDINANCE NO. 4402 approving the rezoning of said lands to **Commercial-Planned Development Zone** based on the findings contained on Page 7 of the Planning Staff Report to the Planning Commission on 10/12/95, and the additional condition that the Planned Development Overlay provides a higher level of protection to the surrounding residential community and the intended use would be compatible with that neighborhood; and the Board referred the Design Review (DR95-06) application back to Planning staff and the Planning Commission with staff directed to take steps necessary to amend that application to a Planned Development and schedule same for a hearing before the Planning Commission. USBNu N(n)

11539


MEETING ADJOURNED

APPROVED:



J. MARK NIELSEN, Chairman

ATTEST:



Dixie L. Foote, Clerk of the Board

REMINDER: THE NOVEMBER 28, 1995 BOARD OF SUPERVISORS MEETING HAS BEEN CANCELED DUE TO THE CALIFORNIA STATE ASSOCIATION OF COUNTIES ANNUAL CONFERENCE.

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

November 21, 1995**8:00 A.M.**

Closed Sessions have been scheduled to discuss the following pursuant to the Government Code cited:

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; and
 - b. **Voter Rights Coalition vs Wilson**, 60F3d 1411 (9th Cir. 1995).

BOARD ACTION - No action reported. ✓

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

BOARD ACTION - No action reported. ✓

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AGENDA ADDENDUM NO. 1

November 21, 1995

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

Closed Sessions to discuss the following pursuant to the Government Codes cited:

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

- a. County vs Henningson, et al, Case No. PV001148;
- b. William A. Davis vs Henningson, et al, Case No. PV93-3744;
- c. Laura Duffy vs City of South Lake Tahoe, et al, Case No. SV-0519. 11540

BOARD ACTION - Board, by unanimous vote, waived any conflict of interest which would permit Porter Scott Weiberg & Delehant to represent their clients in those three listed cases involving the County of El Dorado.

Public employee appointment pursuant to Government Code Section 54957; position title: Interim County Counsel.

CONSENT CALENDAR

19. Interim Chief Administrative Officer recommending Chairman be authorized to sign the Authorization of Opposition to H.R. 1058/S.240 (Securities Litigation Reform Act) which could limit or prevent the ability to recover taxpayer funds lost if the County is defrauded through investments in bonds, pension funds, and other types of securities. 11541

RECOMMENDED ACTION: Approve

DEPARTMENT MATTERS

56. Interim Chief Administrative Officer recommending Chairman be authorized to sign a letter in support of local control being provided for in legislation relative to rights of way, zoning/cellular towers, direct broadcast satellite taxation and telephone companies providing video programming. 11541

BOARD ACTION - Added to the Consent Calendar and approved as part of same. USBNU