

County of El Dorado

BOARD OF SUPERVISORS

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

January 14, 1997

8:00 A.M.

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

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. Public comments during Open Forum are limited to three 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 the addition of two new business items (refer items 51 and 52) pursuant to Government Code Section 54954.2(b)(2).
NuNBS U(a)

Closed Session (refer Closed Session Roster attached)

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

INVOCATION

OPEN FORUM

PRESENTATION by California Department of Forestry on the concept of a local Fire Safe Council for promoting defensible space in neighborhoods; and adoption of Resolution supporting the Fire Safe Council.

BOARD ACTION - RESOLUTION NO. 10-97 adopted.

UNuBNS

11992

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. Conformed Agendas (Minutes) of January 6 and 7, 1997.
RECOMMENDED ACTION: Approve. UNBNuS ✓
2. Assessment Roll Changes.
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. 11993
3. County Counsel recommending following claims be rejected: 11978
 - a. Bruce and Rian Smith in an amount in excess of \$25,000; and
 - b. John V. Apollo in an amount in excess of \$25,000.
RECOMMENDED ACTION: Reject claims.
4. Public Health Department recommending approval of Budget Transfer No. 1409 increasing Estimated Revenue by \$6,550; and authorizing the Director of said Department to execute an Agreement with March of Dimes for health education services to Hispanic women and children on the Western Slope. 11994
RECOMMENDED ACTION: Approve.
5. Mental Health Department recommending Resolution indicating preliminary intent to participate in the Medi-Cal Mental Health Consolidation Plan with the State Department of Mental Health; and Mental Health Director be authorized to approve payment and Auditor/Controller be directed to pay claims authorized by said Department for mental health services to El Dorado County Medi-Cal beneficiaries. 11637
RECOMMENDED ACTION: Adopt Resolution No. 06-97.
6. Community Services Department recommending Resolution authorizing Chairman to sign Agreement (No. 97F-1509), including cover page and Certification, with State Department of Community Services and Development in the amount of \$160,000 for the term January 1 through December 31, 1997, for 1997 Community Services Block Grant funds; and authorizing the Director of said Department to execute subsequent documents relating to same. 11774
RECOMMENDED ACTION: Adopt Resolution No. 07-97.
7. General Services Department recommending Agreement (No. 196-S9711) with Carlton Engineering, Inc. in an amount not to exceed \$34,280 for a term to expire June 30, 1997 for design services for Pioneer Park Community Services Center. 8729
RECOMMENDED ACTION: Approve.

8. Elections Department recommending approval of the amended **Conflict of Interest Code Review Statements** for the following school districts: Gold Trail, Rescue, Pollock Pines, Buckeye, Black Oak Mine, Camino and Lake Tahoe Community College. **10823**
RECOMMENDED ACTION: Approve.

9. Surveyor recommending approval of Budget Transfer No. 1413 transferring \$72,000 from Contingency to purchase hardware and software for the GIS Program. (4/5 vote required) **11994**
RECOMMENDED ACTION: Approve.

10. Sheriff's Department recommending the Auditor/Controller be authorized to allow direct payroll deductions from said Department's employees for the Sierra Law Enforcement Chaplaincy. **11995**
RECOMMENDED ACTION: Approve.

11. Transportation Department recommending approval of the negative declaration for the Missouri Flat Road Widening Project (No. 72124). **9555**
RECOMMENDED ACTION: Approve. (This matter having been noticed as a public hearing to be conducted at 11:00 a.m., was pulled off the Consent Calendar and approved after hearing no protests at the public hearing held at the appointed time.)
 UNuBNS

12. Transportation Department recommending release of Maintenance Bond (No. 1286864) in the amount of \$91,697 for Bar J Ranch, Unit 9. **10614**
RECOMMENDED ACTION: Approve.

13. Transportation Department recommending the following for Village B Unit 1 (TM92-1242) El Dorado Hills Specific Plan: **7135**

- a. Accept Village B Unit 1 as complete, in accordance with Subdivision Improvement Agreement;
- b. Release Performance Bond (No. 156860) in the amount of \$409,364;
- c. Hold posted Laborers and Materialmen Bond (No. 15680) in the amount of \$204,682 to guarantee payment to persons furnishing labor, materials or equipment, and authorize release after six months, if no claims are made; and
- d. Accept the posted Maintenance Bond (No. 173510) in the amount of \$154,803, and authorize to release bond one year after acceptance, if no defect or warrantee claims.

RECOMMENDED ACTION: Approve.

14. Transportation Department recommending the following for Village B Unit 2 (TM92-1242) El Dorado Hills Specific Plan:

7135

a. Accept Village B Unit 2 as complete, in accordance with Subdivision Improvement Agreement;

b. Release Performance Bond (No. 156860) in the amount of \$409,364;

c. Hold posted Laborers and Materialmen Bond (No. 15680) in the amount of \$103,823 to guarantee payment to persons furnishing labor, materials or equipment, and authorize release after six months, if no claims are made; and

d. Accept the posted Maintenance Bond (No. 173510) in the amount of \$154,803, and authorize release bond one year after acceptance, if no defect or warrantee claims.

RECOMMENDED ACTION: Approve.

15. Transportation Department recommending the following for Village D Unit 1 (TM91-1244) El Dorado Hills Specific Plan:

7135

a. Accept Village D Unit 1 as complete, in accordance with the Subdivision Improvement Agreement;

b. Release Performance Bond (No. 156859) in the amount of \$942,866;

c. Hold posted Laborers and Materialmen Bond (No. 156859) in the amount of \$471,433 to guarantee payments to persons furnishing labor, materials or equipment, and authorize release after six months, if no claims are made; and

d. Accept posted Maintenance Bond (No. 173509) in the amount of \$215,887, and authorize release one year after acceptance, if no defect or warrantee claims.

RECOMMENDED ACTION: Approve.

16. Transportation Department recommending the following for Village H Phase 1 (TM91-1239) El Dorado Hills Specific Plan: **7135**
- a. Accept Village H Phase 1 as complete, in accordance with the Subdivision Improvement Agreement;
 - b. Release Performance Bond (No. 146096) in the amount of \$761,396;
 - c. Hold posted Laborers and Materialmen Bond (No. 146096) in the amount of \$380,698 to guarantee payment to persons furnishing labor, materials or equipment, and said Department authorize release after six months, if no claims are made; and
 - d. Accept posted Maintenance Bond (No. 1723506) in the amount of \$180,695, and authorize release bond one year after acceptance, if no defect or warrantee claims.
- RECOMMENDED ACTION: Approve.
17. Transportation Department recommending the following for Village H Phase 2 (TM91-1239) El Dorado Hills Specific Plan: **7135**
- a. Accept Village H Phase 2 as complete, in accordance with the Subdivision Improvement Agreement;
 - b. Release Performance Bond (No. 146095) in the amount of \$809,380;
 - c. Hold posted Laborers and Materialmen Bond (No. 146096) in the amount of \$404,690 to guarantee payment to persons furnishing labor, materials or equipment, and said Department authorize release after six months, if no claims are made; and
 - d. Accept posted Maintenance Bond (No. 1723507) in the amount of \$129,816, and authorize release one year after acceptance, if no defect or warrantee claims.
- RECOMMENDED ACTION: Approve.

18. Transportation Department recommending the following for Village I & L Unit 1 (TM91-1239) El Dorado Hills Specific Plan:

7135

- a. Accept Village I & L Unit 1 as complete, in accordance with Subdivision Improvement Agreement;
- b. Release Performance Bond (No. 146094) in the amount of \$830,856;
- c. Hold posted Laborers and Materialmen Bond (No. 146094) in the amount of \$415,428 to guarantee payment to persons furnishing labor, materials or equipment, and said Department authorize release after six months, if no claims are made; and
- d. Accept posted Maintenance Bond (No. 1723508) in the amount of \$256,704, and authorize release one year after acceptance, if no defect or warrantee claims.

RECOMMENDED ACTION: Approve.

19. Transportation Department recommending release of the posted one year maintenance Cashier's Check (No. 71067) in the amount of \$1,400 for Campo Caballero (TM86-1041).

8970

RECOMMENDED ACTION: Approve.

20. County Counsel recommending Resolution be adopted rescinding Resolution No. 224-96 vacating approval of the certification of the final Environmental Impact Report (EIR), adopting findings, a mitigation monitoring program, and statement of overriding consideration, and approving the Carson Creek Specific Plan and Euer Ranch Tentative Subdivision Map; instructing staff to prepare an Addendum to the final EIR for said Specific Plan and Tentative Map to include updated information regarding water supply and other issues; and directing staff to bring said Addendum back for Board consideration at a noticed public hearing.

11281

RECOMMENDED ACTION: Adopt Resolution No. 08-97.

21. County Counsel recommending Resolution be adopted discharging accountability for unpaid County debts.

11996

RECOMMENDING ACTION: Adopt Resolution No. 09-97.

22. County Counsel recommending Agreement with Wyerhaeuser Venture Company for reimbursement of rights-of-way for off-site improvements for Cambridge Oaks (TM88-1111).

11997

RECOMMENDED ACTION: Approve and authorize Chairman to sign.

UNuBNS

23. Chief Administrative Officer recommending approval of Budget Transfer No. 1414 transferring \$89,414 from the Employee Benefits budget to the Sheriff's Department budget to fund salary increases for classes included in County Charter Section 504 and the Corrections Unit Memorandum of Understanding. **11994**
RECOMMENDED ACTION: Approve.
24. Supervisor Bradley recommending Marv Meyers be appointed to the Cameron Park Design Review Committee for a term to expire January 1, 2001. **8190**
RECOMMENDED ACTION: Appoint Mr. Meyers.
25. Supervisor Upton recommending General Services staff be directed to coordinate and assist with temporary (a period of up to 90 days) office space needs for the immediate disaster relief efforts of the Small Business Administration; said office spaces located at the Department of Transportation, 2441 Headington Road, Placerville, and El Dorado Center, 3368 Lake Tahoe Boulevard, Suite 302, South Lake Tahoe. **11998**
RECOMMENDED ACTION: Approve.
26. Assessor recommending adoption of Urgency Ordinance declaring the procedures for property tax reassessment for property damaged or destroyed by the weather related misfortune or calamity of December 1996 and January 1997, and declaring the Urgency, thereof. **11999**
RECOMMENDED ACTION: Adopt Urgency Ordinance No. 4433. UNBNuS
27. Planning Department recommending staff be directed to prepare an Ordinance amendment incorporating provisions to make the Planning Commission the approving authority for tentative maps, with provisions for administrative appeal by individual Board members. **12000**
RECOMMENDED ACTION: Approve. Planning staff directed to draft for Board consideration two courses of action: one being that the appeal process would be available to individual members of the Board of Supervisors who would be exempt from paying the appeal fee; and the other being that the appeal process would only be available to affected parties who would be required to pay the appeal fee; and Planning staff was further requested to re-examine the cost of conducting hearings on appeals, and the question of whether the appeal hearing would only encompass consideration of issues identified in the written appeal. NUS B(n)Nu(n)

28. Supervisor Nielsen recommending Chairman be authorized to sign **Certificates of Service** recognizing Virginia E. Lilly, Mary Jane Battaglia and Robert D. Charny for their dedication and service to the people of El Dorado County. **RECOMMENDED ACTION:** Approve. **12001**

29. Supervisor Shultz nominating Barbara A. Sebastian to serve as his alternate on the El Dorado County Transit Authority. **RECOMMENDED ACTION:** Approve nomination. **11598**

30. (Refer Agenda Addendum No. 1)

BOARD ACTION - Consent Calendar items approved as recommended with the exception of items 27 and 30 as noted (items 1, 11, 22, and 26 also acted upon separately). **NBNuSU**

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. Supervisor Nutting requesting discussion of possible recreational/cultural usage of 16 acres of County property located in Cameron Park Area (APNs 109-230-09 and -10; clarification of El Dorado Recreation Association proposal of October 22, 1996, and any options regarding land swap; and new proposal from Annette T. Walker. (Referred 10/22/96, Item 68) **BOARD ACTION** - El Dorado Recreation Association encouraged to continue exploring alternate sites using the subject 16 acres as a tool; and Administrative Office, in consultation with appropriate staff and the Recreation Commission, requested to study the information submitted and report back to the Board with suggestions for dealing with the issue in an organized manner, and to propose action for the Board to take. **UNBNuS** **11335**

NEW BUSINESS

RESOLUTION NO. 12-97 adopted declaring an emergency contracting procedure is necessary to respond to the emergency declared in Resolution No. 4-97 adopted by the Board on January 7, 1997, as a result of rainstorms, flooding, wind, mud slides, heavy snow melt and erosion; and authorizing the Department of Transportation (D.O.T.) to let the contracts described below without the bidding process, based on the required findings iterated by County Counsel and engineering staff this date: NuBNSU

12002

51. Chairman authorized to sign Amendment to contract with Winzler & Kelly for civil and structure engineering services to repair bridges and roadways damaged by recent floods and rainfall once D.O.T. completes the scope of services definition and County Counsel and Risk Management approve the contract form.

12002

52. Chairman authorized to sign a design/build contract with All Counties Fence Company, Inc., to design and construct a rockfall barrier once D.O.T. completes the scope of services definition and County Counsel and Risk Management approve the contract form.

12002

TIME ALLOCATIONS - 11:00 A.M.

County Service Area No. 3 Meeting - refer to separate Agenda

County Service Area No. 7 Meeting - refer to separate Agenda

County Service Area No. 9 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.

TIME ALLOCATIONS - 2:00 P.M.

80. Hearing to consider rezoning (Z96-06) of 134.44 acres in the Pleasant Valley Area (District II) from RE-10, Estate Residential Ten-Acre Zone to SA-10, Select Agricultural Zone, petitioned by James and Carlotta Davies. **12003**

BOARD ACTION - Board adopted the Negative Declaration as prepared and waived reading, read by title only, and adopted **ORDINANCE NO. 4434** approving the rezoning with adjustment of the boundary of the rezoned property back 170 feet where adjacent to lands owned by the Walls and the Deals, based on the findings of the Planning Commission on 12/12/96. NuUBNS

81. Hearing to consider rezoning (Z96-08) of 4.27 acres in the Diamond Springs/El Dorado Area (District III) from R2A, Single-family Two-acre Residential Zone to R1A, One-acre Residential Zone, petitioned by John and Rosa Menches. **12004**

BOARD ACTION - Board adopted the mitigated Negative Declaration and waived reading, read by title only, and adopted **ORDINANCE NO. 4435** approving the requested rezoning based on the findings of the Planning Commission on 12/12/96. NUBNuS

82. Hearing to consider Tentative Subdivision Map (TM96-1314) and Development Plan (PD96-03), with design waivers, for Schooner Point Subdivision on 51.61 acres (APN 110-130-01) in the El Dorado Hills area; Applicant: N. C. Brown Development, Inc. (Hearing continued 12/3/96, Item 80, to consider an alternate proposal affecting the design of the easterly half of the project, with emphasis on the relocation of Schooner Drive). **11921**

BOARD ACTION - After taking testimony of those present, the hearing was continued to 7:00 p.m. this date. NuUBNS

BOARD ACTION - Board approved the project in concept with the revision that Schooner Drive be constructed as a cul-de-sac (at its western termination) with an emergency access gate; staff requested to bring back appropriate conditions for final approval, including a condition requiring the construction of a "park and ride" facility, and a determination of consistency with the Northwest El Dorado Hills Specific Plan; and the Board stated its interpretation of the Northwest El Dorado Hills Specific Plan Policy E, Implementation Measure 2, to be that the triggering event is Level of Service (LOS) "F" rather than 15,000 vehicles per day. UNBNuS

MEETING ADJOURNED

APPROVED:



WALTER L. SHULTZ, Chairman

ATTEST:



Dixie L. Foote, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

January 14, 1997

8:00 A.M.

CLOSED SESSION pursuant to Government code cited:

Public employee performance evaluation pursuant to Government Code Section 54957 for the Chief Administrative Officer. ✓
BOARD ACTION - No action reported.

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AGENDA ADDENDUM NO. 1

January 14, 1997

8:00 A.M.

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

CLOSED SESSION

Existing litigation pursuant to Government Code Section 54956.9 regarding William Davis vs Henningson, Durham & Richardson, Inc., et al, EDC Superior Court Case No. PV93-3744. ✓

BOARD ACTION - No action reported.

CONSENT CALENDAR

30. Supervisor Bradley recommending the following pertaining to the Northwest El Dorado Hills Specific Plan: 6209
- a. Approve interpretation of said Plan and the approved Development Agreement allowing construction of the through roadway (Village Center Drive) between Salmon Falls Road and Francisco Drive to be deferred until development of commercial parcel (Lot L) to the south of the proposed Village Center Drive;
 - b. Approve deferral of Condition No. 4 of the Planned Development (PD90-02) until such time as the commercial property (Lot L) is developed or such earlier time as the County determines conditions require construction of improvements; and
 - c. Require condition of the Planned Development (PD90-02) that construction for Village Center Drive be concurrent with construction of Lot L and require owner to bond for one year, conditioned upon annual renewal, unless conditions are modified for Village Center Drive. (Documentation of conditions subject to approval of County Counsel.)
- RECOMMENDED ACTION: Approve. After some discussion, the matter was continued to 7:00 p.m. this date to be included in discussion on agenda item 82 at that time. BNUSU N(n)

BOARD ACTION - Approved with modification of item (c) to provide an exemption from the bonding requirement if County Counsel finds adequate security is provided through other routes, i.e., the need for future bond to be determined by County Counsel; and the matter of deferring construction of the through road (Village Center Drive) is to be revisited by the Board in six months. BN(n)NuSU