

# 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  
 Fax No. (916) 622-3645



### C O N F O R M E D

### A G E N D A

#### Regular Meeting of the Board of Supervisors

March 11, 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 at 9:00 a.m. 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.

\*\*\*\*\*  
 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 adopted.

UBNuNS

Closed Session (refer Closed Session Roster attached)

Water Agency Closed Session (refer separate agenda)

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

INVOCATION

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 Agendas (Minutes) of March 4 and 7, 1997. ✓  
RECOMMENDED ACTION: Approve.
2. Assessment Roll Changes.  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. 11977
3. Releases of Lien (10).  
RECOMMENDED ACTION: Approve, and authorize Chairman to sign. 11976
4. County Counsel reporting claims that have been paid: 11978
  - a. David Walter Berne in the amount of \$1,397.02; and
  - b. Jay David McCurry in the amount of \$2,000.RECOMMENDED ACTION: Approve.
5. County Counsel recommending the following for the Marble Valley Project: 11772
  - a. Amendment to Agreement for Legal Services with Remy, Thomas and Moose in the amount of \$30,000 for the preparation of environmental documentation and California Environmental Quality Act (CEQA) compliance; and
  - b. First Amendment to the Funding Agreement with S.H. Cowell Foundation in an amount not to exceed \$30,000 for reimbursement of the cost of legal fees incurred by the County for specialized counsel regarding CEQA requirements.RECOMMENDED ACTION: Approve, and authorize Chairman to sign.

6. Community Services Department recommending the following pertaining to Senate Bill 558, which amends the administration of the Low-Income Home Energy Assistance Program (LIHEAP) block grant in California, increasing the level of local control in the planning, administration and provision of LIHEAP services: **11686**
- a. Chairman be authorized to sign a letter to Senator Leslie including the County as a sponsor of Senate Bill 558;
- b. Chairman be authorized to sign letters to the Governor and appropriate legislative committees supporting the proposed LIHEAP legislation; and
- c. Director of Community Services be authorized to work with those necessary to ensure passage of said legislation.  
RECOMMENDED ACTION: Approve.
7. General Services Department recommending the vehicles outlined on the Agenda Transmittal to the Board dated February 27, 1997 be declared surplus; and Purchasing Agent be authorized to dispose of same at public auction. **11342**  
RECOMMENDED ACTION: Approve.
8. Agricultural Commission and County Counsel introducing Ordinance amending Section 2.18.020 of Chapter 2.18 of Title 2 regarding the composition of the Agricultural Commission. **12057**  
RECOMMENDED ACTION: Waive reading, read by title only, and bring back to the Board for adoption on March 18, 1997.
9. Auditor/Controller submitting Supplemental Law Enforcement Services Fund (SLESF) Reports for October, November and December 1996. **12058**  
RECOMMENDED ACTION: Receive and file.
10. Library Director recommending Budget Transfer No. 1460 increasing Estimated Revenue by \$42,753 and increasing budgeted expenditures by same for new and enhanced computer equipment for the Library. (4/5 vote required) **11994**  
RECOMMENDED ACTION: Approve.
11. Office of Emergency Services recommending Resolution terminating the local emergency declared by Resolution 4-97. **11988**  
RECOMMENDED ACTION: Adopt Resolution No. 44-97.

12. Sheriff's Department recommending Agreement with El Dorado County Fire Protection District for the term October 10, 1996 through October 10, 2001, for use of real property for installation of high band radio equipment. **11623**  
**RECOMMENDED ACTION:** Approve.

13. Probation Department recommending Budget Transfer No. 1467 increasing Estimated Revenue and appropriations by \$31,250 for grant planning funds awarded to the County by the State Board of Corrections for the Juvenile Crime Enforcement and Accountability Challenge Planning Grant. (4/5 vote required) **11994**  
**RECOMMENDED ACTION:** Approve.

14. Transportation Department recommending, pursuant to Public Contract Code Section 22050, the Board determine there is a need to continue the action taken in Resolution No. 12-97 adopted January 14, 1997, authorizing the letting of contract without the bidding process. **12002**  
**RECOMMENDED ACTION:** Approve. NuUBNS

15. Transportation Department recommending Certificate of Acceptance for easement (APN 025-061-26) for Black Bart Erosion Control Project Phases 2 and 3 (JN 95025). **12060**  
**RECOMMENDED ACTION:** Approve, and authorize Chairman to sign.

16. Transportation Department recommending the following for Marina Woods, Unit 2 (TM89-1166): **8970**

(1) Accept said Subdivision as complete;

(2) Adopt Resolution accepting streets into the County Maintained Road System;

(3) Release Performance Bond (No. 111-3317-3143) in the amount of \$860,191;

(4) Hold posted Laborers and Materialmen Bond (No. 111-3317-3143) in the amount of \$430,095.50 to guarantee payment to persons furnishing labor, materials or equipment, and authorize release after six months, if no claims are made; and

(5) Accept the posted Maintenance Bond (No. 111-3317-3143) in the amount of \$86,019.10, and authorize release one year after acceptance, if no defect or warranty claims.

**RECOMMENDED ACTION:** Approve, and adopt Resolution No. 45-97.

BUNuNS

17. Surveyor recommending Resolution amending Authorized Personnel Allocation Resolution No. 230-96 deleting one GIS Systems/Database Administrator position and adding one Senior GIS System/Database Administrator position. **12061**  
**RECOMMENDED ACTION:** Adopt Resolution No. 46-97.

**BOARD ACTION** - Consent Calendar approved as recommended (items 14 and 16 acted upon separately). UNBNuS

**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. Board consideration of applications for the position of Sheriff/Coroner/Public Administrator, and possible appointment of same. **12018**

**BOARD ACTION** - Board appointed, prospectively, Hal N. Barker to the position of Sheriff/Coroner/Public Administrator effective April 12, 1997, and directed staff to bring back to the Board as soon as possible after April 12, 1997, a Resolution ratifying the appointment. NuUBNS

51. Planning Department recommending Board select Alternative A or Alternative B for inclusion into the draft Ordinance amendment for processing tentative map appeals. **12000**

**BOARD ACTION** - Board adopted Alternative A as amended by the Board to delete the third sentence in paragraph (C) of same which referenced the "Consent Calendar" process. UBNU N(n)S(n)

52. Adoption of Ordinance creating a County Assessment Appeals Board (AAB) to constitute the County Board of Equalization. (Ordinance Introduced 3/4/97, Item 51) **11987**

**BOARD ACTION** - Board waived reading, read by title only, and adopted ORDINANCE NO. 4442. UNS B(n)Nu(n)

**TIME ALLOCATION - 10:00 A.M.**

70. Airport Commission recommending Chairman be authorized to sign a letter to the Sacramento County Board of Supervisors and Sacramento Flight Inspections Area Office requesting measures be adopted to mitigate aircraft noise and safety issues in the El Dorado Hills area from the Mather Field landing approach. **12062**  
**BOARD ACTION** - Approved. BUNuS

**TIME ALLOCATION - 11:00 A.M.**

County Service Area No. 10 Meeting - refer to separate agenda

**COMMITTEE REPORTS****LUNCH RECESS****TIME ALLOCATION - 2:00 P.M.**

80. Hearing to consider rezoning (Z96-10) of 0.465 acre in the El Dorado Hills Specific Plan Area from R1-PD, One-family Residential-Planned Development zone to OS, Open Space zone, and 7.88 acres from OS, Open Space zone to R1-PD, One-family Residential-Planned Development zone, petitioned by El Dorado Hills Development Company. **7/35**

**BOARD ACTION** - Board certified the project Statutorily Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the CEQA Guidelines; and waived reading, read by title only, and adopted **ORDINANCE NO. 4443**, rezoning subject property as petitioned, based on the findings of the Planning Commission on 2/13/97. NuUBNS

81. Planning Commission recommending adoption of Resolution of Intention to Amend the County General Plan, directing staff to prepare and set for public hearing the "Hot Bucket" requests (requests the Board, during its deliberations on the County General Plan in January, 1996, referred back to the Planning Commission for further review and consideration). (Continued 2/25/97, Item 84) **9399**

**BOARD ACTION** - After taking the following actions on requests for amendment of the County General Plan, the Board continued its deliberations on the remaining "hot bucket" requests to March 18, 1997, at 2:00 p.m.: NuBSU N(a)

**LAND USE CHANGES**

"Hot Bucket" Item No. 1 Incorporation of that area generally lying east of Salmon Falls Road, north of Malcolm Dixon Road: APN 067-051-01 (140.44 acres); APN 067-051-02 (81.619 acres); APN 067-051-06 (40 acres); APN 067-051-07 (114.43 acres); APN 067-310-11 (35.19 acres); APN 067-310-12 (10 acres); and APN 067-310-13 into the Community Region Planning Concept area.

**BOARD OF SUPERVISORS ACTION:** Denied (Board did not initiate hearings on said request). BUNu N(n)S(n)

**"Hot Bucket" Item No. 2** Expansion of the Mt. Aukum Rural Center and designation of the following additional properties from Rural Residential-Agricultural District (RR-A) to Low Density Residential (LDR): APN 046-081-55 (1.753 acres); APN 046-18-39 (10.203 acres); APN 046-180-41 (17.855 acres); APN 046-180-42 (5.009 acres); APN 046-180-43 (5.000 acres); APN 094-210-06 (15.467 acres) APN 094-210-07 (15.001 acres); APN 094-210-08 (15.137 acres); and APN 094-210-09 (26.615 acres).  
**BOARD OF SUPERVISORS ACTION:** Board initiated hearings on amendment of the County General Plan to expand the Mt. Aukum Rural Center to include the fire station parcel (APN 046-081-55) and designate same Public Facilities (PF) and the five parcels east of same (APNs 094-210-6, 7, 8, 9 and -10), and designate them (LDR). NuUBS N(a)

**"Hot Bucket" Item No. 3** Change of land use designation for APN 319-220-18 (34.629 acres) from Low Density Residential (LDR)/Rural Region to Commercial.  
**BOARD OF SUPERVISORS ACTION:** Board initiated hearings on amendment of the County General Plan to designate subject parcel Commercial for a possible intersection commercial use of some type, not restricting it to any particular type of commercial use, and to expand the Shingle Springs Community Region to include properties depicted in yellow on "Figure 1" submitted by Dave Crosariol of Cooper, Thorne & Associates, Inc.; and for the record, added the following paragraph contained in Mr. Crosariol's letter regarding same dated March 10, 1997: "Finally, it is important to add that merely designating the property commercial does not foreclose on the opportunity to provide good job producing uses. We are on record as supporting a future CPD (commercial planned development zone). This may be accomplished through the zoning code update. You may wish to have the staff process a re-zone of this type during the GP amendment process. Also moving the community region boundary will not change any other land use designations. Properties planned LDR will remain LDR."  
NUNuS B(n)

**"Hot Bucket" Item No. 4** Change of land use designation for APN 099-130-12 (36.412 acres) from Low Density Residential (LDR) to Rural Residential-Agricultural District (RR-A).  
**BOARD OF SUPERVISORS ACTION:** Board elected not to initiate hearings on the proposed change. NUBNuS

**"Hot Bucket" Item No. 5** Change of land use designation for APN 093-021-50 (79.49 acres) from Rural Residential-Platted Lands (RR-PL) to Natural Resource (NR).

**BOARD OF SUPERVISORS ACTION:** Board initiated hearings to amend the County General Plan to designate subject parcel Natural Resource (NR).  
BNuU N(n)S(n)

**"Hot Bucket" Item No. 6** Removal of APN 100-070-33 (15 acres) from the Agricultural District.

**BOARD OF SUPERVISORS ACTION:** Board took no action, having been advised by Planning Department staff this date that no action was necessary.

#### **GENERAL PLAN TEXT CHANGES**

**"Hot Bucket" Item No. 11** Modification of General Plan Policies as recommended by the Agricultural Commission on January 10, 1996.

**BOARD OF SUPERVISORS ACTION:** Board approved the following recommendations of the Agricultural Commission, and initiated hearings on same:  
NUBNuS

**Policy 8.1.1.5** Modify to read as follows: "Except for parcels assigned urban or other nonagricultural uses by the Land Use Map for the 1996 General Plan, parcels 20 acres or larger containing "choice" agricultural soils (see Policy 8.1.1.2(b)) shall be zoned for agricultural use except where the Board of Supervisors determines that economic and social reasons justify allowing nonagricultural development or uses to occur on the affected properties. Where such parcels are zoned for agricultural use, they shall be protected from incompatible land uses by the Right to Farm Ordinance and agricultural buffering. Before rezoning parcels that are 20 acres or larger and contain choice agricultural soils to a zoning category that will permit nonagricultural uses, the Board of Supervisors and/or Planning Commission shall solicit and consider input from the Agricultural Commission."



**Policy 8.1.2.2** Modify to read as follows: "Some lands within Rural Regions have historically been used for commercial grazing of livestock and are currently capable of sustaining commercial grazing of livestock. If they can be demonstrated to be suitable land for grazing, and if they were not assigned urban or other nonagricultural uses in the Land Use Map for the 1996 General Plan, those plans shall be protected with a minimum of 40 acres unless such lands already have smaller parcels or the Board of Supervisors determines that economic or social considerations justify the creation of smaller parcels for development or other nonagricultural uses. Where 40-acre minimum parcel sizes are maintained, planned developments may be considered which are consistent with the underlying land use designation. Before taking any actions to create parcels of less than 40 acres in areas subject to this policy, the Board of Supervisors and/or Planning Commission shall solicit and consider input from the Agricultural Commission."

**Policy 8.1.3.3** Modification of this policy not initiated.

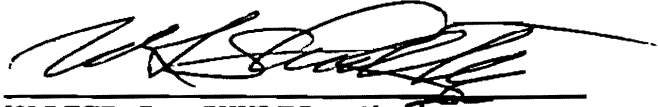
**Policy 8.1.4.1** Modification of this policy not initiated.

**Policy 8.1.1.7** Board determined there would be no further consideration of the proposed policy.

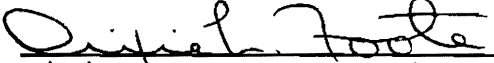
**Policy 8.1.1.8** Board determined there would be no further consideration of the proposed policy.

**MEETING ADJOURNED**

APPROVED:

  
WALTER L. SHULTZ, Chairman

ATTEST:

  
Dixie L. Foote, Clerk of the Board