

C O N F O R M E D A G E N D A

**Regular Meeting of the Board of Supervisors
El Dorado County, California**

Tuesday, February 10, 1998

BOARD OF SUPERVISORS MEETING ROOM

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645

<http://co.el-dorado.ca.us/bos>

JOHN E. UPTON

Chairman
Fifth District

J. MARK NIELSEN

1st Vice Chairman
Third District

RAYMOND J. NUTTING

2nd Vice Chairman
Second District

WILLIAM S. BRADLEY

First District

WALTER L. SHULTZ

Fourth District

Clerk of the Board
Dixie L. Foote

Chief Administrative Officer
Michael B. Hanford

County Counsel
Louis B. Green

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 speaking for a group are allocated 5 minutes. (Adopted 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, ADOPTION OF AGENDA AND CLOSED SESSIONS

9:00 A.M. - OPEN SESSION

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

CONSENT CALENDAR: Determination of matters to be added to or removed from the Consent Calendar and Board action on the Consent Calendar. Consent Calendar matters not approved in the omnibus Consent Calendar approval will be taken up at a time determined by the Chairman.

1. Approval of Board of Supervisors Conformed Agenda (Minutes) of February 3, 1998. ✓
RECOMMENDED ACTION: Approve.
2. Releases of Liens (2). 12350
RECOMMENDED ACTION: Authorize Chairman to sign.
3. General Services Department recommending procurement of computer hardware for Mental Health Department and lease "supplement" to Master Lease Agreement. 12151
RECOMMENDED ACTION: Authorize Chairman to execute lease supplement in the amount of \$21,010 plus applicable taxes with IBM Credit Corporation.
4. General Services Department recommending Amendment No. 1 to Agreement (No. 272-S9711) with Economic and Planning Systems, Inc. in the amount of \$37,130 to assist the Planning Department in the update of the El Dorado County Ecological Preserves Feasibility Study. 12071
RECOMMENDED ACTION: Authorize Chairman to sign.
5. Transportation Department recommending Agreement with Youngdahl & Associates, Inc. in the amount of \$39,728 for a term to expire December 31, 1998 for geotechnical consultation, observation, material testing and construction inspection services. 10917
RECOMMENDED ACTION: Authorize Chairman to sign.
6. Unified Courts recommending Resolution amending Personnel Allocation Resolution No. 230-97 adding two Court Commissioner positions for the Unified Courts. 12378
RECOMMENDED ACTION: Adopt Resolution No. 19-98.
7. Risk Management requesting authorization to purchase Airport Liability Insurance from Phoenix Aviation Managers, Inc., underwritten by Old Republic Insurance Inc. at the annual premium of \$10,600 for a one year term commencing February 5, 1998 for the Placerville and Georgetown Airports. 10133
RECOMMENDED ACTION: Approve.

8. Human Resources Department recommending Resolution amending Personnel Allocation Resolution No. 230-97 reclassifying personnel in the Sheriff's Department effective the first full pay period following Board approval. (Continued 2/3/98, Item 24) **12368**
RECOMMENDED ACTION: Continue to February 24, 1998 at the request of Human Resources Department.
9. Supervisor Nutting recommending Rob Charny be appointed as his designee/alternate for the Local Transportation Commission. **10141**
RECOMMENDED ACTION: Appoint Mr. Charny.
10. Assessor recommending Agreement with the State Department of Finance for a loan in the amount of \$302,795 for fiscal year 1997/98 with a similar election for fiscal years through June 30, 2001 for the State-County Property Tax Administration Program. **12394**
RECOMMENDED ACTION: Authorize Chairman to sign.
11. Supervisor Upton recommending Resolution supporting the designation of the Tahoe Regional Planning Agency as the Metropolitan Planning Organization for the Lake Tahoe Basin. **12395**
RECOMMENDED ACTION: Adopt Resolution No. 20-98.
12. Chief Administrative Officer (CAO) requesting authorization to direct the State to adjust the County general fund base amount for trial court realignment; and approve Budget Transfer Nos. 1816 and 1817 restructuring court related budget units in the special revenue fund and general fund, adjusting appropriations and anticipated revenues to accomplish same. (4/5 vote required) **12396**
RECOMMENDED ACTION: Approve, and authorize CAO to submit reports and declarations to the State Department of Finance by February 15, 1998. **12351**
13. (Refer Agenda Addendum attached)

BOARD ACTION - Consent Calendar items approved as recommended, and Department Matters 50 and 51 added to the Consent Calendar for continuance to February 24, 1998. BSNU Nu(a)

END CONSENT CALENDAR

OPEN FORUM (Public comments during Open Forum are limited to three minutes per person.)

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. Planning Department submitting Planned Development (PD97-06) **12388**
for the expansion of the **Lucky Supermarket** an additional 19,548 square feet in the Missouri Flat area, Applicant: HPBA II-Placerville Associates, LLC. (District III) (Continued 2/3/98, Item 20)

BOARD ACTION - Continued to **February 24, 1998**, at the request of the applicant. **BSNU Nu(a)**

51. Transportation Department recommending award of the **12397**
construction contract for the Intersection Improvements at **Green Valley Road and Francisco Drive with Road and Utility Improvements** on Green Valley Road to the lowest responsive bidder. (Bid Opening 2/4/98)

BOARD ACTION - Continued to **February 24, 1998**, at the request of the Department of Transportation. **BSNU Nu(a)**

52. Supervisor Shultz requesting the Board revisit the County's **12258**
bidding and purchasing procedures for meat, poultry and fish. (Continued 2/3/98, Item 53)

BOARD ACTION - Continued to **February 24, 1998**, due to time constraints. **SUNuN B(a)**

TIME ALLOCATION - 10:00 A.M. (rescheduled for 11:00 a.m.)

60. County Counsel and General Services Department recommending **9638**
adoption of Urgency Ordinance shortening the permit term for **commercial river use permits** issued in 1998 from three years to one year, and establishing that applications for said permits will be processed as a ministerial action, provided the applications are complete and pending before the County by May 11; and adoption of non-urgency version of said Ordinance. (Introduced 2/3/98, Item 52)

BOARD ACTION - Board waived reading, read by title only, and adopted **ORDINANCE NO. 4478**, a non-urgency Ordinance to become effective 30 days from date of adoption. **BUNu N(n)S(n)**

Board continued to **February 24, 1998**, consideration of adoption of an urgency ordinance dealing with substantive issues related to the River Management Plan. **UBNuS**

COMMITTEE REPORTS

12:00 LUNCH RECESS - Lunch and annual policy review with the **Fair Association Board of Directors** in the Board Room at the El Dorado County Fairgrounds. **10769**

TIME ALLOCATION - 2:00 P.M.

80. Hearing to consider rezoning (Z97-14) of 5.08 acres in the Shingle Springs Area from RE-5, Estate Residential Five-Acre Zone to R1A, One-Acre Residential Zone, Applicant: John J. and Annabelle M. Fleischmann (District IV). 12398

BOARD ACTION - Board adopted the Negative Declaration as prepared, and waived reading, read by title only and adopted **ORDINANCE NO. 4479** approving the rezoning based on the findings of the Planning Commission on 1/8/98. NuSBNU

81. Hearing to consider the following for the Marble Valley Project in the El Dorado Hills Area, Applicant: S.H. Cowell Foundation: (Numbering of items on "Conformed Agenda" differs from that on the "Agenda" to maintain consistency with discussion during the hearing process.) 11772

Prior to taking action on recommendations 1 through 7, the Board conceptually approved the applicant's proposal that "through roads" be for emergency access only. BSNUU

(1) Adoption of Resolution certifying that the final Environmental Impact Report (EIR) is adequate based on the Findings of Fact and Statement of Overriding Considerations contained in said Resolution.

BOARD ACTION - RESOLUTION NO. 22-98 adopted. NuSNU B(n)

(2) (Refer Agenda Addendum attached)

(3) Approval of the Development Agreement with S.H. Cowell Foundation, and adoption of Ordinance accordingly.

BOARD ACTION - Board waived reading, read by title only and adopted **ORDINANCE NO. 4480** adopting the Development Agreement with modifications recommended by the County Transportation Department which include the deletion of paragraph 3.N. on page 26 of said Agreement. SNNuU B(n)

(4) Adoption of Ordinance rezoning Assessor's Parcels Nos. 087-200-74, 108-010-15, 108-020-12, -13, -14 and -15 from RE-10, Estate Residential Ten-Acre Zone and MR, Mineral Resource Zone to RE-5/PD, Estate Residential Five-Acre/Planned Development Zone and OS, Open Space Zone, based on the findings of the Planning Commission.

BOARD ACTION - Board waived reading, read by title only, and adopted **ORDINANCE NO. 4481**. NuNSU B(n)

(5) Approval and adoption of the **development plan** as the official development plan, based on the findings and subject to conditions proposed by the Planning Commission.

BOARD ACTION - Approved.

NuNSU B(n)

(6) Approval of **Tentative Subdivision Map 95-1298** with design waivers and Mitigation Monitoring and Reporting Program, based on the Findings of Fact and Statement of Overriding Considerations contained in the EIR certification Resolution and based on the findings and subject to the conditions proposed by the Planning Commission.

BOARD ACTION - Approved with modification of condition 23 and deletion of condition 24 as recommended by the County Transportation Department.

NuNSU B(n)

(7) Approval of **Tentative Map 95-1299** based on the Findings of Fact and Statement of Overriding Considerations contained in the EIR certification Resolution and based on the findings and subject to the conditions proposed by the Planning Commission.

BOARD ACTION - Approved.

NuNSU B(n)

TIME ALLOCATIONS - 4:00 P.M.

82. Supervisor Bradley, at the request of the Cameron Park Community Services District (CSD), requesting the Board take necessary action to prevent the development of further **apartments or multi-family dwellings in the Cameron Park area** and lands immediately adjacent to Cameron Park including, but not limited to, the denial of all rezones and project proposals for such requests. 12399

BOARD ACTION - Refer Board's action on item 83 below.

83. Supervisor Bradley, on behalf of the Cameron Park (CSD), requesting the Board direct staff to prepare a full **inventory of apartments and multi-family dwellings in the Cameron Park area**; said inventory to include, but not be limited to, the amount of land already zoned or having a land use designation of MFR, Multi-Family Residential or R2, Limited Multi-Family Residential Zone but not yet developed, projects in the rezoning process, number of existing apartments, ratio of vacancies, percentage of subsidized units, rental rates, and any other applicable statistics. 12399

BOARD ACTION - Referred to the Planning Department to prepare a work plan and an estimate of the cost of doing the work with the assistance of consultants, and to present same to the Planning Commission for its review and recommendation to be brought back to the Board of Supervisors; further, the Board directed that the Cameron Park Community Services District be invited to be closely involved in the presentation to the Planning Commission.

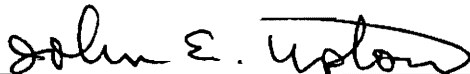
BUNuS N(n)

84. Supervisor Bradley, on behalf of the Board of Directors of Cameron Park Community Services District, requesting the Board's hearing on rezone Z97-15, petitioned by Kenneth Brown, et al, scheduled for 2:00 p.m. on February 24, 1998, be convened at the noticed time, testimony taken, and meeting continued to 7:00 p.m. that evening, and staff be directed to give an overview of said rezone at both times. 12400
- BOARD ACTION** - Hearing will not be continued to February 24, but will be continued to the Board's off-site meeting in District I on March 10, 1998, at a time yet to be determined and announced on February 24 when the hearing is opened and continued; and staff was requested to report back to the Board on the legal aspects of the rezoning issue, particularly regarding the Board's level of discretion, and to provide a reconciliation of the "numbers" presented on existing multi-family zoning in the area. BNuNSU


ADJOURNMENT

APPROVED:

ATTEST:



JOHN E. UPTON, Chairman



Dixie L. Foote, Clerk of the Board

CLOSED SESSION ROSTER

Regular Meeting of the Board of Supervisors

February 10, 1998

8:00 A.M.

CLOSED SESSION regarding anticipated litigation pursuant to Government Code Section 54956.9(b), significant exposure to litigation. ✓

BOARD ACTION - No action reported.

Added to the Agenda upon its adoption:

CLOSED SESSION regarding pending litigation, Goldzband v. County of El Dorado. ✓

BOARD ACTION - No action reported.

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

Regular Meeting of the Board of Supervisors

February 10, 1998

8:00 A.M.

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

CONSENT CALENDAR

13. General Services Department recommending Resolution Of *12401*
Intention setting a public hearing to consider addition of
drainage maintenance and improvements as miscellaneous
extended service to authority of County Service Area No. 3.
RECOMMENDED ACTION: Adopt Resolution of Intention No. 21-98
setting a public hearing for 11:00 a.m., Tuesday, March 17,
1998.

TIME ALLOCATION - 2:00 P.M.

(Numbering on the "Conformed Addendum" differs from that on the
"Addendum" to maintain consistency with discussion during the
hearing process.)

81. (2)

Adoption of Resolution adopting the Statement of Reasons in *11772*
support of change in land use of the area known as Marble
Valley and findings based thereon based on the findings
contained within said Resolution.

BOARD ACTION - RESOLUTION NO. 23-98 adopted.

SNU NU B(n)