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Measure E Implementation

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Cc: Jim Mitrising <edc.cob@edcgov.us>

Dear El Dorado County Supervisor:

I attended the August 9th presentation to the Board on the implementation of Measure E given by David Livingston from the County Counsel's Office.

He began by telling the Board that it was a matter of settled judicial precedent that they strive to ascertain voter intent and to actuate that intent. They should rely on the plain language of the Measure and they should make reasonable constructions of any language that was not plain.

The Measure mandates the use of Caltrans data regarding the level of service on US 50.

Mr. Livingston told the Board this clear language and obvious voter intent could be completely ignored. In this, he demonstrated a sympathy for the profit-driven interests of construction companies, not for the interests of the residents of the County who created, circulated, and approved the Measure. He also contradicted his own advice to the Board about how they should approach implementation.

With the potential of millions of dollars of profits from the construction of large residential subdivisions throughout the County, it is not surprising that there has been a steady pressure for the last several decades to remove any obstacles in the General Plan and Zoning Ordinance to these projects.

At the same time, due to the threat such projects represent to the natural beauty, historical sites, and peaceful, rural character of this County, it is not surprising that the residents have taken the initiative to put in place and to defend measures designed to protect against the impacts of such projects.

It is suggested that you obtain outside, independent legal counsel on the steps you need to take to implement and defend Measure E.