

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27, 1976

The Board convened in regular meeting at 9:30 a.m. Present: Supervisors Franklin K. Lane, W. P. Walker, Lloyd R. Kutter, and Thomas L. Stewart. Absent: Supervisor William V. D. Johnson. Also present: Ann R. Macy, Board of Supervisors Clerk. Chairman Lane presided.

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12-17 The Invocation was offered by Reverend Harold McFarland, (Retired).

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The Pledge of Allegiance was led by Supervisor Stewart.

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The Agenda was adopted, after deletion of Item 12, on motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present.

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The Minutes of July 20, 1976, were not completed, so their approval was informally continued to August 3, 1976.

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## GENERAL ORDERS

74-3 On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign Change Order No. 3 to the El Dorado County Jail Exercise Yard contract, increasing the total working days by 10, for a new total of 100 days.

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74-3 On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign the Notice of Completion of the El Dorado County Jail Exercise Yard construction project.

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28 Warrant Register Claims were approved and allowed for payment, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present.

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(82-12) 115 On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board recognized the El Dorado County Public Attorney's Association as an exclusive El Dorado County attorney bargaining unit.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the Authorized Personnel Resolution as submitted, except for the positions in the Board of Supervisors' Office which were changed to reflect 2 Secretaries, and 1 Stenographer Clerk II, to be effective when the County Final Budget for 1976-77 is adopted, and the following resolution was adopted accordingly:

## RESOLUTION NO. 185-76

### AMENDING THE EL DORADO COUNTY AUTHORIZED PERSONNEL RESOLUTION

(For contents, see original resolution)

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At the recommendation of County Counsel, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Application for Leave to File Late Claim on behalf of Lilla Mae Erwin was denied in that failure to make timely presentation is not excused under Government Code Section 911.6(b)(1) according to the application, and that the delay is prejudicial to the County.

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Auditor/Controller submitted for adoption the 1976-77 Final Budget. There ensued a discussion on the necessity of adding a line item to the Budget entitled, "Contract for Outpatient Clinic" and removing from the Contingency Fund \$100,000.00 for that purpose. Supervisors Lane and Kutter were in favor of this proposal which was made by Supervisor Lane.

Supervisor Walker moved to adopt the resolution adopting the Final Budget. Supervisor Stewart seconded the motion, but it was not carried by reason of the following vote: Ayes: Supervisors Walker and Stewart; Noes: Supervisors Lane and Kutter.

Supervisor Lane then moved to continue the adoption of the Budget to August 3, 1976, and Supervisor Kutter seconded the motion, which did not carry by reason of the following vote: Ayes: Supervisors Lane and Kutter; Noes: Supervisors Walker and Stewart.

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Carl Kelly, Clerk of the Board of Supervisors, submitted a letter requesting administrative changes in terms of appointment of members of the El Dorado County Alcoholism Advisory Board, inasmuch as it was the original intention of the Board that terms be staggered by Supervisorial District so that each Supervisor could appoint one member in his district each July, and in some manner these terms have been confused so that this is not now possible.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the following terms were changed:  
(Continued)

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<u>Appointee</u>	<u>Term</u>		<u>Supervisorial District</u>
	<u>From</u>	<u>To</u>	
Marie Gray	7/1/78	7/1/79	I
Gerry Orton	7/1/79	7/1/78	II
Willard F. McKee	7/1/78	7/1/79	IV
Vacant position	7/1/79	7/1/77	V
Gary Davis	7/1/77	7/1/78	V

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Assistant to the Board submitted a Memorandum of Understanding with the District Attorney's Investigators Association on salary and other terms of employment representing a total additional cost to the County of \$14,285.00.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Memorandum of Understanding was approved as submitted, to become effective the first pay period after this date, and the Chairman was authorized to sign.

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Assistant to the Board submitted for the Chairman's signature, a Storage Space Rental Agreement with the Heart of California Corporation for storage of microfilmed copies of official documents on file in the Recorder's Office, at a rate of \$5.00 per cubic foot.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign the Rental Agreement.

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Director, County Training Programs, submitted for the Chairman's signature, Title I Subgrant Agreement with the State to provide jobs for 45 adult workers, 4 classroom trainees, 30 student workers, and 6 continuation students with a total allocation of \$409,861.00, for the period October 1, 1976, through September 30, 1977.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Chairman was authorized to sign the Subgrant Agreement, and the following resolution was adopted:

RESOLUTION NO. 186-76

AUTHORIZING THE CHAIRMAN TO SIGN SUBGRANT AGREEMENT  
WITH THE STATE OF CALIFORNIA (TITLE I, FISCAL 1977)

(For contents, see original resolution)

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Director, County Training Programs, submitted for the Chairman's signature, Agreement with the State Employment Development Department for the continued employment of seven State CETA participants assigned to worksites in the County for the period July 1, 1976, through December 31, 1976.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign the Agreement.

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50-7  
Director, Community Programs, submitted for the Chairman's signature, Contract from the Area 4 Agency on Aging in the amount of \$7,175.00 for the period July 1, 1976, through December 31, 1976, for the operation of the Information and Referral Program and the Transportation Program for the Elderly.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Chairman was authorized to sign the Contract.

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(22)  
1147  
Purchasing Agent submitted the Health Department's request for authorization to purchase a new refrigerator/freezer for use in storing culture media and other reagents at the South Lake Tahoe Health Department.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the request, together with the Budget Transfer; subject to the adoption of the 1976-77 Final Budget.

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57  
Supervisor Lane proposed for adoption, a resolution which would adopt the view of the Attorney General "that the latest equalized County assessment roll" refers to the roll in existence on the first Tuesday after the third Monday in August of the particular year in question, and interprets the wording of the Map Act to mean that no parcel of land located within the unincorporated territory of the County may be divided unless it appears, itemized by its separate Assessor's parcel number of the latest equalized County assessment roll.

Several attorneys, A. L. Hamilton; Darrel Pierce (Inter-County Title Co.); and Martin Baer were present and challenged the validity of such a resolution, as did many others who were also present, e.g. developers and realtors, and who acknowledged approval of the attorneys' remarks in opposition to the resolution. It was also brought to the Board's attention that this type of action should be done only after proper publication, and further, that the Planning Department was hearing a proposed ordinance along the same lines on Thursday of this same week.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was removed from the Agenda; to be brought back before the Board after it has been processed through normal channels, i.e. Planning Commission hearing.

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1147  
Purchasing Agent submitted results of Bid No. 774, Printed Envelopes for the Welfare Department; bids having been received from Petersen & Strong, Sacramento; U. S. Envelope, Emeryville; Coast Envelope Co., So. San Francisco; and College Greens Printing, Sacramento.

At the recommendation of the Purchasing Agent, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the bid was awarded to low bidder, Petersen & Strong, Sacramento, in the amount of \$1,119.10.

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21  
270-18  
124-A  
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board introduced a proposed ordinance amendment making it unlawful to park in metered parking lots at County Airports when the meter displays "Violation" (for the purpose of enforcing metered parking areas at the Lake Tahoe Airport); waived the reading thereof; and continued it for adoption on August 3, 1976.

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104)  
111  
114  
Board considered a proposed resolution urging public agencies to cooperate in placing increased emphasis on fuel management as an aid to suppression and prevention of wildfire, by more effectively exercising their capability to assist landowners and operators in the safe conduct of prescribed burns, and requesting State Agriculture Committees to draft legislation accordingly.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign a letter requesting comments on the proposed resolution from the California Division of Forestry and the local fire agencies.

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250  
On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 182-76

DISCHARGING UNPAID COUNTY HOSPITAL ACCOUNTS  
(Chapman - Patterson)

(For contents, see original resolution)

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32B  
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the request of Golden Empire Health Systems Agency for El Dorado County's 1976-77 Fiscal Year contribution of \$1,142.00 for support of said Agency, was continued to August 10, 1976.

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95  
Written comments were received from the American River Owners Alliance Association, Lotus, California; the American River Touring Association, Oakland, California, and from Robert Harvey, representative of property owners in the Lotus/Coloma area regarding a proposed County Rafting Ordinance submitted for Board review by County Counsel on July 13, 1976.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the above-mentioned comments were referred to County Counsel for consideration in developing another Controlled Rafting Ordinance at some future date, if such an ordinance is needed.

In the meantime, Supervisor Kutter introduced and read a Rafting Prohibition Ordinance, and on motion of Supervisor Kutter, seconded by Supervisor  
(Continued)

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Walker, and unanimously carried by those present, a public hearing was set for August 10, 1976, at 11:00 a.m., and a copy of said ordinance was directed to be sent to the Department of Harbors and Navigation, pursuant to Harbors and Navigation Code Section 660.

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58-3  
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved 19 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated July 27, 1976, copies of which are on file in the Board of Supervisors Office, beginning with the name of Pamela J. Morgan and ending with the name of Michael Hand.

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247  
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Chairman was authorized to execute Releases of Lien discharging all property encumbered by the Agreements to Reimburse County for Public Assistance, as recorded in the Official Records of El Dorado County as follows:

<u>Name</u>	<u>Volume and Page</u>	
Hazel Aguilar	1260	511
Landis Weinkauff	979	412

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## SPECIAL ORDERS

## PLANNING MATTERS

576  
Hearing was held as duly advertised to consider an amendment to the County General Plan in the Badger Hill area from Timber Seasonal Recreational-Residential to Rural Estates Agricultural, petitioned by Dale B., Sophia L., and Susie M. Cook, consisting of 20 acres. Planning Commission recommended approval and the Planning Director enumerated the following findings of the Planning Commission:

1. It is compatible with the existing topography;
2. It is adjacent to existing RE, Estate Residential zoning to the north and east and would be a logical extension of that zone boundary;
3. It is part of the preliminary step in a tentative subdivision proposal; and
4. The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval of the proposal.

There were no protests, and the Hearing was closed.  
(Continued)

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board concurred in the Planning Commission's recommendation for an amendment to the County General Plan. (See Page 381 for Resolution No. 183-76 amending the General Plan accordingly.)

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57-6 Hearing was held as duly advertised to consider an amendment to the County General Plan in the El Dorado area from Low Density Residential to Industrial, petitioned by Tim G. Smith, consisting of 5.67 acres. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The property is adjacent to other industrial zonings and uses and is compatible with the developing industrial area of the El Dorado Wye;
2. Approximately 50% of the parcel is currently zoned Industrial and the proposal represents a logical extension of that zoning and use; and
3. The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval of the proposal.

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the Planning Commission's findings and recommendation for an amendment to the County General Plan. (See Page 381 for Resolution No. 183-76 amending the General Plan accordingly.)

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57-6 Hearing was held as duly advertised to consider an amendment to the County General Plan in the Shingle Springs area from Low Density Residential to Commercial, petitioned by Robert Brown and Eugene Lyster, consisting of .985 acre. Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

1. The expansion of commercial zoning into this area would be premature in advance of a firm public sewage system proposal, as this area has an extremely high septic tank failure rate and commercial establishments generally compound those types of problems;
2. Survey by Environmental Health in the Shingle Springs area indicates that expansion of commercial zoning in the area should be postponed until the public sewer system is constructed;
3. The public necessity, convenience, and the health, safety and general welfare would not be benefited by the approval of the proposal.

One letter from Mr. & Mrs. Jimmy R. Hicks, Shingle Springs, was received in opposition to the amendment to the General Plan.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the matter was continued off-calendar until the next hearing on the proposed General Plan amendment.

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57-12  
Hearing was held as duly advertised to consider an amendment to the County General Plan in the Cameron Park area from Medium Density Residential to Commercial, petitioned by George D. Waldron, consisting of 1.0 acre. Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

1. The public necessity, convenience and the general welfare would not require, nor be benefited by, the approval of a rezoning as proposed.

A letter in opposition was received from Milan G. Richardson. There was no other opposition and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board upheld the Planning Commission's recommendation, and denied the request for amendment to the County General Plan.

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57-16  
Hearing was held as duly advertised to consider an amendment to the County General Plan in the Somerset area from Rural Estates Agricultural to Low Density Residential, petitioned by Gloyd D. Zeller, consisting of 14 acres. Planning Commission recommended denial without prejudice, and the Planning Director enumerated the following findings of the Commission: (Mr. Zeller's original request was from Rural Estates Agricultural to Commercial and Low Density Residential)

1. The existing General Plan Designation is Commercial and Rural Estates-Agriculture (1 dwelling unit 5 to 20 acres);
2. The General Plan Amendment would serve no practical purpose at this time as the existing zoning (U) also allows one acre minimum lots;
3. A Density Phasing Plan is currently under preparation by staff, covering this area and rezoning at this time could precommit a density or use pattern out of place with than being created; and,
4. The public necessity, convenience, and the health, safety and general welfare would not be benefited by the approval of the proposal.

There was no opposition, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the request to amend the General Plan to Low Density Residential, with the ultimate rezoning to R1A, was denied without prejudice, as recommended by the Planning Commission.

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57-16  
Hearing was held as duly advertised on the Community Land Use Plan for Gold Hill area, and for amendment to the County General Plan, consisting of approximately 7,500 acres. Said Land Use Plan being based upon a systematic approach to determining land-carrying capacities, while at the same time allowing growth to proceed in a rational and orderly manner, preserving the real and aesthetic values recognized by the area residents: Also under consideration with the Gold Hill Plan is the Gold Trail Acres Subdivision in the Gold Hill area from Agricultural to Three Acre Residential zone,  
(Continued)



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consisting of 35 acres and petitioned by Richard J. Wilson; said rezoning not to become effective until the final map is approved and recorded. (The Gold Hill Community Land Use Plan was heard previously by the Board on June 1 and June 22, 1976).

Joan Snyder was present and requested that her property be placed in a 10 acre minimum, rather than 20-acre minimum.

John Hassler was present representing the Thompson Hill Property Owners Corporation (43 property owners), and stated that 37 of the 43 owners are already 3-acre parcels; the largest parcel being 7 acres, and the smallest is 2½ acres. He stated they have a good water system and their own roads; therefore he would request that the zoning be changed from 5-acre minimum to 3-acre minimum.

There were no other protests, or requests, and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; No: Supervisor Kutter, the Gold Hill Community Land Use Plan was adopted to accommodate the rezoning request of Gold Trail Acres Subdivision, and for consideration to amending the General Plan accordingly. (See Page 381 for Resolution No. 183-76 amending the General Plan.)

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Hearing was held as duly advertised to consider an amendment to the County General Plan in the Cool area from Medium Density Residential to Multiple Residential, petitioned by Trans Land Company, consisting of 20.63 acres. Planning Commission recommended approval; however, the Planning Director did not enumerate the findings inasmuch as the Trans Land Company requested that the matter be withdrawn from the Agenda until further notice. (It should be noted here that a Petition containing 73 signatures to deny an amendment to the County General Plan relative to a 20.63 acre parcel in Cool, now zoned Agricultural (school site) was received by the Board.)

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the matter was removed from the Agenda.

On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Board directed the Petitioner be advised that any reconsideration of this matter must be accomplished by reapplication to the Planning Commission.

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Hearing was held as duly advertised to consider an amendment to the County General Plan in the Cameron Park area from Exclusive Agricultural to Rural Estates Agricultural, petitioned by Clyde Pollard, consisting of 490 acres. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal is consistent with Commission and Board policy to remove non-contract lands from Exclusive Agricultural zone and into an appropriate zoning designation;

(Continued)

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2. This area is suitable for the density proposed;
3. There is a need for additional residential land in this area; and
4. Adequate services can be provided as follows: Water: Private well; Sewage Disposal: Septic System; and, Fire District: Rescue Fire Protection District.

There were no protests and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board concurred in the Planning Commission's recommendation for an amendment to the County General Plan. (See Page 381 for Resolution No. 183-76 amending the General Plan.)

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Hearing was held as duly advertised to consider an amendment to the County General Plan in the El Dorado Wye area from Rural Estates-Agricultural to Multiple Residential, petitioned by Gordon Firestone, consisting of 29.22 acres. Planning Commission recommended denial without prejudice, and the Planning Director enumerated the following findings of the Commission:

1. The Environmental Health Department mandated that this project connect to a public sewer disposal system;
2. El Dorado Irrigation District letter of May 20, 1976, advised County Sanitation District No. 2 to Deer Creek, to be completed early Spring 1978. The Planning Commission felt that approximately 24 months allowed for too many contingencies and possible unforeseen circumstances to allow the proposal to go ahead on such a nebulous time schedule; and,
3. The Commission did not feel that the zoning or special use was impaired, rather that it was premature in light of the uncommitted and unconstructed status of the sewer line which is an absolute necessity for the completion of the project.

Those present and in opposition to the amendment to the General Plan were: Clem Boll and Joseph Boll. There were no other protests and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the Planning Commission's findings, and upheld the Commission's recommendation that the Petitioner's request be denied without prejudice.

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Mr. Douglas C. Shepherd of Masterplan Associates, Inc., was present and stated that he had been informed that his letter of July 22, 1976, requesting continuance of Board consideration for General Plan Amendments for the following properties in the Camino area to August 17, and ultimately for General Plan Amendment adoption on August 24, 1976, was in error, and instead he requested that if the General Plan Amendment was adopted on this date, as scheduled, then he would request that they be continued until the next General Plan Amendment in November: Lands in the Camino area from Exclusive Agricultural and Medium Density Residential to Rural-Estates Agricultural, petitioned by Douglas C. Shepherd, consisting of 23.228 acres, for which  
(Continued)

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the Planning Commission had recommended denial without prejudice, and lands from Exclusive Agricultural and Medium Density Residential to Rural-Estates Agricultural and Medium Density Residential, petitioned by Dean W. and Joy E. Criddle, consisting of 35 acres, for which the Planning Commission had recommended denial without prejudice.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, both petitions were continued to the next General Plan Amendment in November 1976.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the following resolution was adopted amending the El Dorado County General Plan in the Badger Hill area as petitioned by Dale, Sophia, and Susie Cook; in the El Dorado area as petitioned by Tim Smith; in the Cameron Park area as petitioned by Clyde Polland; and to include the Gold Hill Community Land Use Plan as originally presented to the Board for consideration on June 22, 1976, with the one exception of the Petition of Richard Wilkinson for rezoning from Agricultural to Three Acre Residential to conform to the approved Tentative Map of Gold Trail Acres, consisting of 35 acres, which was approved but will not become effective until recordation of the Final Map:

## RESOLUTION NO. 183-76

AMENDING THE EL DORADO COUNTY GENERAL PLAN IN THE  
BADGER HILL AREA; IN THE EL DORADO AREA; IN THE  
CAMERON PARK AREA; AND TO INCLUDE THE  
GOLD HILL COMMUNITY LAND USE PLAN

(For contents, see original resolution)

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A letter was received from the Agricultural Commissioner stating that the present tax rate for the El Dorado County Service Area No. 3 (for mosquito control) does not generate sufficient funds for the increasing demands on the Service Area, and recommending that the present maximum assessment be raised from 5¢ to 10¢ per \$100 assessed valuation; to be considered by the voters of the Service Area with the General Election on November 2, 1976.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

## RESOLUTION NO. 184-76

DIRECTING CONSOLIDATION OF A TAX RATE INCREASE ELECTION  
FOR EL DORADO COUNTY SERVICE AREA NO. 3 WITH THE  
GENERAL ELECTION TO BE HELD NOVEMBER 2, 1976

(For contents, see original resolution)

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The Board adjourned to Tuesday, August 3, 1976, at 9:30 a.m.

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ATTEST: Carl A. Kelly,  
County Clerk and  
ex-officio Clerk  
of the Board

By: Carl A. Kelly  
Deputy

APPROVED: [Signature]  
Chairman