BOARD OF SUPERVISORS MINUTES December 21, 1976

The Board convened in regular meeting. Present: Supervisors William V.D. Johnson, W. P. Walker, Lloyd R. Kutter, and Thomas L. Stewart. Also present for one-half hour (until 10:00 a.m.) was Supervisor and Chairman Franklin K. Lane. Ann R. Macy, Board of Supervisors Clerk, was present. Chairman Lane presided until 10:00 a.m., and Vice Chairman William V. D. Johnson presided thereafter. (Supervisor Johnson arrived 5 minutes late)

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The Invocation was offered by Reverend Read Chatterton, El Dorado Community Church.

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The Pledge of Allegiance was led by Supervisor Stewart.

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The Agenda was adopted on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present.

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The Emergency Agenda was adopted on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present.

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The Minutes of December 14, 1976, were approved as submitted, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present.

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Supervisor Johnson arrived.

#### GENERAL ORDERS

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved Change Order in the amount of \$1,188.00 for relocating the Main Control Panel for the HALON System in Data Processing Department, at the new Government Center facility in Placerville. (Actual Change Order was not prepared at time of Board action.)

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, Warrant Register Claims for El Dorado County were approved and allowed for payment.

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December 21, 1976

BOARD OF SUPERVISORS MINUTES December 21, 1976

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the following personnel matters were acted upon as follows: Board approved Job Specifications for: Assistant Veterans Service Officer; Assistant Welfare Director; and Airports Operations Assistant — and approved the following department's requests for additional personnel, with funds to come from the Contingency Fund to implement AB 3121 (the new Juvenile Justice Law), as follows: District Attorney:

1 District Attorney II; 1 Legal Stenographer; and 1 District Attorney Investigator — additionally, the Board approved the deletion of one Investigator position and the addition of a Chief Investigator, as requested, with funds in the amount of \$25,580.00; Probation Department: 2 Deputy Probation Officer II's, including funds for 2 shelter care homes, for total funding in the amount of \$22,917.00; and Public Defender: 1 Deputy Public Defender II; and 1 Legal Stenographer, for funding in the amount of \$15,218.00, and the following resolutions were adopted accordingly:

RESOLUTION NO. 326-76

ADOPTING JOB SPECIFICATIONS FOR AIRPORT OPERATIONS ASSISTANT;
ASSISTANT VETERANS SERVICE OFFICER; AND DEPUTY WELFARE DIRECTOR
AND

AMENDING THE CLASSIFICATION SCHEDULE FOR DEPUTY WELFARE DIRECTOR

(For contents, see original resolution)

RESOLUTION NO. 327-76

AMENDING THE AUTHORIZED PERSONNEL RESOLUTION
FOR THE DEPARTMENTS OF: DISTRICT ATTORNEY, PUBLIC DEFENDER,
AND PROBATION

(For contents, see original resolution)

and the Board also continued to December 28, 1976, the County Surveyor's request for an Engineering Aide.

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At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board denied the Claim submitted by Attorneys Freidberg & Mart on behalf of Richard H. Yenovkian in the amount of \$5,100,000.00 for personal injuries.

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At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board denied the Claim submitted by Attorney Gerald Barrick on behalf of Doris Jean Von Ritter, etal, for personal damages for wrongful death in the amount of \$1,400,000.00.

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BOARD OF SUPERVISORS MINUTES December 21, 19 76

Airports Director submitted a letter requesting authorization to apply for FAA (ADAP) and State (CAAP) grants for the following construction projects at Lake Tahoe Airport:

a. Connecting taxiway 60' wide between runway and parallel taxiway
 -- \$65,000.00

b. Resurface portion of existing general aviation apron -- \$20,000.00

c. Pave additional area for general aviation transient parking -- \$27,000.00

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the request was approved.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board directed that before the contract for the taxiway project at the Lake Tahoe Airport can be let (Project No. 5-06-0249-04), all government rules and regulations must be complied with.

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Airports Director submitted letter requesting that Resolution No. 205-76 Fixing Rates and Charges on County Airports, be amended relating to landing-user and parking fees.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the request was approved as recommended, including the change in Parking fees at the Placerville and Georgetown Airports for all single engine aircraft from \$17.50 monthly to \$15.00 for tie down, and the following resolution was adopted:

RESOLUTION NO. 328-76

FIXING RATES AND CHARGES ON COUNTY AIRPORTS

(For contents, see original resolution)

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Assistant Director of Public Works submitted a letter stating that construction of improvements for Auburn Lake Trails Unit Nos. 3 and 5 has been completed, and recommending release of balance of improvement bonds in the amount of \$32,000.00 for Unit No. 3, and \$205,000.00 for Unit No. 5.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bonds were released as recommended.

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BOARD OF SUPERVISORS MINUTES December 21, 1976

Director of Health Services submitted letter recommending the Chairman be authorized to sign addenda to contracts with New Morning and Tahoe Human Services, Inc., increasing the State's allocation of funds from \$13,327.00 to \$16,937.50, and decreasing the County's funds from \$15,000.00 to \$14,639.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign, as recommended.

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Executive Director, Community Action Council, submitted for approval the Program Account Budget, and Summary of Work Programs and Budget for the period March 1, 1977, through February 28, 1978. (Continued from 11/30/76)

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the matter was continued to December 28, 1976, as requested by the Executive Director, Community Action Council.

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Welfare Director submitted letter requesting approval to place a dependent child in a specialized care facility at a cost of \$890.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved.

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Chairman Lane departed for the balance of the meeting, and handed the gavel to 1st Vice Chairman William V. D. Johnson

Deputy Director of Emergency Services submitted letter requesting authorization to place an ambulance in service at the Garden Valley Fire District. (Continued from 11/30/76)

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the request was approved, provided that all minimum law qualifications are met.

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Deputy Director of Emergency Services submitted a letter recommending the Chairman be authorized to sign an updated Ambulance Service Agreement with Lake Tahoe Ambulance, and also submitted the request of Lake Tahoe Ambulance that the Agreement include a statement for automatic yearly renewal.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board authorized an increase from \$10.00 to \$20.00 for Resuscitation (Exhibit "B"), and the Chairman was authorized to sign the Agreement as presented.

December 21, 10 76 BOARD OF SUPERVISORS MINUTES

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board approved the installation of a street light on Toyan Drive in the Diamond Springs Lighting District, and directed that Pacific Gas & Electric Company be so notified.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the request of Supervisor Kutter for Board reconsideration of the rezoning of lands in the Camino area from Multi-Family Residential and Single Family Residential to Single Family Residential and Estate Residential, consisting of 61 acres, petitioned by Floyd Weston, was removed from the Agenda (in order to reroute the matter through Planning).

222-19 76 On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Board waived the ordinance requirement and authorized Mr. and Mrs. Ralph Roberts to place their mobilehome of less than 600 square feet on ten acres of land for a period of one year, as requested by the Roberts.

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Mrs. Myrtle Baker reported on the Bicentennial Commission activities, and the status of the Medallion finance. the status of the Medallion finances.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the report was placed on file.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the specifications and authorized the Purchasing Agent to advertise for bid opening on January 3, 1977, with award by the Board on January 11, 1977, for Bid No. 832 - Legal and Classified Publication Requirements for the calendar year 1977.

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On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the ordinance relating to the Term of Office of Appointed Members of Commissions, Boards and Committees was continued to December 28, 1976, and referred back to County Counsel.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board waived the reading of an ordinance supplementing the State Code, requiring that all actions of the Planning Commission shall be determined by a vote of the majority of the membership, and continued the ordinance for adoption to December 28, 1976.

BOARD OF SUPERVISORS MINUTES December 21, 19 76

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Ordinance on Swimming Pool Regulations which was introduced on December 14, 1976, and scheduled for adoption this date, was removed from the Agenda.

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The appointment to the Planning Commission from District IV, was continued to January 4, 1986, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the El Dorado County Community Action Agency's request for grant for Emergency Energy Conservation Project, as submitted by the Sierra Planning Organization, was considered and the Board declared their intent to make "no comment".

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The Board considered the El Dorado County Community Action Agency's request for grant to operate an anti-poverty program, and on motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Walker, Kutter, and Stewart; No: Supervisor Johnson; Absent: Supervisor Lane, a favorable comment was made on said program as submitted by the Sierra Planning Organization.

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The Board also considered Cameron Estates Community Services District's application, as submitted by the Sierra Planning Organization, for grant for construction of hard-surfaced road system within said District's service area, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board declared their intent to make "no comment".

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved Budget Transfer No. 44 for the Surveyor's Department as follows: Decreased 92-2250 Transportation & Travel, in the amount of \$80.00, and increased 92-3370, Fixed Assets, in said amount, for the reason that the Microfiche reader which is to be purchased costs more than was budgeted.

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On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board authorized the preparation of a resolution along the same lines as Placer County's resolution in support of the concept of a horizontal "hanging arc" bridge for the Ruck-A-Chucky bridge crossing of the Middle Fork of the American River, and the following resolution was adopted accordingly: (Continued)

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BOARD OF SUPERVISORS MINUTES December 21, 19.76

RESOLUTION NO. 329-76

SUPPORTING CONCEPT OF A HORIZONTAL "HANGING ARC" BRIDGE FOR THE RUCK-A-CHUCKY BRIDGE CROSSING

(For contents, see original resolution)

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Supervisor Walker left the room

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and y unanimously carried by those present, the Board approved 20 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated December 21, 1976, beginning with the name of Theodore Lyles and ending with the name of Douglas Gallant.

Supervisor Walker returned

Board considered the results of bid opening for Bid No. 823 - NCR 8200 Computer Accounting System for the Auditor/Controller's Office. (Continued from 12/14/76)

The motion of Supervisor Stewart, seconded by Supervisor Johnson, for approval on a lease/purchase basis with monies to come from the Contingency Fund for this Fiscal Year, if necessary, was not carried by reason of the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; No: Supervisor Kutter; Absent: Supervisor Lane. (Motion as it relates to the Contingency Fund would require a 4/5ths vote.)

The motion of Supervisor Stewart, seconded by Supervisor Johnson, for approval on a lease/purchase basis, with funds for a 30-day period within this Fiscal Year to come from the Auditor's budget, if necessary, was carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; No: Supervisor Kutter; Absent: Supervisor Lane.

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At the request of the Agricultural Commissioner, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board adopted the following resolution requesting the Governor to declare El Dorado County a disaster area due to the lack of rainfall, after County Counsel's office has rewritten the resolution to add a paragraph concerning the recreational industry losses:

RESOLUTION NO. 330-76

REQUESTING THE GOVERNOR TO DECLARE EL DORADO COUNTY A DISASTER AREA DUE TO LACK OF RAINFALL

(For contents, see original resolution)

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December 21, 19 76 BOARD OF SUPERVISORS MINUTES \_\_

Project Director, Senior Nutrition Program, submitted a letter requesting that a resolution be adopted authorizing the Chairman to sign an addendum to Contract No. 076-27-1 with the State Department on Aging increasing the original Title VII Grant for fiscal year 1976-77, increasing the allotment by \$5,921.00, to \$87,778.00, for said Program.

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

RESOLUTION NO. 331-76

AUTHORIZING CHAIRMAN TO SIGN ADDENDUM TO SENIOR NUTRITION PROGRAM CONTRACT INCREASING ALLOTMENT

(For contents, see original resolution)

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Proper notices having been sent, hearings were held on escaped assessment as listed below. No protests were presented and the hearings were closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the following assessment roll changes were approved as presented:

Patrick J. Shanahan, No. 6898 W.&D. Investment Co., No. 6113 Patrick M. Wilcox, No. 6124 SMUD, No. 6121 Diamond International, No. 6197 Grove Oxygen Service & Supply, No. 6195 Bahn-Fair Development, No. 6191 Clive L. Jeffs, No. 6186 Douglas Woodward, No. 8000

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#### SPECIAL ORDERS

#### PLANNING MATTERS

285-148.46 Hearing was held as duly advertised to consider rezoning of lands in the Sly Park area from Unclassified to Planned Agricultural, consisting of 10 acres, petitioned by E. Richard and Mary C. Colburn. Planning Commission recommended approval, and the Planning Director enumerated the findings of said Commission, as follows:

- That the use is consistent with the goals and objectives of the General Plan which is to "encourage and promote the economic advancement of the County in the fields of ....agriculture";
- 2. Regulations for Planned Agriculture Districts (Section 9429e) state, in part, that lands which do not qulaify for this zone under the normal criteria may be zoned PA if recommended by the Agricultural Commission. The Agricultural Commission reviewed this request on November 17, 1976, and recommended approval; and,
- 3. The proposal is in compliance with the existing General Plan. (Continued)

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BOARD OF SUPERVISORS MINUTES \_\_\_\_ December 21, \_\_\_\_\_19\_76

Mr. Aubrey Powell was present and requested that this request for rezoning be held until after the General Plan for the area has been adopted. There were no other protests and the Hearing was closed.

The motion of Supervisor Kutter, seconded by Supervisor Stewart, to adopt the ordinance rezoning said land; finding it to be in conformance with the General Plan, was not carried by reason of the following vote: Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Johnson and Walker; Absent: Supervisor Lane.

Supervisor Kutter left the room

Supervisor Walker moved to deny the rezoning, without prejudice, based upon the following findings: the General Plan for the area is in the process of being developed and should be adopted within the next 12 months; this rezoning could affect adjoining properties; and perhaps this particular rezoning could constitute spot zoning. Supervisor Stewart, who added the last finding, seconded the motion, and it was unanimously carried by those present.

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Hearing was held as duly advertised on the rezoning of lands in the Diamond Springs area from Unclassified to Limited Multi-Family Residential consisting of 5.249 acres, petitioned by James M. Shiery, Everett L. Lee, and Fred Caron. Planning Commission recommended approval, and the Planning Director enumerated the findings of said Commission, as follows:

- 1. The intensification of land use and higher densities, and the townsite of Diamond Springs, is to be encouraged; and,
- 2. Public water, sewer and structural fire protection is available.

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 rezoning was approved; the Planning Commission findings having been concurred in, and the following ordinance was adopted accordingly -- the rezoning to be effective upon the recordation of the Final Map of Diamond Meadow Estates Subdivision:

ORDINANCE NO. 1734

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE (Shiery - Lee - Caron in the Diamond Springs area)

(For contents, see original ordinance)

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Supervisor Kutter returned

BOARD OF SUPERVISORS MINUTES \_\_\_\_ December 21, 1976

Hearing was held as duly advertised on the rezoning of lands in the Placerville area from Agricultural to One Acre Residential, consisting of 6.20 acres, petitioned by John Escobar. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 1. The proposal is in conformity with the adopted General Plan;
- The proposal is adjacent to existing RIA zoning to the west and south, and
- 3. All the requisite public services are available to the site except for public sewer.

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the rezoning was approved; and the following ordinance was adopted:

ORDINANCE NO. 1735

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE (Escobar - Placerville area)

(For contents, see original ordinance)

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Hearing was held as duly advertised on the rezoning of lands in the Mt. Aukum area from Agricultural to Estate Residential, consisting of 10 decres, petitioned by Michael Nalewaja. Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

- 1. That the proposal would represent an intrusion of five acre zoning north of Omo Ranch Road into an area of generally larger parcels;
- 2. The area lacks domestic water;
- 3. The lack of any sewer system being planned for the area;
- 4. There has been no recent community plan for the area; and,
- 5. The amount of opposition to the rezoning.

Letters of opposition were received from the following: Vera G. Howell; Russell and Debbie Simmons; Nathan and Jewell Simmons; Mr. and Mrs. Robert McCoy; and Mr. and Mrs. Kenneth Nicks. Nan Peterson was present and opposed to the rezoning. There were no other protests, and the Hearing was closed.

Supervisor Stewart moved to uphold the Planning Commission's recommendation of denial, and directed that the Applicant be refunded the sum paid at the time of making application, only, however, after the Planning Department has received written request for refund. Supervisor Johnson seconded the motion, but it failed to carry by reason of the following vote: Ayes: Supervisors Johnson and Stewart; Noes: Supervisors Walker and Kutter; Absent: Supervisor Lane. (The "refund" portion of the motion was prompted by the Applicant's allegation that a member of the Planning Staff had

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misinformed him on his rezoning request.)
(Continued) - 648 -

BOARD OF SUPERVISORS MINUTES December 21, 1976

Supervisor Walker moved to uphold the Planning Commission's recommendation of denial. Supervisor Kutter seconded the motion, and it was unanimously carried by those present.

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Hearing was held as duly advertised to consider the establishment of Agricultural Preserve No. 215 in the names of Daniel L. and Joan R. McGee involving Parcel Nos. 46-030-12; 46-030-51; 46-050-11; and a portion of 46-050-10, consisting of 360 acres in the Sandridge area; favorable recommendations having been received from the Planning Commission, Agricultural Commission, and the County Assessor, who found that the Preserve meets 3 of the 4 criteria, and that it is in conformance with the County General Plan. There were no protests, and the Hearing was closed.

The motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, to approve the rezoning as well as establish the Agricultural Preserve, was in error, since the hearing on the rezoning was published for the following week, December 28, 1976.

Therefore, Supervisor Stewart immediately moved for reconsideration of the matter. Supervisor Walker seconded the motion, and it was unanimously carried by those present.

Supervisor Walker then moved that the Board concur in the findings of the aforementioned Commissions, the Chairman was authorized to sign the Williamson Act Contract, and the following resolution was adopted:

RESOLUTION NO. 332-76

ESTABLISHING AGRICULTURAL PRESERVE NO. 215

(For contents, see original resolution)

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Hearing was held to consider the request of Howard Wagner for cancellation of his Agricultural Preserve No. 81 in the name of Howard Wagner and Betty J. Wagner, consisting of 56.44 acres; Parcel No. 60-490-03.

The Agricultural Commission recommended denial of the request. The County Assessor submitted a letter advising that the cancellation fee would be \$8,750.00. There were no further protests, and the Hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board acknowledged the Notice of Non-renewal submitted by Mr. Wagner, and denied the request for cancellation at this time based upon the findings that the cancellation is inconsistent with the purposes of the Williamson Act, and is not in the public interest.

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BOARD OF SUPERVISORS MINUTES \_\_\_\_ December 21, \_\_\_\_ 19 76

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, Hearing was set for January 4, 1977, at 2:15 p.m. to consider Georgetown Lumber Company's request for cancellation of a portion of Agricultural Preserve No. 82, consisting of 641.38 acres; leaving a total of 10,295.15 acres in the Preserve.

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At the recommendation of the Planning Department staff, on motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Chairman was authorized to sign Agreements with Charles Goudey (Remote Sensing Consultant for Interpretive Maps) for Aerial Photograph/Interpretive Mapping for the Lotus-Coloma Area Plan, and for the Pleasant Valley Area Plan, for a total fee of \$2,600.00.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Assistant to the Board was authorized to solicit proposals for an appraisal of the County Hospital facility, and directed to continue to pursue the application for a license, and further, the Chairman was authorized to sign a letter to our State legislators, as well as to Governor Brown's Office and to the Secretary of Health & Welfare requesting their support in the license matter. (License currently is in suspension.)

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the request of Supervisor Lane that the Board initiate action for the purchase of 12.91 acres of land for the El Dorado Hills Library and Park site, was continued to December 28, 1976. (Due to the fact that Mr. Lane was absent.)

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There being no further business, the Board adjourned to Tuesday, December 28, 1976, at 9:30 a.m.

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ATTEST:

Carl A. Kelly, County Clerk and

ex-officio Clerk

of the Board

Danuter

APPROVED

Chairman

PROVED:

Vice Chairman