

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES _____ May 31, _____ 19 77 _____

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, Lloyd R. Kutter, and Thomas L. Stewart. Absent: Supervisor W. P. Walker. Board of Supervisors' Clerk, Ann R. Macy was present. Chairman Johnson presided.

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The Invocation was offered by Supervisor Lloyd R. Kutter.

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The Pledge of Allegiance to the Flag was led by Supervisor Stewart.

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

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The Minutes of May 24, 1977, were approved as submitted, on motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present.

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On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the following "Consent Calendar" matters were considered and acted upon as follows:

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10-1
Warrant Register Claims for El Dorado County, and the Community Action Council Claims were approved and allowed for payment.

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Budget Transfers were approved as follows:

Budget Transfer No. 147 - County Service Area No. 7 in the amount of \$450.00 for purchase of an Inverter and a Beareat 101 Scanner

Budget Transfer No. 148 - Sheriff's Department - in the amount of \$2,000.00 for remodeling work

and the Auditor/Controller was authorized to approve Budget Transfers through the end of the current fiscal year, utilizing the guidelines submitted by the Assistant to the Board that: (1) No Budget Transfer will be approved that will allow the department to overspend its budget; (2) No Budget Transfer will be approved for Fixed Assets; and (3) Fund Transfers will continue to come before the Board for specific approval, and additionally, the Board authorized the Auditor/Controller to make the necessary Final Budget Adjustments as of June 30, 1977, which are necessary to balance the books for the current fiscal year.

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58 At the recommendation of County Counsel, the Board denied the Claim submitted by Attorney Charles Higgins on behalf of Mrs. Betty Norfleet for personal injuries in an undetermined amount.

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58 At the recommendation of County Counsel, the Board denied the Claim submitted by Attorney Scott C. Haith on behalf of Ronald Clem for personal injuries in an undetermined amount.

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11473
1145 The Board approved the specifications and authorized advertising, as requested by the Purchasing Agent, for bid opening on June 16, 1977, with award by the Board on June 28, 1977, for Bid No. 875 - Base Mapping of El Dorado County for the Planning Department, and for bid opening on June 20, 1977, with award by the Board on July 5, 1977, for Bid No. 873 - Transfer of Slurry Seal Aggregate for Public Works, and for Bid No. 874 - Transfer of Aggregate Chips for Public Works.

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291-4
114
114 Board authorized the Director of Public Works to advertise for bids for construction of Mt. Aukum Road No. 78, bridge and approaches at Spanish Creek with bid opening on June 16, and award by the Board on June 21, 1977, at an estimated cost of \$156,800.00.

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93-1
114
310
(114) On motion of Supervisor Todd, seconded by Supervisor Kutter, and unanimously carried by those present, the Planning Director was appointed Temporary Deputy Director of the Local Transportation Commission, the Local Agency Formation Commission, and the Recreation Commission.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, and Todd; No: Supervisor Johnson; Absent: Supervisor Walker, the Board approved the Memorandum of Agreement with the Association of El Dorado County Attorneys for salaries and employee benefits for 1977-78, and also, the Board waived Ordinance Section 4116(h) and appointed a Psychiatric Social Worker II, James P. Brewton, at Step E, Range 61, effective July 1, 1977.

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113 On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Board adopted the Proposed 1977-78 Budget which was submitted by the County Auditor/Controller, and authorized the Assistant to the Board to advertise for budget hearings to commence June 15, 1977, at 9:00 a.m.

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11 On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Airports Director's request (Continued)

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for reimbursement in the amount of \$112.19 for the purchase of a memory calculator for the South Lake Tahoe Airport, was denied.

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1141-4
2001
Assistant County Counsel submitted letter recommending that the Board settle a Probation Department account amounting to \$1,941.88, relating to Rahn Webb (chargeable to Mr. and Mrs. Noble Webb) inasmuch as the Webbs have offered to settle in the amount of \$1,135.00 due to certain circumstances outlined in Counsel's letter of May 20, 1977.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved a settlement in the amount of \$1,135.00, as recommended.

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202-4
Director of Health Services submitted letter requesting direction on how to proceed in the matter of space needed for the Mental Health Division.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Mental Health Division was instructed to continue in their present location for the time being, and to exercise their option to remain until August 30, 1977.

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25-1
Director of Health Services submitted a letter recommending that the Board approve the Prenatal Care Program Funding Application to the State Health and Welfare Agency, in the amount of \$75,000.00, for the South Lake Tahoe area.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Prenatal Care Program for pregnant women on Medi-Cal in South Lake Tahoe was approved, and the Director of Health was authorized to submit copies of said application to the State.

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22-4
Director of Health Services submitted letter requesting that the Chairman be authorized to sign a Contract in memorial with Sierra View Mental Health Services for psychiatric inpatient care rendered in the 1973-74 Fiscal Year to an El Dorado County resident.

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, and Todd; No: Supervisor Johnson; Absent: Supervisor Walker, the Chairman was authorized to sign the Contract.

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Executive Director, Local Transportation Commission, submitted letter recommending that the Board request the California Tahoe Regional Planning Agency to reserve unallocated funds made available from SB 325 for the unincorporated portion of the Tahoe Basin, in the amount of \$68,204.00.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board approved the recommendation, and RESOLUTION NO. 123-77 was adopted accordingly.

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Purchasing Agent submitted letter recommending that the Chairman be authorized to sign a Termination of Lease Agreement submitted by Southern Pacific Transportation Company for property behind the Courthouse which was leased by the County for vehicle parking, but never utilized as such.

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

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Purchasing Agent submitted results of bid openings held May 23, 1977, for the following bids, and recommended award to low bidder in each case. On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, bids were awarded as follows:

- 238 2 Bid No. 850 - High Speed Radial Pursuit Tires for Sheriff's Department; to The Tire Exchange, Placerville, for \$11,757.00
- 1143 Bid No. 853 - Tires, Recaps, Tubes and Related Services for El Dorado County for Fiscal Year 1977-78; to The Tire Exchange, Placerville, for \$39,664.72
- 114 4 Bid No. 854 - Janitorial Maintenance Service for South Lake Tahoe County Offices; to Pro-Cleaning Services, South Lake Tahoe, for \$1,460.00 per month
- 114 3 Bid No. 856 - Propane Requirements for Fiscal Year 1977-78, for Placerville and South Lake Tahoe areas; to Pargas, Placerville, for Placerville area for \$23,034.20, and to Cal Gas, South Lake Tahoe, for South Lake Tahoe area, for \$11,704.22

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Board considered a letter from Mr. Harvey Neville to the City of South Lake Tahoe wherein he suggested as an alternative to his original proposal, that the City apply for a grant to build an ice rink, and should they be successful, that they pay him the costs he has incurred to date. The City had previously requested modification to the deed restrictions contained in the Grant Deed conveying the County property to the City of South Lake Tahoe which would allow construction of a commercial ice rink.

Mr. Neville was present and briefed the Board on his plans for the rink, and answered the Board's questions on financing, and on his energy-saving ideas, etc.

(Continued)

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board determined the ice rink to be a commercial venture and allowed the Lease between the City and Mr. Neville as an exception to the deed restrictions, based on the condition that any financing mechanism contain the provision that the land and improvements not be security for any loans to build or operate the ice rink.

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318-2
Sierra Planning Organization requested comments on Caltrans District Three's proposed federal aid program for Fiscal Year 1977-78, and on motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Board commented favorably.

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At the recommendation of the Assistant to the Board, on motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Chairman was authorized to sign an Agreement with the Foundation for Comprehensive Health Services on a month-to-month basis at the rate of \$150.00 monthly, for the premises designated as the bookkeeping room of the County Hospital Building, commencing June 1, 1977.

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187
Proper notices having been sent, hearings were held on escaped assessments as listed below. No protests were presented and the hearings were closed.

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the following assessment roll changes were approved as presented for placement on the Assessment Rolls:

Ralph King, No. 6394

Michael J. Schliesman, No. 6398

Isabel Hernandez, No. 6387

Albert De Carli, No. 6395

George J. Arsenith, No. 6400

Beulah Smith, Nos. 6401 & 6402

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SPECIAL ORDERS

PLANNING MATTERS

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Board received a letter from Anthony Aguilar requesting waiver of the \$100.00 filing fee for a Special Use Permit to allow a mobilehome on his 13-acre property to house an 81 year old relative under the medical hardship variance.

The Planning Director advised the Board that they should find that Mr. Aguilar is incapable of paying his filing fee in order to not set a precedent for future requests. The Board was also advised that the
(Continued)

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Special Use Permit runs with the land and not with the medical hardship variance.

The Board, having determined from Mr. Aguilar that he was a recipient of a pension, and not on public assistance, by motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, denied the request for waiver of the filing fee.

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7/6-11/2/77
County Counsel submitted a letter recommending that the Chairman be authorized to sign an Addendum to the Williamson Act Contract with Walter Bidstrup and Pearl A. Bidstrup to reflect a boundary line judgment obtained by the Bidstrups relating to their Agricultural Preserve No. 163, and on motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign.

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2-2-77
An Appeal having been filed by the Ajapa Yoga Foundation, Inc., on the Planning Commission's conditioning of a Special Use Permit for a meditation retreat on Paso Diablo Road, Placerville, and a letter having been received from said Foundation advising that the matter in dispute had been clarified by the Planning Commission and it was not necessary that the matter be heard, the Chairman, nevertheless, did open the Hearing due to the number of residents present who had been notified of the Hearing, and some of whom had taken off from their work to be present, and who requested strenuously that the matter be heard.

The matter under contention was Condition No. 4 to Special Use Permit 77-35, which reads as follows: "(4) Number of people on the property limited to 15 at any one time". The Planning Director advised the Board that he and Deputy County Counsel had interpreted the County Ordinance, and so advised the Planning Commission at their May 26, 1977, meeting when this matter came up, unscheduled, but as a point of clarification, that, ". . . approximately 10 people could be construed as a 'family' if they are living together as one housekeeping unit". The Planning Director went on to state that the Commission clarified Condition No. 4 to the extent that the Commission would accept up to 10 people as a "family", and the 15 people referred to in the condition were in addition to the 10 people of the "family".

The Chairman stated that he felt that Condition No. 4 needed no clarification -- that it was very clear in itself.

Mr. Harry Ludman was present and voiced his objection to the Planning Commission "clarifying" Condition No. 4 without benefit of a notice to the residents of the area.

After consideration, on motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Board declared null and void the Planning Commission's action taken on May 26, 1977, to
(Continued)

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clarify Condition No. 4 to Special Use Permit No. 77-35.

On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried by those present, the Board continued the Hearing on the Appeal to June 14, 1977, at 2:00 p.m., and the Clerk was requested to renotify the appellants and the property owners.

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197 7-77
Hearing was held to consider the Appeal filed by Fred A. Drennan on the Planning Commission's approval of a Special Use Permit for Forrest W. Schwabe for a real estate office employing three salespeople in an R2A zone, on Highway 49, El Dorado area.

Mr. Schwabe was present and explained to the Board that this was for lots originally in the Tahoe Paradise Subdivision, which later became CalPacific, and then later an outfit in Hawaii bought 156 lots. He stated that since title has now been cleared on those 156 lots, he has been authorized to sell them. He stated that he would operate on a very low-profile scale; he would be working of course with other real estate sales people and brokers from outside, but that the lots would be shown by appointment, and the prospective buyers screened, etc.

Mr. Austin Joy and Barbara Patrick were present and both opposed to the granting of the Special Use Permit; stating that Mr. Schwabe's wife and daughter were both salespeople, and this would authorize him to employ three others, plus the fact that it would allow a larger sign.

Mr. Drennen indicated his concern with the deed restrictions, as it would be in violation of the Covenants, Restrictions, and Conditions to allow this expansion to his existing real estate office.

Finally, Mr. Schwabe stated that to keep peace with the neighbors, he really wasn't that bent upon getting a Special Use Permit -- that he could manage quite alright with his office as a home occupation which is allowed by right.

Therefore, on motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Board upheld the Appeal and denied the Special Use Permit granted by the Planning Commission.

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ASSESSMENT AND SPECIAL DISTRICTS

TAHOE BRODER ESTATES UNIT NO. 1 ASSESSMENT DISTRICT

*Ask
John
Bodine*
Attorney Robert Brunsell submitted for filing the Engineer's Final Schedule of Costs for the above-name assessment district, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, RESOLUTION NO. 122-77 Approving Engineer's Final Schedule of Costs and Declaring Distribution of Surplus, was adopted.

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GENERAL ORDERS

2183 Airports Director submitted the following results of bid opening held May 27, 1977, for engineering services in connection with the Taxiway Reconstruction Project at the Lake Tahoe Airport:

William F. Pillsbury, Inc., Reno, Nevada	\$41,700.00
J. H. Kleinfelder & Associates, Reno, Nevada	34,000.00
Capitol Engineering Laboratories, Sacramento	26,410.00

At the recommendation of the Airports Director, on motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the bid was awarded to low bidder, Capitol Engineering Laboratories, Sacramento, for \$26,410.00, and the Chairman was authorized to sign the Agreement for said services.

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2183 Airports Director submitted a letter requesting authorization to give Notice to Proceed to Delta Construction Company for the Taxiway Reconstruction Project at the Lake Tahoe Airport, inasmuch as the California Tahoe Regional Planning Agency has authorized the 60-foot width.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the request was approved contingent upon Federal Aviation Administration's approval, in writing, of the Engineer (Capitol Engineering Laboratories).

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There being no further business, the Board adjourned to Tuesday, June 7, 1977, at 10:00 a.m.

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

By: Ina R. Macy
Deputy

APPROVED: William D. Johnson
Chairman