

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 28, 1977

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Lloyd R. Kutter, and Thomas L. Stewart.

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12-11 The Invocation was offered by Supervisor Kutter.

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The Pledge of Allegiance to the Flag was led by Amelia McAnnally, County Auditor/Controller.

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The Agenda was adopted, with one addition, and one deletion, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried.

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## GENERAL ORDERS

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

28 Warrant Register Claims for El Dorado County were approved and allowed for payment.

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151-13 RESOLUTION NO. 139-77 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for the Probation Department.

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54-202-1 RESOLUTION OF INTENTION NO. 140-77 was adopted Setting Hearing for July 12, 1977, at 2:00 p.m. on Proposed Street Name Changes in Sleepy Hollow Unit No. 4 Subdivision.

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114-7 (97) Board considered results of bid opening held June 16, 1977, for Bid No. 875 - Base Mapping Program for the Planning Department; bids having been received from CH2M Hill, Redding; Melvin L. Pedersen, Elk Grove; Genge Aerial Surveys, Sacramento; and Cartwright Aerial Surveys, Inc., Sacramento. (Original bids are on file in the Board of Supervisors Office)

At the recommendation of the Director of Planning and the Purchasing Agent, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the contract was awarded to the lowest bidder meeting the specifications, Genge Aerial Surveys, Sacramento, in the amount of \$86,550.00, and the Auditor/Controller was authorized to make the necessary fund transfers to accomplish the payment; and County Counsel was authorized to draw the contract for the Chairman's signature.

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At the request of a number of residents of the Lake Tahoe area, the Board considered a request for reconsideration of an Emergency Ordinance adopted by the Board on June 21, 1977, which makes it unlawful for jet aircraft to arrive or depart between the hours of 8:00 p.m. and 8:00 a.m. of any day at the Lake Tahoe Airport.

Tom Davis, Chairman, Aviation Committee of the South Lake Tahoe Chamber of Commerce, spoke in opposition to the limitations imposed, and recommended that the ordinance be revised to read 11:00 p.m. to 7:00 a.m.

Marylou Mosbacher was present and stated that she represented a large number of Lake Tahoe residents who vigorously opposed any take-offs or landings of jet aircraft at the Lake due to the noise level and also due to the terrain and elevation which they considered unsafe for jets. Mrs. Mosbacher submitted 9 letters of opposition to jet service at the Lake from: Patricia R. Lowe; Eileen L. Maas; Daniel D. Bartley; Frances H. Maas; Shirley Irving; Rasmussen family members; Charles Knapp; Dudley J. Witemeyer; and Mr. and Mrs. Al de Lata. Also submitted were four petitions: One petition containing 47 signatures opposing Commercial jet airlines' use of the Lake Tahoe Airport; another opposing Commercial and Private jet aircraft, containing 27 signatures; another containing 480 signatures opposing commercial jet aircraft in the Lake Tahoe Basin; and lastly, a petition containing 17 signatures objecting to the increase of noise level by the advent of jets to the Tahoe Basin, together with three letters and the transcript of testimony given to the State Public Utilities Commission Hearing on jets in the Tahoe Basin on March 31, 1976.

The Board also received letters of support for the jet aircraft from: Tahoe Daily Tribune; South Lake Tahoe Chamber of Commerce; and Ralph King.

Mr. Russ Allen, representing Pacific Southwest Airlines, stated he didn't think it was too much to ask to allow them to land, but he did appreciate the concern expressed regarding the take-offs. He suggested that take-offs be limited to the hours between 11:00 p.m. and 7:00 a.m.

George Zents, Lake Tahoe Aviation Fixed Base Operator, was present and recommended that the ban be lifted until further input can be obtained, and if a noise ordinance requirement is determined to be necessary, then hours should be 11:00 p.m. to 7:00 a.m. for take-offs and landings.

John Gionatti, Vice President, Harrahs, stated that he felt the hours were too restrictive.

Supervisor Stewart moved to amend the Emergency Ordinance adopted by the Board on June 21, 1977, by lifting the ban on arrival times of jet aircraft, and to maintain the ban on the departure of jet aircraft between the hours of 8:00 p.m. and 8:00 a.m., and also to amend the ordinance to include that there be no testing of jet engines during those restricted hours of 8:00 p.m. and 8:00 a.m.

The motion failed for lack of a second, and there was no further action by the Board.

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(2115) 7/1/77  
141  
County Counsel submitted letter recommending approval of the request of Attorneys Sturgis, Ness and Brunsell for an increase in fees relating to 1915 Bond Foreclosures.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Board approved the fee increase from \$25.00 to \$50.00 per property for collection work, with the exception of those properties delinquent for only one year, in which case the fee payment will be \$10.00.

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7/1/3/77  
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Architect was authorized to purchase shades for the Cafeteria (Cortina - Group C) for a total price of \$916.00, for the Administration Building, Government Center, in Placerville.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Architect was authorized to purchase an oak folding door (Pella 358) for the Planning Department in the amount of \$106.00, for the Administration Building, Government Center, Placerville.

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234-1  
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board denied the Sheriff's request for payment of 7.5 hours of accrued CTO for a Deputy Sheriff II at time and one-half.

(115) 2-4  
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board adopted RESOLUTION NO. 141-77 implementing phase two of salary adjustment for department heads resulting from the study made by the Blue Ribbon Committee for 1976-77.

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233-4  
151  
Sheriff submitted letter requesting the Chairman be authorized to sign Addendum No. 2 to the Joint Operating and Financial Plan Agreement with Eldorado National Forest for the purchase of a second four-wheel drive vehicle and five radios, at a total cost of \$6,000.00, to be reimbursed by the Forest Service.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Addendum No. 2 to said Agreement.

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(24-2) 2/7-9  
Director of Public Works submitted letter recommending the Board file a protest against Georgetown Divide Public Utility District's assessment in the amount of \$950.00 for domestic water service to the Greenwood Cemetery, inasmuch as the cemetery has not required water since its inception, and there is not indication that there will be a need in the future.

(Continued)

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board adopted RESOLUTION NO. 142-77 protesting inclusion of Greenwood Cemetery in the Greenwood Water Improvement District.

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Director of Health Services submitted for the Chairman's signature, County Health Department contracts for the Fiscal Year 1977-78:

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign the following agreements:

22-1  
Maternal and Child Health Service Agreement No. 77-150 MCHB in the amount of \$1,294.00 with the State Department of Health, and RESOLUTION NO. 143-77 was adopted authorizing the Chairman to sign.

\* \* \* \*

22-1  
Family Planning Contract No. 77-58182 with the State Department of Health for family planning services, in the amount of \$75,000.00, and RESOLUTION NO. 144-77 was adopted authorizing the Chairman to sign.

\* \* \* \*

22-1  
30-day extension of the Swine Flu Agreement with State Department of Health (No. 75-54356 A-1), with no increase in the amount previously approved.

\* \* \* \*

22-1  
Maternal and Child Health Agreement No. 77-034 MCHB for Prenatal Care at South Lake Tahoe, with the State Department of Health for \$75,000.00 and RESOLUTION NO. 145-77 was adopted authorizing the Chairman to sign.

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22-3  
Retainer Contract with Jeffrey A. Applebaum, M.D., for prenatal care services at South Lake Tahoe, as referred by County Health Department.

22-3  
Retainer Contract with Dale Coco, M.D., for prenatal care services at South Lake Tahoe, as referred by County Health Department.

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22-7  
Contract with Mother Lode Rehabilitation Enterprises for services providing habilitation and rehabilitation for the developmentally disabled, in the amount of \$6,517.00

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22-7  
Contract with Alpine County for the provision of mental health services, in the amount of \$6,000.00, to Alpine County.

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22-7 Contract between Mental Health Division, Department of Health, and the Public Guardian/Conservator, for conservatorship investigation services, in the amount of \$16,000.00.

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22-7 Contract with the Regents of the University of California (Sacramento Medical Center) for mental health inpatient services, in the amount of \$31,914.00.

\* \* \* \*

22-11 Contract with Tahoe Human Services for drug abuse and mental health services, in the amount of \$70,009.00, for the Lake Tahoe area.

\* \* \* \*

22-11 Contract with New Morning, Inc. for drug abuse and mental health services for the Placerville area, in the amount of \$70,009.00.

\* \* \* \*

22-11 Additional Contract with New Morning for drug preventive services -- for school counseling -- in amount of \$3,897.00.

\* \* \* \*

22-11 Contract with the State Office of Narcotics and Drug Abuse in the amount of \$3,897.00 for drug prevention services at Ponderosa High School, for the period March 1, 1977 through June 30, 1977, and RESOLUTION NO. 146-77 was adopted authorizing the Chairman to sign the contract.

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30-1 Executive Director, Community Action Council, submitted letter requesting approval of a Rental Improvements Agreement form required by the federal government before weatherizing of rental dwellings can commence.

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Agreement form was approved.

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30-6 Director, County Training Programs, submitted for the Chairman's signature, Modification No. IV to the Title II Public Service Program, increasing the amount of obligation by \$238,008.00.

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

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Director, County Training Programs, requested that the Chairman be authorized to sign Modification No. I to the Title VI Work Projects and Public Service Employment Program, increasing the funds obligated by \$677,413.00 for the period February 1, 1977, through September 30, 1978.

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

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51 Board considered introductory ordinance amending the Minor Land Division Ordinance; said amendments were first considered by the Board on June 7, 1977 -- See Minute Book 18, Page 241.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the ordinance was introduced, reading thereof was waived, and it was continued for adoption to July 5, 1977.

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132  
23  
291777  
City of South Lake Tahoe submitted an Emergency Ordinance amending certain sections of the Building Allocation Ordinance: i.e. Section 113. Review Committee; Section 114. Prioritizing Qualifying Residential Applications for Allocation Approvals; Section 115. Schedule for Issuance; and Section 117. Revocation of Allocation Approval or Exemption Certificate.

The center of controversy between the City of South Lake Tahoe and the County on these amendments was with Section 114 of the City's ordinance wherein "both primary and secondary residential applications shall be issued on a first come, first served basis. . . .": The County's position being that since there is such a limited number of allocations available, that only primary residential applications should be considered for allocation.

Mr. Norm Woods was present and supportive of the City's Ordinance amendment, as it relates to secondary residential applications, as was Ed Little.

Those present who were opposed to the City's Ordinance which would allow some secondary residential applications were: Mr. Bartleson; Richard Rhodes; Emma Gilmore; Kathy Sharp; Roger Hines; Kathy Good; and Kathy Maddox.

A petition-type letter containing four signatures was received opposing the allowance of secondary residential applications.

Letters received opposing the allowance of secondary residential applications were from: George D. Wardwell; Bart E. Owens; James M. Grady; and Mrs. W. Williams.

Letters received in favor of the allowance of secondary residential applications were from: Malcolm B. Leslie, M.D., F.A.C.S., and George W. Scott.

(Continued)

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board amended the El Dorado County Emergency Ordinance No. 1785 to reflect only those changes made by the City of South Lake Tahoe in their Ordinance No. 495 in Section 113, Review Committee, and Section 117, Revocation of Allocation Approval of Exemption Certificate, and EMERGENCY ORDINANCE NO. 1798 was adopted accordingly.

(Supervisor Walker moved to include in the County Ordinance amendment, the changes made by the City of South Lake Tahoe in Sections 114 and 115 of their Ordinance; however, this motion died for lack of a second.)

Supervisor Johnson then moved that if the City of South Lake Tahoe doesn't concur with the County (limiting building permits to primary homes only -- this decision to be made by the City at their evening meeting, this date,) then the County is desirous of having 50% of the total allocations for use within the County. Supervisor Stewart seconded the motion, and it was unanimously carried.

Supervisor Johnson then moved to instruct staff to cooperate with the City of South Lake Tahoe to develop a criteria system for the 1978 building year for issuing building permits. Supervisor Stewart seconded the motion and it was unanimously carried.

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The Board considered the request of Robert Allen that the Board establish a policy as to responsibility for the maintenance of the cattle guards on Omo Ranch Road and Pi Pi Valley Road in the vicinity of the Allen Ranch.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Department of Public Works was instructed to clean out and maintain the four cattle guards, referred to in Mr. Allen's attorney's letter of June 9, 1977.

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Supervisor Walker departed

Hearing was held as duly advertised, and in accordance with Federal-Aid Program requirements, to consider the proposed reconstruction of Latrobe Road, F.A.S. W-700(1).

The Chairman opened the Hearing and authorized the Director of Public Works to proceed with his opening statements and discussions of project proposals. The Director, G. Arthur Cort, then turned the hearing over to his Senior Civil Engineer, Ken Purcell. Mr. Purcell advised that there had been two requests for a public hearing on this project from Robert M. Mulhall and Curtis and Phyllis Fox. He then asked that anyone else in the audience who had a question regarding the project fill out a card, which he supplied to them. He received cards back from: Phyllis S. Fox who asked what justification the project was based on; Robert M. Mulhall who indicated he would make a statement during the hearing; and Mary Lou Oneto who asked why the excessive width of 80 feet.

A letter was received from Pacific Mutual Investment Company, Plymouth, California, stating they were in accord with the project, but requested that (Continued)

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"No Parking" signs be placed along the sides of the road to prevent trespassers at the Cosumnes River. They also stated that they had agreed to donating the land to the County for the widening of the road in the belief that the widening is essential for safety purposes.

Mr. Purcell then gave a brief history of the local, State, and Federal roles in the project development, and a summary of Latrobe Road as part of the County Road Network.

He then turned the Hearing back to the Board Chairman, who had the Clerk read the correspondence received on the project. The Chairman then asked for comments from the public in attendance.

Mrs. Phyllis Fox requested to know the reason for this particular road reconstruction. She stated the health and safety of the citizens of El Dorado County was not at stake along this road, since there haven't been loss of life, nor any injury accidents, at least for 2½ years. She stated three other roads which were hazardous and very much in need of reconstruction were: Cold Springs Road; Newtown Road; and Pleasant Valley Road. Mrs. Fox also stated that this was an inappropriate expenditure of public funds.

Mr. Robert Mulhall stated that the project represented too much money in the wrong place. He stated that Cold Springs Road was far more in need of improvement than Latrobe Road.

Mary Lou Oneto wanted to know why the excessive width of 80 feet.

The Chairman closed the public hearing.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Board deferred their decision on the project proposal to 3:30 p.m. on Tuesday, July 12, 1977.

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(82-14)  
115 Assistant to the Board submitted Memorandums of Agreement with the El Dorado County Employees' Association and Public Employees Council of Operating Engineers for terms and conditions of employment hours, wages, and working conditions for Fiscal Year 1977-78; and also, with the El Dorado County Management Unit for terms and conditions of employment for Fiscal Year 1977-78.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board of Supervisors approved the Memorandums of Agreement with the El Dorado County Employees' Association and Public Employees Council of Operating Engineers, and with the El Dorado County Management Unit, for Fiscal Year 1977-78.

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14-392  
Director of Public Works submitted results of bid opening held June 23, 1977, for the construction of the County Government Center Access Road (Ray Lawyer Drive); bids having been received from Granite Construction Company, Sacramento; Syblon-Reid Co., Folsom; Harold J. Younger, Inc., Sacramento; A. Teichert & Son, Inc., Sacramento; and Greenhalgh Co., Orangevale.

At the recommendation of the Director of Public Works, on motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the bid was awarded to low bidder, Granite Construction Company, Sacramento, in the amount of \$430,739.70.

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(132)  
390-16  
On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board adopted ORDINANCE NO. 1799 amending the Building Code Ordinance relating to plan check fees, etc. (Introduced on 6/21/77)

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244 4  
On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Board appointed Ed Bacchi to the Agricultural Commission to fill the unexpired term of Byron Bacchi, as recommended by the Agricultural Commission. (Term expires 11/30/77)

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319-2  
Letter was received from Mrs. H. H. Binger, El Dorado, requesting return of the penalty paid for late payment on her second installment of her 1976-77 taxes, due to circumstances beyond her control. (Pursuant to Section 2617.5 and 2617(B) of the Revenue and Taxation Code)

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

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6  
Communication was received from the California Tahoe Regional Planning Agency requesting comments on a proposed addition to their Ordinance Section 9.11(c) requiring that before a subdivision project in the Lake Tahoe Basin can be considered "vested", substantial construction must have commenced pursuant to valid building permits on or before June 3, 1977.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that comments be submitted to California Tahoe Regional Planning Agency as outlined by County Counsel, and also, that the same questions posed by the South Lake Tahoe City Attorney be included.

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20-4  
The request of the El Dorado Council on Alcoholism that the County subsidize or otherwise insure the availability of legal services to those that cannot afford such services, was removed from the Agenda when it was adopted. (Handled at Budget Hearings)

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30-4  
Sierra Planning Organization submitted letter requesting comments on Rural California Housing Corporation's application for grant in the amount of \$1,224,000.00 for the operation of the Self-Help Housing Program in Amador, Colusa, El Dorado, Glenn, Placer, Sacramento, Solano, Sutter and Yolo Counties.

The motion of Supervisor Kutter, seconded by Supervisor Stewart, to comment favorably, did not carry by reason of the following vote: Ayes: Supervisors Stewart and Kutter; Noes: Supervisors Johnson and Todd; Absent: Supervisor Walker.

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There being no further business, the Board adjourned to July 5, 1977, at 10:00 a.m.

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

By: Carl A. Kelly  
Deputy

APPROVED: William D. Johnson