

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 22, 1979

The Board convened in regular meeting. Present: Supervisors N. Arliene Todd, William V. D. Johnson, W. P. Walker, and Joseph V. Flynn. Absent: Supervisor Thomas L. Stewart. Also present: Ann R. Macy, Board of Supervisors Clerk.

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12-7 The Invocation was offered by Reverend Harrold McFarland, First Christian Church.

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

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The Agenda was adopted on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, after Item 21 was moved to be considered after Item 6.

Supervisor Johnson publicly thanked Reverend McFarland for being so conscientious in offering the invocation for the Board so often over these many years.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Minutes of May 15, 1979, were approved as submitted.

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50-1 On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried by those present, the Consent Calendar matters were considered and acted upon as follows:

The Community Action Council Claims were approved and allowed for payment.

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247 Chairman was authorized to sign Release of Lien for Zona B. Larimore discharging property encumbered by Agreement to Reimburse County for Public assistance as recorded in Vol. 1449, Page 566, County Official Records.

58-2 The Board approved 18 Assignments* to* the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated May 22, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of Lance R. Larson and ending with the name of Rosanna K. Archimede.

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250 RESOLUTIONS NOS. 125-79 AND 126-79 were adopted, being Resolutions Discharging Unpaid County Hospital and Welfare Accounts.

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114 At the recommendation of the Principal Analyst, the Board waived formal bidding procedures and allowed the Purchasing Agent to purchase 100 bags of "Set 45" fast-drying magnesium phosphate concrete from Dry Mix Products Company of Roseville, at a cost of \$1,313.00, for the Public Works

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Department; as said Company is the only California licensee for this product.

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12-14
On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, a Policy Review Session was set with the Superintendent of Schools regarding the allocations of revenue sharing funds at 9:00 a.m., May 29, 1979.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, a Policy Review Session was set for June 14, 1979, at 9:00 a.m. to review the State Division of Forestry's Fire Proposal, and Mr. Vernon Peterson was requested to solicit comments from the Fire Chiefs and Ambulance people.

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390-7
Also
Hearings
Board considered an Ordinance to establish that any person attempting to defraud the proprietor or manager of a ski area, by using ski lift facilities without first having paid the required fee, shall be guilty of a misdemeanor punishable by a \$500 fine, or six months in jail, or both. (Sponsor: Supervisor Johnson)

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried by those present, the Ordinance was introduced, the reading thereof was waived, and it was continued for adoption to May 29, 1979.

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7-11-79
Board considered a resolution of the Los Angeles Board of Supervisors pertaining to the alleged gasoline shortage wherein the President of the United States and Congress are requested to roll back gas prices to January 1, 1979, and the U. S. Attorney General is requested to investigate the major oil companies and determine the reasons for their billions of dollars in excess windfall profits.

The motion of Supervisor Todd, seconded by Supervisor Walker, to adopt a similar resolution was not carried by reason of the following vote:
Ayes: Supervisor Todd; Noes: Supervisors Johnson, Flynn, and Walker;
Absent: Supervisor Stewart.

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326
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, the Board directed a letter of support of Senate Bill 826 pertaining to values placed on timber harvested in timber producing counties, with copies to Regional Council of Rural Counties, County Supervisors Association of California, Supervisor George Wacker, Chairman, Siskiyou County Board of Supervisors, and Senators Keene and John Garamendi.

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132-1
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the resignation of Walter G. Rice, Jr., Chief Building Official, was accepted effective June 1, 1979, and the Assistant to the Board was instructed to solicit proposals for replacement.

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12
N.H.
The Board, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, continued their consideration of a study-workshop to May 29, 1979.

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21-9
Airports Director submitted letter advising that Agreements with automobile rental concessionaires at the Lake Tahoe Airport will expire May 31, 1979, and requesting direction in the matter of extending said Agreements until bidding procedures can be completed for new Agreements.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board, to allow for preparation of the bidding process, extended the five concessionaire leases to September 31, 1979, and set a Policy Review Session for July 11, 1979, at 9:00 a.m.

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30-13
Airports Director submitted letter recommending the Chairman be authorized to sign a five-year Land Use Lease with Robert J. Wakeman, to erect a portable hangar on the Placerville Airport property.

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

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246-1
6-1
Director of Public Works submitted the State's tentative plan for a road improvement project on State Route 193, at the intersection of Graybar Mine Road; and a proposal to relinquish said portion of road to the County after completion of construction.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board approved the State's Tentative Plan as submitted.

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421-1
Director of Public Works submitted requests from the following persons for variances on their driveway encroachments:

- (1) Geoffrey Thomas, to allow an 18% grade in lieu of the 10% shown on his permit.

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried by those present, the request was denied as recommended by the Director of Public Works.

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(2) Dennis J. Crowell, to allow a 22.5% grade in lieu of the 10% shown on his permit.

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried by those present, the request was denied as recommended by the Director of Public Works.

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Director of Public Works submitted bid results for the Green Valley Road Shoulder Improvement Widening Project; bids having been received from: Teichert Construction, Sacramento; Norman Brown & Sons dba Delta Construction Co., Folsom; and Granite Construction Co., Watsonville.

At the recommendation of the Director of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the contract was awarded to low bidder, Granite Construction Company, low bidder, in the amount of \$379,869.75.

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Director of Public Works submitted the bid results for Bedford Road Improvement Project; sole bid having been received from Joe Vicini, Inc. in the amount of \$128,847.60, and since said amount was considerably above the budgeted amount of \$99,000, recommended that the bid be rejected.

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried by those present, the bid was rejected and the Board directed that the County attempt to rebid this in correlation with the City of Placerville.

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Auditor/Controller submitted letter suggesting that the distribution of additional State monies in the amount of \$45,900.00 be allocated to Special, Subsidiary, or Multi-County Districts under Senate Bill 31.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the suggested distribution was approved.

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Board considered an invitation from the National Association of Counties (NACO) for El Dorado County Board of Supervisors to join said association.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, and Flynn; No: Supervisor Walker; Absent: Supervisor Stewart, the Board declared their intent to join the National Association of Counties.

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Sharon White of Jones, Hall, Hill & White, Assessment Bond Attorneys, was present and outlined the procedure required for the utilization of 1911-13 bonds for road improvement districts.

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On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried by those present, the Board declared their interest to the bonding attorneys in utilizing these bonding procedures, and instructed that Assessment District Screening Committee to review the policy and develop the criteria for action.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the rezoning of lands in the Rescue area from Estate Residential Ten Acre to Estate Residential Five Acre zone, consisting of 179 acres, petitioned by Joseph Reade, for Arrowbee Woods Unit No. 2 Subdivision. (Original petition for rezoning was for 340 acres.) Planning Commission recommended approval of 179 acres which constituted the total acreage of the subdivision, based upon the following findings:

1. It is consistent with the County General Plan and Policies;
2. It is located between RE-10, Estate Residential Ten Acre to the north and south, and RE-5, Estate Residential Five Acre to the west and east;
3. Services: Water: E.I.D.; Sewage: Septic systems; Fire Protection: Rescue Fire District.

Mr. Douglas Noble, Planning Staff, submitted and reviewed the Final Environmental Impact Report.

31 Letters were received opposing the proposed rezoning, together with two Petitions; one containing 78 signatures, and the other containing 73 signatures, each Petition opposing the rezoning and subdividing of the property. Also submitted were 28 General Survey forms from property owners containing information as to size of family, number of children and cars, etc.

16 Letters were received in favor of the proposed rezoning, together with two Petitions; one containing 32 signatures, and the other containing 24 signatures in favor of the proposed subdivision.

Mr. Reade, the subdivider, was present and stated that he believed that subdividing the land, rather than parcel-splitting it, was a more advantageous way of selling his property which he has had an interest in since the 1950's. Mr. Reade delineated on a map displayed on the wall, proposed improvements to Luneman Road which would be a condition of approval of Arrowbee Woods Unit No.2 Subdivision comprising this 179-acre rezoning request.

Harold Prescott, engineer, was present and stated that the actual sites would be several hundred feet back from the 100-foot take line of the Salmon Falls Reservoir (SOFAR) project.

Linda Truluck was present and spoke at length regarding the lack of police protection, fire protection, schools -- if the rezoning was approved and the resultant tentative map was approved, as well as the hazardous conditions and insufficiencies of Luneman Road. She submitted the two petitions hereinabove mentioned, together with the General Surveys.

Others who were present and spoke in opposition to this rezoning were: Julie Abornik (who claimed she did not receive a notice of the Planning Commission hearings on this matter); Mrs. Robert Farley, Dorney Huff;

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Carla Turloff; Gloria Herbert; Jack Huffman; and Jim Martin.

Those present and who spoke in favor of the rezoning were: Jerome Morback; Don Drudick; Robert Cribbs; Ronald G. Pizer; Brett Edwards; Leo Finnernan; Jim Archer; Curt Relfeld; Eldred Larsen; and Joe Winslow.

There were no further comments, and the Hearing was closed.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved and certified that the Final E.I.R. is in accordance with the California Environmental Quality Act (CEQA), and that the alterations which have been proposed in the project would mitigate sufficient environmental effects; and the mitigation measures on the following areas of impact as discussed by Mr. Noble of the Planning Department staff, in his presentation, are as follows:

- Reservoir (Salmon Falls): Set back line to be 100 feet horizontally from the proposed reservoir level;
- Fire: Two-acre fire site is to be given to the Rescue Fire Department for a future fire station;
- Schools: Mitigated by impact fees
- Road: Improvements as agreed to in Mr. Reade's letter of March 20, 1979. (On file in the Board of Supervisors Office); and

the Board concurred with the Planning Commission's findings, including that this is in conformity with the General Plan; and approved the rezoning of the 179 acres within the proposed subdivision; said rezoning to become effective upon the filing of the Final Map, and further, the Board found that said rezoning would be the appropriate use of the land at this time; consequently, ORDINANCE NO. 2004 was adopted amending the County Zoning Ordinance accordingly.

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Planning Director submitted for approval the Tentative Map for Arrowbee Woods Unit No. 2 Subdivision in the Rescue area consisting of 179 acres, comprising 27 lots; Subdivider: Joseph Reade.

After consideration, on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Tentative Map was approved subject to the six conditions required by the Planning Commission (on file in the office of the Board of Supervisors), plus the following conditions added by the Board of Supervisors:

1. Water supply by El Dorado Irrigation District: No building permits will be issued until the piped water is available to the property;
2. Mr. Joseph Reade's letter dated March 20, 1979, addressed to the Planning Director, and attached map, wherein Mr. Reade proposes to make improvements on Luneman Road, becomes a part of the Tentative Map conditions;
3. The deed to the Fire Department for a one acre parcel is to be recorded, and proof of recording presented before Final Map approval by the Board of Supervisors;
4. The roads adjacent to the property which are used as emergency road connections are to be brought up to the standard of 16' wide, with gravel surface, and maintained by the subdivision home owners association. These emergency roads are to be secured as 50' easements and are to remain open, except that break-away barriers will be placed so as to discourage general use.

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5. The three variances as designated on the Tentative Map are to be granted, as well as a fourth variance; specifically, that the developer is not required to upgrade Luneman Road beyond the junction of Comache Court, Joe Court, and Luneman Road.

These variances are approved based upon the following findings and pursuant to Section 9316, County Ordinance Code, 1 through 4:

1. There are special conditions or circumstances peculiar to this property which would justify the variance; specifically, the grading in the area which would prevent further improvements;
2. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property because of the extreme cost of further improvements;
3. Such variance would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because of the mitigation measures and improvements to be made by the developer;
4. Such variance or waiver would not have the effect of nullifying the objectives of this chapter or any other law or ordinance applicable to the subdivision.,

and the Board approved and certified that the Final Environmental Impact Report was prepared in accordance with the California Environmental Quality Act and, further, that the alterations proposed in the project will mitigate the environmental effects as noted in the E.I.R.

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Planning Director submitted the Final Map for Diamond Springs Estates Unit No. 2 Rural Subdivision in the Diamond Springs area, consisting of 117.3 acres, comprising 49 lots; Subdivider: Ray Levert.

At the recommendation of the Planning Director, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried by those present, the Agreement to make Subdivision Improvements in the Diamond Springs Estates Unit No. 2 Rural Subdivision was approved and the Chairman authorized to sign said Agreement, and the Final Map was approved and the Clerk authorized to endorse such approval of said Final Map.

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Planning Director submitted request for waiver of design standards in road gradients and curves within Green Springs Ranch Unit No. 3 Rural Subdivision. (Tentative Map approved by Board October 31, 1978)

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Board waived design standards 1, 2, 3, 4, and 7, as recommended by the Planning Commission.

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Departments of Planning and Public Works reported on the meetings which they have held with interested citizens to develop interim off-site road standards and methods to finance implementation thereof, as requested by the Board on January 23, 1979. (Referred April 24, 1979)

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, the Board deferred the matter of a funding mechanism to a committee composed of County Counsel; Assistant Director of Public Works; Planning Director, and three citizens to be widely representative of the citizens of this County; said committee to bring back to the Board in two weeks their recommendations regarding financing.

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the following three citizens were appointed to the aforementioned committee: Messrs. Bill Fisher, Ken Purcell, and Duane Neuanschwander.

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The Board adjourned as a Board of Supervisors to convene as a Board of Directors of County Sanitation Districts 1 and 2

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, the Report on the Special Examination of El Dorado County Sanitation Districts 1 and 2 for Fiscal Year ended June 30, 1977, was referred to the El Dorado Irrigation District, and the statement for said Examination in the amount of \$968.00 was authorized for payment from the Board of Supervisors' budget.

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The Board reconvened as a Board of Supervisors

Director of Community Programs submitted letter requesting approval of Claims for Senate Bill 325 funds in the amount of \$122,103.00, and \$23,748.00 from the Local Transportation Fund for Fiscal Year 1979-80.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Claims were approved and the Chairman was authorized to sign, and RESOLUTION NO. 126A-79 was adopted accordingly. Claim of \$122,103 for Western Slope; Claim of \$23,748 submitted to CTRPA for Lake Tahoe area.

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A communication was received from Mr. Glenn C. Thorp requesting waiver of County Ordinance to exempt him from paying the Bedroom Tax for a home under construction in the Shingle Springs area.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the matter was continued to May 29, 1979.

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On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, County Counsel's request for authorization to lease a 6240 IBM (memory) typewriter was approved, with the understanding that there is no obligation on the Board's part with regard to financing over and above the budget.

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Auditor-Controller submitted letter requesting establishment of a policy whereby any item on the Board of Supervisors Agenda requiring a transfer of funds or budget change would be accompanied by a completed Request for Budget and/or Fund Transfer.

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

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Board approved the offer of the El Dorado

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County Library Commission to continue meeting on a regular basis without remuneration for mileage or expenses.

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57A On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Board continued to June 26, 1979, the matter pertaining to the Petitions signed by residents of local mobilehome parks requesting County intervention to control rapidly increasing space rental rates in mobilehome parks throughout the County. (Referred 3/20/79)

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55) County Counsel of Amador County submitted for review, a proposed Joint Powers Agreement between Amador, Alpine and El Dorado Counties relating to the Highway 88-89 and Kirkwood areas.

55) On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Chairman was authorized to sign the Agreement, subject to County Counsel's approval.

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There being no further business, the Board adjourned to Tuesday, May 29, 1979, at 10:00 a.m.

APPROVED: W.P. Walker
W. P. Walker, Chairman

ATTEST: Dolores Bredeson, County Clerk
& ex officio Clerk of the Board

By: John R. Nauf
Deputy