

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 18 19 79

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Walker presided.

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127 The Invocation was offered by Reverend Broadbent of the El Dorado Community Church.

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

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The Agenda was adopted, with the addition of one item regarding the increase of impaction fees for the Gold Oak Union School District, on motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried.

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The Minutes of December 11, 1979, were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

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

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117 Budget Transfer No. 17 was approved transferring \$36.63 from the Farm Advisor's "Small Tools" account to his "Fixed Assets" account for the purchase of a lecternette and speakers.

Budget Transfer No. 19 was approved transferring \$310 from the Health Department "Special Services" account to "Fixed Assets" to purchase a Readacrit Centrifuge due to the inaccuracy of the hemoglobinometer in processing blood specimens.

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247 The Chairman was authorized to execute Releases of Lien, discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance, as recorded in the Official Records of El Dorado County as follows:

<u>Name</u>	<u>Volume and Page</u>	
Haskel Swartz	1609	523
John & Mary Tacdol	583	143
Gladyce H. Shannon	882	116
Bella Reece	1713	222
J.D. William Lawson	1293	177
Nancy Chichizola	1443	211

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151-13

RESOLUTION NO. 314A-79 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Public Defender; Welfare; and Probation Departments.

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55-3

The Board approved 136 Assignments to Northwest Creditors Service from the Collection Department for Claims against those persons named on the Assignments dated December 18, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of James Eliassen and ending with the name of Cevat A. Caner.

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248A

The Board approved Assessment Roll Changes numbered: 7817; 7818; 7828; 7829; 7830; and 7831.

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58

As recommended by County Counsel, the Board denied a claim for property damage and personal injuries filed by Attorney Lewis S. Feldman, on behalf of Susan C. Swearingen. (No amount claimed)

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58

As recommended by County Counsel, the Board denied a claim for personal injuries, in the amount of \$450.00, filed by Lani Marquette.

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57-1

As recommended by County Counsel, the Board denied a claim for property damage, in the amount of \$853.39, filed by the California State Automobile Association on behalf of Linda Gips.

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423
Strauss
Roberts
7/4/79

At the request of Strauss and Roberts, Consulting Civil Engineers, the Board approved the Reduction of Subdivision Improvement Letter of Credit for Grizzly Park Unit No. 9 Subdivision, in the amount of \$172,998.93, leaving a balance of \$283,457.23.

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423
Strauss
Roberts
7/4/79

At the request of Strauss and Roberts, Consulting Civil Engineers, the Board approved the Reduction of Subdivision Improvement Letter of Credit for Grizzly Park Estates Rural Subdivision, in the amount of \$40,959.25, leaving a balance of \$41,086.26.

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34

At the recommendation of the Director of Public Works, the Chairman was authorized to sign a Cooperative Agreement with the California Department of Transportation (CALTRANS) for proposed park and ride lot construction at South Shingle Road and Durock Road, and Shingle Springs Drive interchanges along State Route 50; said Agreement covers three of the sites and the conditions necessary for construction, as previously authorized by the Board on March 20, 1979.

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22-1

At the recommendation of the Director of Health Services, the Chairman was authorized to sign an Agreement with Erron S. Plosker, M.D., for prenatal care, delivery, and postpartum consultation for Medi-Cal patients at South Lake Tahoe, with the County's cost not to exceed \$42,500.00, for period January 1, 1980 through June 30, 1980.

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151-2

At the recommendation of the Welfare Director, the Board approved placement of a male juvenile in the Milhous Boys Ranch in Nevada City, at a cost of \$1,080.00 per month.

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246-1

At the recommendation of the County Veterans Service Officer, the Chairman was authorized to sign the annual Agreement with the California Department of Veterans Affairs, for allocation of funds, in the amount of \$18,671.00, for the County Veterans Service Office for Fiscal Year 1979-80.

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61-2

At the request of the Purchasing Agent and the Service Area No. 2, Zone "B", Road Committee, the Board waived re-advertising for formal bids for road repairs in said area and awarded the bid to Rumsey's Trenching and Excavating of Shingle Springs, in the amount of \$6,500.

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54-2-2-79

As requested by the Public Works Department and recommended by the Planning Commission, RESOLUTION NO. 316-79 was adopted setting a Hearing for January 22, 1980, at 2:15 p.m., to consider changing the name of portions of Rattlesnake Bar Road, Lime Quarry Road, and Negro Hill Road to Rattlesnake Bar Road.

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54-2-2-79

As requested by Mr. & Mrs. Donald R. Klang and recommended by the Planning Commission, RESOLUTION NO. 318-79 was adopted setting a Hearing for January 22, 1980, at 2:15 p.m., to consider changing the name of County Road No. 1013, a frontage road north of Highway 50 at the Shingle Springs Drive exit, to Rock Barn Road.

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Bid Results:

114-4

Bid No. 071 - Heavy Duty Valve Refacer for Public Works Department, awarded to lowest bidder, C & H Auto Parts, Inc., of Placerville, in the amount of \$1,385.03.

114-9

Bid No. 072 - Steam Cleaner for Public Works Department, awarded to the lowest bidder meeting specifications, Apache Enterprises, of Sacramento, in the amount of \$1,200.50.

Aforementioned Bids (Nos. 071 and 072) acted upon as stated, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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(260)
407
At the recommendation of the Chief Administrative Officer and the Director of Community Programs, the Chairman was authorized to sign a Use Agreement with the Social Security Administration, Department of Health, Education and Welfare, for use of two rooms in the County Community Center to house Social Security representatives, at a cost of \$280 per month, for period January 1, 1980 through June 30, 1980, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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21-2
At the recommendation of the Director of Health Services, and on motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, the Board set a Hearing for January 2, 1980, at 11:15 a.m., to determine whether reductions in net County costs for Fiscal Year 1979-80 have a detrimental effect on the health needs of the public, and whether it would impair the County's ability to carry out service levels specified in its County Health Services Plan; as the County may be eligible for additional funds under Assembly Bill 8.

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On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board took the following actions as recommended by the Personnel Officer:

- 115
115
(43)
115
(43B)
115
233-1
(727)
1. Approved the request of the Director of Health Services to employ Ms. Luana Bullivant as a Typist Clerk II at Step Two of the salary range, based on her previous experience with the County as a Typist Clerk II in the Welfare Department, and considering the difficulty of attracting competent, well-qualified employees at South Lake Tahoe;
 2. Adopted RESOLUTION NO. 319-79, amending Authorized Personnel Resolution No. 233-79, increasing the Secretary position from half time to full time (temporarily), adding a Typist Clerk II, and increasing a Psychiatric Nurse from half time to full time in the Mental Health Department; as well as updating said Authorized Personnel Resolution incorporating changes previously approved by the Board;
 3. Adopted RESOLUTION NO. 319A-79 approving the Job Specifications for an Air Pollution Control Specialist at \$1244 - \$1489 per month;
 4. Approved an amendment to the current contract between the Board and the Department Heads relative to the Sheriff's salary, stating that, effective January 1, 1980, the Sheriff's salary will be increased to \$2,884 per month (which is a percentage increase of 14.2%); if the salary increase afforded department heads in July of 1980 exceeds 14.2%, the Sheriff will be entitled to the difference; and, at all times, the Sheriff's salary shall remain at not less than 10% above the salary before deductions actually paid to the highest paid employee of his department.

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23-4
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board adopted RESOLUTION NO. 320-79 authorizing the Chairman to sign a Joint Powers Agreement with the City of South Lake Tahoe and County of Douglas, Nevada, to establish a coordinated and cost effective public transportation system within the Lake Tahoe Basin, encompassing both the States of California and Nevada.

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50-7
After being advised by the Community Programs Director that additional funds will be available for the Senior Nutrition and Social Service Programs in the County, and at his recommendation, the Board authorized the Chairman to sign a letter to the State Department of Aging requesting a waiver of submission of the required revised budget and plans, for use of said funds, from January 1, 1980 to February 1, 1980, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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(114)
74
The Purchasing Agent presented his request for authorization to enter into a one-year rental Agreement with International Business Machines for an IBM Series III copier, for use in Building B of the Government Center, at a cost of \$755.58 per month, plus installation charges; and authorization to notify Xerox Corporation of intent to cancel the month-to-month rental of a Xerox 7000 copy machine, presently in use at that location. After some discussion as to whether the Planning Department has a special need for the Xerox machine presently in use, and questions raised by Supervisor Johnson relative to the cost involved in removing one machine and installing another, the matter was continued to January 2, 1980, to allow the Purchasing Agent time to study the matter further, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried.

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310-7
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board introduced an Ordinance amending Section 9430 of the County Ordinance Code to prohibit the placement of signs extending onto or projecting over public right of way without a previously obtained, written, revocable permit from the Director of Public Works; the reading thereof was waived; and it was continued to January 2, 1980, for adoption. (Sponsor: Supervisor Flynn)

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50-60
Ms. Ruth Bray was appointed to the El Dorado County Alcoholism Advisory Board, to represent District III, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

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22-6
The Lake Tahoe Humane Society, Inc., requested clarification of County Counsel's authority to assist in the collection of outstanding debts incurred as a result of dogs being quarantined at the shelter, by order of the Environmental Health Department. On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board directed that the South Lake Tahoe Humane Society be advised that County Counsel's time is better spent elsewhere than collecting these small accounts which would cost more than the account is worth to have the professional collection work done.

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221-12
At the request of the Gold Oak Union School District, and on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Board adopted RESOLUTION NO. 321-79 to increase the fee applicable to the issuance of building permits to temporarily alleviate the impact of the School District, based on the findings of the Governing Board of said District that it is overcrowded and has made all reasonable efforts to mitigate the conditions; said fee being increased to \$500 for each one-bedroom dwelling unit and \$200 for each additional bedroom, and said fees to apply equally to mobile homes and room additions; said increase subject to the approval of the voters in said District.

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229
At the recommendation of the County Surveyor, and on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION NO. 315-79 was adopted authorizing the imposition of a fee for review of Record of Survey Maps; said fee set at \$50 per sheet which, pursuant to Section 8766.5 of the Business and Professions Code, does not exceed the cost to the County for such service.

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SPECIAL ORDERS

PLANNING MATTERS

227-71
810-71
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Single Family Residential zone to Commercial zone, consisting of 1.3 acres, petitioned by the Highway Bible Church. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The zone change request is in compliance with the Goals and Policies of the General Plan;
2. Current zoning of surrounding properties are: north - C, Commercial; east - CP, Planned Commercial; south - R-20,000, Single Family Residential One Half Acre; and west - R1, Single Family Residential;
3. The site has public water and sewer. The property is within the El Dorado/Diamond Springs Fire District.

There were no protests, and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 2045, which amends the County Zoning Ordinance accordingly.

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220-71
310-71
Hearing was held as duly advertised to consider rezoning of lands in the Pollock Pines area from Single Family Residential zone to Multi-Family Residential zone, consisting of 19,200 square feet, petitioned by William D. White. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The zone change request is in compliance with the General Plan;
2. The surrounding properties to the north are zoned C, Commercial; the property to the south and west is zoned R1, Single Family Residential; and the property to the east is zoned RM, Multi-Family Residential;

Continued next page

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3. The site has E.I.D. water and is within the Pollock Pines Fire Protection District;
4. The zone change request does not conflict with the Camino/Pollock Pines Development Policies as adopted in 1969, and the request does comply with Goals and Policies, No. 13, (see page 3 and 15) of the 1969 General Plan.

Mr. White was present and spoke on his own behalf.

There were no protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 2046, which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider rezoning of lands in the Cameron Park area from Single Family One Acre Residential zone to Single Family Residential zone, consisting of 1.32 acres, petitioned by Loren and David Kaiser. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal would be in character with the surrounding zoning;
2. The zoning is in compliance with the General Plan;
3. This zoning would not be detrimental to the public health, safety and welfare or injurious to surrounding properties;
4. Adequate services can be provided as follows: Water - E.I.D., Sewer - E.I.D.; Fire Protection - Cameron Park Fire Department.

Loren and David Kaiser were present and spoke on their own behalf.

There were no protests, and the Hearing was closed.

A motion by Supervisor Todd and seconded by Supervisor Stewart, to approve the rezoning and accept the Negative Declaration, did not carry, by the following vote: Ayes: Supervisors Todd and Stewart; Noes: Supervisors Johnson, Flynn, and Walker.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, Stewart, and Walker; No: Supervisor Todd, the Board denied the request based on the following findings:

1. Zoning of this property down to its present level took place in 1976; and
2. There is no public road serving the area and there are eight other parcels in the area for which the Board would be setting a precedent to split down to the same level.

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Hearing was held as duly advertised to consider rezoning of lands in the Camino/Fruitridge area from Exclusive Agricultural zone to Agricultural zone, consisting of 21.154 acres, petitioned by Michael Gastaldi. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is in compliance with the Land Use Element for the Camino/Fruitridge area;
2. This is an Exclusive Agricultural zoning which is not under Williamson Act contract, and normal procedure would be to put it into an appropriate zone, and this is an appropriate zone;
3. The project site is within the Camino/Pollock Pines Fire District.

There were no protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 2047, which amends the County Zoning Ordinance accordingly.

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Board considered the appeal of Robert Bayer, M.D., on the Planning Commission's denial of a proposed Site Plan to place a second mobile-home, as housing for agricultural employees, adjacent to an existing mobilehome on 36.223 acres zoned Exclusive Agricultural. (Continued from December 11, 1979)

The Planning Director reviewed for the Board, the basis of the Planning Commission's denial. The Clerk reviewed (for the benefit of Supervisor Johnson who was absent at the previous meeting) the testimony heard at the meeting of December 11, 1979.

Supervisor Todd read into the record, a letter from Mr. William J. Haske who lives directly across the street from the property in question and is opposed to the Site Plan requested by Dr. Bayer.

Dr. Bayer was present and spoke on his own behalf. There were no verbal protests to his request.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, and Stewart; Noes: Supervisors Flynn and Walker, the Board upheld the Planning Commission and denied the Site Plan based on the finding that the proposal is incompatible with the surrounding neighborhood.

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Hearing was held as duly advertised to consider the request of Robert L. and Lola M. Lung to remove ten acres from Agricultural Preserve No. 13, which consists of 90 acres, located in the Placerville area. The Agricultural Commission recommended approval. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The cancellation is not in conflict with the purposes of Chapter 51282 of the Government Code;
2. The cancellation is in the public interest.

Continued next page

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Mr. Lung was present and spoke on his own behalf. The ten acres Mr. Lung wishes to withdraw from the Agricultural Preserve is the land on which his home is located. Mr. Lung and his family have lived in the home for 25 years, and Mr. & Mrs. Lung would like to continue living there. He is no longer able to "work" the remaining acreage, and would like to sell it to someone who can, thereby preserving the agricultural use of the land.

Mr. Jack Caswell, a neighboring resident, was present and spoke in favor of Mr. Lung's request.

Supervisor Flynn read into the record, a letter from John V. Briggs, of Z & B Ranch, stating his opposition to Mr. Lung's request due to concerns of increased traffic resulting in more traffic accidents and damage to crops by auto pollution.

There were no verbal protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board approved the request to remove ten acres from Agricultural Preserve No. 13, to become effective upon approval of an amendment to the Open Space Element of the County General Plan, acceptance of a Negative Declaration to be prepared, and payment of appropriate penalties; said approval based on the following findings:

1. The cancellation is in the public interest and not inconsistent with the purposes of the Williamson Act in that the cancellation will allow the most efficient use of the remaining Preserve;
2. There is no other reasonable use to which the subject lands can be put, in that such land already contains a residence and no further residences will be built;
3. There is no other reasonable agricultural use to which the land may be put, in that said land is already residential in nature;
4. By cancelling this portion of the Preserve, such action insures proper utilization of the non-cancelled portion.

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*423
Rainbow
Tract
Subdivision*

Planning Director submitted the Tentative Map for Rainbow Tract Subdivision in the Meyers area, consisting of 112 acres, comprising 51 lots; Subdivider: Rainbow Tract Homeowner's Association (William Ford Nichols). Planning Commission recommended denial, and the Planning Director enumerated the following finding of the Commission: The Subdivision is based on a land exchange between the Forest Service and the Rainbow Tract Association, Inc. The Forest Service has decided not to proceed with the land exchange.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board denied the Tentative Map based on the finding of the Planning Commission.

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Supervisor Stewart exited the meeting room.

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423
Gold Hill
Estates
Planning Director submitted the Tentative Map for Gold Hill Estates Rural Subdivision in the Gold Hill area, consisting of 155 acres, comprising 30 lots; Subdivider: David C. Rutgers (Rutgers Mortgage Corporation). The Planning Commission recommended approval subject to conditions (said conditions being on file in the office of the Clerk of the Board of Supervisors).

On motion of Supervisor Todd, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Todd, Johnson, and Walker; No: Supervisor Flynn; Absent: Supervisor Stewart, the Tentative Map was approved subject to the conditions set forth by the Planning Commission, and the Board accepted the Negative Declaration based upon the findings of the Planning Commission:

1. The proposed Gold Hill Estates is in compliance with the El Dorado County General Plan (Section 66473.5, Subdivision Map Act);
2. The lot sizes, 5 acres plus, provides for future passive and natural heating and cooling opportunities within the Subdivision (Section 66473.1, Subdivision Map Act); and
3. The Gold Hill Estates Subdivision has water availability and is to be annexed to the Rescue Fire Protection District.

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A.K. #170
On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the request of Lloyd A. Jones for cancellation of a portion of Agricultural Preserve No. 170, said portion consisting of approximately 240 acres, was continued to January 22, 1980, at which time a public hearing will be held to consider same.

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54-2-3-79
At the request of Supervisor Flynn, RESOLUTION NO. 317-79 was adopted setting a Hearing for January 22, 1980, at 2:15 p.m., to consider naming an unnamed road (County Road No. 2363), Mill Run, on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present.

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GENERAL ORDERS

296.2
Subcontract
On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Board continued to January 2, 1980, the recommendation of the Director of Public Works that the Chairman be authorized to sign Contract Change Orders Nos. 8, 9, 10, 11, 12, and 13 with Delta Construction Company for the Latrobe Road Project, as the Board had some questions in the matter and Mr. Cort was not present to answer those questions.

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There being no further business, the Board adjourned to Wednesday, January 2, 1980, at 10:00 a.m.

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APPROVED:

W. P. Walker
W. P. WALKER, Chairman

ATTEST:

DOLORES BREDESON, County Clerk
and ex officio Clerk of the Board

By Dijie L. Foote
Deputy Clerk