

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES February 19 1980

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 Todd presided.

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127 The Invocation was offered by Supervisor Joseph V. Flynn.

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

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

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The Minutes of February 13, 1980, were approved as submitted, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried.

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

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

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428 The Board approved 19 Assignments to Northwest Creditors Service, Inc., for claims against those persons named on the Assignments dated February 19, 1980; copies of which are on file in the Board of Supervisors Office, beginning with the name of James Timmons and ending with the name of Emma Cammack (Christopher J. Parson, Minor).

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29 The Board approved Assessment Roll Changes numbered: 2304; 2306; and 2308.

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15113 RESOLUTIONS NOS. 72-80 and 73-80 were adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Library; Welfare; Probation; and Mental Health Departments.

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The Chairman was authorized to sign a letter to the City of Placerville regarding Assembly Bill 8 negotiations relating to the 1978-79 base share of property taxes for Placerville Fire District.

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Chairman was authorized to sign an Amendment to the Memorandum of Understanding between the County and the County Sheriff's Association, pursuant to Resolution No. 24-80 adopted January 15, 1980, whereby jail employees will be permitted to purchase meals from the jail kitchen.

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The Board referred to the Traffic Advisory Committee, the Latrobe School District's request that a speed zone of not more than 35 miles per hour be established in Latrobe Townsite on Latrobe and South Shingle Roads.

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RESOLUTION NO. 74-80 was adopted to consolidate the election of El Dorado Hills County Water District, relating to a special tax for fire protection and prevention purposes, with the District Primary Election to be held June 3, 1980.

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RESOLUTION NO. 75-80 was adopted endorsing a cross-country hike (Hikation) sponsored by the American Hiking Society, to begin in San Francisco on April 12, 1980, and arrive in Washington, D. C. in approximately one year; with Supervisors Johnson and Stewart voicing an "no" vote on this matter.

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The Director of Public Works advised the Board that the Amador County Board of Supervisors will hold a public hearing on February 27, 1980, at 7:30 pm, at the Community Center in River Pines, regarding the route selection for the Mt. Aukum Road - South Fork Cosumnes River Bridge project; and the Board approved publication of notice of said hearing in the Mountain Democrat, twice, and directed the El Dorado County Public Works Department to post said notice in the community of Mt. Aukum.

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The Board set a hearing for March 4, 1980, at 2:00 p.m., to consider the request of Gael and Joan Barsotti to establish Agricultural Preserve No. 229 in the Camino/Fruitridge area, consisting of 30 acres, and recommended for approval by the Planning Commission.

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In a separate action, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign a five-year Lease Agreement with the City of South Lake Tahoe for the City's use of the Tahoe Medical Facility located at 3050 Lake Tahoe Boulevard at South Lake Tahoe.

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5-11 On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board referred a letter from the Tahoe City Public Utility District, regarding establishment of an open space zoning, to the Planning Director for reply, with copy of said reply to be forwarded to the Board of Supervisors.

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12-14 (407) The Board set a Policy Review Session with County Counsel, regarding the newly established County Redevelopment Agency, for Thursday, February 28, 1980, at 2:00 p.m., on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried.

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23 (441) The Board reviewed a proposed Memorandum of Understanding between the City of South Lake Tahoe, the South Tahoe Public Utility District, and El Dorado County, establishing a plan to ensure performance of mitigation measures, and to monitor achievement of those measures, pertaining to South Tahoe Public Utility District's sewer expansion program.

The consensus of the Board was that a disclaimer be added to said Memorandum, worded as follows: "The participation by all parties of this Agreement in the implementation of these mitigation measures, shall be subject to annual budget allocation by subject parties."

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to February 26, 1980, in order that the Board may obtain and review those pages missing from the Memorandum of Understanding, and a disclaimer can be added to same, with the disclaimer portion communicated to the other signatories for their concurrence.

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A.D. Housh 1/27 Hearing was held as duly advertised to consider approval of the filed Written Report under Division 4 of the Streets and Highways Code, and the filed Engineer's Report under the Municipal Improvement Act of 1913, for the Rosebud Drive - Buena Vista Drive - Hilton Way Assessment District.

Mr. Stephen R. Casaleggio of Jones, Hall, Hill, & White, a law firm serving as Bond Counsel in this matter, was present and spoke on marketing of the bonds and terms of financing. Mr. Casaleggio stated that those property owners who pay their assessments in full during the cash-payment period will be entitled to a 10% discount.

Mrs. Donna Crosson was present and questioned whether the payment of the bonds could be spread over a twenty-five year period. Mr. Casaleggio stated that his firm does not feel the bonds could be marketed with those terms. The Resolution of Intention as presently prepared calls for payment in fifteen years, and his firm does not feel it could go beyond that.

Mr. Jordan Kinty and Mrs. Glenda Eslinger were present and voiced their opposition to the manner of the assessment spread. They feel that all persons in the district should pay equally.

Continued next page

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Supervisor Walker stated that Mr. Robert Hill, of Jones, Hall, Hill & White, informed him that, if a re-spread of assessment is pursued, the entire proceedings must be started over and noticing requirements met.

Supervisor Walker also stated that, when he met with concerned citizens of the area, a representative of the County Public Works Department, and Mr. Richard Morton, the Engineer of Work, on February 15, 1980, it was agreed to reduce the width of the proposed road from 28 feet, as originally proposed, to 24 feet, in an attempt to cut costs, but all agreed not to go below 24 feet.

Mr. Morton was present and spoke to answer concerns of some residents regarding access to the improved road.

Supervisor Walker stated that, at the meeting of February 15, 1980, the persons in attendance agreed that individual property owners would be responsible for their own driveway access to the road.

Mrs. Loeffelbein was present and questioned who is paying for the encroachment of the improved road onto Meder Road, which is a County maintained road. Mr. Morton answered that this is included in the contract price.

Mrs. Galgano questioned if there would be a problem later because a portion of Rosebud Drive is marked Redbud Drive. Mr. Art Cort, the Director of Public Works, stated that the County does not get involved in private names on private roads and sees no problem in recognizing and identifying Rosebud Drive.

Mr. Bill Osterlie was present and stated his concern over any further delays, as the longer they wait, the more costly the project becomes. He also stated that the highest assessments are approximately \$2700 per parcel and, if they start over to re-spread the assessments equally, those highest assessments would only be reduced to approximately \$2500. Mr. Osterlie requested that the Board state, for the record, that any surplus monies after completion of the project be returned to the property owners by means of credit to their assessments; and the Board concurred in this.

After requesting a show of hands from the audience, the Chairman counted twelve (12) persons in favor of proceeding with the project; and two (2) persons opposed.

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

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board adopted the following:

1. RESOLUTION NO. 76-80 - Resolution of Determination Under Division 4 of the Streets and Highways Code to Proceed with Proceedings for Acquisitions and Improvements;
2. RESOLUTION NO. 77-80 - Resolution Overruling Protests;
3. RESOLUTION NO. 78-80 - Resolution Adopting Engineer's Report, Confirming the Assessment and Ordering the Work and Acquisitions, Directing Recording and Filing of Assessment, Assessment Diagram and Notice of Assessment, Appointing Collection Officer, and Providing for Notice to Pay Assessment;
4. RESOLUTION NO. 79-80 - Resolution Authorizing In Rem Validating Proceedings.

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SPECIAL ORDERS

PLANNING MATTERS

(285-10-20)
370-9a
Hearing was held as duly advertised to consider rezoning of lands in the El Dorado/Diamond Springs area from Single Family One Acre Residential zone to Single Family Residential zone, consisting of 30,824 square feet, petitioned by Jerome V. and Fern Bospflug. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is consistent with the Diamond Springs/El Dorado General Plan and the County General Plan Elements and Policies;
2. The property has access by means of County maintained roads;
3. The property is surrounded by a Single-Family Residential area being 80% or more built out;
4. Services: Water and Sewer - E.I.D.; Fire Protection - El Dorado/Diamond Springs Fire District.

The applicant was present to answer any questions the Board may have.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, 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. 2065, which amends the County Zoning Ordinance accordingly.

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(285-11-40)
370-9a
Hearing was held as duly advertised to consider rezoning of lands in the Pleasant Valley area from Agricultural zone to Estate Residential Five Acre zone, consisting of 15.775 acres, petitioned by Bill and Jerry Moore. Planning Commission recommended approval, and the Planning Director enumerated the following finding of the Commission:

1. This rezoning is consistent with the Goals and Policies of the General Plan.

Mr. Bill Moore was present and spoke on his own behalf. Mr. Moore stated that he thought the land was zoned 5-acre when he purchased it. He stated he does not wish to split the land in 5-acre parcels, but he wishes to split it in half for himself and his brother, so they will each have 8 acres on which to build a home.

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

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board concurred in the Planning Commission's finding; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted; and the rezoning was approved, with the zoning to become effective upon the recording of the parcel map, and ORDINANCE NO. 2066 was adopted amending the County Zoning Ordinance accordingly.

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(577PZ)
215-12-80
390-900

Hearing was held as duly advertised to consider rezoning of lands in the Camino/Fruitridge area from Planned Agricultural zone to Timberland Preserve zone, consisting of 24.65 acres, petitioned by Milton and Evelyn Fuller, and Paul and Elva Palmer. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The Agricultural Commission reviewed the request on September 13, 1979, and found the use proposed more suitable than the current use (raising of pears);
2. The request is in compliance with the Camino/Fruitridge Area Plan;
3. The Agricultural Commission, upon the recommendation of the Assessor's Office, found that this piece of land would be managed in conjunction with an existing Christmas Tree Farm (Robert's Tree Farm), presently zoned TPZ, Timberland Preserve Zone, and that it therefore would not need the Management Plan as required by the zoning.

Mr. Jim Roberts was present and spoke on behalf of the applicants.

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

On motion of Supervisor Flynn, seconded by Supervisor Stewart, 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. 2067, which amends the County Zoning Ordinance accordingly.

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423
Camino
PK No.

Hearing was held as duly noticed to consider abandonment of the public utility easement located in Cameron Park East Subdivision, Lot 16, as requested by Gerald J. Burke; and recommended by the Planning Commission with the finding that letters from the utility companies indicate the easement is unnecessary.

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

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, RESOLUTION NO. 80-80 was adopted to relinquish and abandon the easement as requested by Mr. Burke.

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423
Camino
PK No.
#6

Hearing was held as duly noticed to consider abandonment of the public utility easement located in Cameron Park North Unit No. 6 Subdivision, Lots 260, 261, and 262, as requested by John T. Shepard; and recommended by the Planning Commission with the finding that letters from the utility companies indicate the easement is unnecessary.

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

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, RESOLUTION NO. 81-80 was adopted to relinquish and abandon the easement as requested by Mr. Shepard.

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*423
Rancho Ponderosa Estates*

Mr. Harold Prescott, Jr., project engineer for Rancho Ponderosa Estates Rural Subdivision, requested by letter dated January 25, 1980, that the Board approve a one-year extension of the bond for construction of subdivision improvements as there have been delays in getting the water portion of the improvement plans approved by the El Dorado Irrigation District, and it will be impossible to begin construction until the ground dries out in the Spring.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the Chairman to sign an Addendum to the Agreement to Make Rural Subdivision Improvements for Rancho Ponderosa Estates Rural Subdivision, extending the expiration date from February 22, 1980 to February 22, 1981; and directed Mr. Prescott to obtain a new bond with the new expiration date and submit same to the Board of Supervisors.

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*423
Cameron Park North Unit No. 8*

The Board considered its decision on a request from Bob T. Burroughs to abandon a public utility easement located on Lots 12, 13, 14, and 15 in Cameron Park North Unit No. 8 Subdivision.

A Hearing was held to consider Mr. Burroughs' request on February 13, 1980, and the Hearing was closed that date.

At that Hearing, the Board was made aware of the Public Works Department's opposition to the abandonment as this easement is located over a natural drainageway that passes water from a large area which includes the proposed Char Mar Estates Subdivision.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board denied the request.

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GENERAL ORDERS

431-1

At the recommendation of the Director of Public Works, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board denied the request of R. A. Waldsmith for a variance to the sight distance requirements set forth by County Encroachment Ordinance, to allow a 200-foot sight distance from a point located 10 feet from the edge of his driveway, instead of 15 feet as required by his encroachment permit.

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132

Due to the fact that the revenue generated by the Building Department will not offset the costs of the Department for the current fiscal year, the Board, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Stewart, and Todd; No: Supervisor Flynn, took the following action as recommended by the Chief Administrative Officer: (1) Ordered a reduction in force within the Placerville area of the Building Department, more specifically, two positions of Building Inspector and one position within the clerical classification; (2) Directed that said reduction be accomplished by lay-off rather than attrition; and (3) Instructed the Auditor/Controller's Office to determine the actual cost of issuing building permits.

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The Director of Public Works advised the Board that the Agreement between the County and the City of Placerville, for the Bedford Road Improvement Project, expires June 30, 1980, and when advertised, no bids were received for construction of said improvements, and the City desires to readvertise for bids. On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved readvertising for bids, with said action to be a joint effort with the City of Placerville.

(2910-14 Bedford Rd) 2

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At the request of the Deputy Director of the Office of Emergency Services, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement with John Laye, Emergency Medical Coordinator for Solano County, to provide consultant services, guidance material and assistance in conducting a medical disaster drill, with a "hold harmless" clause added to said Agreement; and the Board directed that funds for same, in the amount of \$300.00, come from the Office of Emergency Services budget.

114

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Bid No. 079, Legal and Classified Publications, was awarded to the following two newspapers:

- 1. Mountain Democrat
 - General Legal Advertising:
 - 1st insertion \$2.15
 - 2nd insertion 1.65
 - 3rd insertion 1.65
 - Classified Advertising, per column inch:
 - 1st insertion .60
 - 2nd insertion .30
 - 3rd insertion .30
 - Circulation:
 - Paid - 13,769
 - Free - 388

114

- 2. Tahoe Daily Tribune
 - General Legal Advertising per column inch:
 - 1st insertion per 12 lines \$1.49
 - 2nd insertion per 12 lines 1.45
 - 3rd insertion
 - Classified Advertising:
 - 1st insertion per 12 lines \$2.76
 - 2nd insertion per 12 lines 2.76
 - 3rd insertion
 - Circulation:
 - Paid - 12,824
 - Free - 264

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After reviewing the Chief Administrative Officer's comprehensive study of the current and future space/facilities needs of the County, the Board, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, accepted the report as an informational resource and guideline to accommodate future building needs of the County, and approved County retention of the Forni Site until the Ray Lawyer Drive extension is completed.

(74-1) 74-20 292-4(A) Ray Lawyer Drive & vif.

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124-4
(165)
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board authorized minor alterations to an unused, 250 square foot room at the District Attorney's Office, to provide needed room for special investigation projects; said work to be performed by the Public Works Department, at a cost of approximately \$350.00, to be funded from the Plant Acquisition, Miscellaneous Projects Account.

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61.7
An Ordinance to enact formal policies and regulations for operation of ambulance services within the County, to assure high quality ambulance services, and assure emergency ambulance service is provided to all areas of the County, was introduced, the reading thereof waived, and it was continued to February 26, 1980, for adoption, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried. (Sponsor: Supervisor Stewart)

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68
Supervisor Thomas L. Stewart was appointed as the Board's representative on the California Tahoe Regional Planning Agency, on motion of Supervisor Flynn, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Todd; Abstain: Supervisor Stewart.

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53
At the request of the Chamber of Commerce, the Board authorized funds, in an amount not to exceed \$350.00, to come from the Board of Supervisors' Budget (Professional and Specialized Services) for printing and updating the annual Economic Profile of El Dorado County, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried.

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W.A.
31
The El Dorado County Water Agency, at its meeting of February 11, 1980, referred to the Board of Supervisors, an application and proposed public notice submitted by the Office of Electric Power Regulation, Federal Energy Regulatory Commission, for license for proposed Upper Mountain Project #2761, and said Commission's request for comments on environmental impact relating to construction of said project.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board expressed its desire to: (1) Commend the project and recommend a speedy approval by the Federal Energy Regulatory Commission; (2) Stress the importance of both the power and water which will be produced by the project; and (3) Caution the Commission that there are many agencies that want to hang various kinds of extra costs on this project in order to mitigate some particular impacts of the project, and this Board recommends that, with the high cost of these extras, the Commission should keep in proper perspective, the cost-benefit analysis of this.

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W.A.
6-5

The El Dorado County Water Agency, at its meeting of February 11, 1980, referred to the Board of Supervisors, a letter from Mr. B. E. Martin, Regional Director of the Water and Power Resources Service, U. S. Department of the Interior, dated January 21, 1980, wherein he requests comments on assignment of water rights Applications #19266 and #21835 to the Cosumnes River Project Association.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the County Water Agency's favorable comment on the assignment of water rights Applications #19266 and #21835.

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(193)
113
HOG-1

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board referred to the Chief Administrative Officer, Mr. John Fitzpatrick, a letter from Judge Elwood M. Rich of the Superior Court in the County of Riverside, dated January 30, 1980, to the Los Angeles County Board of Supervisors, regarding a new law prohibiting bailiffs in civil cases unless public safety requires one in a particular case.

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APPROVED:

N. Arliene Todd
N. ARLIENE TODD, Chairman

ATTEST:

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

By Debbie L. Foote
Deputy Clerk