

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES February 26 19 80

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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12.7 The Invocation was offered by Pastor Larry George, Foothills United Methodist Church.

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The Pledge of Allegiance to the Flag was led by Supervisor William V. D. Johnson.

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The Agenda was adopted, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, with the addition of two items: Request of the Director of Public Works for extension of approval for Highway Maintenance Worker IV's to take County vehicles home for over-night retention; and Supervisor Walker's request that rezoning approved February 19, 1980, for property owned by Bill and Jerry Moore, be re-agendized for March 4, 1980, for a slight change in wording.

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The Minutes of February 19, 1980, were approved as submitted, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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

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

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117 Budget Transfer No. 39 was approved for County Counsel, transferring \$2,500.00 from Rents and Leases (92-2200) to Office Expense (92-2170) as the Office Expense was overdrawn.

Budget Transfer No. 40 was approved for County Service Area No. 3, transferring the following:
\$500 from Special Departmental Expense (92-2230) to Fixed Assets (92-3370) for the purchase of a Jeep;
\$500 from Maintenance of Equipment (92-2120) to Fixed Assets (92-3370) for a spray system to be installed on the new Jeep;
\$1300 from Special Departmental Expense (92-2230) to Maintenance/Str.&Grds (92-2130) as that account was overdrawn;
\$200 from Maintenance of Equipment (92-2120) to Small Tools (92-2220) as that account was overdrawn;
\$200 from Clothing and Personal (92-2050) to Office Expense (92-2170) as that account was overdrawn.

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117 Budget Transfer No. 41 was approved for the Sheriff, transferring \$600 from Fixed Assets (92-3370) for a tape recorder to Fixed Assets (92-3370) for an emergency light bar and siren, as the \$600 saved on the purchase of the tape recorder is to be spent for the emergency light bar and siren.

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57.3 The Board approved 39 Assignments to Northwest Creditors Service, Inc., from the Collection Department for Claims against those persons named on the Assignments dated February 26, 1980; copies of which are on file in the Board of Supervisors Office, beginning with the name of Jennifer Martin and ending with the name of Robert K. Madison.

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298M The Board approved Assessment Roll Changes numbered 2315 through 2319.

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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>	
Lauretta Sue Casell	1795	684
Denise Church	1247	536
Lupe Marie Fimbres	1480	741
Vickie Weimer	1845	674

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141 The Board approved payment of a statement submitted by Kronick, Moskovitz, Tiedemann & Girard, Attorneys at Law, in the amount of \$2,222.21, for services rendered.

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22 At the recommendation of the Director of Administrative Services of the Health Department, the Chairman was authorized to sign a 25-year Service Agreement with Grove Oxygen Service and Supply of Placerville, to supply one oxygen cylinder having a capacity of 20 pounds of CO2 (carbon dioxide), at a total cost of \$80 for the 25-year life of the Agreement.

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101 A claim submitted by Pacific Telephone, in the amount of \$25,000.00, for property damages, was denied, as recommended by County Counsel.

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114-7
(233-2) At the recommendation of the Purchasing Agent, Bid No. 080, a 30-channel tape recorder for the Sheriff's Communication system, was awarded to the low bidder, Dictaphone Corporation of Sacramento, at a total cost of \$23,649.92, including tax, installation, and a one-year service policy; and the Chairman was authorized to sign said service policy when it is submitted, and has been approved as to form by County Counsel.

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233-9
As recommended by the Chief Administrative Officer, the Chairman was authorized to sign an Agreement with the Public Employees Retirement System, to compile an actuarial evaluation of proposed amendments to the County PERS Safety Retirement Contract, pursuant to the current Memorandum of Understanding with the County Sheriffs Association, at a cost of \$438.00, to be paid from the Administrative Office's Budget (Professional and Specialized Services Account).

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12-14
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board set a Policy Review Session with the State Department of Water Resources, regarding the State's 208 Plan for the Tahoe Basin; said meeting set for March 13, 1980 at 10:00 a.m., and Board directed that representatives from the County Public Works, Planning, Building, and Surveyor's Offices be invited to attend.

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The Personnel Matters were acted upon as follows:

The Board waived the terms of the Personnel and Salary Ordinance to allow Margaret Barca, Custodian, to take three days of accumulated sick leave, due to tragic personal circumstances, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

115
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, and Stewart; Noes: Supervisors Walker and Todd, the Board approved the recommendations of the Chief Administrative Officer, in his letter dated February 5, 1980, regarding employee reclassifications, with the exception of those pertaining to the Health Department (including Mental Health) and the Planning Department.

The requested reclassifications for employees of the Health Department (including Mental Health) were continued to March 4, 1980, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, Stewart, and Todd; No: Supervisor Walker.

A motion by Supervisor Flynn, seconded by Supervisor Stewart, to approve the Planning Director's request to reclassify a Planning Drafter to a Supervising Planning Drafter, did not carry, by the following vote: Ayes: Supervisors Flynn and Stewart; Noes: Supervisors Johnson, Walker and Todd.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board adopted a Policy setting up procedures for future position reclassifications.

(115)
132
RESOLUTION NO. 82-80 was adopted, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, authorizing a reduction in force in the Building Department, including two Building Inspector positions and one clerical position, due to a reduction in work load resulting in a substantial loss of funds to the County.

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(233)
428
The Region D Criminal Justice Planning Office submitted a request that the Board commit funds, in the amount of \$12,296.00, in the 1980-81 Fiscal Year budget, for this County's share of the cost of a feasibility study to determine the advantages and disadvantages of a regional jail facility serving El Dorado, Nevada, Placer, Sierra, Yolo, Yuba, and possibly Sacramento, Counties; and also requested the Board appoint two representatives to a regional task force to develop specifications for the study and select a consultant or agency to perform same. On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board declared that it will not participate in the study, and therefore will not commit funds as requested.

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23
(44-1)
The Board again considered a Memorandum of Understanding between the City of South Lake Tahoe, 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. On February 19, 1980, the Board continued the matter to this date so it could obtain pages which were missing from the document and have a disclaimer clause added.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign the Memorandum of Understanding with the disclaimer having been added, and with a correction in the top line on page 39, changing the words "has been formed" to "is being considered".

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124
At the request of the Director of Public Works, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Todd; Noes: Supervisors Flynn and Stewart, the Board extended to March 30, 1980, its previous approval for Highway Maintenance Worker IV's to drive their County pickup trucks home for overnight retention. (The Board approved same on January 15, 1980, for period ending March 1, 1980.)

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42/-1
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of Stephen R. Mears, as submitted by the Director of Public Works, for a variance to the County Encroachment Ordinance, to construct a driveway to his residence on Newtown Road with 160 feet visibility in one direction instead of the 300 feet required; the traveled lane nearest the driveway will have the required 300 feet visibility from a point 15 feet from the edge of pavement.

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151
(374)
At the recommendation of the Welfare Director, the Chairman was authorized to sign a one-year Lease Agreement with New Morning, Inc., for use of 2000 square feet of office space in the Welfare Department Building, at a cost of \$813.25 per month, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board approved the request of Alan C. Ahnfeldt for an 800-foot easement across Placerville Airport property for public utility and road purposes, with road to be improved and offered for dedication to the County; and the Chairman was authorized to sign the Grant of Easement after County Counsel approves the form and contents of same, with the following conditions as stipulated in the Airports Director's letter of January 29, 1980:

1. That the Placerville Airport and its traffic pattern is made known to any and all home owners of the proposed housing development. This information should be made known to potential buyers through the Conditions, Covenants and Restriction (CC&R) Section of the Title Policy issued to all buyers. Also would like to see airport information on the Real Estate Commissioners Public Report;
2. That applicant install and absorb the full cost of a six-foot chain link fence, with barbed wire across the top, in such a manner that would prevent access to airport property by intruders.

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30
As requested by the Community Programs Director, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved the revised By-Laws for the El Dorado County Community Action Council, Inc., for submission to the Community Services Administration, as well as the Community Services Administration Instruction which outlines the CSA policies with regard to Grantee Boards and Committees.

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SPECIAL ORDERS

PLANNING MATTERS

286-13-10
340-9m
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs area from Unclassified and Agricultural zones to Single Family Residential zone, consisting of 22.07 acres, petitioned by Lake Oaks Mobile Home Community, Inc., for Deer Park Estates Unit No. 2 Subdivision. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposed tentative map and zoning is in compliance with the Goals and Policies and land use designation of the El Dorado/Diamond Springs Area Plan;
2. The property is eligible for E. I. D. water and sewer service;
3. The property is within the Diamond Springs/El Dorado Fire Protection District;
4. This zoning change is a normal extension of the existing R1, Single Family zoned district.

There were no verbal or written protests.

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The Board received one letter, from Mrs. Genevieve Jalquin, who owns property in the area, and is in favor of the rezoning request.

The Hearing was closed.

On motion of Supervisor Walker, 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. 2068, which amends the County Zoning Ordinance accordingly.

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423
Deer Park
Subdivision
Plan #2
Planning Director submitted the Tentative Map for Deer Park Estates Unit No. 2 Subdivision in the Diamond Springs area consisting of 22 acres, comprising 66 lots; Subdivider: Lake Oaks Mobile Home Community, Inc. 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 Walker, seconded by Supervisor Johnson, and unanimously carried, the Tentative Map was approved subject to the conditions set forth by the Planning Commission, and the added condition (Condition No. 8) that proof is required from El Dorado Irrigation District that public water and sewer will be immediately available as required by the project, and the Board accepted the Negative Declaration based upon the findings of the Planning Commission:

1. The zoning of R1, Single Family Residential, is consistent with the present and adopted General Plan for the area;
2. Sewer, water and other services must be provided;
3. The development as a subdivision is allowing control in design and building sites; and
4. The project, as proposed and including increased setbacks, meets the criteria of Section 66473.1 of the Subdivision Map Act covering energy conservation.

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295-14-90
Hearing was held as duly advertised to consider rezoning of lands in the El Dorado Hills area from Agricultural zone to Single Family Three Acre Residential zone, consisting of 75.2 acres, petitioned by James E. Moore, for Bass Lake Hills Rural Subdivision. Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

1. The request to rezone the said property is in compliance with the El Dorado Hills Area Plan, but services are not available at this time;
2. The project is not within the boundaries of the El Dorado Hills County Water District boundary providing fire protection;
3. The surrounding zoning is as follows: north - A, Agricultural; south - A, Agricultural; east - A, Agricultural; west - AE, Exclusive Agricultural;
4. E.I.D. will not make a commitment to serve the project.

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Mr. Gil Gardner, Agent, was present and spoke on behalf of the applicant. Mr. Gardner requested the Board to approve the rezoning and tentative map with the condition it become effective upon proof of availability of water, or allow Mr. Moore to re-apply for 5-acre parcels with water to be supplied by wells.

Mr. Moore was also present and spoke on his own behalf. Mr. Moore stated that he was assured by Mr. Charpier, of El Dorado Irrigation District, at the time he purchased the property, that water would be available to the property when certain conditions were met. Now Mr. Moore is informed that this is not true -- that water will not be available for three to five years (E.I.D. water).

Mr. Doug Noble of the County Planning Department stated that the El Dorado Hills County Water District has stated it cannot provide fire protection to the subdivision until water is available.

Mr. Moore stated that if he is allowed to split the property in 5-acre parcels serviced by wells, a holding pond can be provided as required for necessary fire protection by the El Dorado Hills County Water District.

Supervisor Johnson read into the record, a letter in opposition to the rezoning, signed by Mr. & Mrs. Robert R. Taylor and Mr. & Mrs. Thurston Middleton, residents of the area. The Taylors and the Middletons are concerned about increased traffic on poor roads, as well as water availability. They do not want to see any land in the area zoned below 10-acre minimum parcel size.

Mr. Moore stated the Board should view the letter with "a grain of salt" as the Taylors and Middletons had offered to sell Mr. Moore their land and he refused because he was able to purchase the land in question at a better price.

Mr. Taylor then came forward and stated that Mr. Moore's statement was completely untrue, that he had never in his life met Mr. Moore or talked to him, or corresponded with him regarding the purchase of his property.

Mr. Russell M. Olson, who resides in Fair Oaks and owns property near the property in question, stated he is in favor of the rezoning since Mr. Moore states that he will bring the "old Highway 50" up to County road standards to facilitate the traffic.

Mr. Robert Laurie, Assistant County Counsel, referred the Board to a letter from the County Environmental Health Department which states, as long as E.I.D. water is not available, said Department cannot approve the subdivision as proposed.

The Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board denied the rezoning request, based on the Planning Commission's findings, with Finding No. 3 amended to read, "The proposed zoning is inconsistent with the surrounding neighborhood."

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433
Bass Lake Hills
Hills Area

Planning Director submitted the Tentative Map for Bass Lake Hills Rural Subdivision in the El Dorado Hills area, consisting of 75.2 acres, comprising 21 lots; Subdivider: James E. Moore. Planning Commission recommended denial of the Tentative Map, based on the following findings:

1. The property in question does not have structural fire protection;
2. Section 9348(f) of the Major Land Division Ordinance requires the tentative map be denied where the design of the subdivision is likely to create serious public health and safety problems and unacceptable fire risks to occupants; and
3. E.I.D. will not make a commitment to serve at this time.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board denied the Tentative Map based on the Planning Commission's findings, with the additional finding that the request is inconsistent with the zoning.

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Supervisor Stewart exited the meeting room.

286-12-50
390-900

Hearing was held as duly advertised to consider zoning of lands in the Garden Valley area to comply with the Garden Valley Area Land Use Plan (adopted by the Board on December 5, 1979) consisting of 12,400 acres.

Mr. Arlan Nickel of the Planning Department was present to review the zoning map for the Board members. Mr. Nickel also submitted the Summary of Hearings on the Garden Valley Area Zoning held by the Planning Commission, with Planning Staff comments on the individual requests. Of the fourteen (14) requests listed on the Summary of Hearings, all but two (2) were recommended for approval by the Planning Staff and were so reflected on the Garden Valley Area Zoning Map before the Board this date. Requests numbers 2 and 8 on the Summary of Hearings were not recommended for approval by the Planning Staff.

The Board received two letters from Mrs. Jean Brown requesting 5-acre zoning on her two parcels of land in the Garden Valley area. The Planning Staff has recommended approval of Mrs. Brown's request and 5-acre zoning on her property is reflected on the zoning map before the Board this date.

Mr. J. Koons was present and stated he has property which is surrounded by agricultural properties, and he would like to have his property zoned for 10-acre minimum parcels. Mr. Nickel advised that the General Plan in that area does allow for 10-acre zoning, so Mr. Koons can apply to the Planning Commission for a rezoning. The request could not be considered by the Board of Supervisors at this time, as it has not been considered by the Planning Commission for its recommendation.

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Mr. Russell M. Olson, who resides in Fair Oaks and owns property in Garden Valley, was present requesting clarification on the status of his 17.82 acres. Mr. Olson stated that he has always received two tax bills -- one for 10 acres of his property, and the other for the remaining 7.82 acres. He is wondering if this means he has two separate parcels.

Mr. Doug Noble of Planning explained to Mr. Olson that, if the property is in fact two legal parcels, the two parcels will be "grandfathered in" the 10-acre zoning.

Mr. Jestes, who resides in Vacaville and owns 17.59 acres on Meadowbrook Road in Garden Valley, was present to state that his property is proposed for 10-acre zoning, and is surrounded by properties zoned for 5-acre and 3-acre minimum parcels. Mr. Jestes was not aware of previous hearings regarding the zoning, and now realizes it is too late to request a change for his property at this time, as the Planning Commission has not had an opportunity to consider his request and make its recommendation to the Board of Supervisors. Mr. Jestes asked if he can apply to the Planning Commission at a later date for rezoning of his property to higher density parcels. Mr. Nickel informed him that he could.

Mr. Nickel read into the record, a letter from Mr. & Mrs. Joseph Murphy stating they hope the Board will approve the 10-acre zoning on their property, as called for in the General Plan of the area, and stating that they intend to apply for a General Plan Amendment for their property some time in the future.

The Board also received a letter from Shirley and James Bachelder requesting R1-A zoning on their 3.01 acres, rather than the R2-A zoning as recommended by the Planning Commission. The Planning Staff commented (#8 on the Summary of Hearings) that the Garden Valley Area Plan displays this area for Medium Density Residential, R1-A zoning, however, Staff recommends R2-A zoning for this area due to access and current parcel sizes (the majority of which are larger than 2 acres) contiguous to this parcel.

Mr. Nickel submitted a letter from Mr. Fred G. DeBerry, who owns two parcels in the Garden Valley Area Plan, which are designated Commercial for the first 200 feet parallel with the south line of the Black Oak Mine Road, with the remainder being designated Agriculture 10 Acre. Mr. DeBerry requested that the portion of Parcel No. 60-26-09, lying south of a line 200 feet south and parallel of the Black Oak Mine Road be placed in the Mineral Resource Zone, as the area is the Black Oak Mine which is a historical and patented mine. Planning staff recommends approval of Mr. DeBerry's request.

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

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board accepted the Negative Declaration filed October 18, 1979 for rezoning of lands in the Garden Valley area, and adopted ORDINANCE NO. 2069 approving the rezoning of lands in the Garden Valley area as proposed on the zoning map before the Board this date, based on the finding that the proposed zoning is consistent with the adopted General Plan for the Garden Valley area and all elements of the El Dorado County General Plan, and in concurrence with the recommendations of Planning staff in its Summary of Hearings, with the addition of the Mineral Resource Zone for the Black Oak Mine, excepting the front 200 feet on Black Oak Mine Road.

Also, on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, the Board directed Planning staff that, when Messrs. J. Koons, Russell M. Olson, and Jestes apply individually for rezoning of their properties in the Garden Valley Plan area, the fees for said applications are to be waived.

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275-1128
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed that the request of Bill and Jerry Moore for rezoning of 15.775 acres in the Pleasant Valley area, which was approved by the Board on February 19, 1980, by adoption of Ordinance No. 2066, to be effective upon the recording of the parcel map, be re-agendized for March 4, 1980, to consider changing said approval "to become effective upon the recording of the survey map."

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GENERAL ORDERS

164
390-80
(257)
ORDINANCE NO. 2070 was adopted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, 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. (Sponsor: Supervisor Stewart, and introduced February 19, 1980)

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59
Upon being advised by the El Dorado Babe Ruth League of its merger with the Senior Little League, the Board, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, authorized the Chairman to sign an Addendum to the Lease Agreement between the County of El Dorado (and El Dorado County Fair Association, Inc.) and the Los Rios Community College District, for use of a baseball field and related facilities at the fairgrounds; said Addendum to amend the Lease to speak to both the Babe Ruth League and the Senior Little League being allowed to use said field and facilities, as it presently speaks only to use by the Babe Ruth League.

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202-2
At the request of Supervisor Walker, the Board authorized him and Supervisor Flynn to meet with representatives of the El Dorado Irrigation District regarding the present status of Sanitation District No. II, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present.

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There being no further business, the Board adjourned to Tuesday, March 4, 1980, at 10:00 a.m.

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APPROVED:


N. ARLIENE TODD, Chairman

ATTEST:

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

By Dixie L. Foote
Deputy Clerk