

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 6 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 Neville Arroues of the First Baptist Church of Placerville.

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

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421-1 The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, with the removal of item number 26 regarding Mr. Langston's request for a variance to the County Encroachment Ordinance, and with the addition of the following four items: a claim for property damage, submitted by Attorney James Brunello on behalf of James W. and Jan O'Flynn; a request that the Board proclaim the week May 12 - 18, 1980, as National Salvation Army Week in El Dorado County; the appointment of five persons to the Pony Express Trail Advisory Board; and a Resolution setting June 30, 1980, as the deadline date for submission of Conflict of Interest Codes.

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The Minutes of April 29, 1980, were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Walker, 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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151 RESOLUTION NO. 146-80 was adopted Discharging Unpaid County Welfare Costs.

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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:

Name	Volume	Page
Janice M. Pedercine	779	266
Daniel Johnson	1569	544
Philip E. Dynan	1487	66

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151-13

RESOLUTION NO. 147-80 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7), Library, and Welfare Department.

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212

At the request of the California Department of Employment, the Board proclaimed the week of May 4 - 10, 1980, as "Hire a Veteran Week" in El Dorado County.

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Deed 6-80
296-4
Pleasant Valley Rd

At the recommendation of the Director of Public Works, the Chairman was authorized to sign a Certificate of Acceptance of Quitclaim Deed for lands owned by Edwin and Bette M. Hardter, for the Pleasant Valley Road Project (SS-28), with no funds involved; and the Chairman was authorized to sign a letter of appreciation to Mr. and Mrs. Hardter for the donation of land.

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Deed 7-80
296-4
Pleasant Valley Rd

At the recommendation of the Director of Public Works, the Chairman was authorized to sign a Certificate of Acceptance of Quitclaim Deed for purchase of lands owned by John E. and Sharon L. O'Neill, at a cost of \$100.00, for the Pleasant Valley Road Project (SS-28).

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296-4
Bedford St

At the request of the Director of Public Works, the Board approved the specifications for the Bedford Road Improvement Project, and authorized advertising for bids in three consecutive publications on May 14, 16, and 21, 1980, with award of bid on June 10, 1980.

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(340)
296-4
Bedford St
296-4
Pleasant Valley Rd

At the recommendation of the Director of Public Works, the Chairman was authorized to sign the Local Transportation Fund Claim, in the amount of \$417,200.00, to be submitted to the Local Transportation Commission, which represents the 1980-81 Fiscal Year apportionment to the West Slope of the County; \$357,000 designated for the Pleasant Valley Road Project, and \$60,000 for the Bedford Road Project; and RESOLUTION NO. 148-80 was adopted accordingly.

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22-7

At the recommendation of the Director of Health Services, the Chairman was authorized to sign an Addendum to the Agreement with Gudrun Margetti, for provision of mental health professional services, to increase the maximum compensation from \$1,500 to \$2,000 for period July 1, 1979 to June 30, 1980.

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423
St Andrews Village Unit #5

The County Surveyor certified that the survey monuments for St. Andrews Village Unit No. 5 have been set in compliance with the County Ordinance Code, and the Board authorized release of the cash bond for same, in the amount of \$1,000.00, to Walter Hoffman, subdivider.

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423
Ridgeview
Village
#10

The County Surveyor certified that the survey monuments for Ridgeview Village Unit No. 10 Subdivision have been set in compliance with the County Ordinance Code, and the Board authorized release of the cash bond for same, in the amount of \$2,000.00, to William G. Parrott, subdivider.

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58-1

At the recommendation of County Counsel, the Board denied a claim for property damage, in the amount of \$5,000.00, submitted by Attorney James Brunello on behalf of James W. and Jan O'Flynn.

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212

The Board proclaimed the week of May 12 through 18, 1980, as National Salvation Army Week in El Dorado County, honoring the dedicated men and women of the Salvation Army who serve our community so faithfully.

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(296-4
Pleasant
Valley Rd
#10)

303

At the request of the Director of Public Works, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the specifications for the Pleasant Valley Road Project (SS-28), and authorized advertising in three consecutive publications on May 14, 16, and 21, 1980, with bid award on June 3, 1980; and the Director of Public Works was authorized to proceed with drawing up an Agreement between the County and El Dorado Irrigation District (E.I.D.), wherein it states that E.I.D. will approve work on its facilities, relating to the Pleasant Valley Road Project, that is performed by contractors employed by the County, in lieu of E.I.D. attempting such construction itself, with the matter of financial responsibility to be resolved at a later date; and the Chairman was authorized to sign an Agreement with The Pacific Telephone and Telegraph Company for said Company to provide advisory inspection and assistance to the Resident Engineer, regarding relocation of existing PT&T facilities within the confines of this project, and PT&T will reimburse the County for all costs of PT&T's contract items of work.

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50-6

At the recommendation of the County Training Programs Manager, the Chairman was authorized to sign Subgrant Modification No. 2 with the California Department of Employment Development, which will increase the Subgrant Allocation in the amount of \$575,113.00, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Todd; No: Supervisor Johnson.

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50-6

At the recommendation of the County Training Programs Manager, the Chairman was authorized to sign a Contract Modification with Human Synergetic Design in the amount of \$254,377.00 for the period October 1, 1979 to September 30, 1980, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Todd; No: Supervisor Johnson.

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50-6

At the recommendation of the County Training Programs Manager, the Chairman was authorized to sign a Contract Modification with Tahoe Human Services, Inc., in the amount of \$25,079.00, increasing the total budget to \$96,579.00 for the period October 1, 1979 to September 30, 1980, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Todd; No: Supervisor Johnson.

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(21)
18
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The Airports Director advised the Board of recent amendments to the Airport and Airway Development Act of 1970, regarding civil rights responsibilities of recipients of Federal airport grants, and the necessary addendums to existing leases with concessionaires and tenants to comply with said amendments. At the recommendation of County Counsel, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board authorized the Airports Director to forward the proposed Addendum, with an explanatory letter, to all concessionaires and tenants under existing leases for their signatures on same.

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Air Dorado, a commuter service at the Placerville Airport, advised the Board of its monetary difficulties and requested the Board take the following three actions so it can continue to provide air service to the Placerville area: (1) Allow Air Dorado to buy fuel at County costs; (2) Allow Air Dorado to operate rent free until it can "get into the black"; and (3) Encourage use of its services by County offices when air service is required. At the recommendation of the Airports Director, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the request was denied.

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(22-7)
117
The Director of Health Services advised that the State Department of Mental Health has approved this County's proposed use of savings in categorical funds allocated to the County for Fiscal Year 1979-80; and requested the Board approved said use, authorize the Chairman to sign Budget Transfer No. 65 to accomplish same, and amend the Authorized Fixed Assets list to include the video equipment described in the proposal. On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the request, with direction that the purchase of video equipment be negotiated.

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(119)
117
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved the Auditor-Controller's request for authorization to purchase computer communication interface equipment which will allow communication between the Data Processing Univac computer and the Auditor's NCR accounting system, whereby manual payroll posting will be eliminated, reduced input costs will cover costs of the additional equipment within one year; and the Chairman was authorized to sign a budget transfer, in the amount of \$4,500.00, for said purchase.

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50-6
At the recommendation of the County Training Programs Manager, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign a Subgrant with the WO/MENS Information Center, for Balance-of-State Funds, in the amount of \$163,000.00, to provide comprehensive service to the "Displaced Homemaker" in El Dorado County.

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(50-7)
The Community Programs Director requested authorization to conduct fund raising activities, such as rummage sales, flea markets, and social functions, in the Community Center located at 937 Spring Street, to provide funds for additional equipment and programs without added burden to local taxpayers. On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board referred the matter to the Community Programs Director, County Counsel, and the Chief Administrative Officer for more information, to be brought back to the Board on May 20, 1980.

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32
The Health Department Director of Administrative Services recommended the Board establish an Administrative Fee, in the amount of \$15.00, for the Health Screening Program, which would generate approximately \$6,300.00 in revenues per year. On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the matter was continued to May 20, 1980, and County Counsel was requested to advise the Board whether the County has a legal right to levy such a fee and, if so, prepare a Resolution authorizing same.

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165-2
At the recommendation of the District Attorney, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign contracts with James Neves and Harold V. Cates, Special Investigators, to provide investigative expertise, accumulate evidence, and testify at trials in and for special cases in violation of County Ordinances and State laws concerning the sale and development of real property.

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(23)
141
At the recommendation of County Counsel, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign a Joint Powers Agreement with the City of South Lake Tahoe to begin Eminent Domain Proceedings for acquisition of property to complete construction of Loop Road at South Lake Tahoe, with all costs of acquisition to be borne by the City of South Lake Tahoe.

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(19)
296-4
Katoaka
red
An Ordinance amending Section 7622 "Speed Restrictions" of the County Ordinance Code to include a portion of Latrobe Road, as recommended by the Traffic Advisory Committee, was introduced, the reading thereof waived, and it was continued to May 13, 1980 for adoption, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried. (Sponsor: Supervisor Todd)

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50-42
At the recommendation of the El Dorado County Alcoholism Advisory Board, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, Vi Renshaw and Patrick Taylor were removed from said Board for failure to attend three consecutive meetings.

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50-7a Mr. Robert F. Cook, who was appointed to the Area Agency on Aging Advisory Board on April 8, 1980, advised that he is unable to accept the appointment due to previous commitments. On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board acknowledged Mr. Cook's letter and directed that it be placed on file; and the matter of a replacement for Mr. Cook was referred to the Chief Administrative Officer, Mr. John Fitzpatrick, for recommendation.

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22-9b At the recommendation of the South Lake Tahoe Health Council, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board appointed Mr. Donald H. Minor to said Council, for a term ending December 1981, to fill the vacancy created by the removal of Mr. Howard Ingwerson; and approved revisions to the Council's Bylaws to conform with recently enacted federal guidelines.

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131 At the recommendation of the Placerville Recreation and Parks Department, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, RESOLUTION NO. 149-80 was adopted authorizing the Chairman to sign an Agreement with the City of Placerville and the El Dorado Union High School District to re-allocate funds, in the amount of \$52,612.00, from the 1974 State Park Bond Act, for design and construction of lighting for the multi-use sports field at Bennett Park.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Somerset/Fairplay/Mt. Aukum area from Estate Residential Five Acre zone and Commercial zone to General Commercial zone, consisting of 5 acres, petitioned by Robert Beacham. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 1. The properties surrounding the subject site are currently zoned AE, Exclusive Agricultural and RE, Estate Residential to the north and west, and C, Commercial to the east and south;
- 2. The proposed zoning of CG, General Commercial, would be in conformity with the existing surrounding zoning and the General Plan Land Use Designation of C, Commercial;
- 3. The project site is within the Pioneer Volunteer Fire District;
- 4. The project site has direct access from Mt. Aukum Road, a County-maintained road.

Mr. Blaine Watson, Agent, was present and spoke on behalf of the applicant.

Continued next page

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There were no written or verbal 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. 2086, which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider the request of Karl and Ruth Milchenko for cancellation of Agricultural Preserve No. 10, consisting of 55.78 acres. The Agricultural Commission and Planning Commission recommended denial of the request based on the following findings:

- 46
#10
1. The cancellation would be in conflict with the Open Space Element of the General Plan;
 2. The cancellation would be detrimental to other agricultural preserves in the area.

The applicant was not present.

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

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the findings of the Planning Commission and Agricultural Commission, and denied the request.

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GENERAL ORDERS

(296-4a
Pony
Express
Trail Adv
Comtee)
124

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board appointed the following persons to the Pony Express Trail Advisory Committee: Dan Proud, Bev Anderson, Walt M. Ashworth, Michael N. Owen, and Mitch Hall.

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82-7a

At the recommendation of County Counsel, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION NO. 150-80 was adopted setting June 30, 1980, as the deadline date for submission of Conflict of Interest Codes by all governmental agencies, pursuant to the State Fair Political Practices Commission.

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12

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board acknowledged receipt of a letter from the El Dorado County National Women's Political Caucus, dated May 1, 1980, wherein it requests that some of the Board of Supervisors' meetings be held in the evening for the benefit of people who must work during the day but wish to attend the meetings at times; and the Board directed that said letter be placed on file.

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Hearing was held to consider the request of Mr. Wayne Ritz of Gold Properties, Ltd., for an Encroachment Permit to allow an access road from Lot 8 in Middletown Oaks Subdivision (Assessment Parcel No. 323-561-06) to Panning Way.

Mr. Ken Milam, County Planning Director, introduced Mr. Conrad Montgomery, City of Placerville Planning Director, who reviewed this matter for the Board. Mr. Montgomery explained that the 3½ acres owned by Mr. Ritz is within the City limits, and the proposed multi-family "Planned Development" project would require an amendment to the City's General Plan and a rezoning, as the area is currently zoned "Commercial". Panning Way and the Middletown Oaks Subdivision are within the unincorporated area of the County, and the access to the proposed project would be on Panning Way through the Middletown Oaks Subdivision.

Mr. Patrick Osborne, representing Mr. Ritz, was present and stated that the only matter before the Board this date is his request for an encroachment permit for access to the 3½ acres. He is not present requesting authorization for the multi-family residence project -- that will be before the City Planning Commission. Mr. Osborne stated that, if Mr. Ritz does not get approval for his project, the access will then serve a single family residence only. He has no intention of using the access for commercial purposes, and is willing to put that in writing.

Mr. Robert A. Laurie, Chief Assistant County Counsel, stated that the Board must consider the use of the 3½ acres when considering the encroachment permit because of the current zoning and subsequent safety factors. If the property were zoned "Single Family Residential"; the safety factor would not be a major consideration.

Mr. Art Cort, the County Director of Public Works, stated he would not recommend approval of the encroachment permit, as a matter of safety for the motoring public, as Panning Way was not designed for the amount of traffic this project would produce, with the steep grade of the road being a major consideration in that respect.

The following residents of the area in question were present and spoke in opposition to the encroachment permit: Mr. Vince Rucobo, who requested an Environmental Impact Report be prepared; and Mr. Ray Alverson, who is concerned about the steep grade of Panning Way. Also, Mr. Jim Sarrow, attorney, was present and spoke on behalf of the home owners on Panning Way who are opposed to this project, based on their concern over increased traffic and its safety hazard to the children in the area.

Mr. John Caswell, original developer of the Middletown Oaks Subdivision, was present to answer questions of the Board regarding the history of the property in question.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board denied the request for the encroachment permit based on the finding that, for safety purposes, the County road for which the encroachment would be used, is inadequate for the proposed project.

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There being no further business, the Board adjourned to Tuesday,
May 13, 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


Deputy Clerk