

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 29

19 80

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

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12-7 The Invocation was offered by Supervisor Joseph V. Flynn.

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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 Walker, seconded by Supervisor Johnson, and unanimously carried by those present, with item number 21b (amendment to the Airport Use Agreement with Wings West, Inc.) removed from the agenda, and the addition of two items: a request for extension of a building permit at South Lake Tahoe, and a request that the Purchasing Agent be authorized to issue a Purchase Order for radio equipment for the new County Communications Center.

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The Minutes of July 22 and 23, 1980, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present.

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

50-11 The Community Action Council Claims were approved and allowed for payment.

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27-1 The Board approved Assessment Roll Changes numbered: 1017, 1018, 1019, and 1021.

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151-13 RESOLUTION NO. 228-80 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Probation; Public Defender; Library; and Health Departments.

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58 At the recommendation of County Counsel, the Board denied the claim filed by Attorney Douglas A. Sears, on behalf of State Farm Mutual Automobile Insurance Company (Subrogation for Frank and Lucienne Faulconer) for personal injuries, in the amount of \$13,000.00.

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51 At the request of the Risk Manager, and recommendation of the settlement conference, the Board authorized payment of \$10,000 from Liability Trust Fund No. 254 for settlement in the case of Randolph C. Scott vs El Dorado County.

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21-6 At the recommendation of the Airports Department, the Chairman was authorized to sign a one-year Lease Agreement with the Tahoe Sands Vagabond Hotel for said Hotel to provide its guests transportation to and from the Lake Tahoe Airport.

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296-4 Pleasant Valley At the recommendation of Public Works, the Board approved escrow instructions and payment of title fees, in the amount of \$190.50, for land owned by John E. and Sharon L. O'Neill for the Pleasant Valley Road Project (SS-28). (Certificate of Acceptance of Quitclaim Deed approved by Board on May 6, 1980.)

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144 RESOLUTION NO. 229-80 was adopted, at the recommendation of the Treasurer-Tax Collector, authorizing the Auditor-Controller to draw a warrant, in the amount of \$38.11, to replenish the Treasurer's Cash Difference Fund.

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144 The Board approved payment of invoice, submitted by County Counsel, in the amount of \$290.00, for preparation of Clerk's transcript on an appeal in the matter of the Environmental Planning and Information Council of Western El Dorado County, Inc., (EPIC) vs County of El Dorado, etal.

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82-7a RESOLUTION NO. 230-80 was adopted, at the request of the County Administrative Office, amending Resolution No. 190-80, relating to Conflict of Interest Codes, to include elected Department Heads and delete some designated positions and some reporting categories.

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428 At the recommendation of the El Dorado County Criminal Justice Advisory Committee, the following persons were reappointed to said Committee for terms ending August 8, 1982: Terry Price of Tahoe Human Services, Inc.; Steve Healy of New Morning, Inc.; Paul Berman of Big Brothers and Sisters; Pat Taylor of Outlook, Inc.; Rosemary Manning of Tahoe Volunteer Action; and John Barnhill of Boy Scouts of America.

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132 The Board approved the request of Mr. and Mrs. Dominic DeVinczi that the 120-day requirement to have the foundation in and inspected, the sub-grading done and inspected, and the sewer connected and inspected, in accordance with Ordinance No. 1946 relating to building permit allocations at South Lake Tahoe, be waived; and approved a 30-day extension to their building permit #T17925, due to changes in Mr. and Mrs. DeVinczi's plans and financial obligations; said action of the Board subject to approval of the California Tahoe Regional Planning Agency (CTRPA).

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434
County Counsel recommended the firm of McDonough, Holland, and Allen be hired as special legal counsel for the County Redevelopment Agency, at an hourly cost of \$75.00 for services of an attorney, and a lesser amount for work done by a firm associate or paralegal clerk. Mr. Dave Whittington stated the \$75.00 hourly figure would really be closer to \$90.00 an hour, however, it was noted that the aforementioned services would not be obtained without prior Board approval in each instance.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the recommendation of County Counsel.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, Bids Nos. 112 and 124 were awarded as follows:

114-4
(214)
Bid No. 112 - Crash/Fire/Rescue 1500 gallon capacity vehicle for the South Lake Tahoe Airport, awarded to sole bidder, Oshkosh Truck Corporation of Oshkosh, Wisconsin, in the amount of \$217,353.30.

114-7
(223.6)
Bid No. 124 - Pathologists services for South Lake Tahoe and the Western Slope - the services for South Lake Tahoe were awarded to the sole bidder, Laboratory Medicine Consultants of Reno, Nevada, in the amount of \$25,200; said services for the Western Slope were awarded to the sole bidder, Physicians Consulting Laboratory of Roseville, in the amount of \$27,000; and the Chairman was authorized to sign agreements for same.

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22-9a
The El Dorado Health Planning Council's request for approval of changes in said Council's Bylaws and Procedural Policies to conform to recently enacted Public Law 96-79 was continued to August 5, 1980, at which time it is to be agendaized under "Communications", on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present.

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326
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Vice Chairman was authorized to sign a letter to Les H. Cohen & Associates, wherein the financial impact of Assembly Bill 2376 on rural counties is discussed.

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12-14
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board set a Policy Review Session with County Counsel on August 6, 1980, at 9:00 a.m., regarding two requests from the City of South Lake Tahoe for use of County courtroom space and County-owned property at South Lake Tahoe.

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The Personnel matters were acted upon as follows:

(115)
113
The Board considered a professional service agreement with Ralph Andersen and Associates whereby said firm would provide recruitment for a County Chief Administrative Officer. Supervisors Walker and Flynn expressed a desire to have the position offered to present regular County employees before obligating a great deal of money to enter a contractual arrangement for a professional firm to recruit from outside the County.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued to August 12, 1980.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, Mr. Jene Leslie, Acting County Chief Administrative Officer, was instructed to obtain applications from regular County employees who are interested in the position.

* * * *

(115)
22-3
The Board considered the request of the Mental Health Department for waiver of the hiring freeze to permit hiring of one-half (.5) Medical Records Transcriber (extra help) at South Lake Tahoe, and one (1.0) Account Clerk II (regular help) at South Lake Tahoe.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Stewart, and Flynn; No: Supervisor Johnson; and Absent: Supervisor Todd, the Board approved the hiring of one-half (.5) Medical Records Transcriber (extra help).

Supervisor Stewart made a motion to deny the request to hire one Account Clerk II on a regular-help basis and to approve said position on an extra-help basis; however, the motion died for lack of a second.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, to hire one (1.0) Account Clerk II (regular help) at South Lake Tahoe was deferred to budget hearings.

* * * *

(115)
186-7
The request of the Welfare Department, that the hiring freeze be waived to permit hiring one (1.0) Budget & Account Clerk II (regular help) in Placerville, was acted upon as follows: on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board authorized filling the vacant Account Clerk III position in said office by promotion, and deferred the filling of the Budget & Account Clerk II position to budget hearings.

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30-7
On motion of Supervisor Walker, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Walker and Flynn; No: Supervisor Stewart; and Absent: Supervisor Todd, the Chairman was authorized to sign an Airport Use Agreement with Robert J. Lieurance, dba Lieu-Air, Inc., to operate aircraft charters, aerial photography, and flight instruction services, and engage in the sale of pilot supplies and aircraft parts, at the Placerville Airport, at a yearly rental of \$1,500 plus monthly tiedown fees for each of said Airline's based aircraft; and Board directed that the last paragraph of the Airport Director's letter dated July 21, 1980, relative to this Agreement, be incorporated into the Agreement.

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21-6
At the recommendation of the Airports Director, the Chairman was authorized to sign a one-year Airport Use Agreement with Great Sierra Airlines to operate a scheduled commuter service from South Lake Tahoe to Truckee, Oakland, and Fresno, with limited service to Reno, Nevada, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present.

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At the recommendation of the Airports Director, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign the following:

- 21-6
- a. Assignment of contract, transferring the Airport Business Agreement with Cawelti/O'Neil Transportation, Inc., for limousine service to and from the Lake Tahoe Airport, to Kevin Graunstadt, dba Bigwater Limousine Service; and
 - b. Amendment to the Airport Business Agreement with Cawelti/O'Neil Transportation, Inc., extending said Agreement one year to August 13, 1981.

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The Board considered the request of the Health Department, that an administrative fee, in the amount of \$15.00, be established for the Health Screening Program, which would generate approximately \$6,300.00 in revenues per year.

Supervisor Stewart moved to continue the matter until Dr. Weidmer, the Director of Health Services, returns from vacation; however, the motion died for lack of a second.

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

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Walker, Stewart, and Flynn; No: Supervisor Johnson; Absent: Supervisor Todd, the matter was continued to August 12, 1980.

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21-6
At the request of the Probation Department, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign an Agreement with Del Norte County for child placement at Bar-O-Boys Ranch, at a cost of \$695 per month per ward, plus medical and dental care, and transportation and maintenance costs.

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317
(59)
Consideration of lease requirements in the Agreement between the County, Fair Board, and the Los Rios Community College District, which requires the College District to pave, gutter, curb and provide lighting and drainage for the parking tiers on the land provided by the County for the American River Junior College, was continued to August 19, 1980, and the Los Rios Community College District was requested to submit an Improvement Plan in conformance with the Master Plan prepared by Jack Nopp and submitted to the Board in 1976, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present.

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Hearing was held as duly advertised to consider Ned and Marjorie Robinson's appeal on Assessment Roll Changes Nos. 7939, 7940, 7941, and 7955, increasing the assessed valuation of their parcel number 16-582-03 at South Lake Tahoe.

29FA

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

Mr. John Winner was present to speak on behalf of the Assessor's Office.

The Board upheld the Assessor, and denied the appeal, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Stewart, and Flynn; No: Supervisor Johnson; and Absent: Supervisor Todd.

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Mr. Barry Peters requested the Board approve the transfer of a sewer permit from Lot 62, Lake Valley Addition No. 1 (Parcel No. 34-082-09) to Lot 48, Southgate Subdivision No. 2 (Parcel No. 36-451-07), pursuant to the provisions of County Ordinance No. 2082, adopted by the Board on April 22, 1980. On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board approved Mr. Peters' request, subject to approval by the California Tahoe Regional Planning Agency (CTRPA).

132

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The Board approved the request of Mr. James P. Winner for waiver of County Ordinance Code requirements, to allow a 150-foot sight distance, instead of the required 200 feet, for his driveway encroachment onto Garnet Road within Gold Ridge Forest in Pollock Pines, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Flynn; No: Supervisor Stewart.

421-1

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board authorized the Purchasing Agent to sign and issue a Purchase Order for procurement of radio equipment from Motorola Corporation, at a total cost of \$81,808.68, for the new County Communications Center.

114-2 (233-2)

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Greenstone area from Agricultural to Estate Residential Five-Acre zone, consisting of 70.27 acres, petitioned by Ralph Forgeon (Jay Gillaspay, new owner). The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

395-47-544 390-9a

- 1. The rezoning is consistent with the General Plan and its Goals & Policies;

Continued next page

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- 2. Lands to the west, south and east are zoned RE-5, Estate Residential, Five-Acre zone, with part of the land to the north and adjacent being zoned RE-5, while the balance is A, Agricultural;
- 3. Services: Water - E.I.D.; Sewage Disposal - septic tanks; Fire Protection - El Dorado/Diamond Springs Fire District.

Mr. Larry Volley, Agent, was present and spoke on behalf of the request.

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

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, 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. 3011, 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 General Commercial zone to Planned Development zone, consisting of 0.514 acre, petitioned by Marv Bukema for Airport Shops Condominiums. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 1. The PD Zone is consistent with the Land Use Designation, Goals and Policies of the 1969 General Plan;
- 2. The deviations to the standard requirements of the zone regulations indicated are justified by the design of the project;
- 3. Water, sewer and fire protection are to be provided by E.I.D. and the Cameron Park Community Service District.

Mr. Marv Bukema and his agent, Mr. Gene Thorne, were present and spoke on behalf of the request.

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

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, 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. 3012, which amends the County Zoning Ordinance accordingly.

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The Planning Director submitted the Tentative Map and Proposed Development Plan for Airport Shops Condominiums in the Cameron Park area, consisting of 0.514 acre, comprising 15 lots; Subdivider: Marv Bukema. 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 Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Tentative Map and Proposed Development Plan were 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 project is in conformance with the Land Use Designations, Goals & Policies of the 1969 General Plan; (2) The deviations to the standard requirements of the zone regulations are justified by the design of the project; and (3) Water, sewer and fire protection are available from E.I.D. and the Cameron Park Community Service District.

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285-42-80
39-12
433
Airport
Shops
Condominiums

423
Airport Shops
Condominiums

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A.P. 50
Hearing was held as duly advertised to consider the request of Mrs. Marion Ritchie for cancellation of Agricultural Preserve No. 50, consisting of 69.80 acres in the Diamond Springs/El Dorado area.

The Agricultural Commission recommended denial of the request, as the Commission feels cancellations should not be allowed except in extreme situations, because the Williamson Act Contract has served to partially stabilize the agricultural industry of the County, and cancellations would tend to weaken the contract to the point where it would be ineffective.

The Planning Commission recommended denial of the request, based on the following findings:

1. The cancellation would be in conflict with the Open Space Element of the General Plan; and,
2. The Agricultural Commission recommends denial of the request.

The applicant was not present; however, Attorney Jean Klotz, who formerly represented Mrs. Ritchie, stated it was her understanding that Mrs. Ritchie wished to withdraw the request, and she probably does not know that she should do so in writing.

There was no further public comment, and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board denied the cancellation of Agricultural Preserve No. 50, based on the finding that cancellation is in conflict with the Open Space Element of the General Plan and, therefore, not in the public interest.

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A.P. 122
The Hearing to consider the request of Mr. Daniel H. Russell for cancellation of Agricultural Preserve No. 122, was continued to August 5, 1980, at the applicant's request, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present.

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*296-4
Meeks Bay Rd.
(104-14)*
Attorney Neil H. McCabe, on behalf of the Rubicon Tahoe Owners, Inc., requested the Board reconsider its action of May 27, 1980, wherein it accepted the Negative Declaration on the connection of North Lane and Meeks Bay Avenue, and again requested that the Board direct that an Environmental Impact Report be prepared on said project.

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

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GENERAL ORDERS

119
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved/Auditor-Controller's proposed rates relating to direct assessments added to the property tax roll.

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296
Bedford
(57)
Judge Prentiss Moore has advised the Board of unauthorized use of a certain "wagon track" across his property at the end of Bedford Road as access to parcels created behind his property which have no dedicated road or access, and stated his willingness to donate property as needed for dedication and improvement of the access road. On June 17, 1980, the Board referred the matter to County Counsel and Planning to investigate allegations made by Judge Moore regarding the legality of the creation of the parcels behind his property.

At the request of Judge Moore, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued off calendar.

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296-4
Pleasant Valley Rd
303
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign an Agreement with the El Dorado Irrigation District for relocation of water lines, sewer lines, and appurtenances in connection with the Pleasant Valley Road Project (SS-28).

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The Board again considered the introduction of an Ordinance regulating the recreational use of rivers and streams within El Dorado County.

95
Mr. Ken Milam, Planning Director, was present to review the proposed Ordinance relative to enforceability and avoiding conflict with other Ordinances.

Mr. Bob Harvey was present and reviewed his concerns with particular sections of the proposed Ordinance.

Mr. Jim DeBenedetti, of the State Department of Boating and Waterways, spoke to advise the Board of suggested wording for Section 9108 regarding safety equipment, to comply with State regulations.

Mrs. Sheri Hillenga, resident of Coloma, spoke to stress the need for controlling private users as well as the commercial users.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board directed that the proposed Ordinance be retyped and brought back to the Board for introduction on August 12, 1980.

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23
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board referred two letters from the City of South Lake Tahoe, dated July 21 and July 22, 1980, wherein the City is requesting use of County courtroom space and County-owned property at South Lake Tahoe, to the Purchasing Agent to determine the monetary value of the use requested and present same to the Board prior to its Policy Review Session on August 6, 1980.

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On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried by those present, the Board referred to the Agricultural Commission, Planning Department, and County Counsel for comment, a letter from the U.S. Forest Service, dated July 16, 1980, regarding its possible purchase of 12 acres of land between Fruitridge and Hassler roads in the Camino-Fruitridge area, which is presently under the Williamson Act, and the Forest Service's statement in said letter that upon transfer of title, it believes the Williamson Act contract affecting the subject 12 acres will be declared null and void.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed Mr. Jene Leslie, Acting County Chief Administrative Officer, to instruct County Communications Center personnel to observe the Board's policy pertaining to employee parking at the Government Center.

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At the request of the Planning Director, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board authorized the Chairman to sign a letter to the Federal Census Bureau, to be prepared by the Planning Department, appealing the Bureau's first population count for the western slope of El Dorado County and requesting further investigation of same.

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There being no further business, the Board adjourned to Tuesday, August 5, 1980, at 10:00 a.m.

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APPROVED:

Joseph V. Flynn

JOSEPH V. FLYNN, Vice Chairman

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

By *Dixie L. Foote*
Deputy Clerk