

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 19, 1980

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

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127 The Invocation was offered by Supervisor W. P. Walker

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

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Agenda was adopted with the two following additons: Removal of a member of the County Mental Health Advisory Board; and introduction of an Ordinance regarding the transfer of sewer connections served by the South Tahoe Public Utility District.

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The Minutes of August 12, 1980, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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The Board reconsidered their action of July 15, 1980, wherein Board denied the request of Ezio Baldassarre for a variance to the County Ordinance requirements to allow a 17% grade for his driveway, instead of the 10% grade as shown on his encroachment permit for Lot 177, Riviera Circle, St. Andrews Village Unit No. 4 in El Dorado Hills.

421-1 After considerable discussion wherein a flagrant disregard for the requirements of the Encroachment Permit was evidenced by Mr. Baldassarre, the Board determined that to remove the present driveway and replace it, at this stage, would probably only result in a 3 or 4% variation in grade; therefore, the Board members felt they had no other alternative but to approve the variancewhereupon, Supervisor Walker moved to approve the request for variance, and Supervisor Flynn seconded the motion. Supervisor Stewart then moved to amend the motion that the State Contractors' Board be given a report of this violation and the decision of the Board in having to grant this approval. The Chairman called for the question on the amended motion, and it was carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Johnson and Todd. The Chairman then called for the vote on the originating motion, and it was carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Johnson and Todd.

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

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

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117 Budget Transfer #2-A was approved transferring \$27,458.20 from "Advance from Treasurer" to various Special Districts as a loan until tax money is available.

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298A The Board approved Assessment Roll Changes Nos. 2367 and 1037.

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151-13 RESOLUTION NO. 245-80 was adopted Authorizing an Action for the Recovery of County Funds Paid Out.

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247 The Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement with Richard L. Hegbom and Margaret L. White to Reimburse the County for Public Assistance as recorded in Volume 623, at Page 153 of the Official Records of El Dorado County.

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58 At the recommendation of County Counsel, the Board denied the Application for Leave to Present Late Claim submitted by Attorney Donald S. Walter on behalf of Karrell Jean Reader, in the amount of \$100,000.00.

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58 At the recommendation of County Counsel, the Board denied the Claim for Personal Injury submitted by Attorney Patrick J. Riley on behalf of Christina Neiber in the approximate amount of \$212.25.

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58-1 At the recommendation of County Counsel, the Board denied the Claim for Property Damage submitted by Mr. Bruce McConnell in the approximate amount of \$10,495.54.

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141 (82-2) Board approved for payment the Interim Statement for professional services rendered and costs incurred in the amount of \$2,141.13 by McDonald, Saeltzer, Morris & Caulfield's representation of Messrs. Ralph Standiford and John Fitzpatrick in the Mills vs El Dorado County, et al, matter.

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296-4 The Board rescinded Resolution No. 234-80 which did not contain the required 4/5ths vote, and adopted RESOLUTION NO. 244-80 a Resolution of Necessity to Acquire Property by Eminent Domain for the El Dorado "Y" and Curve Improvements on Pleasant Valley Road Project.

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178-13 104 At the request of the County Clerk, the Board authorized the consolidation of the following Fire Protection District measures requesting tax revenues for fire protection services, with the General Election to be held on Tuesday, November 4, 1980, by the adoption of the following resolutions pertaining to the Districts below indicated:

- RESOLUTION NO. 246-80 - Mosquito Fire Protection District
- RESOLUTION NO. 247-80 - Placerville Fire Protection District
- RESOLUTION NO. 248-80 - Georgetown Fire Protection District
- RESOLUTION NO. 249-80 - Northside Fire Protection District
- RESOLUTION NO. 250-80 - Pleasant Valley Fire Protection District
- RESOLUTION NO. 251-80 - Meeks Bay Fire Protection District

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296-4 Pleasant Valley Rd.
At the request of the Public Works Department, the Chairman was authorized to sign Change Order No. 2 for the Pleasant Valley Road Project SS-28, increasing the cost by \$1,518.00: said change initiated by the El Dorado Irrigation District.

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296-4 Pleasant Valley Road
At the request of the Public Works Department, the Chairman was authorized to sign an Agreement with Pacific Gas and Electric Company for reimbursement at an estimated cost of \$13,800.00 to relocate said Company's facilities that interfere with the Pleasant Valley Road Construction Project SS-28.

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296-4 Bedford Rd.
At the request of the Public Works Department, the Chairman was authorized to sign the following Change Orders for the Bedford Road Improvement Project:

- Change Order No. 2 - no cost to County (for City of Placerville's portion of the work;
- Change Order No. 3 - replacing field stone rip rap with river cobbles at no cost to the County
- Change Order No. 4 - installing underdrain risers on perforated metal pipe, at an estimated cost of \$500.00.

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214
At the request of the Probation Department, the Chairman was authorized to sign an Agreement with Mono County for placement of juvenile wards at said County's Probation Camp at a cost of \$750.00 per child, effective August 1, 1980.

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341
At the request of the Agricultural Commissioner, RESOLUTION NO. 252-80 was adopted authorizing the Chairman to sign an Agreement with the State Department of Food and Agriculture for funds in the amount of \$14,703.00 for additional pesticide use enforcement for Fiscal Year 1980-81.

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74-80
At the recommendation of the County Administrative Office, the Chairman was authorized to sign a 3-year Agreement with John Davies Vending for vending machines at the South Lake Tahoe Government Center, at a commission of 10% of gross sales from each vending unit.

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62-11
74-35
At the request of the Energy Coordinator, the Chairman was authorized to sign a Proposal with Johnson Controls, Inc., to modify the control system for reduced outside air usage at the County Government Center at a cost of \$1,320.00.

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341
At the recommendation of the Agricultural Commissioner, RESOLUTION NO. 253-80 was adopted supporting Santa Clara County's Proclamation declaring a state of local emergency as a result of the infestation of the Mediterranean fruit fly, and that the California Department of Food and Agriculture be requested by the County Supervisors Association of California to increase its efforts in preventing introduction of new pests and diseases into California.

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56-3
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board continued to August 26, 1980, the Agreement with Omega Collection Agency for collection of various bills, accounts, and claims, at a cost of 40% of all sums collected, or 50% for collections requiring outside referral; said Agreement having been recommended by County Counsel.

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95
At the request of County Counsel, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board approved for payment the Amended Memorandum of Costs on Appeal, in the amount of \$1,020.40, submitted by the State's Attorney General, and Memorandum of Costs and Disbursements, in the amount of \$1,184.70, submitted by Lillick, McHose & Charles, Attorneys at Law, relating to the litigation involving the County Ordinance prohibiting rafting on the American River; said costs to be paid from the Contingency Fund.

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74-392
(74-70)
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board continued off calendar the 3-year Agreement with G. W. Mavrinac, dba Gold Country Vending Company, for vending machines at the County Office Center, at a commission of 10½% of gross sales from each vending unit.

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22-6
At the recommendation of the Director of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board authorized payment to Shingle Springs Heating & Air Conditioning in the amount of \$10,763.75, which is 25% of the total contract, for heating and venting modifications at the Animal Shelter at South Lake Tahoe.

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375
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board directed a letter be sent to California Senators Hayakawa and Cranston regarding HR 7702 which would add a greater area to the Wilderness Area and extend the National Park System; said letter to request that hearings be held in California on this Bill; and CSAC and RCRC to be so notified

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12-14
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, a Policy Review Session was set for Wednesday, September 3, 1980, at 2:00 p.m. to discuss Community Programs' involvement in housing, planning, rehabilitation, subsidized units, etc. for El Dorado County.

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board approved the Director of Community Programs' request to hire one extra help Clerk for the period that regular help Clerk is on leave of absence.

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21-4
At the recommendation of the Airports Department, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Amendment to Grant Agreement with the Federal Aviation Administration for funds in the amount of \$18,132.70, for the purchase of a crash fire rescue vehicle at the Lake Tahoe Airport.

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50-76
At the request of the Area Agency on Aging, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the purchase of a 1980 AMC Concord DL 4-door sedan from the State of California for \$6,029.00.

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132
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request of Tahoe City Public Utility District on behalf of Mr. Bert W. Fitzgerald, for an extension to October 1, 1980, for inspection on the initial phase of construction for the combined Lots of 191, 192, and 193, Rubicon Properties at South Lake Tahoe, as recommended by the Building Department.

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132
At the recommendation of the Building Department, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Robert J. Duca for approval of transfer of a sewer permit from Lot 11, Lakeview Tahoe No. (Parcel No. 028-062-111) to Lot 154, Montgomery Estates No. 7 (Parcel No. 080-151-141), pursuant to the provisions of County Ordinance No. 2082, adopted by the Board on April 22, 1980.

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132
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board denied the request of Messrs. Matt Yeomans and Nassar Fakhimi for approval of transfer of a sewer permit from Lot 287, Mountain View Estates No. 3 (Parcel No. 33-501-131) to Lot 32, Montgomery Estates No. 9 (Parcel No. 80-193-051). (Supervisor Stewart stated that this request was not in compliance with the Ordinance; there was no evidence of deeds being in the name of the parties making the request.)

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135
At the recommendation of the Building Department, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Board approved request of Robert Jennings for approval of transfer of a sewer permit from Lot 305, Tahoe Paradise Unit No. 9 (Parcel No. 34-152-101) to Lot 80, Highland Woods Unit No. 3 (Parcel No. 31-331-091), pursuant to the provisions of County Ordinance No. 2082, adopted by the Board on April 22, 1980.

Supervisor Johnson departed the room

(419)
17-14
Mr. Bob Novasel of Novasel & Schwarte Investments, Inc. submitted a letter requesting that the Board reconsider its action of May 27, 1975, wherein the Chairman was authorized to sign a letter to the Federal Insurance Administration, opposing the National Flood Insurance Program.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board moved for reconsideration, subject to a Policy Review Session on the matter, whereupon Supervisor Walker, seconded by Supervisor Flynn, moved to set a Policy Review Session with Public Works and the County Surveyor for 10:00 a.m., September 11, 1980 concerning Flood Insurance.

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- 349 -

arm

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Supervisor Johnson returned to the room

(59)
317
Board again considered the Lease requirements in the Agreement between the County, the 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. (Continued from 7/29/80)

A lengthy discussion ensued which was participated in by Mr. Haas of the Los Rios Community College District, and Joyce Pogue, Al Burlingame, and Mick McGuire of the Fair Board of Directors, and the various members of the Board of Supervisors as to whether the specifications and/or the Lease implied "chip and seal" or "asphalt" paving for the parking tiers.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board referred the matter to the Director of Public Works for his opinion, as well as one "outside" opinion as to the type of "paving" the specs refer to; a copy of this request and the response from Public Works to be sent to the County Fair Board.

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Los Rios Community College District submitted Plans and Specifications for Relocatable Classroom Building; to be moved from Sacramento City College to Placerville Campus -- in accordance with the Master Plan.

317
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the plans were approved, subject to the approval of the Department of Public Works.

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PLANNING MATTERS - Supervisor Johnson was absent at commencement of Hearings

Hearing was held as duly advertised to consider the rezoning of lands in the Cameron Park area from Tourist Residential Zone to Planned Unit Development Zone, consisting of 11.8 acres, petitioned by Dennis Ord for Sunrise Hills Condominiums Subdivision. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The Proposed Development Plan is consistent with the General Plan.
2. The proposed development is designed to provide a desirable environment within the project boundaries.
3. The deviations from the standard requirements of the zone regulations indicated, are justified by the design of the project.
4. The site is physically suited for the proposed 138 residential units.
5. Water, sewer and fire protection are to be provided by E.I.D. and the Cameron Park Community Service District.
6. The project does not detract from the natural land and scenic values of the site.

Messrs. Dick Curtiss of Raymond Vail & Associates and Larry Patterson, Project Engineer, were both present to answer any questions the Board members might have.

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

185-5280
370-10
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the Planning Commission's findings, and approved the Planned Development Zone and adopted the proposed Development Plan as the Official Development Plan, as presented; the number of units shall not exceed 137 and the uses shall be for residential and recreational activities for the homeowners; the Board accepted the development rights for all open spaces as identified on the Development Plan; the Negative Declaration was accepted, and ORDINANCE NO. 3015 was adopted, which amends the County Zoning Ordinance accordingly.

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The Planning Director submitted the Tentative Map for Sunrise Hills Condominiums Subdivision in the Cameron Park area, consisting of 11.8 acres, comprising 137 lots; Subdivider: Dennis Ord or Ord Construction. Planning Commission recommended approval subject to conditions (said conditions being on file in the Office of the Clerk of the Board of Supervisors)

423
Sunrise Hills
Condominiums
Subdiv

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Tentative Map was approved subject to the conditions set forth by the Planning Commission, and the Board accepted the Negative Declaration based on the findings of the Planning Commission (as enumerated on Page 350, under the paragraph pertaining to the rezoning of this subdivision).

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Supervisor Johnson arrived

Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Mobilehome Park Zone to Single Family Residential Combined Mobilehome Zone, consisting of 29.22 acres, petitioned by Universal Development & Investments Company for Rolling Hills Subdivision. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission: (1) The R1-M, Single Family Residential, Combined Mobilehome Zone is consistent with the Diamond Springs/El Dorado Area Plan; (2) Sewer, water and other services are available to the proposed project.

29.22
370-10

Larry Patterson, Project Engineer, for the project was present and requested that the Board of Supervisors clarify that either the project has a significant effect upon the school district, or it does not; inasmuch as it is an adult only subdivision; this request was made since the developers had received a request from the Mother Lode Union School District that an impact fee be paid.

Supervisor Walker stated that the mitigation ordinance puts the burden on the developer to do the mitigating, rather than the Board of Supervisors.

County Counsel advised that the Board would need adequate assurances that the "adult only" type of subdivision cannot be altered.

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 findings, they found the rezoning to be in conformity with the General Plan, the Negative Declaration was accepted, and the rezoning was approved, and ORDINANCE NO. 3016 which amends the County Zoning Ordinance was adopted accordingly.

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Planning Director submitted the Tentative Map and Design Waivers for Rolling Hills Subdivision in the Diamond Springs/El Dorado area, consisting of 29.22 acres, comprising 106 lots; Subdivider: Universal Development & Investments Company. Planning Commission recommended approval subject to conditions (said conditions being on file in the office of the Clerk of the Board of Supervisors).

423
Rolling Hills
Subdiv

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Tentative Map and Design Waivers were approved, subject to the conditions proposed by the Planning Commission; the Negative Declaration was accepted, based on the following findings of the Commission: (1) The proposed circulation system is to be privately

Continued

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maintained; (2) The requested design waivers represent special conditions necessary for the reasonable use of the land and will not be detrimental to the public health, safety or welfare; (3) The waiver will not have the effect of nullifying the objectives of the Major Land Division Ordinance.

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Hearing was held as duly advertised to consider the zoning of lands in the Camino/Fruitridge Area, consisting of approximately 22,000 acres, to comply with the Land Use Plan as adopted by the Board on March 7, 1978.

The following landowners were present with specific requests to the Board:

Ron Rose who owns a piece of property on Carson Court where he intends to have a low-key industrial plant in which pumps and machine tools will be manufactured. He stated his property has been changed from Industrial to Commercial zone since the Land Use Plan was adopted. He requested that it be returned to Industrial zone.

George Gill who owns property on the southwest corner of Crystal Springs and Pony Express Trail stated that the General Plan calls for Commercial, and he would like to go on record as recommending that this zone be adopted.

Mary Mostert was present and stated that she owned, and has since sold, a 4.76 acre parcel: it was master planned one acre-zone. This parcel was sold to Mr. Stacey in the last six months. The zoning map reflects now that this property is zoned two-acre. She requested that it be returned to the one-acre zone.

Bob Williams stated his five-acre parcel off Mosquito Road used to be zoned R1A: the proposed zoning is 10-acre: he would like the R1A zoning.

Sandy Mathews of the Camino School Board inquired about the impact the high density zoning on the south side of the freeway would have on the schools.

Al Hamilton, owner of several large parcels of land on the south side of the freeway, stated that the zoning map on the wall is considerably different from the area plan map on the wall. He stated he would like to see the zoning map conform to the area land use map.

Judy McDonald of Mother Lode Rehabilitation Enterprises stated that her agency had received a gift deed of five acres. She stated it is currently zoned 10-acre; the proposed zone is 1-acre; she wanted to be assured that the zoning would accommodate M.O.R.E.'s use of the property.

Ron Stoddard owns a 10-acre Minimum piece of property as "tenants in common" with his uncle. He desires a 5-acre minimum in order that each of them can build on the property.

Mike Richmond, C.E.R., Inc., owns 80 acres which is part of the old Rupley Ranch. He stated he would encourage the Board that all the zoning as shown on the map remain as it is.

Elizabeth Griffith requested one-acre zoning on her 2.9 acres located on the corner of Newtown Road and Mining Brook Road.

No further requests were made, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Zoning Map was referred to the Planning Department for Staff work on the various comments made this date; to be brought back to the Board of Supervisors in five weeks (September 23, 1980)

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83-42
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the request of the Planning Department that the Chairman be authorized to sign a Contract with William and Gwendolyn Reid for the operation of the concession at the Finnon Lake Recreation Area for a term ending August 30, 1985, was continued to September 2, 1980.

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57
Planning Director submitted an Amendment to the Georgetown Area Plan which would remove the requirement for public sewer, and include appropriate review on septic tank and leach field disposal for multi-family residential policies.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Plan was referred back to the Planning Commission for consideration of a solution to the problem; to be brought back to the Board with a recommendation. (It was suggested that a hearing be held in order to make the proposed changes.)

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57
On motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisor Walker, Flynn, Stewart, and Todd; No: Supervisor Johnson, the Design Control District Ordinance was introduced, the reading thereof was waived, and it was continued to September 2, 1980, for adoption.

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The Board again considered Ordinance regulating recreational use of rivers and streams within El Dorado County (Introduced 8/12/80).

46
A letter was received from Sheri and Mike Hellinga which refers to the serious problems of trespass and harrassment by private river users, and requests additional officers to patrol the Coloma/Lotus areas on weekends.

There were no other protests.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, ORDINANCE NO. 3017 was adopted regulating recreational use of rivers and streams within El Dorado County.

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132
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board introduced an Ordinance amending Section 10731 of the El Dorado County Ordinance Code regarding the Transfer of Sewer Connections within areas served by the South Tahoe Public Utility District; the reading thereof was waived; and it was continued for adoption to August 26, 1980.

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22-7
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board removed Ray Negrete from the Advisory Board of the El Dorado County Mental Health Service, as Mr. Negrete has moved out of the district.

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SPECIAL DISTRICTS

Diamond Springs Lighting District

344

Roy E. Carter, Inc., developer of Deer Park Estates Unit No. 1 Subdivision submitted a letter requesting annexation to Diamond Springs Lighting District, and advising that street lights are installed and a prepayment has been made to P.G.&E. for five years' electric service to operate said street lights.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION NO. 254-80 was adopted approving annexation to that district of those lands commonly known as Deer Park Estates Unit #1 Subdivision.

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The Board adjourned to August 20, 1980, at 11:00 a.m. for an Executive Session. There being no action at the Executive Session, the Board then adjourned to Tuesday, August 26, 1980, at 10:00 a.m.

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ATTEST:

APPROVED:

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

By: Ann R. Macy
Board of Supervisors Clerk

N. Arliene Todd
N. Arliene Todd, Chairman