

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 27 19 81

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, Joseph V. Flynn, and Thomas L. Stewart. Supervisor W. P. "Dub" Walker absent. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Flynn presided.

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167 The Invocation was offered by Reverend Kenneth E. Peterson, St. Stephen's Lutheran Church.

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The Pledge of Allegiance to the Flag was led by Supervisor Thomas L. Stewart.

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The Agenda was adopted, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, with the addition of one item to the Consent Calendar: a letter and petition requesting improvement of Pony Express Trail.

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The Minutes of January 20, 1981, were approved as submitted, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, 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) 280 Budget Transfer No. 55 was approved for the Sheriff's Department, transferring \$2,152.00 from Employee Benefits (1-912) to Sheriff (2-201) to allow for the Sheriff's salary increase to keep his salary 10% higher than the Undersheriff in accordance with the County's Memorandum of Understanding with Department Heads.

The Board also approved a budget transfer, transferring \$3,650.00 from Navigation and Ocean Development (91-5290) to Sheriff's Fixed Assets (92-3370) to purchase miscellaneous equipment for approved items not reflected in the 1980-81 budget.

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29814 The Board approved Assessment Roll Change number 2621.

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151-13 RESOLUTION NO. 21-81 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Public Defender; Probation; and Welfare Departments.

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(141) 147 At the recommendation of County Counsel, the Board approved payment of the billing submitted by Beverly, Riley, Petersen, Combella, Olson and Culver, in the amount of \$629.75, for services performed on behalf of Dorothy Carr in the matter of Garden Valley Ranch Homeowners Association vs. El Dorado County, et al.

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21-6 At the request of the Airports Director, the Chairman was authorized to sign an Amendment to the Lease with Americana Inns, Inc., extending said Lease to January 21, 1982; Americana Inns, Inc., provides complimentary transportation service to and from their motel and the Lake Tahoe Airport.

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423 Lakeridge Oaks At the request of Gene Thorne, project engineer, submitted by the Public Works Department, the Board approved the reduction of the Subdivision Improvement Letter of Credit for Lakeridge Oaks Subdivision, in the amount of \$3,532.50, leaving a balance of \$57,097.30.

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423 Governor's Village #8 Upon being advised by the Public Works Department that Governor's Village Unit No. 8 has been completed in accordance with the plans and specifications; RESOLUTION NO. 22-81 was adopted accepting the streets within said Subdivision into the County Maintained Road System; and the Board approved retention of 10% (\$13,421.20) of the Letter of Credit as warranty of workmanship and materials for a period of one year.

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296-4 Pony Express Trail 124 The Board referred to the Public Works Department, a letter from Carilyn Lee, dated January 23, 1981, accompanied by a petition signed by 603 persons, requesting the improvement of Pony Express Trail, to include the construction of sidewalks along same.

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12-14 (132) On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board set a Policy Review Session for Wednesday, February 18, 1981, at 10:00 a.m., regarding the proposed revision of building permit fees.

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12-14 (65) On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board set a Policy Review Session with Kirkwood Associates, Inc., for Wednesday, February 18, 1981, at 11:00 a.m., regarding the proposed formation of a Public Utility District at Kirkwood.

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113 (326) 428 On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board referred to the Chief Administrative Officer, the County Supervisors Association of California's request for support of SB82 (Johnson), which speaks to the capital needs of county justice system facilities, and is set for hearing on Tuesday, February 10, 1981, in the Senate Judiciary Committee; and requested the Chief Administrative Officer to make a recommendation to the Board regarding same on February 3, 1981.

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21-6
At the request of the Airports Director, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried by those present, the Chairman was authorized to sign a one-year Airport Use Agreement with Golden Gate Airlines for operation of scheduled air service between Lake Tahoe, San Francisco, and Reno.

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(187-4)
At the request of the Health Department, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried by those present, the Board took the following action:

- 114
- a. Authorized the Chairman to sign an Amendment to the Agreement with Sacramento Service and Development Corporation for distribution of food stamps, increasing the service fee paid by the County to said Corporation from \$2,193 per month to \$2,522 per month, effective February 1, 1981; and
 - b. Authorized the Purchasing Agent to proceed with the competitive bidding process for the distribution of food stamps.

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117
At the request of the Health Department, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Chairman was authorized to sign Budget Transfer No. 56, increasing the Health Department's Professional and Specialized Services Account to reflect State funding increases for Substance Abuse Programs, in the amount of \$12,759.00.

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506
At the request of County Training Programs, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Chairman was authorized to sign Fiscal Year 1979-80 Program Budget Closeout for California Balance-of-State Subgrant (Registration No. 7900-8560).

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351-2
The Data Processing Department's request, that the Chairman be authorized to sign an Amendment to the Agreement with Sperry Univac, increasing same by \$6,917.00, for additional computer hardware, was continued to February 3, 1981, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present.

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114-6
The Purchasing Agent submitted the results of Bid. No. 172, Legal and Classified Publication Requirements for the period February 1, 1981, through January 31, 1982, for the East and West Slopes of El Dorado County; and the Board awarded the Bid as follows:

- a. Legal and Classified Publication Requirements for the West Slope awarded to the Mt. Democrat, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present;
- b. Legal and Classified Publication Requirements for the East Slope awarded to the Tahoe Daily Tribune, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present.

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132
The Building Department submitted a proposed Ordinance amending the County Ordinance Code regarding grading and site drainage, and adding Chapter 9 to same, to be used in lieu of Chapter 70 of the Uniform Building Code, to provide a base for the County Building Department's supervision of all grading work which is done pursuant to building construction. (Sponsor: Supervisor Walker)

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board introduced said Ordinance, waived the reading thereof, and continued it to February 17, 1981, for adoption.

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218
On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the abatement of penalties for failure to file Change in Ownership Statements with the County Assessor for the following persons:

- a. Terry L. and Mary L. Ott (APN 70-120-89)
- b. Kenneth E. and Heidi M. Brown (APN 86-220-35)
- c. Orbit Stations, Inc. (APN 023-181-18)
- d. James C. and Donna J. Frick, et al (APN 323-090-03)
- e. Peter E. Scott (APN 79-170-951)
- f. Gary S. and Judith M. Judd (APN 61-720-41)

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132
A proposed Ordinance submitted by the Building Department, amending the County Ordinance Code regarding roofing requirements, to conform with the recommendations of the Fire Advisory Committee, was introduced, the reading thereof waived, and it was continued to February 17, 1981, for adoption.

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241
At the request of the Agricultural Commission, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, RESOLUTION NO. 23-81 was adopted, requesting the California Department of Food and Agriculture quarantine all apple maggot host materials from the states of Oregon and Washington, until such time as these two states have delimited their areas that are infested with apple maggot; and the Board approved solicitation of support of said quarantine from the counties of Mendocino, Nevada, San Bernardino, Sonoma, and Santa Cruz.

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114-1
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board adopted RESOLUTION NO. 24-81, A Memorandum of Understanding and Commitment By and Between the County of El Dorado and the South Tahoe Public Utilities District to Assist in the Obtaining of Certain Federal Grant Monies", with Section 2 of same amended by the Board to read as follows: "The County hereby agrees to undertake or continue the following mitigation measures in the areas specified, subject to the conditions and exceptions set forth in Section 3 hereof, and subject to the Board of Supervisors of El Dorado County retaining the right to unilaterally set priorities for the commitment of staff time and monies as it sees fit."

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Rescue area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 41.6 acres, petitioned by Andre Gessner and Theresa Motto. The Planning Commission recommended approval on Assessor's Parcel Nos. 69-04-08, -15 and -23; and denial of Assessor's Parcel No. 69-02-02, and the Planning Director enumerated the following findings of the Commission:

- (2) (3-3-81)
2/20/90
1. The request is in compliance with the El Dorado County General Plan;
 2. The project site has adequate access for the density proposed or it will be required where subdivision occurs;
 3. The project site has adequate public services for the density proposed.

Mr. Ken Milam, Planning Director, explained that the reason the Commission recommended denial of rezoning of parcel number 69-02-02 is that Estate Residential Five-Acre Zone on that parcel would not conform with the Rescue Area Land Use Plan.

Mr. Andre Gessner was present to answer any questions the Board members might have.

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

On motion of Supervisor Stewart, seconded by Supervisor Dorr, 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 (APN 69-04-08, -15 and -23 only); the Negative Declaration was accepted; and the rezoning of APN 69-04-08, -15 and -23 was approved and adopted by ORDINANCE NO. 3093 which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider an Ordinance Amending Mobilehome Residence Provisions, to allow the placement of one mobilehome per parcel in all zones which permit single-family residences by right.

(2) (3-3-81)
2/20/90

The following persons were present and spoke in favor of the Ordinance: Dawn Brian, Edward Lichty, and Ken Daisy.

The following persons were present and spoke in opposition to the Ordinance: Jackie Morgan, Bert Lempke, Melvin Owens, Michael Solbach, and Jeannie DeBerry.

The following persons were present and spoke to the Ordinance, most of whom are in favor of the concept, but opposed to this Ordinance as written: Patrick Osborne, Kathy Stephen, Mark Barnes, Fred Russell, Francis Owen, Vern Sailles, Stanley Brown, Elmer Thomas, Cherie Beecraft, Don Dappen, Ernest Smith, and Raymond Smith.

The greatest amount of opposition to this Ordinance, as written, is the requirement of 20-foot minimum width for the mobilehomes, as this defeats the purpose of providing "affordable" housing. Other argued that mobilehomes are not as "affordable" as some think, after figuring the cost of land to place it on, delivery and installation costs, and other "hidden" costs.

Some who spoke agreed that there is a need for more "mobilehome" housing, but are also concerned about the decrease of property values if they are placed in areas where "exclusive" homes exist.

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After hearing testimony from all those who requested to be heard, the Chairman closed the public hearing.

Board members individually expressed some of their concerns in this matter, and agreed they could not act on the Ordinance this date without having these concerns reviewed and addressed.

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the Board continued the matter to February 24, 1981, and referred the matter to the Planning Department to respond to concerns of the Board members as well as those of persons who spoke this date.

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202-1-1
A hearing was advertised for this date and time to consider the Appeal of Dr. August Rademacher on the planning Commission's denial of Special Use Permit No. 80-149 to allow persons other than residents as employees, two days per week, in an established home occupation, on 8.48 acres of land zoned Estate Residential Five-Acre, in the Shingle Springs area.

At the request of the appellant, represented this date by Attorney Dave Combellack, and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the hearing was continued to February 17, 1981, at 2:00 p.m.

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202-1-1
Consideration was again given to the Appeal of Carol Templin on the Planning Commission's denial of Special Use Permit No. 80-114 to allow a general machine shop in an existing structure, as a home occupation, on ten acres of land, zoned Estate Residential Five-Acre, in the Somerset/Fairplay/Mt. Aukum area. A public hearing was held on this Appeal on January 20, 1981, and the hearing was closed on that date.

Mrs. Jean Klotz, attorney, was present and spoke on behalf of Mr. and Mrs. Templin. Mrs. Klotz stated that the Templins would agree to a seventh condition which would restrict the Special Use Permit to the present land owners (the Templins). They do not want the permit restricted to Mr. Templin only, as Mrs. Templin is also a machinist and could continue the business, with the help of her children, if something happened to Mr. Templin.

Supervisor Dorr made a motion, seconded by Supervisor Flynn, to grant the Appeal of Carol Templin, and grant the Special Use Permit, with the six conditions agreed upon in the meeting of January 27, 1981, and two additional conditions as follows: Condition No. 7 - The Special Use Permit will not be transferable beyond the use allowed Mr. and Mrs. Templin; and Condition No. 8 - Location of approved buildings and uses to be consistent with the approved site plan as a part of this application; said approval of the Special Use Permit based on the following findings: (1) It will not be detrimental to the health, safety, and welfare or injurious to the neighborhood; and (2) The proposed building is a normal accessory building; and acceptance of the Negative Declaration was included within the motion, which did not carry by the following vote: Ayes: Supervisors Dorr and Flynn; Noes: Supervisors Lowe and Stewart; Absent: Supervisor Walker.

Supervisor Lowe pointed out conditions to the permit that concern her, stating she would like to see conditions 1, 3, 4, and 5 strengthened.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the matter was continued to February 3, 1981, and referred to the Planning Department to re-write the conditions of the Special Use Permit and incorporate language to make the Permit subject to annual renewal.

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76-23-81
Hearing was held as duly advertised to consider the Appeal of Dr. Corydon Edgecomb on the Planning Commission's granting of Special Use Permit No. 80-117 to the Placerville Racquet Club and Health Spa for eight tennis courts; a 5,000 square foot pro shop; a social area for food, beer and wine sales; restrooms; changing rooms; observation decks and bleachers; and nighttime use of same, on 7.15 acres of land in the Diamond Springs/El Dorado area.

Mr. Jake Raper of the Planning Department reviewed this matter for the Board.

Dr. Edgecomb was present and spoke on his own behalf, stating he owns 12.3 acres of land adjacent to this project and he has a home on the property. He feels this project will create a dramatic change to his family's living conditions, as it will be an intrusion on their rural atmosphere. Dr. Edgecomb stated there are no trees between his two-story home and the project site which means it is in full view all the time. He has concerns about noise, security, trespassing, alcohol sales, and, most especially, the lights on the tennis courts. Dr. Edgecomb feels these concerns were not addressed at the Planning Commission meeting on December 29, 1980. Dr. Edgecomb stated that he was never consulted about this project, even though he is the one property owner most directly effected, until the matter came before the Planning Commission. He feels that anyone concerned really has to come to his home and view the project site from his home to appreciate the full impact this project will have on his family. Dr. Edgecomb emphasized that his main objection is to the tennis court lights, which are only 250 feet from his home, and at a level slightly higher, so that he will look right up into the glare of the lights. Dr. Edgecomb closed by saying he does not wish to see the project "torn down", but would like to see restrictions imposed to eliminate night lighting and 7-days-a-week use.

Mr. Vern Sailles of the El Dorado County Board of Realtors was present, and stated said Board is very much in favor of the project, and would consider it an asset to the community as it would provide much needed recreation.

Mr. Noble Sprunger, attorney, was present and spoke on behalf of the permittee, the Placerville Racquet Club. Mr. Sprunger reviewed the chronology of the project, emphasizing that no work has been done without the permission of regulating County agencies. Mr. Sprunger noted that the permittees will plant trees between the tennis courts and Dr. Edgecomb's property, and windscreens will be placed around the courts which will help block the view of "people running around" and dim the lights somewhat. Mr. Sprunger further noted that the lights will be on until 10:00 p.m. only.

The following persons were present and spoke in favor of the Special Use Permit: Mark Johnson, George Rice, Sr. (a resident of the area), Mike Richmond, Jere Bruin, J. Hawkins, Delbert Bradford, Roger Bartlet, Lunelle Louis, and Judy Brandon. Mr. Jerry Caditz, speaking on behalf of the Placerville Racquet Club, stated that they intend to work with Dr. Edgecomb to mitigate his concerns.

Mr. Kenneth Irvin, who owns property to the north of the project site, was present and spoke, stating he concurs with Dr. Edgecomb's opposition to the project, and he feels there is very little that can be done to mitigate the impact of this project on their quiet rural area.

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

Board members individually expressed concern about the impact of the tennis courts lighting on Dr. Edgecomb's residence, and expressed reluctance to approve the Special Use Permit without assurance that the problem will be mitigated to Dr. Edgecomb's satisfaction. Mr. Sprunger stated that he wished to go on record as willing to meet with Dr. Edgecomb and Mr. Irvin to resolve the problems.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried by those present, the Board upheld the Planning Commission's action; accepted the Negative Declaration; and approved the Special Use Permit No. 80-117, subject to the 12 conditions proposed by the Planning Commission, as amended by the Board this date, as well as two additional conditions as follows: Condition No. 13 - The lighting and screening system to be approved by the County Planning Department; and Condition No. 14 - Utilization of the Special Use Permit shall not occur until all the conditions of the Special Use Permit have been met; with approval of the Special Use Permit based on the Board's finding that, in light of the conditions imposed on the project, the proposed use would not be detrimental to the health, safety, and welfare, or injurious to the neighborhood,

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Mr. Jake Raper of the Planning Department reviewed for the Board, the Proposed Development Plan for the Placerville Racquet Club and Health Spa on 12 acres of land in the Diamond Springs/El Dorado area, petitioned by the Placerville Racquet Club.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the Planned Development Zone and adopted the proposed Development Plan as the Official Development Plan, as presented, subject to the 12 conditions proposed by the Planning Commission, as amended by the Board this date, as well as two additional conditions (see previous action of the Board, this page), and accepted the Negative Declaration, based on the following findings:

1. The commercial membership clubs and associated facility are consistent with the Diamond Springs/El Dorado Area Plan Land Use Element;
2. The club facilities are designed to provide a desirable environment within its own boundaries;
3. No. exceptions to the R2 zoning regulations are requested;
4. The seven acre site is physically suited for the tennis courts and other facilities proposed;
5. That adequate water and sewer will be available;
6. That the Official Development Plan, as adopted, shall reflect the type of development and intensity of use permitted; and
- 7, Phases II & III of this development shall be evaluated and considered under separate hearings.

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Supervisor Stewart exited the meeting room.

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Planned Dev
Request
City of Placerville

STATE OF CALIFORNIA, COUNTY OF EL DORADO

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GENERAL ORDERS

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board accepted the resignation of Mrs. Dolores E. Weiss as a member of the Happy Homestead Cemetery District, and directed the Clerk to send a Certificate of Appreciation to Mrs. Weiss.

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The appointment of alternate members to the El Dorado County Community Action Council was continued to February 3, 1981, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved payment of an Invoice submitted by Morton & Pitalo, Inc., in the amount of \$1,070.00, for professional services rendered through December 25, 1980, for preparation of descriptions for right of way and commencement of record of survey extra work for Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District.

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Supervisor Flynn expressed concern regarding the numerous Notices of Non-Renewal of Agricultural Preserves which are being filed, and requested the Planning Department provide him with the following:

- a. A list of all those Agricultural Preserves in the "roll out" phase;
- b. Planning Department's plans to accomplish the necessary rezonings or General Plan Amendments of said lands before the "roll outs" are terminated.

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There being no further business to come before the Board of Supervisors this date, the Board adjourned to Monday, February 2, 1981, at 1:30 p.m., at which time it will convene as the Board of Directors of the El Dorado County Redevelopment Agency.

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APPROVED:

Joseph V. Flynn
JOSEPH V. FLYNN, Chairman

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

By Dixie L. Foote
Deputy Clerk