

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 30 19 82

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

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The Invocation was offered by Supervisor Walker.

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The Pledge of Allegiance to the Flag was led by Supervisor Dorr.

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RESOLUTION NO. 87-82 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, in recognition of Mr. Fred Huntington, Sr., and his son, John Huntington, for their apprehension of a robbery/murder suspect in Cameron Park on Thursday, March 18, 1982; and said Resolution was presented to Mr. Huntington and his son as they were present this date.

EXCELEBASE

The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, with the addition of a request from the Purchasing Agent to purchase an automated cash register on a sole-source basis; and item number 7 on the Consent Calendar was moved for consideration under Personnel Matters.

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The Minutes of March 16, 22, and 23, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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

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

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Budget Transfer No. 80 was approved for the County Recorder, transferring \$400 from Fixed Assets (microfiche readers) to Fixed Assets (numbering machine) to purchase a new numbering machine with funds saved on microfiche readers.

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The Board approved Assessment Roll Changes number 1506, 1518, and 2962.

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RESOLUTION NO. 88-82 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Health Department (Animal Control); Library, Public Defender, Probation and Welfare Departments.

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12-7

212

50-1

117

2980

157-13

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19 82

294-11
March 30
22-10
298
91/92
164-6
22-7-2

Upon being advised by the Public Works Department that Harvard Way, the access road to Oak Ridge School in El Dorado Hills, has been completed according to the plans and specifications, RESOLUTION NO. 89-82 was adopted accepting same into the County Maintained Road System.

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At the recommendation of the Public Works Department, the Chairman was authorized to sign a Certificate of Acceptance of Grant of Right-of Way Easement for the construction, operation, and maintenance of the Pleasant Valley Road Project (SS-28), owned by the U.S. Department of the Interior, Bureau of Land Management.

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At the recommendation of the Health Department (Mental Health Division), the Board appointed Bonnie Roper as a member of the Combined Advisory Board on Alcoholism, Drug Abuse and Mental Health Services for a three-year term, expiring April 1, 1985.

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The Board accepted the resignations of Dr. Kenneth C. Smith, Marvin Smiley, and Annette Rhodes as members of the Lake Tahoe Emergency Medical Care Committee; and directed that Certificates of Appreciation be sent to same.

Dr. Steven Leman, Chief Bert Cherry, Korkey Easterbrook, Emily Jane Vitale, and Marshall I. Brogie were appointed as members of the Lake Tahoe Emergency Medical Care Committee.

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The Board accepted the resignation of Captain R. P. Rengstorff as member of the Local Disaster Council, representing District I; and directed that a Certificate of Appreciation be forwarded to Captain Rengstorff.

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The Board approved 19 applications for abatement of penalties for failure to file Change in Ownership Statements with the County Assessor, as said Statements have now been filed..

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The Board approved a revision to County Policy and Procedures governing "Parking for County Employees and the General Public", to incorporate the recommendations of a management-employee committee on the parking at the South Lake Tahoe Government Center, which were approved by the Board on February 2, 1982.

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At the recommendation of the Chief Administrative Officer, the Board established June 21, 1982, as the first day of public hearings on the 1982-83 County Budget.

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RESOLUTION NO. 91-82 was adopted, at the request of the Personnel Department, amending Appendix A of the County Conflict of Interest Code relating to designated classifications and disclosure categories.

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178-1
The Governor of the State of California submitted a Proclamation, declaring the Statewide Direct Primary Election will be held on Tuesday, June 8, 1982, pursuant to Section 2553 of the Elections Code; and the Board directed that said Proclamation be posted and placed on file.

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326
At the request of Supervisor Lowe, the Chairman was authorized to sign a letter to Assemblyman Norm Waters requesting modification to Assembly Bill 75 to extend the date for removal of studded snow tires from April 1 to May 1.

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96-1-82
The Board set a public hearing for April 13, 1982, at 2:15 p.m., to consider an Appeal submitted by Mr. Paul Bachinger on the Planning Commission's issuance of River Use Permit No. 82-12 to Wild River Raftin' Co. (Paul Parker) for river rafting on the South Fork of the American River.

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198-8
RESOLUTION NO. 94-82 was adopted to provide property tax revenues to the Shingle Springs Fire Protection District for annexation of the Don W. Thomas property (SSFPD 82-01) in accordance with AB8 negotiations.

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114-9
The Board authorized the purchase of an automated cash register for the District Attorney's Family Support Section, as approved in the 1981-82 budget, from Sacramento Business Machines, on a sole-source basis, at a cost of \$5,210.00.

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50.7 (23-4)
RESOLUTION NO. 90-82 was adopted, at the request of Community Programs, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, authorizing the Chairman to sign a Claim for State transit assistance funds, in the amount of \$17,004.00, against the 1982-83 transportation fund apportioned to the California Tahoe Regional Planning Agency to provide transportation services for low income elderly and handicapped at South Lake Tahoe.

Further, at the request of the Director of the Area Agency on Aging, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board authorized payment to Mr. Ray LeBlanc, Lake Tahoe Transportation Systems, Inc., in the amount of approximately \$60 per month, for monthly reports that will provide ridership information of the special low-income, elderly and handicapped transit services for ongoing monitoring services.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign the following:

- (341-5)
a. Twenty-five year Agreement with the City of Placerville for lease of real property, approximately 158' x 300', on which the Animal Control Shelter is located, at a cost of \$1.00 per year; and
b. Office of Primary Responsibility form designating the Agricultural Commissioner to monitor same.

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(115)
429
3/29
1982
RESOLUTION NO. 92-82 was adopted, at the recommendation of the Personnel Director, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, amending Section 4111 of the County Personnel and Salary Ordinance relating to salaries of Department Heads and Management Employees, effective July 11, 1981.

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RESOLUTION NO. 93-82 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, commending Dr. Angus Acheson McKinnon for his many years of service to the community.

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(198-1)
3/26
1982
The Solano County Grand Jury requested that its letter to the Solano County Board of Supervisors, regarding that County's opposition to the construction of the Peripheral Canal, be forwarded by the El Dorado County Board of Supervisors to the El Dorado County Grand Jury. On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board received same and directed it be placed on file.

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Legislative Matters

3/26
1982
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to Assemblyman Norman Waters, requesting an amendment to Assembly Bill 2835 to impose a requirement that any State agency recommending requirements of proposed electrical generating or operating projects, be required to estimate, realistically, the additional costs or savings to the rate payers; with copies of same to be forwarded to State Senators Ray Johnson and John Garamendi.

* * * *

RESOLUTION NO. 95-82 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, opposing State Legislature Assembly Constitutional Amendment 64 which places undue responsibility and liability on local law enforcement agencies in its decision to grant parole, probation or release of a person who subsequently causes an injury to another; and the Clerk was directed to submit same to members of the Assembly Criminal Justice Committee and the California Supervisors Association of California.

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(105-1)
3/26
1982
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board went on record in support of Assembly Bill 2370, regarding "prevailing wage rates" as relates to public works wages, in order to help reduce the cost of constructing public facilities; and the Chief Administrative Officer was authorized to send a telegram to the Assembly Labor Committee and Assemblyman Nolan Frizzelle (who introduced the bill) advising of the Board's support.

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12
By informal consensus, the Board set a meeting with the Placer County Board of Supervisors for Tuesday, April 13, 1982, at 7:00 p.m., in the Planning Commission meeting room.

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(115)
183
Judge Terrence M. Finney requested the addition of one Superior Court Clerk position for Superior Court at South Lake Tahoe. On motion of Supervisor Walker, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr, the Board approved the request, with the job classification to be determined by the Personnel Department and Judge Finney.

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(328-3)
(332)
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the following were appointed as members of the Committee for Lower Utility Rates: Mrs. Shirley Hallberg, Mr. Ralph Lao, Mr. Winford Peterson, Mr. Paul Richins, and Mr. F. B. Schullerts.

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Chairman Walker exited the meeting room, and Vice Chairman Stewart presided.

(115)
151-9
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board approved the request of the Welfare Department to fill one Eligibility Worker I position.

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(115)
153
The request of the Public Works Department, to fill one custodian position was continued to April 6, 1982, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present.

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(115)
154-2
The request of County Service Area III, Vector Control, to hire two Technicians Assistants as extra help, was approved, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried by those present.

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(183)
115
Judge William E. Byrne requested the Chairman be authorized to sign an Agreement with Mary T. Muse, the Superior Court's Legal Research Assistant, in the amount of \$15.45 per hour, not to exceed 30 hours per week, for the period February 1, 1982, to June 30, 1982. On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the matter was continued to April 6, 1982, and Judge Byrne requested to be present to speak to the request.

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(142-80)
124
On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved a project to fabricate and install 16 parking signs at the South Lake Tahoe Government Center by the Public Works Department, at a cost of \$1,100.00; with said amount to be taken from Fund 1-801, Miscellaneous Minor Projects.

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122
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, and Ordinance was introduced, allocating available commercial square footage under the Tahoe Regional Planning Agency Compact to the years 1981 and 1982 and available sewer capacity for categories other than single family residential in 1981; the reading thereof was waived; and it was continued to April 6, 1982, for consideration of adoption. (Sponsors: Supervisors Lowe and Stewart)

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The following requested the Board consider abatements of penalties for failure to file Change in Ownership Statements with the County Assessor:

- a. Attorney Orville W. McCarroll, on behalf of Diamond R. Properties, Inc. (APN 93-030-32); and
- b. William John Berkley (APN 77-090-40)

A motion to deny the request, made by Supervisor Lowe and seconded by Supervisor Dorr, did not carry by the following vote: Ayes: Supervisors Dorr and Lowe; Noes: Supervisors Flynn and Stewart.

A motion to take the matter up when Supervisor Walker returns, made by Supervisor Flynn and seconded by Supervisor Dorr, unanimously carried.

Supervisor Walker returned to the meeting room.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; Noes: Supervisors Dorr and Lowe, the Board abated the penalties as requested.

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233
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board appointed Ms. Betty Mitchell, of South Lake Tahoe, to the Correctional Facilities Advisory Committee.

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SPECIAL ORDERS

PLANNING MATTERS

The Board again considered the Placerville Periphery Area Plan, consisting of approximately 8,828 acres; and the Zoning Map for lands in the Placerville Periphery area to comply with said Area Plan. (Public hearing continued from March 22, 1982)

396
Placerville
Area Plan
Mr. Sam Gillion, Project Planner, submitted the Summary of Hearings and Comments of the Planning Commission's meeting of March 25, 1982, at which time it considered the three requests pertaining to the Placerville Periphery Area Plan and Zoning, which were referred by the Board, to the Commission, on March 22, 1982, as follows:

1. Mr. Albert Gray, 5.43 acres, requesting Multi-Family General Plan Designation with R2, Limited Multi-Family Residential Zone; proposed on Plan for MDR, Medium Density Residential Designation with R1A Zone; Planning Commission recommended Multi-Family General Plan Designation with R2, Limited Multi-Family Residential Zone, to include another 5 acres between Mr. Gray's parcel and the Placerville City limits. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved Multi-Family General Plan Designation with R2, Limited Multi-Family Residential Zone.
2. Gallagher Enterprises, 65.32 acres, requesting LDR, Low Density Residential on the entire 65 acres; proposed on Plan for LDR Designation on the front portion and RA10-160 on the back portion, with RA20 Zoning; Planning Commission recommended LDR on the entire 65.32 acres (3 parcels) with RA20 Zone. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved LDR Designation on all three parcels, with RA20 Zone.

Continued next page

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3. John Bisagno, 8 acres, requesting MDR, Medium Density Residential General Plan Designation with R1A Zone; proposed on Plan for RA10-160 Designation with RE-10 Zone; Planning Commission recommended MDR Designation with R3A Zone. Mr. John Bisagno was present and spoke to his request. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; Noes: Supervisors Dorr and Lowe, the Board approved Mr. Bisagno's request for MDR Designation with R1A Zone.

The Board then discussed the Development Goals and Policies of the Placerville Periphery Area Plan, and acted on specific ones as follows:

Development Policies (Land Use):

A. General

1. Amended to read as follows: "General Plan Amendments, Rezoning, Subdivisions, Parcel Maps, and Special Use Permits, hereinafter referred to as 'developments', shall be considered in light of presently available or projected public utilities and public service capabilities. Subdivisions, Parcel Maps and Special Use Permits may be approved upon a finding that adequate capacity is available or projected in all public utilities and public services, including police, fire protection, roads and schools to serve the entire and completed proposed development.
4. First sentence deleted.
5. The words "a General Plan Amendment, Rezoning or Subdivision" deleted, and replaced with the word "development".
11. The words "hiking trails" deleted, and replaced with the words "pedestrian walkways".

E. Rural Residential Agriculture (10-160 acre minimum)

1. Delete entirely.

1a. End second sentence after the word "factor", deleting the remainder.

The public hearing on the Placerville Periphery Area Plan and Zoning was closed.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved and accepted the Environmental Impact Report on the Placerville Periphery Area Plan and Zoning, finding that it is in compliance with State and local guidelines.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board declared its intent to adopt the Placerville Periphery Plan as designated by the official map, based on the finding that all impacts referred to in the Environmental Impact Report have been mitigated to acceptable levels.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board adopted the Placerville Periphery Area Zoning Map, as designated by the County official map, by adoption of ORDINANCE NO. 3249, to become effective 30 days after the effective date of the Resolution adopting the Placerville Periphery Area Plan.

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576
Hearing was held as duly advertised to consider an amendment to the County General Plan in the Camino/Fruitridge area from Rural Residential Agriculture (1 dwelling unit per 10-160 acres) to Single Family Residential Low Density, consisting of 13.63 acres, petitioned by Paul Corbell; and rezoning of said lands from Exclusive Agriculture Zone to Estate Residential Five-Acre Zone. The Planning Commission submitted no recommendation, as a motion to recommend denial, failed on a two/two vote with Commissioner Harris abstaining due to a conflict of interest.

Mr. Noble Sprunger, attorney, was present and spoke on behalf of the applicant who was also present.

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

205-11-12
396 70
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan; and approved the rezoning as requested, by adoption of ORDINANCE NO. 3250; said Ordinance to become effective 30 days following the effective date of the General Plan Amendment.

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526
255-19-27
Hearing was held as duly advertised to consider an amendment to the County General Plan in the Camino/Fruitridge area from Single Family Residential Medium Density to Commercial, consisting of 3.02 acres, petitioned by John Graham. The Planning Commission recommended approval, based on the following findings:

1. Adequate services exist;
2. The property fronts on a major arterial (Pony Express Trail), providing adequate access;
3. The rezoning is compatible with surrounding zoning in the area.

Also before the Board for consideration was the request for rezoning of said lands from Single Family Residential One-Acre Zone to Planned Commercial Zone. The Planning Commission recommended approval, based on the finding that the zoning is consistent with the General Plan.

Mr. Dave Wheldon, Agent, was present and spoke on behalf of the applicant.

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

32072
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission; further, the Board accepted the Negative Declaration and approved the rezoning, based on the finding of the Planning Commission, by adoption of ORDINANCE NO. 3251 which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment.

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576
RESOLUTION NO. 96-82 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, amending the County General Plan to incorporate those amendments to same approved by the Board on March 22, 29, and 30, 1982.

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Attorney Jean S. Klotz was again present to speak on behalf of Donna Hunter and Shelley Barclay, who are requesting the transfer of River Use Permit No. 82-01 from Mr. and Mrs. Aedgard de Boer, dba Ponderosa River Tours, to Ms. Hunter and Ms. Barclay, as they are purchasing the business from the de Boer's. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request.

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The Planning Department advised it has reviewed the 1985 Resources Planning Act - Alternative Goals, pursuant to the Board's request of February 2, 1982; and recommended the Board support Alternative 3. On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved Alternative 3 as recommended by the Planning Department.

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At the recommendation of the Planning Commission, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, ORDINANCE NO. 3252 was adopted, amending the County Ordinance Code to allow the Planning Director to hear all Special Use Permit requests, and the Planning Commission to serve as an Appeals Board. (Sponsor: Supervisor Walker/ Introduced 3/23/82)

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GENERAL ORDERS

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to the State Transportation Commission requesting the matter of the County Government Center Overpass at Highway 50 be placed on said Commission's May agenda for discussion.

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There being no further business, the Board adjourned to Tuesday, April 6, 1982, at 10:00 a.m.

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APPROVED:

W.P. Walker
W. P. "DUB" WALKER, Chairman

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

By Dixie L. Foote
Deputy Clerk