

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 27 1982

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.

--//--

127 The Invocation was offered by Reverend Mark Cowles, Highway Bible Church.

--//--

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

The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, with the addition of Supervisor Stewart's request that the Board discuss the matter of the contract with the City of South Lake Tahoe for bus service in the Meyers area.

--//--

The Minutes of April 20, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

--//--

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

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

* * * *

117 Budget Transfer No. 90 was approved for the Service Department, transferring \$90,000 from Cost Applied (92-5380) to Communications (92-2060) due to error in calculating the communications budget.

Budget Transfer No. 92 was approved for Public Works, increasing estimated revenue (Transportation Tax) and crediting Special Departmental Expense (92-2230) with \$287,948 to reflect claims that were already approved by the California Tahoe Regional Planning Agency (CTRPA).

* * * *

247 The Chairman was authorized to execute Releases of Lien, discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance, as recorded in the Official Records of El Dorado County as follows:

<u>Name</u>	<u>Volume and Page</u>	
James Dent Kinkin	1096	126
Gloria Kinkin	1114	32
James Dent Kinkin	1182	677
James Dent Kinkin	1269	554
James Kinkin	1401	383
James & Gloria Marie Kinkin	863	491 & 492

* * * *

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 27 19 82

58 At the recommendation of County Counsel, the Board denied the claim submitted by Attorney Edward R. Brenner for indemnity and contribution in the event judgment is rendered against the Foundation for Comprehensive Health Services, dba Sierra Family Medical Group, in the matter of the cross complaint filed by the Placerville Pines Convalescent Hospital, Inc., vs. El Dorado County Mental Health Department, Frank Weiser, M.D., Timothy A. Copp, and Does One through Fifty.

--//--

58 At the recommendation of County Counsel, the Board denied the claim submitted by Attorney Ronald E. Matonak, on behalf of Jerrold L. Wenger, in the amount of \$103,523.47, which is the final billing for attorney's fees and costs incurred relating to the Wenger vs. Commission on Judicial Performance matter.

--//--

58 At the recommendation of County Counsel, the Board denied the claim for personal injuries, in an undetermined amount, submitted by Ms. Margaret Rester.

--//--

50
(60-8) RESOLUTION NO. 112-82 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign Amendment No. 3 to the Agreement (No. 8100-2900) with the California State Office of Economic Opportunity, Employment Development Department, extending the termination date for training and technical assistance for the enhancement of weatherization program operations from March 31, 1982, to December 31, 1982.

--//--

14- RESOLUTION NO. 113-82 was adopted, at the request of the Treasurer-Tax Collector, authorizing the Auditor-Controller to draw a warrant, in the amount of \$39.40 to replenish the Treasurer's Cash Difference Fund.

--//--

At the recommendation of the Chief Administrative Officer, the Board adopted the following Policy relating to a revised procedure for the development of County Ordinances:

- (353)
(310-1)
- a. Prior to preparation of a proposed Ordinance, the requesting Department or party present the matter to the Board for conceptual approval; and
 - b. At the time of introduction, the requesting Department prepare a cover letter analyzing the Ordinance or Ordinance change.

--//--

298 RESOLUTION NO. 114-82 was adopted, delegating to the Assessor the responsibility for determining excusable delay in filing Change of Ownership Statements.

--//--

354
(22-70) At the recommendation of the Combined Advisory Board on Alcoholism, Drug Abuse, and Mental Health Services, the Board reappointed Dr. Jeff Rabinovitz and Barbara Boothe as members of said Board, for three-year terms expiring April 1, 1985.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 27

1982

22-10
The Board accepted the resignation of Captain R. P. Rengstorff as member of the Emergency Medical Care Committee, Placerville area, and directed that a Certificate of Appreciation be forwarded to Captain Rengstorff.

* * * *

22-10
That Board appointed Captain Jim Cole to the Emergency Medical Care Committee to replace Captain Rengstorff.

* * * *

3-8-8
The Board directed that a favorable comment be sent to the Sierra Planning Organization on the application of the Georgetown Divide Public Utility District for the pipeline intertie along Sliger Mine Road between Spanish Dry Diggins Road and State Highway 193, approximately 5 miles east of Cool.

--//--

3-0
Community Programs recommended the Chairman be authorized to sign the final Project Progress Review Report for Fiscal Year 1981-82. On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the Report, and authorized the Chairman to sign same, with the deletion of the following sentence within, "El Dorado County has established a fair rent review board for mobile home parks in the County."

--//--

5-8-24
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board authorized the Area Agency on Aging to submit to the State Office on Aging, a budget revision for the period ending June 30, 1982, to reflect redirection of unexpended Area Agency on Aging program development funds, in the amount of \$7,052.00, to the direct service contract.

--//--

3-8-3
The Sierra Planning Organization requested comments on the application of the U.S. Department of Agriculture, Forest Service, Eldorado National Forest, for land exchange with La Finca #1 (Pendola, et al) in the vicinities of Tells Peak, Grizzly Flat, Sly Park and Georgetown in El Dorado County and Stockton in San Joaquin County. On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the Planning Department for comment, with the U.S. Forest Service and Sierra Planning Organization to be so advised.

--//--

7-1-82
Nopp, Zeiner, Atchinson & Associates, Inc., requested the Chairman be authorized to sign a Letter Amendment to an Agreement with same, authorizing the architect to proceed with Phase IV of the South Lake Tahoe Library, at a cost of \$1,000.00, plus 7½% of the cost of furnishings. On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign the Letter Amendment with the Basic Compensation for Phase IV modified to read, "Flat fee or \$8,500.00".

--//--

7-1-82
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the architect's report on the proposed Senior Citizens' Center at South Lake Tahoe, and directed it be placed on file. Further, the Chairman appointed Supervisors Lowe and Stewart as liaison between the Board and senior citizens involved in the funding drive for said center.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 27 1982

350
At the recommendation of the Capital Improvements Coordinator, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board took the following action: (1) approved payment, in the amount of \$882.00, to Pacific Gas & Electric Company, for a new electric service line for the Psychiatric Health Facility Remodeling Project; and (2) authorized the transfer of funds, in the amount of \$588 from the Mental Health Budget, and \$294 from Revenue Sharing, to the Capital Outlay Budget for same.

--//--

39
Board consideration in the matter of a food concession booth at the Fairgrounds built over a City of Placerville 10" sewer main, was continued to May 4, 1982, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

--//--

(326)
341
The Agricultural Commission recommended the Chairman be authorized to sign letters to Senator John Garamendi and Assemblyman Norman Waters, requesting they support legislation that would prevent the transfer of monies from the agricultural fund to the general fund, which results in loss of interest to the agricultural fund. On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board acknowledged receipt of the request, and directed it be placed on file, and that the Agricultural Commission be so advised.

--//--

12-14
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board set the following Policy Review Sessions for June 16, 1982:

- 22-7
419
a. 9:30 a.m., regarding boarding home care for selected Mental Health patients;
b. 11:00 a.m., to discuss flood control.

--//--

21-5
The matter of the Airports Department and County Counsel submitting twenty-year Lease Agreements with Oasis Petroleum Corporation and Executive Aero Systems, Inc., for servicing operations at the Lake Tahoe Airport, was continued to May 4, 1982, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

--//--

124
(124-3)
The Public Works Director requested authorization to begin recruitment immediately to fill the vacant position of Assistant Highway Superintendent, with the intent that said position be filled by June 12, 1982. On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board authorized the initiation of recruitment proceedings, and referred the matter of the actual hiring of an individual to the newly formed Ad Hoc Committee on Public Works Productivity for its comment.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 27

19 82

At the request of the Area Agency on Aging, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board took the following action:

- 50-76
- a. Adopted RESOLUTION NO. 115-82 authorizing the Chairman to sign the Area Plan on Aging for Planning and Service Area 29 for Fiscal Year 1982-83, in the amount of \$322,164.00, for the administration of Title III Older Americans Act programs; and
 - b. Authorized the Chairman to sign Subgrant Award Conditions for 1982-83, and Assurance of Compliance Form regarding same, to be submitted to the State Department of Aging.

--//--

At the recommendation of Public Works, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, ORDINANCE NO. 3260 was adopted, placing a weight limit of ten tons on String Canyon Road and Grizzly Flat Road for a period not to exceed ninety days; said Ordinance adopted as an urgency measure to become effective immediately.

--//--

Mr. Ray A. Gernsten submitted a petition signed by seven South Lake Tahoe contractors opposed to the Board's deletion of one Building Department Inspector at the Lake Tahoe Office. On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board directed that a letter be sent to Mr. Gernsten, advising that the Building Department Office at South Lake Tahoe will be open Monday through Friday, 8:00 a.m. to 5:00 p.m.

--//--

At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board deferred until August budget hearings, the Golden Empire Health Systems Agency request that El Dorado County make a 2¢ per capita contribution, in the amount of \$1,711.00, to be used for said Agency's work program for Fiscal Year 1982-83.

--//--

Pursuant to a meeting of Supervisors Lowe and Stewart and representatives of the City of South Lake Tahoe, the Board, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, directed County Counsel to notify the City, in writing, that the Board, this date, approved the termination of the contract between the City and County for bus service in the Meyers area, effective May 3, 1982, if agreeable, or, if not, 10 days after the City's receipt of said notice.

--//--

At the request of the Chief Administrative Officer, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the Treasurer/Tax Collector and Auditor/Controller to negotiate a contract with First Interstate Bank towards the issuance of tax and revenue anticipation notes for El Dorado County for Fiscal Year 1982-83, and bring said contract back for the Board's approval.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 27 19 82

278-A
Hearing was set for this time, as requested by Carlos W. Handall on behalf of Theodore S. and Rosemary Salatti, on Assessment Roll Change No. 1532, whereby the homeowner's exemption was cancelled. Mr. Handall was not present, nor were Mr. and Mrs. Salatti. Mrs. Vera Klimovich, representing the Assessor's Office, was present and stated the matter had been resolved. On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board upheld the action of the Assessor and approved the canceling of the homeowner's exemption.

--//--

The Board recessed for lunch, after which it reconvened with Supervisor Stewart absent.

SPECIAL ORDERS

PLANNING MATTERS

285-25-82
39-90
Hearing was held as duly advertised to consider rezoning of lands in the Garden Valley area from Estate Residential Ten-Acre Zone to General Commercial, Single Family Residential Two-Acre and Estate Residential Five-Acre Zones, consisting of 22 acres, petitioned by Joseph Murphy, et al. The Planning Commission recommended approval based on the following findings:

1. The request is in compliance with the Goals and Policies of the General Plan;
2. Adequate access and services are available for the density proposed.

Mr. Murphy was present to answer questions of Board members. There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3261 which amends the County Zoning Ordinance accordingly.

--//--

285-26-82
39-90
Hearing was held as duly advertised to consider rezoning of lands in the Cameron Park area from Open Space Zone to Multi-Family Residential Zone on the developable portion of 3.21 acres, with the 700 foot strip (50 to 80 feet in width) lying between the southerly lot lines (back of lots) and U. S. Highway 50 to remain Open Space Zone, as initiated by the El Dorado County Planning Commission on lands owned by Cameron Park Real Estate Enterprises, based on the following findings:

1. The property has several land features which limit its development;
2. The rezoning of the land with only the developable areas put in a multi-family residential zone, with the balance in open space, would encourage the best use of the land;
3. The rezoning to multi-family and open space would be in conformance with the Long Range Land Use Map.

Mr. Calvin Collins, owner of the property, was present and concurred in the Planning Commission's recommendation. There were no written or verbal protests, and the hearing was closed.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 27

19 82

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Walker; No: Supervisor Lowe; Absent: Supervisor Stewart, the Board accepted the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 3262 which amends the County Zoning Ordinance accordingly, based on the following findings:

1. The proposed rezoning will offer the best use of the land;
2. The rezoning is consistent with the General Plan;
3. The Board recognizes that there is a potential drainage problem that will be examined at the time of further development of the property.

--//--

Hearing was held as duly advertised to consider the following:

*423
Deer Valley
Ranch*
A. Tentative Map for Deer Valley Ranch Subdivision in the Rescue area, consisting of 192 acres, comprising 19 lots; subdivider: Irving S. Campbell. The Planning Commission recommended approval, based on the following findings:

1. The tentative map and proposed improvements are in compliance with the General Plan;
2. The site is physically suited for the type of development and density proposed;
3. The design of the subdivision and the proposed improvements will not cause substantial environmental damage and will not substantially injure fish and wildlife or their habitat; and
4. The environmental concerns identified in the review of the project have been adequately mitigated as a result of the conditions placed on the tentative map.

B. Variance of the minimum parcel size to create a 4.7 acre parcel in an RE-10, Estate Residential Ten-Acre Minimum Zone District, as Lot 15 in the proposed Deer Valley Ranch Subdivision is physically separated from the project site by Deer Valley Road. The Planning Commission recommended approval, based on the following findings:

1. There are exceptional or extraordinary circumstances or conditions applying to the land, which do not apply generally to land in the vicinity and the same zone, and have not resulted from any act of the owner or applicant. Lot 15 is physically separated from the project site by Deer Valley Road;
2. The strict application of the provisions of the ordinance requested to be varied would deprive the applicant of the reasonable use of the separate parcel allowed for other land in the same zone;
3. The variance is the minimum necessary for the reasonable use of Lot 15; and
4. The variance is in conformity with the intent of this ordinance and not detrimental to the public health, safety and welfare, or injurious to the neighborhood.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 27

19 82

- C. Design Waivers for the proposed Deer Valley Ranch Subdivision as follows:
1. Cul-de-sac in excess of 1,200 feet (Mormon Ravine Drive). Planning Commission recommended approval, based on the following findings:
 - a. There are special conditions peculiar to the property proposed to be subdivided which justify the waiver. Mormon Ravine Drive is situated to utilize the terrain for the best possible design and will be constructed to ensure adequate access for emergency vehicles;
 - b. Strict application of the design standards would cause unnecessary hardship in developing the property;
 - c. The waiver will not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public; and
 - d. The waiver will not have the effect of nullifying the objectives of the Major Land Division Ordinance or any other law or ordinance applicable to the subdivision.
 2. Lots 2 and 9 to exceed a 3:1 length to width ratio. The Planning Commission recommended approval, based on the following findings:
 - a. The size of the parcels created (10 acres) and the topographical features of the area justify a 3½ to 1 length to width ratio to be granted;
 - b. There are special conditions or circumstances which would justify the variance or waiver;
 - c. Strict application of the design waiver or improvement requirements of this Chapter would cause extraordinary and unnecessary hardship in developing the property;
 - d. Such variance or waiver would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public; and
 - e. Such variance or waiver would not have the effect of nullifying the objectives of this Chapter or any other law or ordinance applicable to the subdivision.

Mr. Gene Thorne, Agent, was present and spoke on behalf of the applicant. There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board acted as follows on the request:

- A. Accepted the Negative Declaration and approved the Tentative Map for Deer Valley Ranch Subdivision, subject to the 20 conditions proposed by the Planning Commission and amended by the Board this date, based on the findings of the Planning Commission;
- B. Approved the Variance as requested, based on the findings of the Planning Commission; and
- C. Approved the two Design Waivers as requested, based on the findings of the Planning Commission.

--//--

59
In a letter dated April 10, 1982, the Downtown Merchants Association of Georgetown requested the three-block area of downtown Georgetown, commencing at the intersection of Highway 193/Main Street to the corner of Orleans/Main, be excluded from the street numbering system adopted by El Dorado County. At the recommendation of the Planning Director, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board directed a letter be sent to said Association requesting it provide the Planning Department with the already established numbers for the three-block area in question.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 27 19 82

57
(2-1)
46-7

At the recommendation of the Planning Director, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Chairman was authorized to sign a letter to the Community Development Director of the City of Placerville, for inclusion in the City's Planning Commission hearing, regarding a change from RE-10, Estate Residential Ten-Acre Minimum Zone, to R1A, Residential One-Acre Minimum Zone, on a five-acre parcel adjoining an active pear orchard which is under Williamson Act Agricultural Preserve Contract.

--//--

There being no further business, the Board adjourned to Tuesday, May 4, 1982, at 10:00 a.m.

--//--

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