

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 27

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.

--//--

12-7 The Invocation was offered by Reverend Don O. Herman, First Lutheran Church.

--//--

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

--//--

The Board presented a plaque to Mrs. Bernice E. Berger, in recognition of her service to the County as an employee at the County Library for period July 21, 1973, through July 30, 1982.

--//--

The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, with the following additions: (1) County Counsel's recommendation for settlement of two cases involving El Dorado County; (2) Rescission of Resolution No. 190-82 due to error in same; and (3) County Risk Manager's recommendation for placement of County's excess liability coverage.

--//--

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

--//--

5-1 On motion of Supervisor Lowe, 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.

* * * *

117 Budget Transfer No. 3 was approved, advancing \$33,000.00 from the County Treasury to the Cameron Estates Community Services District as a loan until tax monies are available.

* * * *

423
11/1/82
11
At the recommendation of the Public Works Department, County Counsel was directed to take the necessary action to claim the remaining amount of the letter of credit for Governor Village Unit No. 11, in the amount of \$74,301.20, to pay for the completion of the improvements.

* * * *

(57)
70 At the recommendation of the Planning Department, RESOLUTION NO. 196-82 was adopted, a Resolution of Understanding and Support of the Lake Tahoe Basin Water Quality Management Plan.

* * * *

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

147
At the request of the County Recorder, the Chairman was authorized to sign an Agreement with Sacramento Graphic Systems, an authorized 3M Company Business Products Center, for the maintenance of a 3M microfiche camera, at a yearly cost of \$1,475.00.

* * * *

18-12
At the recommendation of County Counsel, the Chairman was authorized to sign an amended Agreement with El Dorado Land Fill, Incorporated, for operation of the Union Mine Dump, eliminating the "lease" connotation as suggested by previous Grand Jury Reports.

* * * *

12-14
The Chief Administrative Officer's report on effectiveness of the revised Management Performance Evaluation Program was continued for an additional six months in order to provide a more complete evaluation of the Program.

* * * *

114
At the request of the General Services Division, RESOLUTION NO. 197-82 was adopted, authorizing the Office of Procurement, State Department of General Services, to purchase supplies and equipment for El Dorado County during Fiscal Year 1982-83, pursuant to Government Code Section 14814; and further authorizing the Purchasing Assistant to sign necessary documents relating to same.

* * * *

212
RESOLUTION NO. 198-82 was adopted authorizing the closure of Main Street in Georgetown, between Highway 193 and Harkness, from 8:00 a.m. - 5:00 p.m. on Sunday, August 1, 1982, for the annual Georgetown Founders Day.

* * * *

308-31
303
50
The Board concurred with the Sierra Planning Organization staff's comments on the preapplication of the El Dorado Irrigation District for federal assistance for the Diamond Springs Main Project, and the application of LaCooperativa Compensina De California for federal assistance to States in dealing with migrant and seasonal farmworker programs under the Community Services Block Grant Programs.

* * * *

141
At the recommendation of County Counsel, the Board approved settlement, in an amount not to exceed \$5,500.00, in the cases of Robert D. Johnston, Cross-complainant, vs. County of El Dorado, et al., and Thomas Thein and Peggy Thein, Cross-complainants, vs. County of El Dorado, et al.

* * * *

423
Cameron
Park North
The Board rescinded Resolution No. 190-82, adopted July 20, 1982, which set a public hearing for Tuesday, August 10, 1982, at 2:15 p.m., to consider abandonment of public utilities easements in Cameron Park North Unit No. 7 between Lots 230 and 231, and 231 and 233, as requested by the Cameron Park Athletic Club; said rescission due to error in said Resolution; and RESOLUTION NO. 199-82 was adopted resetting said hearing for Tuesday, August 17, 1982, at 2:15 p.m.

* * * *

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

420-3
At the recommendation of the County Risk Manager, the Board approved placement of the County's excess liability coverage with Canadian Indemnity and Integrity Insurance Companies, at an annual premium of \$36,000.00, effective July 25, 1982.

--//--

At the recommendation of Public Works, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the following Resolutions were adopted:

- 12-11
(34)
(62)
- a. RESOLUTION NO. 194-82 authorizing the Chairman to sign a transportation claim to be submitted to the El Dorado County Local Transportation Commission, increasing the amount for Western Slope routine maintenance from \$221,435.00 to \$286,600.00; and
 - b. RESOLUTION NO. 195-82 authorizing the Chairman to sign a transportation claim to be submitted to the California Tahoe Regional Planning Agency, increasing the amount for Tahoe Basin road maintenance from \$66,513.00 to \$110,398.00; with the claim amended by the Board to delete the word "routine" in reference to the maintenance.

--//--

(296-4)
Missouri
124
At the recommendation of the Public Works Department, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign an Addendum to the Agreement with El Dorado Building Center to provide for payment terms of three equal installments of \$30,526.59, to be paid upon issuance of each of the first three building permits, for signalization improvements at the Missouri Flat Road - Highway 50 Interchange for the development of Prospector's Plaza.

--//--

Supervisor Lowe exited the meeting room.

22-7
At the recommendation of the Health Department (Mental Health Division), and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Stewart, and Walker; No: Supervisor Flynn; Absent: Supervisor Lowe, the Chairman was authorized to sign an Agreement with James Miner, M.D., to provide general psychiatric services for the Placerville Mental Health Clinic, for period ending June 30, 1983, at the rate of \$34.00 per hour, up to a maximum of 40 hours per week.

--//--

Supervisor Lowe returned to the meeting room.

(104-5)
132
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of the Coloma-Lotus Fire Protection District for waiver of Building Department fees for the construction of its firehouse.

--//--

24-1
At the recommendation of the Probation Department, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Agreements with Amador, Tuolumne, and Alpine Counties for placement of said Counties' detained juveniles in the El Dorado County Juvenile Hall, increasing the rate to \$40.00 per day per child effective July 1, 1982.

--//--

July 27, 1982

- 282 -

dlf

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

14-80
At the recommendation of the General Services Division, the Chairman was authorized to sign Change Order No. 2 to the Agreement with S.L.N., Incorporated, for three additional electrical requirements for the remodeling of the South Lake Tahoe Administrative Building, increasing same by \$604.00.

--//--

326
Assemblyman Larry Stirling requested the Board's recommendations on amending Article IV, Section 12(c) of the State Constitution, which stipulates that the Legislature must finalize the budget by June 15 of each year. On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Chief Administrative Officer was directed to draft a letter for the Chairman's signature, advising what date this Board feels is appropriate for finalization of the State Budget and reasons why.

* * * *

343-1
(326)
In response to a letter from Les Cohen & Associates, regarding the balance of urban and rural representation on the State Transportation Commission, the Board directed a letter be sent to our State Legislators requesting the protection of rural counties' representation on said Commission, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

* * * *

164
(326)
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, Mr. Vern Peterson, County Deputy Director of Emergency Services, was authorized to respond to State Senator Ray Johnson's letter of July 13, 1982, regarding his concerns with Senate Bill 1477 which will authorize local assistance funding (fees) for air pollution control districts; and Mr. Peterson was also authorized to provide oral testimony at State Committee hearings on said bill.

* * * *

104
132
(326)
Assembly Bill 3797 (Robinson), which would require every roof (both new and existing roofs on which more than 50% of the area has to be resurfaced) to be constructed with fire-resistant material after January 1, 1983, was referred to the County Fire Advisory Board for its review and comment.

--//--

12-14
124
(57)
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board set a Policy Review Session for September 8, 1982, at 9:00 a.m., regarding private road circulation in the County, especially with regard to parcel map land divisions.

* * * *

12-14
(211)
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board scheduled a tour of M.O.R.E.'s Semi-independent Living Home on August 18, 1982, at 2:00 p.m.

--//--

115
The Sheriff was authorized to fill one, vacant Deputy Sheriff II position, on motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; Noes: Supervisors Dorr and Stewart.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 27

19 82

115
The Planning Department was authorized to hire one extra-help Planning Technician to assist in the preparation of the River Management Plan, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; Abstain: Supervisor Walker.

--//--

115
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the transfer of one Account Clerk III from the Building Department to the Auditor-Controller's Office, effective August 2, 1982, without amendment to the budgeted authorized positions of said Departments pending the outcome of budget hearings.

--//--

132
The Chief Administrative Officer's report on the complaint submitted by Dr. and Mrs. Demetre Bertakis on the Building Department's method of inspecting the roof on their house, was continued off calendar, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

--//--

61-3
(178-1)
RESOLUTION NO. 200-82 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; Noes: Supervisors Lowe and Walker, directing the Elections Department to place a measure on the November 2 ballot relating to the levy of a charge not to exceed \$20 per improved parcel within County Service Area No. 3, South Lake Tahoe, to provide additional funds for County snow removal services and/or replacement of existing older snow removal equipment.

--//--

(#23)
Rubicon
Palisades
124
Mr. Sherman Bliss, developer of Rubicon Palisades Subdivision, requested the County to accept the streets within said Subdivision into the County-maintained Road System.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board took no action on the request of Mr. Bliss. By way of exception, Mr. Bliss was referred to the action of the Board on November 2, 1976, wherein the same request was taken off calendar to be placed back on the agenda at his request when the California Regional Water Quality Control Board (Lahontan Region) lifts its cease and desist order; and the action of August 15, 1978, wherein the Board denied Mr. Bliss' request for acceptance of improvements in the Rubicon Palisades Subdivision. The Board further advised Mr. Bliss that it would be willing to assist in the creation of an assessment district in the subdivision or other locally funded entity to cure the problem with the roads in the subdivision, and when the problem is cured, the Board will reconsider its position in the matter. County Counsel was requested to work with Mr. Bliss' attorney, Patrick Riley, to resolve the matter.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board took the following action:

- a. Adopted RESOLUTION NO. 201-82 directing the Elections Department to place the following measure on the November 2 ballot for the General Election: "Shall a two cent (2¢) per gallon tax on motor vehicle fuel be levied in all parts of El Dorado County to provide supplemental funds for road improvement, road resurfacing, road maintenance, or equipment replacement as determined by the County Board of Supervisors for the unincorporated area and the City Councils of the cities of Placerville and South Lake Tahoe for areas within their respective jurisdictions?"; and
- b. Requested County Counsel to formalize an Agreement regarding allocation of the revenues between the County and Cities.

--//--

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, an Ordinance adding Chapter 3.32 to the Ordinance Code, relating to a special tax for police protection services, was introduced, the reading thereof waived, and it was continued to August 3, 1982, for adoption.

* * * *

RESOLUTION NO. 202-82 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, calling for an election to be held and consolidated with the General Election on November 2, 1982, to propose the levy of a special tax for police protection services in an amount not to exceed \$10.00 per unimproved parcel and \$20.00 per improved parcel, with the measure to read as follows: "Shall the El Dorado County Board of Supervisors be authorized to establish an annual charge not to exceed \$20 per improved parcel and an amount not to exceed \$10 per unimproved parcel to provide a higher level of Sheriff's Office services including personnel and equipment?"

--//--

ORDINANCE NO. 3284 was adopted, relating to the 1983 Lake Tahoe Building Permit Allocations, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried; said Ordinance adopted as an urgency measure to become effective immediately.

--//--

Representatives of the El Dorado Nuclear Arms Freeze Committee were present and spoke to their request that a Resolution be adopted, placing a measure relating to participation in crisis relocation planning on the ballot for the General Election to be held November 2, 1982.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board approved the language of the requested ballot measure to read as follows: "Should El Dorado County participate in the national nuclear civil protection plan?"

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried the Board adopted RESOLUTION NO. 203-82 to place the requested measure on the ballot of the General Election to be held on November 2, 1982.

--//--

124
(178-1)
296

141

233

(178-1)
233

132
390
10
Beatty

(164)
178-1

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

SPECIAL ORDERS

PLANNING MATTERS

Supervisor Lowe exited the meeting room.

78-30.82
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried by those present, the Board continued to August 24, 1982, at 2:00 p.m., the hearing to consider rezoning of lands in the Pleasant Valley area from Single Family Residential Two-Acre Zone to Single Family Residential One-Acre Zone, consisting of 16.83 acres, petitioned by Bernita L. Isaacson.

--//--

Supervisor Lowe returned to the meeting room.

308
309
The Sierra Planning Organization/Sierra Economic Development District (SPO/SEDD) requested approval of its proposal to utilize a planner from each of the three member counties to assist in the Agency's work program for a period ending January 1, 1983.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, Supervisor Walker, the Board's representative to SPO/SEDD was authorized to support the proposal.

--//--

Hearing was held as duly advertised to consider the Appeal of Mr. John R. Hess on the Zoning Administrator's denial of Variance No. 82-03, which would allow structural setbacks that do not comply with County Ordinance Code requirements, on two acres zoned Estate Residential Five-Acre in the Diamond Springs/El Dorado area.

Mrs. Mary Hess, wife of the appellant, was present and spoke to the Appeal. Mrs. Hess explained that the previous owner of the adjacent property constructed a fence between the two properties, which she and her husband assumed was on the property line. They later found out that, in some areas, the fence is approximately eight feet beyond the property line into the adjacent property. Therefore, their outbuildings do not meet the required setback because they gauged the setback by the fence, thinking it marked the property line. In fact, the storage shed is only 2 feet, 10 inches from the property line, and the chicken coop is only 8 feet, 8 inches from the property line.

Mrs. Carol Riegler, owner of the adjacent property in question, was present and spoke in opposition to the request of Mr. and Mrs. Hess. Mrs. Riegler stated that the building site she selected on her property will place her residence just a few feet from the outbuildings in question. She advised that the building site was selected on the basis of percolation tests, level ground, lack of rock outcroppings, and two giant oak trees at the site.

The Board received a letter from Mr. Robert W. Morrison, who owns the property to the south of Mr. and Mrs. Hess. He advised he did not object to the requested variance until he heard the Hess's plan to raise hogs. On that basis, he objects to the variance for health and sanitation reasons.

Mrs. Florence Hamilton, who owns property to the west of Mr. and Mrs. Hess, also submitted a letter to the Planning Zoning Administrator in opposition to the requested variance.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

Mr. and Mrs. Dan Norton, who own property to the east of Mr. and Mrs. Hess, submitted a letter in support of the requested variance.

The Board also received a letter in support of the requested variance, from Mr. and Mrs. L. R. Harris, who reside across the street from Mr. and Mrs. Hess.

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

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board granted the Appeal and directed that Variance No. 82-03 be issued, subject to the conditions listed below, based on the following findings as required by Section 17.24.040 of the County Ordinance Code:

1. There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, or uses in the vicinity and the same zone, and have not resulted from any act of the owner or applicants in light of the fact there were no building permits required for the actual construction of the shed at the time it was begun, and the fact that there was a shed on the property as early as 1961;
2. The strict application of the provisions of the ordinance requested to be varied would deprive the applicant of the reasonable use of the land or building, allowed for other land in the vicinity and the same zone;
3. The variance is the minimum necessary for the reasonable use of the land or building;
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.

Conditions:

1. That Mr. and Mrs. Hess construct a 6-foot redwood fence, as they proposed they would, to mitigate the adverse visual impact on the adjoining property;
2. There is to be no further expansion of the existing buildings;
3. Should any calamity befall the buildings, they cannot be reconstructed as they currently exist, but, rather, replacement structures would have to meet current zoning standards.

--//--

Hearing was held as duly advertised to consider formation of the Latrobe Fire Protection District.

Mr. Doug Noble, Assistant Planning Director, was present and reviewed the proposed formation for the Board, advising that the question of formation will have to go to an election as the petition requesting same contained signatures representing only 49% of the votes cast within the proposed district for all the candidates for governor in the last preceding general election, not the required 51%.

Mrs. Phoebe Ervin, area resident, was present and spoke to the need for the formation, and challenged Mr. Noble's figures requiring an election. She stated that she has a letter from the County Clerk stating that the required number of signatures was met, therefore she does not agree that the issue must go to an election.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 27

19 82

Mr. Nate Erwin, commissioner on the current Latrobe Volunteer Fire Protection District, was present and spoke in favor of the formation.

Mr. Bob Martin, representing the 17 owners of the Ryan Ranch property, stated that they wish to be included in the Latrobe Fire Protection District, not the El Dorado Hills County Water District as the Local Agency Formation Commission (LAFCO) has proposed.

Mr. George Carasco was present and spoke to the fact that property in the area of the Ryan Ranch and Cothrin Ranch should be included in the Latrobe Fire Protection District, not the El Dorado Hills County Water District as proposed by LAFCO.

Mrs. Phyllis Fox was present to request that her property be included in the Latrobe Fire Protection District, not the Shingle Springs Fire Protection District as proposed by LAFCO.

The Board received written requests for inclusion in the Latrobe Fire Protection District from the following: C. Robert Clarke, individually and as President of Surfside Hawaii, Inc., owners of 200 acres which constitute Agricultural Preserve No. 234; Charles and Signy C. Swift, owners of 134 acres which constitute Agricultural Preserve No. 236; and Robert W. Munier, owner of 60 acres which are currently under Williamson Act Contracts for which Notice of Non-Renewal has been filed.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board requested LAFCO to consider an amendment to its action forming the boundaries of the proposed District, to reflect the boundaries depicted by the "yellow line" on the map as presented to the Board this date, as well as including the 8 square miles at the east end of the District as depicted on the map presented this date, with any other individual requests for exclusion or inclusion to be submitted to LAFCO, and the Board to again consider the formation of the Latrobe Fire Protection District on September 14, 1982, at 2:30 p.m.

--//--

57
(35-1718)
The Planning Department submitted for the Chairman's signature, a letter to the California Transportation Commission in opposition to its proposed rescission of the adopted controlled access highway location of State Route 49 between State Route 50 (Placerville) and 0.5 mile west of the South Fork of the American River (Coloma).

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board approved the letter as amended this date, and authorized the Chairman to sign same.

--//--

57
(95)
390-7
(Local Regulation)
At the recommendation of the Planning Department, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, ORDINANCE NO. 3285 was adopted, amending Ordinance No. 3017 to allow the rental or lease of life jackets from commercial businesses; said Ordinance adopted as an urgency measure, to become effective immediately.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 27 19 82

At the recommendation of the Planning Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, an Ordinance was introduced, the reading thereof waived, and its adoption continued to August 3, 1982, amending the security provisions of the El Dorado County Subdivision Ordinance as follows:

- a. To require security in an amount equal to at least 150 per cent of the estimated cost of required improvements for the work of sub-contractors and materialmen, as required by State law;
- b. To add a requirement for the County to transmit the estimates of cost to utility purveyors for verification.

--//--

GENERAL ORDERS

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Public Works Department was authorized to fill a vacant Equipment Mechanic Helper position, on an extra help basis, pending the outcome of budget hearings.

--//--

There being no further business, the Board adjourned to Tuesday, August 3, 1982, at 10:00 a.m.

--//--

APPROVED:

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

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

By Doris L. Foster
Deputy Clerk