

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 31, 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. Ann R. Macy, Board of Supervisors, Clerk was also present. Chairman Walker presided.

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12-1 The Invocation was offered by Chaplain Harrold McFarland, Marshall Hospital.

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

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The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, with four additions: (1) Sheriff's request for sole source procurement of portable radios from Motorola Communications; (2) Matter pertaining to replacement Localizer/Distance Measuring Equipment at Lake Tahoe Airport; (3) Request of Dorothy Boxall for permission to locate a mobilehome on a 10-acre parcel; and (4) Travel Request of Lee Henderson, Chief Deputy Probation Officer; and the assignment of a time allocation of 11:30 a.m. to Agenda item 24.

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The Minutes of August 24, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, 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:

50-1 The Community Action Council Claims were approved and allowed for payment.

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117 Budget Transfer No. 12 was approved for Lake Valley Justice Court, appropriating \$2,352 from Misc. Charges (91-6325) to Prof. Services (92-2180), for SB 180 funding.

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52-1 At recommendation of County Counsel, the Board denied the State Farm Mutual Auto Insurance Company claim for property damage, as subrogee for Joseph Rongaus, in the amount of \$757.34 (\$557.34 - Company's portion, and \$200.00 - insured's portion).

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50-4 At the recommendation of the Mental Health Division, Health Department, the Chairman was authorized to sign an Addendum to the Agreement with The Alcoholism Council of the Sierra Nevada for Fiscal Year 1982-83 to provide alcohol-related indirect and direct services, deleting "provisional unit rate" from Page 2, Lines 8 through 18 of said Agreement.

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22-7
At the recommendation of the Mental Health Division, Health Department, the Chairman was authorized to sign a post-doctoral psychology intern Agreement with Karen Swanberg for a variety of services at the South Lake Tahoe Clinic, in an amount not to exceed \$8,333.00, for a term ending June 30, 1983.

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114
At the recommendation of the General Services Division upon the submittal of the results of bid proposals, the Board took the following actions:

- a. Awarded the prescription dispensing services for the El Dorado County Psychiatric Health Facility to low bidder, Dry Diggins Pharmacy of Placerville, in the amount of \$3.50 per prescription;
- b. Awarded the pharmaceutical services for the detention facilities (Jail and Juvenile Hall) to Robinson's Pharmacy of Placerville, in the amount of \$3.60 per prescription and \$20.00 for consultation services after two hours.

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350-12
At the recommendation of Data Processing, the Chairman was authorized to sign an Agreement with Paradyne Corporation for lease of replacement modems, at a cost of \$112.00 per month.

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119
(13)
The Board adopted RESOLUTION NO. 234-82 adopting the Final County and District Tax Rates for Fiscal Year 1982-83, and ordering that taxes be levied upon the taxable property in the County in specific sums as provided by law and in accordance with the tax rates fixed, set and established in this resolution.

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144
At the request of the Treasurer/Tax Collector, the Board adopted RESOLUTION NO. 235-82 authorizing the deposit and withdrawal of County monies in the Local Agency Investment Fund in the State Treasury, in accordance with provisions of Section 16429.1 of the Government Code; and authorizing the Treasurer/Tax Collector and Chief Deputy Treasurer, or their successors in office, to order the deposit or withdrawal of same.

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221-13
The Board acknowledged and placed on file the Camino Union School District Resolution No. 82-12, reporting on the use and accounting of impaction fees for the 1981-82 school year, pursuant to Ordinance 3098.

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1000
Board approved Supervisor Lowe's recommendation for appointment of Ed Gibson as a member of the Local Disaster Council, representing District II, for a term to expire January 6, 1985.

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2411
The Chairman was authorized to sign an Agreement with Alpine County, in an amount not to exceed \$9,555.00 per year, for the employment of the El Dorado County Agricultural Commissioner/Weights and Measures for Fiscal Year 1982-83 -- as requested by Alpine County.

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233-12
The Board approved the Sheriff's request for a sole source procurement of portable radios from Motorola Communications.

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51-76
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board approved the 1982-83 Area Plan Budget Revision, in the amount of \$589,779.00, to be submitted to the State Department of Aging, as requested by the Area Agency on Aging.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved the following pertaining to the bid results submitted by the General Services Division:

114-3
Awarded Bid No. 297 - Transfer of Slurry Seal Aggregate to low bidder, George Lane Trucking, Inc., of Rancho Cordova, in the amount of \$2,992.00;

Awarded Bid No. 299 - Transfer of Aggregate Chips for Public Works Department to low bidder, J. M. Lentz, Inc., of Meadow Vista, in the discounted amount of \$29,893.05.

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The Board adjourned as a Board of Supervisors to convene as a Board of Directors of County Service Area No. 3.

61-3
On motion of Director Stewart, seconded by Director Flynn, and unanimously carried, the Board awarded the bid for snow removal equipment to be used at the Government Center and the Library at South Lake Tahoe, to the low bidder, Neddenriep Company of Minden, Nevada, in the amount of \$8,404.84 for four years on a lease-to-buy plan, and the Board approved the changes recommended by County Counsel pertaining to paragraphs 8 and 10 of the standard form Agreement provided by Neddenriep Company.

The Board adjourned to reconvene as the Board of Supervisors.

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31-36
The Board considered a letter from Wilcox Electric, Inc., Kansas City, Missouri, pertaining to Amendment I to the contract with Wilcox Electric to provide a MK-1 Localizer/Distant Measuring Equipment, Test Equipment, and Installation and Training Services to the Lake Tahoe Airport, and the payment of \$10,000 relating to said Amendment.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to September 7, 1982, and Wilcox's representative was invited to be present at that time.

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326
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board directed a telegram be sent to legislators in opposition to Assembly Bill 843 regarding the supplying of a portion of the court filing fees to the legal aid groups.

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At the recommendation of the Personnel Director, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board took the following actions:

52.3 Adopted Resolution of Intention No. 236-82 approving an Amendment to the Contract with the Board of Administration of the Public Employees' Retirement System to provide two years' additional service credit for Miscellaneous and Safety employees;

Approved that Personnel Staff will submit a recommendation on the designated period to offer the above-mentioned benefit, and on which classification to offer same; and

The Chief Administrative Officer was requested to complete the Certificate of Compliance with Government Code Section 20818.

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2010-11-11
11/11/82
Bullock
At the recommendation of County Counsel, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the following action was taken relating to the eminent domain action of El Dorado County vs. Environmental Development for the Pleasant Valley Road Project:

The Board approved proposals 1 through 5 as outlined in County Counsel's memorandum dated August 24, 1982 (on file in the Board Clerk's Office); authorized the County Counsel to prepare such documents as are necessary to effectuate said agreement to include the necessary papers to sell said property at a public sale; and authorized the Chairman to sign such papers as are appropriate and necessary.

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County Counsel submitted for the Chairman's signature, the Assignment and Lease Modification Agreement with Gerald Jackson, Gerald Liddicoat, and John Branton, dba Sierra Aviation Center, for the Fixed Base Operation at the Georgetown Airport.

17.2 At the request of Counsel, Noble Sprunger, for the Assignees, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to September 7, 1982.

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433
9th Lane
Condominiums
122
Board considered the request of Mr. John Farace, Sr. (via the County's Chief Building Official) for removal of his (Mr. Farace's) request for an extension of his building permit No. 34701 issued July 29, 1981, for Far Lane Condominiums in the Cameron Park Area, from the Agenda.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the request was removed from the Agenda, and the Board authorized the appropriate refunds as requested by Mr. Farace.

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137
The Building Department submitted for adoption, an Ordinance amending various Sections of the County Ordinance Code relating to paperwork simplification and the mitigation of administrative restrictions on building permit issuance. (Ordinance introduced 8/24/82)

Mr. David White was present and expressed his discontent with the "unfair and overly inflated building permit fees"; and he made recommendations for amending Section 15.04.480 of the proposed Ordinance. In response to a question posed by Supervisor Stewart, he replied that what he wanted to see in the ordinance was something

Continued on next page . . .

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that would allow the original cost of a building permit to be applied to the new permit fee which would have to be paid for reinstatement of an expired permit; he proposed a retroactive period of two years for anyone whose permit has expired.

Supervisor Flynn stated he would like to meet with the Building Official and bring back additional language to the proposed ordinance, and he, thereupon, moved to continue the matter for one week. Supervisor Dorr seconded the motion, and it was unanimously carried.

Chairman Walker asked the Chief Administrative Officer to get from the Building Department a report of the fees collected.

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344
County Counsel advised the Board of the bid results for bids opened in the office of Orrick, Herrington & Sutcliffe, San Francisco, for the purchase of El Dorado County's 1982 Tax and Revenue Anticipation Notes in the principal amount of \$7,000,000.00, for maturity on June 30, 1983. Three bids were received from: (1) Bank of America National Trust & Savings Association for a Net Interest Cost of \$447,703.00; (2) Crocker National Bank, as Agents for Manufacturers Hanover Trust Company for Net Interest Cost of \$477,563.33; and First Interstate Bank of California for a Net Interest Cost of \$446,442.48. The highest bid for the Notes was received from First Interstate Bank of California, with an annual interest rate of 7.89% in denominations as follows: 20 at \$100,000; 190 at \$25,000; and 50 at \$5,000.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 237-82 was adopted naming the First Interstate Bank of California as the highest bidder, and providing for the sale of the County's 1982 Tax and Revenue Anticipation Notes.

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(124)
341
Ms. Vela L. Mitchell submitted a Petition signed by 40 residents of the Mt. Aukum area, advising of the spread of "star thistle". Ms. Mithcell was present and told of the spread of the thistle from along the roadside into the pastures.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board requested the Public Works and Agricultural Departments to prepare a report outlining the costs associated with the program of weed abatement and brush control in the County.

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248A
Hearing was held as duly noticed on Assessment Roll Change Nos. 1736, 1737, and 1738, on personal property of William H. Crim III, and relating to value change as a result of an audit.

Mr. Crim was present and stated that he disagreed with the value placed on his personal property. He said that the electronic equipment used in his business has a very rapid rate of obsolescence.

The Assessor stated that Mr. Crim had failed to file property statements which had been mailed to him since 1973, and that the assessments were made from income tax returns. He further stated that if there is a question with the value, then Mr. Crim should make an appointment with the Assessor's Auditor/Appraiser. He requested that the Board approve the Escaped Assessments that should have been assessed for the past four years.

Continued on next page . . .

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There being no further comments or protests, and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board upheld the Assessor and approved the Escaped Assessments as reflected on the Assessment Roll Change forms.

Supervisor Walker left the room. --//--

SPECIAL ORDERS

PLANNING MATTERS

221-5
Board considered Mace Lumsden's request that the El Dorado High School District be disallowed any further collections of impaction fees due to said District receiving Third Phase Leroy Green funds. (Referred to County Counsel 8/17/82)

Doug Noble, Assistant Planning Director, was present and offered three recommendations to the Board, and recommended the third one: That the Board consider the adoption of a new mitigation ordinance identical to Ordinance 2098 with the addition of the following clarifying statement: "Any school district which receives Third Phase Leroy Greene School Improvement Funds shall be considered to be no longer impacted for the purposes of this ordinance unless the district can prove that it still remains impacted even with the new facilities."

Mace Lumsden was present and asked how a school is determined to actually be impacted; if it has a non-permanent structure, is it no longer impacted? He further advanced certain arguments as to the right of a county or other lead agency to collect mitigation fees based on alleged social or economic impacts; and further stated that until the legislature clearly addresses the language of CEQA as to whether it applies to economic or social impacts, he would ask that the mitigation fees for the high school district be disallowed at this time.

After further discussion, the Board, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the matter was continued to September 14, 1982. (Supervisor Flynn indicated that he and Mr. Walker were meeting at the end of this week with a number of school officials on this matter.)

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51
The Board considered an addition to Section 17.80 through 17.80.028 to the County Ordinance Code, which would provide assurance to an applicant for a development project that upon approval of the project, the applicant may proceed with existing policies, rules and regulations, thus binding the developers to General Plan or zoning designations, or to certain improvement requirements; thereby avoiding any changes in requirements after tentative map approval.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the ordinance was introduced, the reading thereof was waived, and it was continued to September 14, 1982, for adoption.

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157-12
390-9
Planning
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, ORDINANCE 3297 was adopted establishing an El Dorado County Housing Advisory Commission, and defining the powers and duties of same. (Introduced - 8/24/82)

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(57)
390-9
Planning
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, ORDINANCE 3298 was adopted establishing the Research and Development Zone, which would provide for the location of high technology, non-polluting manufacturing plants, and related facilities in a campus-like setting. (Hearing closed, and matter continued from 8/24/82)

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252-10-62
Hearing was scheduled at this hour (2:15 p.m.), as duly noticed, to consider the Appeal of John Fitzpatrick on the Zoning Administrator's granting of Special Use Permit No. 82-65 to Wimbledon House, to allow a group home with a capacity for twelve minor children, ages 11 through 17, on 3.83 acres zoned Residential Agricultural Twenty-Acre in the Placerville Periphery area.

Marvin Bukema, owner of the property and member of the Board of Directors of Wimbledon House, was present and requested a continuance of the hearing in order for him to meet with homeowners in the area since his intention is to scale down the proposal and make certain improvements which might make it more attractive to the homeowners in the area.

The El Dorado County Ordinance requires that a hearing be held and a decision reached by the Board within 30 days from the Planning Commission's hearing (July 28, 1982) unless a continuance is agreed to by all parties involved.

Mr. Patrick Riley, attorney for the Appellant, was present and agreed to the continuance.

Therefore, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Hearing was continued to September 21, 1982, at 2:15 p.m.

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The Board considered the request of Dorothy Boxall for permission to locate a mobilehome on a 10-acre parcel zoned RE-5 Estate Residential.

57
The Planning Director in his letter to the Board advised that the mobilehome meets all County requirements to locate on any residential parcel; the problem being that the bank will not allow her to place it on a foundation as the title is encumbered by a mortgage.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Zoning Administrator was directed to meet with Mrs. Boxall and determine if her application for a special use permit meets the intent of the Ordinance, and if so, then the Special Use Permit is to be granted.

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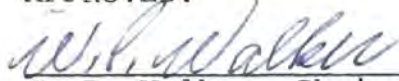
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2/4-2
On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the Board denied the Travel Request of Lee Henderson, Chief Deputy Probation Officer, to attend the Chief Probation Officers of California meeting and training course in Santa Cruz, on September 12-17, 1982.

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There being no further business, the Board adjourned to Tuesday, September 7, 1982.

APPROVED:


W. P. Walker, Chairman

ATTEST:

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

By: 
Deputy Clerk