BOARD OF SUPERVISORS MINUTES December 7 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 Reverend Harley Weldin, Placer Heights Baptist Church.

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

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The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, with the addition of a memorandum from the Director of Public Works regarding the Carson Road Connection (Project 3017).

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The Minutes of November 30, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; Abstain: Supervisor Walker.

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

Budget Transfer No. 52 was approved for the General Services Division, transferring \$54,625.00 from Cost applied (5380) to Communications-Radio Management and Maintenance (2061), establishing said account to be used to classify fixed and direct cost for radio communications service.

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Budget Transfer No. 54 was approved, transferring \$1,679.00 from General Fund Appropriation for Contingency (9-900) to County Counsel's Professional and Specialized Services (2180) for special audit of Conservatorship No. 6874, Public Guardian's Office, in accordance with Agreement with John H. Williams, Certified Public Accountant, dated October 28, 1982.

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The Board approved Assessment Roll Change numbered 1253.

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At the recommendation of the County Clerk, the following were appointed in lieu of election:

. Roy Rutz as Director of the Georgetown Divide Resource Conservation District; and

Robert L. Beegle, Jr., and Kenneth C. Johnson as Directors of the El Dorado Resource Conservation District.

* * * *

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The request of the Health Department (Mental Health Division), that the Chairman be authorized to sign a Memorandum of Agreement between said Department and the Public Guardian/Conservator for conservator-ship investigation and administration services for Fiscal Year 1982-83, in the amount of \$40,000.00, was continued to December 14, 1982, at the request of the Chief Administrative Officer.

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RESOLUTION NO. 319-82 was adopted, at the recommendation of the Department of Agriculture, authorizing the Chairman to sign Amendment No. 1 to the Agreement (No. 4017) with the State Department of Food and Agriculture, increasing the amount to \$58,858.00 and the total number of traps placed, for the Mediterranean Fruitfly Trapping Program for Fiscal Year 1982-83.

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At the recommendation of the Personnel Director, the following Resolutions were adopted, amending Authorized Personnel Resolution No. 241-81:

a. RESOLUTION NO. 320-82 increasing a Clerk II position in the Community Programs Department from .50 to .75, for the Women, Infants & Children Supplemental Food & Nutrition (WIC) Program (funds provided by WIC grant);

b. RESOLUTION NO. 321-82 reflecting clerical staffing changes within Administration and its General Services Division, as approved in the

1982-83 Budget.

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At the recommendation of the Health Department, Sue Millan, P.H.N., and Corydon Edgecomb, O.D., were reappointed as members of the Child Health and Disability Prevention Program Advisory Board for terms ending July 31, 1985.

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At the recommendation of the El Dorado County Advisory Board on Alcoholism, Drug Abuse, and Mental Health, Viola Mae Blackwell was appointed as member of same for a term ending April 30, 1985.

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RESOLUTION NO. 322-82 was adopted to provide tax revenues to the El Dorado Hills County Water District for annexation of the Robert and John Euer property (EDHCWD 82-03) in accordance with AB 8 negotiations.

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At the request of the General Services Division, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board authorized the conversion of the Agreement with IBM for the lease of the Model 60 copy machine located on the upper floor of Building A, to a purchase Agreement, at a cost of \$1,617.90 down and \$1,006.00 per month for 60 months, including full maintenance service; and authorized the Purchasing Assistant to sign same.

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On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board approved an amendment to the list of classifications to be covered by the Early Retirement Option during the window period, January 3 through April 15, 1983, to include the positions of Surveyor Technician and Public Works Inspector.

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On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign a letter to the President of the California County Planning Commissioners Association in support of its Resolution opposing actions by the State Legislature to preempt, or otherwise interfere with, local government responsibilities in matters relating to local control over land uses.

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On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board tentatively scheduled a Policy Review Session with Mr. LeBlanc of Lake Tahoe Transportation Systems, Inc., for Wednesday, January 5, 1983, at 10:00 a.m., subject to confirmation with Mr. LeBlanc.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board set a Policy Review Session for Wednesday, December 15, 1982, at 11:15 a.m., to discuss Redevelopment Agency matters.

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The Director of Health Services requested, in a letter dated December 1, 1982, a salary increase for the Laboratory Director position, increasing said position from \$2,080.60 per month to \$2,320.00 per month at Step E. (The Chief Administrative Officer recommended denial.)

Dr. Weidmer, Director of Health Services, appeared before the Board this date and offered a compromise request; that being to increase the salary by only half of what he originally requested, and to make said increase effective July 1, 1983.

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

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At the recommendation of the Public Works Department, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board requested the State Department of Transportation (Caltrans) to design and construct a westbound on-ramp to U.S. Highway 50 from the west side of Cameron Park Drive within the right-of-way owned by the State.

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At the request of the City of Placerville, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the Board agreed to use all available Electric Rule 20 funds, as well as those accrued for the next 18 months to two years, for the Placerville Drive Undergrounding Utilities Project. (Request continued from November 30, 1982.)

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker, the Board approved Budget Transfer No. 53, transferring \$200,000.00 from General Fund Appropriation for Contingency (9-900) to Airport Enterprise Fund (190), with the stipulation that it is to be considered a loan to the Airport Enterprise Fund for the purpose of meeting its current obligations and past due debts; further, the Board instructed the Chief Administrative Officer and Airports Department to bring the South Lake Tahoe Airport operations down within available revenues by the end of the 1982-83 Fiscal Year.

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Attorney Daniel B. Proud, in a letter dated November 18, 1982, requested, on behalf of Judge Prentiss Moore, that the Board consider a moratorium on any further building permits, or the formation of a road improvement district, as a prerequisite to any further building construction in the vicinity of the unimproved dirt road which traverses the southerly boundary of Judge Moore's property and is the only access to said area from Bedford Road.

At the request of Attorney Proud this date, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to December 14, 1982.

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The matter of the Chief Administrative Officer's report on the proposed Sierra Ski Ranch bus service was continued off calendar, to be brought back by the Chief Administrative Officer at the appropriate time, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe.

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The Public Works Director submitted his report on the effectiveness of the newly adopted County Snow Removal Plan during the recent snow storm at South Lake Tahoe, as requested by Supervisor Stewart; and the Board received said report for filing, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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In the matter of the Carson Road Connection (Project 3017), the Board, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, directed the Public Works Department to prepare the necessary maps and deeds to describe the road right of way, proposed by Mr. David Lund, across Parcel C of the Parcel Map recorded in Book 22 at Page 59 of Parcel Map; and the Chairman was authorized to sign a letter to Mr. Lund advising him of same.

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An Ordinance amending Section 5.44.090 of the County Ordinance Code, to waive renewal fees for alarm system permits under certain conditions, was introduced, the reading thereof waived, and it was continued to December 14, 1982, for consideration of adoption, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried. (Sponsor: Supervisor Walker)

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The Board again considered an Ordinance adding Part 18, Chapter 1, Sections 18,100 et seq. of the El Dorado County Ordinance Code for rules and regulations for El Dorado County Airports (sponsor: Supervisor Flynn).

Sam Neesham, Assistant County Counsel, recommended amendments in Section 18,402 (page 6) and Section 18,507 (page 8) of said Ordinance.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Ordinance was introduced, the reading thereof waived, and it was continued to December 14, 1982, for consideration of adoption.

Further, at the recommendation of Mr. Neesham, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the following persons were appointed to serve as a County-wide Airports Advisory Committee for notice of proposed changes, with the membership left open for future appointment of representatives of the South Lake Tahoe area: Bernie Godlove, Joe Stancil, Jr., Johnny Miller, Charlie Nicolos, Hen Min Hiu, Fred Alleman, Ed Akin, Gene Bell, Manfred Stumpp, Mary Bovee, and Jerry Jackson.

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At the request of Mother Lode Rehabilitation Enterprises, Inc., (M.O.R.E.), and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board took the following action:

- a. Adopted RESOLUTION NO. 323-82 authorizing the Chairman to sign Amendment No. 1 to the Agreement with the State Department of Housing and Community Development (No. 80-RHC-009) for annuity funds, in the amount of \$3,437.50, for M.O.R.E.'s Pathways Home for the Developmentally Disabled; and
- b. Authorized the Chairman to sign an Amendment to the Agreement with M.O.R.E., replacing Exhibit B of same, to set aside one bedroom for the manager's unit in its Pathways Home for the Developmentally Disabled.

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The El Dorado County Veterans Building Council, in a letter dated November 30, 1982, requested funds, in the amount of \$500.00, to have a portion of the upper parking area paved and bermed to divert rain water away from the east side of the Veterans Building at the Fairgrounds to prevent flooding of the lower floor. A member of said Council was present this date and advised they now need only request \$425.00, as they have had the work done and the cost was less than originally estimated.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request, and directed that the necessary budget transfer, for transferring the \$425.00 from Revenue Sharing Contingencies, be placed on the Consent Calendar of the Board's December 14, 1982 Agenda.

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On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Airport Use Agreement with Royal American Airways, Inc., for the operation of an airline service to the Lake Tahoe Airport, commencing December 10, 1982, subject to the following conditions:

1. Performance bond in the amount of \$10,000 being posted;

2. Receipt of the published schedule;

 Approval by the Airports Department and the Board of the financial statement for Royal American Airways, Inc.;

4. Insurance coverage analysis and approval by County Counsel;

5. Receipt of corporate minutes authorizing the corporation to enter into said Agreement.

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Clair E. and Frankee Bishop requested the County to deed to them, First, Second, and Third Streets, and the unused portion of "D" Street in what is known as "Sullivan Subdivision" in Camino, shown on Assessor's Map Book 43, page 20.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board directed County Counsel to prepare a quitclaim deed to the owners of record of said property, with costs involved to be billed to Mr. and Mrs. Bishop.

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Mr. David L. Walker, President of DRW Construction, Inc., of Diamond Springs, requested adoption of an Ordinance amending the County Ordinance Code to allow award of contracts to local businesses in cases where the low bid is from an out-of-County business, and the bid of a local business is higher by only a small percentage.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board directed that a letter be forwarded to Mr. Walker, based on County Counsel's opinion as outlined in his letter to the Board dated November 30, 1982, regarding this request; with copies of the Board's response to Mr. Walker to be sent to the American Legion, Veterans of Foreign Wars, El Dorado County Builders Exchange, and the County Chamber of Commerce.

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The Tahoe Regional Planning Agency (TRPA) requested the Chairman be authorized to sign a letter indicating El Dorado County's acceptance of the conditions of TRPA's authorization for the County to remove the large boulders, fence, and debris from within the County right of way between Beach Lane and Kehlet Drive at Meeks Bay.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the Department of Public Works to submit an application for the project to the TRPA Governing Board.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Ten-Acre Zone to Single Family Residential One-Acre Zone, consisting of 86 acres, petitioned by Ed Hagen. The Planning Commission recommended approval, based on the following findings:

The proposal is consistent with the General Plan; File information indicates the property is suitable for septic systems;

Sewer service, according to the latest action by the El Dorado Irrigation District Board of Directors on November 17, 1982, is available to this parcel upon request.

Mr. Hagen, the applicant, was present to speak to his request.

Mrs. Elna Norman, who lives on five acres adjoining the property in question, was present and spoke in opposition to the rezoning based on her belief that estate zoning is the only available means of maintaining green belts and buffer zones within the community and the County at large; her fear that, as the property is further subdivided, she will be coerced into abandoning her independent mainten-ance of her sewer and road and taxed to supply sewers and roads for projects that provide profit to others; and she wishes to maintain her country life style.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board concurred in the findings of the Planning Commission; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3322 which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider the following:

a. Amendment to the County General Plan in the Cameron Park area, from Single Family Residential High Density to Commercial, consisting of 6 acres at the northeast corner of Meder Road and Cameron Park Drive, initiated by the Board of Supervisors;

b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Professional Office Commercial Zone.

The Planning Commission recommended denial of the General Plan Amendment and rezoning, based on the following findings:

 Cameron Park Drive is deficient in width and alignment due to high traffic volumes;

2. The Long Range Goals and Policies, Section B2(a) reads: "The Planning Commission and Board of Supervisors should favorably consider changes to higher density and more intensive land uses for area plan amendments within the designated urban area where the following conditions are found: The amendment proposed is contiguous to a land use of a similar or more intensive nature as displayed in the area plan or the Planning staff recommends and the Planning Commission and Board of Supervisors find that the proposed land use is appropriate at that location and it meets the area plan policies".

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

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Walker; Abstain: Supervisor Stewart, the Board approved the Negative Declaration and declared its intent to approve the amendment of the General Plan, based on the following findings: (See Minutes of December 14, 1982 for Resolution No. 332-82 amending the County General Plan accordingly.)

1. Commercial use of the property is an appropriate use of the land;

2. The proposed use is consistent with the goals and policies in the Long Range Land Use Plan.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Walker; Abstain: Supervisor Stewart, the Board approved the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 3323 which amends the County Zoning Ordinance accordingly, to become effective 30 days after the date of adoption of thepertinent General Plan amendment, based on the following findings:

- 1. It is consistent with the General Plan as amended;
- 2. It is an appropriate use of the land; and
- It is consistent with the Long Range Plan goals and policies, specifically, that there is contiguous land which is of a similar or more intensive nature as that proposed.

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Hearing was held as duly advertised to consider the following:

Cancellation of Agricultural Preserve No. 190 in the Lotus/ Coloma and Cool/Pilot Hill areas, consisting of 1,122 acres, requested by Archie and Ethel Lawyer; and

Rezoning of said lands from Exclusive Agricultural Zone to Residential Agricultural Forty-Acre Zone (Assessor's Parcels Nos. 58-040-09, -10, 58-860-23, and -25) and Estate Residential Ten-Acre Zone (Assessor's Parcels Nos. 6-370-07, 6-340-48, -54 and 88-010-24).

Mr. Gorman Silen, attorney, was present and spoke on behalf of the applicants, Archie and Ethel Lawyer.

The Board first considered parcel number 6-370-07, approximately 16 acres in Lotus.

Mr. Silen spoke to the request on behalf of the applicants.

Mrs. Ruth Loeffelbein was present and spoke on behalf of the Environmental Planning and Information Council, Inc. (E.P.I.C.) stating that E.P.I.C. has no objection to the cancellation and rezoning of this particular parcel.

There were no further written or verbal comments.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved the Negative Declaration and approved the cancellation of the Williamson Act Contract on parcel number 6-370-07 in Agricultural Preserve No. 190, based on the following findings:

- The cancellation and proposed alternative use are consistent with the General Plan;
- The cancellation and proposed alternate use do not result in
- "leapfrog" development (discontiguous urban land use patterns); As the agricultural use has already been diminished by surrounding land uses, the proposed alternate use will not diminish or impair the agricultural use or potential agricultural use of this property or contiguous properties.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved the Negative Declaration and approved the rezoning of parcel number 6-370-07 in the Lotus area, from Exclusive Agricultural Zone to Estate Residential Ten-Acre Zone, by adoption of ORDINANCE NO. 3324, which amends the County Zoning Ordinance accordingly, based on the finding that the requested zoning is consistent with the General Plan; said rezoning to become effective upon the completion of the cancellation of the Williamson Act Contract on same.

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BOARD OF SUPERVISORS MINUTES December 7 19 82

The Board then considered parcels numbers 58-040-09, -10 and 58-860-23, -25, consisting of approximately 1,000 acres.

Mr. Silen again spoke to the request on behalf of the applicants.

Mrs. Loeffelbein, representing E.P.I.C., requested the matter of this acreage be sent back to the Planning Commission for its recommendation, as the Commission did hear the request on October 28, 1982, at which time two Commissioners were absent, and the three Commissioners present could not agree on a recommendation to be forwarded to the Board.

Mr. Ed Bacchi, cattle rancher who grazed cattle on the land in question, was present and spoke in favor of the requested cancellation and rezoning.

There were no further written or verbal comments.

At the recommendation of County Counsel, and by order of the Chairman, the cumulative impact report which supplements the Environmental Impact Report (E.I.R.) for the Cool/Pilot Hill Area Plan is incorporated, by reference, into the record of these proceedings.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the Board accepted the Negative Declaration, pursuant to the environmental analysis for same, as well as a Supplemental E.I.R. for the Cool/Pilot Hill Area Plan; and approved cancellation of the Williamson Act Contract for parcels numbers 58-040-09, -10 and 58-860-23, -25 in Agricultural Preserve No. 190, based on the following findings:

 The cancellation and proposed alternative use to Residential Agricultural Forty-Acre Zone is consistent with the General Plan, including the Long Range Plan;

. The cancellation and proposed alternative use do not result in the development of discontiguous land use patterns, i.e., "leapfrog

development";

3. An analysis has been conducted pursuant to the policies in the Long Range Plan -- that analysis appearing on page 2 of the Planning Department's memorandum to the Board, with the resulting finding that, as the agricultural use has already been diminished by surrounding land uses, the proposed alternate use will not diminish or impair the agricultural use or potential agricultural use of this property or contiguous properties.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the Board accepted the Negative Declaration, in light of the environmental analysis conducted with and made part of the Negative Declaration, as well as documentation that appears in the draft E.I.R. for the Cool/Pilot Hill Area Plan; and approved the rezoning of parcels numbers 58-040-09, -10 and 58-860-23, -25, from Exclusive Agriculture to Residential Agricultural Forty Acre Zone, by adoption of ORDINANCE NO. 3325 which amends the County Zoning Ordinance accordingly and will become effective upon the final cancellation of the Williamson Act Contract on said parcels, based on the following findings:

Such rezoning is consistent with the General Plan;

Continued next page

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An analysis has been conducted pursuant to the provisions of the Long Range Plan which appear within the memorandum from the Planning Department, which provides the conclusion that, as the agricultural use has already been diminished by surrounding land uses, the proposed alternate use will not diminish or impair the agricultural use or potential agricultural use of this property or contiguous properties;

Residential Agricultural Forty Acre Zone is an appropriate use of

the land.

At the applicant's request, as stated this date by Mr. Silen, and on motion of Supervisor Flynn, seconded by Supervisor Flynn, and unanimously carried, the matter of the cancellation and rezoning of parcels numbers 88-010-24 and 6-340-48, -54 was referred back to the Planning and Agricultural Commissions for said Commissions to conduct public hearings, and submit their recommendations to the Board, on a new proposal to be submitted by the applicant for this particular acreage.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the Planning Department's tentative schedule for revisions of the Camino/Fruitridge and Greenstone Area Plans, pursuant to the Writ of Mandamus on the tion Protection Courses On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanischedule for revisions of the Camino/Fruitridge and Greenstone Area Plans, pursuant to the Writ of Mandamus on the Environmental Information Protection Council (E.P.I.C.) lawsuit; and County Counsel was requested to so advised the Superior Court and F.P. I.C. 's county Council (E.P.I.C.)

In response to a mailgram from Larry E. Naake, Executive Director of the County Supervisors Association of California (CSAC), dated December 2, 1982, the Board directed that mailgrams be wired immediately to our U.S. Congressional delegation in support of CSAC's position on the major transportation funding bill which just passed in the HOuse of Representatives and now goes before the Senate; said position being to support the bill in concept, but outlining specific points of concern to California; on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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The Chairman was authorized to sign a letter to George Deukmejian, California Governor Elect, stating this Board supports the appointment of Mr. Leo Trombatore as Director of the State Department of Transportation, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr.

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There being no further business, the Board adjourned to Tuesday, December 14, 1982, at 10:00 a.m.

APPROVED:

P. "DUB" WALKER, Chairman

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

Deputy

December 7, 1982