

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES February 15 19 83

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 Stewart presided.

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12-1 The Invocation was offered by Pastor Dick Hatlin, First Assembly of God Church.

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The Pledge of Allegiance to the Flag was led by Dixie L. Foote, Assistant Board of Supervisors Clerk.

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The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried with two additions: (1) proposal submitted by Executive Aero Systems to provide security screening service for all carriers at the South Lake Tahoe Airport; and (2) appointment of a representative of District V to the Planning Commission effective March 1, 1983.

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The Minutes of February 8, 1983, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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

249A The Board approved Assessment Roll Change number 1299.

349 The Board rejected, and rejected as unverified, the claim submitted by Edward Arbios, et al, requesting refund of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 per cent escalator of 1975 to 1978.

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349 The Board rejected, and rejected as late, claims submitted by Wilfred W. and Doris Dupuis and Robert E. and Virginia Gross/Jack G. and June M. Nash, requesting refunds of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 per cent escalator of 1975 to 1978.

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349 At the recommendation of County Counsel, the Board rejected claims submitted by Doris J. Romero and Robert L. Melbye, requesting refunds of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 per cent escalator of 1975 to 1978.

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21-22

RESOLUTION NO. 34-83 was adopted, at the recommendation of the Airports Department, authorizing the Chairman to sign Modification No. 001 to the Lease with the Federal Aviation Administration for the revised lease plot for the Medium Intensity Approach Lighting System, with Flashers, Control Shelter at the Lake Tahoe Airport.

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423 Meadow Creek Unit #2

At the recommendation of the Planning Department, the Board approved the following relating to Meadow Creek Unit No. 2 Rural Subdivision, as requested by the project engineer:

- a. Reduction of the Performance Bond from \$51,117.00 to \$15,265.00;
- b. Reduction within six months of the Labor and Material Bond from \$22,120.00 to \$7,632.00;
- c. Extension of time for completion of improvements to December 31, 1983.

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433 Cameron Plaza Condominiums

The Board approved the Final Map for Cameron Plaza Condominiums in the Cameron Park area, containing 15 units and one common area on 1.015 acres; subdivider: John and Catherine Meyer.

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123-13

At the request of the project engineer, the Board authorized the release of the following amounts from the restricted account for Springfield Meadows Community Services District, held in the Auditor-Controller's Office; and the Auditor-Controller was authorized to issue a warrant to Joe Vicini, Inc., of Placerville, for purchase and installation of pipe:

- a. \$5,226.35 for Springfield Meadows Unit No. 2 Rural Subdivision;
- b. \$1,411.20 for Springfield Meadows Unit No. 3 Rural Subdivision.

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303

RESOLUTION NO. 36-83 was adopted to provide property tax revenues to the El Dorado Irrigation District for annexation of the Wayne Huhtala property (EID 83-1) in accordance with AB 8 negotiations.

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22-90

At the recommendation of the El Dorado Health Planning Council, the Board approved the removal of Richard Clark and Mary Jane Morgan as members of same; accepted the resignation of Jacqueline Winston as member of same, and directed that a Certificate of Appreciation be forwarded to Ms. Winston; and appointed Gloria R. Thomas as member of said Council for a term expiring May, 1984.

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252-822

County Counsel advised that the Court has determined, in the matter of Reigle v. County of El Dorado, that the Board's findings were inadequate when granting Variance No. 82-03 to Mr. and Mrs. John R. Hess on July 27, 1982, to allow structural setbacks that do not comply with Ordinance Code requirements on their two acres zoned Estate Residential Five-Acre in the Diamond Springs/El Dorado area.

The Board set aside its action of July 27, 1982, granting Variance No. 82-03, at the recommendation of County Counsel, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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340
(124)
RESOLUTION NO. 35-83 was adopted, at the recommendation of the Public Works Department, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, authorizing the Chairman to sign Transportation Claim No. 1, in the amount of \$46,115.00, to be submitted to the California Tahoe Regional Planning Agency for road maintenance in the Tahoe Basin.

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151
The Welfare Department submitted for the Chairman's signature, a seven-year Lease with Frank Nichols for his building and parking area at 2929 Grandview Drive, Placerville, at a cost of \$8,055.29, with allowance for yearly adjustments. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the matter was continued to February 22, 1983, to allow staff to make changes in the Lease as recommended by County Counsel.

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326
87
326
The County Supervisors Association of California (CSAC) requested comments on Senate Bill 73 (Lockyer) which would bring the State's proposal to implement JTPA, the so-called Family Economic Security Act (FESA), into conformity with federal law passed after FESA was enacted. On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the request was referred to Mr. Lanny Langston, Director, County Training Programs, for a report back to the Board on February 22, 1983.

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326
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board expressed its opposition to Assembly Bill 187, regarding binding arbitration, and directed that the Chairman of the State Legislative Committee considering AB 187 be so advised, via letter prepared by the Chief Administrative Officer for the Board Chairman's signature.

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20
The Board directed that the matter of a report dealing with the feasibility of a new County Airport south of El Dorado Hills is to be placed on the Aoard's agenda for February 22, 1983, under "Planning Miscellaneous", on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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57-2
Mr. William V. D. Johnson was appointed to the County Planning Commission, representing District V, effective March 1, 1983, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; Noes: None; Abstain: Supervisor Lowe.

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(52)
The Board reconsidered its action of January 25, 1983, wherein a decision on purchasing radar equipment for use by the California Highway Patrol was postponed until hearings on the 1983-84 County Budget.

221-2
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board approved the purchase of two radar units, for County-wide use, with Road Department Contingency Funds, with the appropriate budget transfer to be placed on the Consent Calendar of the Board's agenda for February 22, 1983; and staff was directed to prepare the necessary memorandum of understanding with the California Highway Patrol and bring same back before the Board for approval.

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170
The Board reconsidered its action of February 1, 1983, wherein it approved in principle the concept of entering into a contract with the firm of Driscoll, Tarlton, and Olson for the provision of legal services in cases the Public Defender cannot take due to client conflicts.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Stewart; No: Supervisor Flynn, the Board rejected all bids received.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board directed staff to re-issue Requests for Proposals specifying that firms may bid to provide the service either County wide, eastern slope only, or western slope only.

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22-7
At the request of the Health Department (Mental Health Division), and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign an Agreement with Vernon A. Bry, M.D., for psychiatric services at the South Lake Tahoe Mental Health Clinic, in an amount not to exceed \$14,960.00, for period ending June 30, 1983.

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22-7
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved the request of the Health Department (Mental Health Division) to conduct a public hearing, prior to lease negotiations, to obtain comments from property owners adjacent to the proposed Mental Health day treatment facility at 5413 Placerville Drive.

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233-1
The Board denied the Sheriff's requested approval of five travel authorizations for Sheriff's Department personnel to attend seminars and training courses, at a total cost of \$1,868.80, with the majority of the cost to be reimbursed by the State Department of Justice, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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Hearing was held as requested by John T. Richards on Assessment Roll Changes Numbers 1974 and 1875, relating to name and value changes.

244-4
Mr. Richards was present and spoke to his request; and Mr. John Winner was present and spoke on behalf of the Assessor's Office.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board upheld the Assessor's action to enroll the escaped assessment.

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117
(246)
On motion of Supervisor Walker, seconded by Supervisor Lowe and unanimously carried, the Board approved Budget Transfer No. 116, transferring \$15,000 from General Fund Appropriation for Contingency (9-900) to Other Trusts (224) (Account 78-0205) to pay fees for mentally disordered individuals residing in board and care facilities, pursuant to Board action on February 1, 1983; with distribution of these funds to be on an "as-billed" basis with approval by Mr. Cody, Public Guardian, of the services rendered.

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104-11
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board directed the Public Works Department to remove the unnatural rock barrier which exists at the south end of Meeks Bay Avenue/North Lane; and the Chairman was authorized to sign the letter to the Board from the Tahoe Regional Planning Agency (TRPA), dated November 23, 1982, attesting to the Board's concurrence with TRPA's six conditions for said removal as outlined therein.

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21-5
At the recommendation of the Airports Director, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved in concept, the proposal submitted by Executive Aero Systems, Fixed Base Operator at the Lake Tahoe Airport, to provide the needed security screening service for all air carriers at said airport; with the appropriate Agreement with Executive Aero Systems to be drawn up and brought back to the Board for approval.

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7-21
Dr. Peter Abbott, Associate Director and Chief, State Office of County Health Services and Local Public Assistance, advised the Board that said State Office is unable to sign the Agreement (CMSP 09-83) for participation in the County Medical Services Program (CMSP) for medical care to medically indigent adults as amended and executed by the Board of Supervisors on January 11, 1983; and requested the Chairman be authorized to sign the Standard Agreement relating to same if El Dorado County chooses to participate in the CMSP.

At the request of the Director of County Health Services, Dr. Weidmer/and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a letter to the State Department of Health Services appealing the decision of Dr. Abbott regarding the Board's amendment to said Agreement.

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3-26
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board directed that a telegram be sent to the attention of Mr. Sal Russo in the Office of the Governor of California, requesting a legal opinion as to who our representative is in the State Senate as a result of the Reapportionment Plan recently approved by the State Legislature.

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SPECIAL ORDERS

PLANNING MATTERS

390-22
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Residential Agricultural Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 14 acres, petitioned by Mary Ann Conley and Elva Franchimone.

Mr. Ken Milam, Planning Director, was present and spoke representing the Planning Commission which recommended approval based on the finding that the requested zoning is consistent with the General Plan.

Mrs. Franchimone was present and spoke; there were no written or verbal protests; and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board concurred in the finding of the Planning Commission; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3335 which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider rezoning of lands in the Latrobe area from Residential Agricultural Eighty-Acre Zone to Residential Agricultural Twenty-Acre Zone, consisting of 80 acres, petitioned by Robert E. and Elen Kays. The Planning Commission recommended denial based on the following findings:

- 278-4-83
1. Memory Lane is substandard in width, surfacing and alignment; the road has a broken chip seal surfacing and varies in width from 10 to 14 feet;
 2. The property is extremely steep in terrain, with approximately 70% of this parcel in excess of 30% slopes, the remaining 30% falling between 20% to 30% in slope;
 3. This parcel is located in an extreme fire hazard area due to vegetation and slopes;
 4. The Agricultural Commission and the Latrobe Advisory Committee recommended denial for the same reasons stated above.

Mr. Peter Brewster, of Petite and Associates, was present and spoke on behalf of the applicant, answering questions of Board members. In light of negative response to the request, from the Planning and Agricultural Commissions and the Latrobe Advisory Committee, Mr. Brewster stated that the applicant wished to amend the request, and asked that the property be rezoned to Residential Agricultural Forty-Acre Zone.

There were no further requests to speak, and the hearing was closed.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board concurred in the findings of the Planning Commission and denied the requested rezoning.

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46-27
Supervisor Flynn requested reconsideration of the Board's action of October 19, 1982, regarding the cancellation of a portion of Agricultural Preserve No. 37 in the Rescue area, consisting of 194.8 acres. Supervisor Flynn advised that the Board had specified in that action that the cancellation would not become effective until the full cancellation fee has been paid. However, there are multiple owners involved and not all can pay their share of the fee. This holds up the cancellation for the portions for which the owners can pay their share, and Supervisor Flynn hopes that the Board can take some action to accomodate those who can pay.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board agreed to reconsider the matter on March 1, 1983, for the purpose of considering amending the Certificate of Tentative Cancellation to allow for "parcel-by-parcel" cancellation upon the payment of that fee.

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GENERAL ORDERS

132
Adoption of an Ordinance amending Sections of the El Dorado County Ordinance Code, relating to paperwork simplification and the mitigation of administrative restrictions on building permit issuance, was continued to February 22, 1983, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried. (Sponsor: Supervisor Lowe/Introduced 2/8/83)

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ORDINANCE NO. 3336 was adopted, amending Chapter 5.52 of the El Dorado County Ordinance Code relating to community antenna television systems, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried. (Sponsor: Supervisor Dorr/Introduced 2/8/83)

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The Superintendent of Schools of Siskiyou County, in a letter dated February 4, 1983, requested Boards of Supervisors of timber counties to express concern in the County Supervisors Association of California's (CSAC's) endorsement of a school finance bill that would penalize said counties' school districts for receiving Forest Reserve receipts.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the request was referred to Supervisor Dorr, the Board's representative to CSAC, with the request he review the matter and report back to the Board with a recommendation.

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The State Solid Waste Management Board requested comments, within 60 days, on the informal guidelines for implementation of Assembly Bills 3302 (Chacon) and 3433 (Kapiloff) (Government Code Section 66784.3) which authorizes counties and regional planning agencies responsible for the Solid Waste Management Plan to adopt, through a majority vote of the Board of Supervisors, a schedule of fees.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the matter was referred to Dr. Weidmer, Director of County Health Services, for report back to the Board on March 8, 1983.

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In response to a request from the Alta California Regional Center, for candidates for nomination to its Board of Directors, the Board referred said request to Mrs. Judy McDonald of Mother Lode Rehabilitation Enterprises, Inc., for her recommendation, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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By informal consensus, the Board scheduled a Policy Review Session with representatives of all County departments involved in the criminal justice system for Tuesday, March 1, 1983, at 7:00 p.m.

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There being no further business, the Board adjourned to Tuesday, February 22, 1983, at 10:00 a.m.

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APPROVED:

Thomas L. Stewart

THOMAS L. STEWART, Chairman

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

By *Orville F. Foote*
Deputy Clerk