

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 8 1983

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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The Invocation was offered by Wally Becker, Director of Parish Life, First Lutheran Church.

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The Pledge of Allegiance to the Flag was led by Mr. Kent Taylor, County Chief Administrative Officer.

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Ms. Louise Locken, President of the Placerville Business and Professional Women's Club presented the Board with a certificate in appreciation of the Board's support and participation in National Business Women's Week.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, with the addition of a request for ratification of the Second Vice Chairman's signature on a Certificate of Acceptance of Grant Deed for real property relating to the Latrobe Road Project.

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The Minutes of March 1, 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 Lowe, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

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

<u>Name</u>	<u>Volume and Page</u>	
Carl & Mildred Turnboo	1314	462
Mildred Turnboo	1205	259
Carl D. & Mildred J. Turnboo	559	414 & 415
Carl & Mildred Turnboo	581	109 & 110

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As recommended by County Counsel, the Board denied the claim for personal injuries and damages, in the amount of \$1,500,000 and \$350,000.00, filed by Attorney Kevin L. Domecus on behalf of Charlene and Kenneth Grossman respectively.

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57-1
As recommended by County Counsel, the Board denied the claim for property damage, in an undetermined amount, submitted by David R. Hallstrom.

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58-1
As recommended by County Counsel, the Board denied the claim for property damage, in an undetermined amount, submitted by Amie E. Marr.

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58-1
As recommended by County Counsel, the Board denied the claim for property damage, in the amount of \$1,024.90, plus the cost of repairing a radiator leak and air conditioner problem, submitted by Al L. Nunner.

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12-1
County Counsel was authorized to bring a civil action against a County employee to recover costs for damages to a County vehicle caused by said employee driving same after consuming alcoholic beverages.

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13
At the recommendation of the Airports Department, the Chairman was authorized to sign a five-year Land Use Agreement with Charles E. Williams for lease of a portable hangar at the Placerville Airport.

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At the recommendation of the Probation Department, the Chairman was authorized to sign Agreements with the following for allocation of adjusted AB90 County Justice System Subvention Program funds for Fiscal Year 1982-83:

- 4-2-1
- a. New Morning, Inc., for counseling and shelter care services for status offenders, in the amount of \$76,390.00;
 - b. New Morning, Inc., for a delinquency prevention program, in the amount of \$9,924.00;
 - c. Tahoe Human Services, Inc., for counseling and shelter care services for status offenders, in the amount of \$24,398.00;
 - d. Voluntary Action of South Lake Tahoe for alternative sentencing program, in the amount of \$21,893.00.

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341
At the recommendation of the Chief Administrative Officer, the Agriculture Department was authorized to purchase a 1983 pickup truck, at a cost of \$8,500.00, with State Department of Food and Agriculture funds received from the Mediterranean fruitfly trapping and related pest exclusion programs; and the Chairman was authorized to sign Budget Transfer No. 139 for same.

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341-5
At the recommendation of the Chief Administrative Officer, the Agriculture Department was authorized to purchase eight executive chairs from the Office of Surplus Property, California State Department of Education, for use in the new Animal Control Shelter in Placerville, at a total cost of \$120.00.

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250
At the recommendation of the General Services Division, the Chairman was authorized to sign Change Order No. 1 to the contract with Knutsen Builders, for the Health Department Remodel Project, extending same for six days at no additional cost to the County; and the Notice of Completion for said Project dated February 24, 1983.

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83-13
At the recommendation of the Planning Department, the Board awarded the bid for construction of the Shingle Springs Plaza Park to the low bidder, Knutsen Builders of Diamond Springs, in the amount of \$70,749.00; and the Chairman was authorized to sign the appropriate contract with same.

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50
Ed Redmond was appointed as alternate to Supervisor Walker, and Stephen Healy was appointed as alternate to Supervisor Lowe on the Community Action Council for terms to expire January 4, 1984.

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22-10
The Board accepted the resignations of Dusty Stancil and Jill Devou from the Emergency Medical Care Committee, and directed that Certificates of Appreciation be sent to Ms. Stancil and Ms. Devou; and Nora Moore was appointed as a member of said Committee.

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57-12
The Board accepted the resignation of Elvira A. Duncan as member of the Housing Advisory Commission, and directed that a Certificate of Appreciation be forwarded to Ms. Duncan; and Ward Nicolls was appointed as a member of said Commission for a term ending May 4, 1986.

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363
RESOLUTION NO. 51-83 was adopted to provide property tax revenues to the El Dorado Irrigation District for annexation of the Dave Pendo property (EID 83-3) in accordance with AB 8 negotiations.

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361-2
421-3
RESOLUTION NO. 50-83 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, amending Resolution No. 449-74 to add the Agriculture Department's volunteer employees entitled to Workman's Compensation benefits while engaged in volunteer services to El Dorado County, as provided by Division 4 of the California Labor Code.

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12-14
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board scheduled the following Policy Review Sessions:

- 57
- a. March 16, 1983, at 8:30 a.m., regarding claims 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; and
 - b. March 16, 1983, at 2:30 p.m., regarding direction for the Planning Commission to proceed in efforts to regulate roadside stands and open-air sale of merchandise.

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Mr. Darrel E. Pierce of Inter-County Title Company, in a letter dated February 22, 1983, requested the Board survey local employers before considering further wage-benefits for County employees.

12 On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board appointed Supervisors Walker and Flynn to meet with the Chief Administrative Officer and review the possibility of forming a Board-appointed advisory committee to search out facts and discrepancies and make recommendations to the Board in the matter of salaries and benefits for County employees.

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22-12 Mr. Ron Duncan, Director of the Environmental Health Division of the County Health Department, responded to the State Solid Waste Management Board's request for comments within 60 days on the informal guidelines for implementation of Assembly Bills 3302 (Chacon) and 3433 (Kapiloff) 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 Dorr, seconded by Supervisor Walker, and unanimously carried, Mr. Duncan was requested to further review the guidelines and bring specific recommendations before the Board for discussion during hearings on the 1983-84 County budget; and the Chairman was authorized to sign the letter, as submitted by Mr. Duncan, to the State Solid Waste Management Board, advising this Board of Supervisors finds no significant problems with the information guidelines as submitted.

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The District Attorney requested approval of a travel request for Gene Hawkins to attend a seven-week polygraph school given by Gormac, Inc., at a total cost of \$4,565.00.

165-2 On motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Walker, and Flynn; Noes: Supervisors Dorr and Stewart, the travel request was approved, subject to Mr. Hawkins signing an Agreement with the County, to be drafted by County Counsel, whereby the County will recover a portion of the costs in the event Mr. Hawkins leaves County employment before a specified period of time has lapsed following the completion of the training. (Mr. Hawkins verbally agreed to that stipulation before the Board this date.)

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Hearing was held as duly advertised to obtain comments from property owners adjacent to the proposed mental health day treatment facility at 5413 Placerville Drive, prior to lease negotiations.

22-7 Mr. Patrick Riley was present and spoke on behalf of Mr. and Mrs. Netherda, and their son, whose home is on the parcel adjacent to the subject property. Mr. Riley explained that there are three or four homes in the area, which is a residential neighborhood, with access by one narrow paved road off of Placerville Drive. The Netherda's are opposed to the proposed use of their neighboring property based on poor access and the changing of the residential use of property in the area.

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Mr. G. Harold Duce, part owner of a building that is currently being utilized by the County Mental Health Department, spoke to the fact that the owners of said building have done extensive remodeling for the Mental Health Department, and no one from the Mental Health Department has spoken to them about leasing less space in the building, and instead they have proposed to lease a smaller facility elsewhere.

Mr. Tom Snider, one of the three owners of the house at 5413 Placerville Drive that the Mental Health Department proposed to lease, was present and spoke to the issue of why the site is ideal for the use proposed.

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

Dr. Weidmer, Director of County Health Services, when asked by the Board for his recommendation, advised that two sites were selected and the one at 5413 Placerville Drive is preferable; however, in view of strong opposition expressed this date, the Health Department would accept the other site.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried the Board voted to not attempt to locate the proposed mental health day treatment facility at 5413 Placerville Drive.

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Hearing was held as duly advertised to consider extension of King Videocable Company's cable TV franchise to include the unincorporated portions of El Dorado County known as Sly Park.

Mr. Orville Stephen, resident of Cedar Grove, was present and stated his television reception is poor and he is looking forward to the availability of cable television service. Mr. Stephen further stated that, in working towards that goal, he has had perfect support and cooperation from Supervisor Flynn, the County Chief Administrative Officer, and Mr. Honnold of King Videocable Company.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, County Counsel was directed to prepare the appropriate franchise agreement, for the Chairman's signature, for the extension of service to the Sly Park area.

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On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign a letter to Ray Borchard, Area Conservationist, requesting he make a study of the drainage system in Cameron Park and provide a basis for solving the problems therein.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, County Counsel's request that the Chairman be authorized to sign a Certificate of Acceptance and Easement relating to the City of South Lake Tahoe's granting an easement in gross to El Dorado County for the construction and use of governmental offices on, in, and over real property known as Assessor's Parcel No. 25-010-21, for the South Lake Tahoe Courthouse, was continued to March 22, 1983, at 11:00 a.m.

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Chairman Stewart exited the meeting room, and First Vice Chairman Lowe presided for the duration of the morning session.

132
Mr. Paul S. Peterson was present to speak to his request that he be refunded the \$385 fee he paid for reinstatement of the building permit for construction of his residence at 2941 Josie Lane in Shingle Springs.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the request was continued to March 15, 1983, to obtain further input from Mr. Tom Bullock, Chief Building Official, after which the Board will render its decision.

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The Board recessed for lunch, after which it reconvened with all members present. Chairman Stewart presided.

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the following:

- a. Amendment to the County General Plan in the Diamond Springs/El Dorado area from Single Family Residential High Density to Multi-Family Residential, consisting of 2.5 acres, petitioned by Katherine and Louie Kraushar; and
- b. Rezoning of said lands from One Family Residential Zone to Mobile-home Park Zone.

The Planning Department recommended approval based on the following findings:

1. The purpose of the request is to expand an existing mobilehome park, Panorama Mobile Home Park;
2. The requests are in compliance with the Diamond Springs/El Dorado Area Plan policies and with the Long Range Plan (A Guide to the Year 2000);
3. Services (sewer, water, and fire protection) are available;
4. School impacts are to be mitigated at the time application for a special use permit is processed or when a building permit is issued.

Mr. Kraushar, applicant, was present but did not wish to speak to the request.

There were written or verbal protests, and the hearing was closed.

57-6
285-7-83
2/10-90
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board concurred in the findings of the Planning Commission; approved the Negative Declarations; declared its intent to amend the County General Plan as requested; and approved the rezoning as requested by adoption of ORDINANCE NO. 3340, which amends the County Zoning Ordinance accordingly, to become effective 30 days after the required amendment to the County General Plan. (See Minutes of March 29, 1983 for Resolution No. 72-83 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider the following:

- a. Amendment to the County General Plan in the Diamond Springs/El Dorado area from Single Family Residential to Commercial, consisting of 2.36 acres, petitioned by Christopher Fusano; and
- b. Rezoning of said lands from One-Acre Residential Zone to General Commercial Zone.

The Planning Commission recommended denial based on the finding that the project site does not have adequate public services for the density proposed.

The applicant was not present; there were no verbal protests; and the hearing was closed.

The Board received letters of opposition to the request from Mr. and Mrs. Linden L. Louk and Mr. and Mrs. James Beaver, owners of property in the surrounding area.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board denied the requested amendment to the County General Plan based on the finding that the project site does not have adequate public services for the density proposed; and denied the requested rezoning based on the following findings:

1. The request is not in compliance with the County General Plan; and
2. The project site does not have adequate public services for the density proposed.

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Hearing was held as duly advertised to consider the following:

- a. Amendment of the Diamond Springs/El Dorado Area Land Use Plan to delete the Planned Development Overlay Zone requirement from the Zoning Map; delete the mandatory utilization of the planned development control from the Plan text; and establish Community Design Overlay for Industrial, Commercial, and Multi-Family Zones where the Planned Development Overlay is removed; and
- b. Amendment of the Diamond Springs/El Dorado Area Land Use Plan Zoning Map to reflect the aforementioned zoning modifications.

The Planning Commission recommended approval, based on the following findings:

1. The existing process and mandatory requirements create delays to the private sector in processing developments;
2. The Planned Development Overlay was utilized to resolve specific problems, while in fact, existing County ordinances would resolve those design problems, i.e., in this Area Plan to resolve traffic concerns;
3. Inclusion of the Planned Development Overlay to large areas resulted in applying the Planned Development requirements on commercially and single-family zoned lots of ½ acre or less;
4. The Design Control Overlay will provide an opportunity for County staff to review traffic and circulation proposals.

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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 approved the Negative Declaration; concurred in the findings of the Planning Commission; declared its intent to amend the Diamond Springs/El Dorado Area Land Use Plan as requested; and approved the amendment of the Diamond Springs/El Dorado Area Land Use Plan Zoning Map by adoption of ORDINANCE NO. 3341, to become effective 30 days after the effective date of said amendment to the Plan. (See Minutes of March 29, 1983 for Resolution No. 72-83 amending the County General Plan accordingly.)

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board ratified the signature of Supervisor Robert E. Dorr, Second Vice Chairman, on a Certificate of Acceptance of Grant Deed for real property from Ida B. Alexander, pursuant to settlement of the claim filed by Mrs. Alexander for damages to said property resulting from the Latrobe Road Project.

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Hearing was held as duly advertised to consider the proposed reorganization of boundary lines of County Service Area No. 3 (in the Tahoe Basin) and County Service Area No. 7 (on the Western Slope).

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

On motion of Supervisor Lowe, seconded by Supervisor Dorr, the reorganization of the boundary lines was approved as presented by Planning Department staff this date; and County Counsel was directed to prepare the necessary Resolution for adoption by the Board on March 15, 1983.

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Hearing was held as duly advertised to consider providing extended local park, recreation or parkway facilities and services; extended road improvement and maintenance services; extended drainage easement improvement and maintenance services; and extended public cemetery services within the unincorporated area of County Service Area No. 7.

The following persons were present and spoke in opposition to the proposal: Genevieve Bullington, William V.D. Johnson, Diane Bush, and Austin Joy. All advised that they are opposed to "tacking these services onto County Service Area No. 7", but would not oppose the creation of a new County Service Area to provide the services needed.

The following persons were present and spoke in favor of the proposal: Erol Harnage of Timber Little League, Judy Vasquez, Chris Payne, and Chuck Pryor, Superintendent of the Black Oak Mine Unified School District.

Genevieve Bullington, when speaking against the proposal, advised she was speaking on behalf of the El Dorado County Republican Women, Federated, and submitted a Resolution of opposition adopted by same which was signed by 22 members of the Federation.

The Board also received letters of opposition from the following: Dr. Gregory A. Joy; Howard D. Leshner, President of Dimetrics, Inc., in Diamond Springs; Robert L. Harvey; Elizabeth Joy; Elizabeth Anne Buzzell; Charley Petersen; and Francis Bacchi.

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

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board instructed the El Dorado County Local Agency Formation Commission (LAFCO) to initiate proceedings for the formation of a county service area for the western slope, with the exact boundaries as prescribed for County Service Area No. 7, with LAFCO fees to be waived.

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At the recommendation of the Planning Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved the transfer of River Use Permit No. 82-71, Blue Horizon, from Neusom Holmes to Bob Hunden.

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The Planning Department submitted the request of E. Clement Shute, Jr., Attorney for the Fallen Leaf Lodge, for waiver of the minimum road standard (24-foot road surface in a 60-foot right of way) to allow a 16-foot surface within a 20-foot right of way.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker, the Board approved the waiver, and directed that the following two measures, suggested by Mr. Shute, be incorporated into the deed for the subject property: (1) current owners and their successors in interest to be obligated to pay the pro rata share of maintaining the road during winter conditions; and (2) notice be given to all successive owners that it is not County policy to plow the road during winter conditions. (Re: Fallen Leaf Lake Road)

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The Planning Department requested direction relating to provisions of the Lease with Art Ballard for restoration of the Bayley House.

Mr. Ballard was present and spoke to causes for delays in meeting deadlines required in the Lease Agreement, and advised that he intends to meet the July 31, 1983, deadline for obtaining a building permit.

Mr. Arlan Nickle of the Planning Department advised he would need additional time to study what Mr. Ballard has submitted this date before he makes further recommendation to the Board.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the matter was continued to March 29, 1983, for a further report from the Planning Department.

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Diamond R Properties, Inc., requested reinstatement of Agricultural Preserve No. 169, for which a Notice of Nonrenewal was filed by the previous owners, as said property, consisting of 227.025 acres, will be used for agricultural purposes.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the request was referred to the Planning Department and Agriculture Commission to review and make recommendations to the Board.

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The Planning Director responded to the Board's request of March 1, 1983, for a list of priority projects for which block grant funding might be requested. On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Public Works Department was directed to make application, if at all feasible, for block grant funding for any project that can be quickly readied for submittal.

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ASSESSMENT AND SPECIAL DISTRICTS

County Service Area No. 2

61-2
The Zone A Advisory Board of Directors of County Service Area No. 2, Arrowbee Ranch Estates area, requested it be authorized to expend the balance of its road repair monies for road work necessities as needed, on a contingency basis, for the remainder of Fiscal Year 1982-83.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board approved the request with the stipulation that the County Public Works Department approve ("sign off") each expenditure.

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GENERAL ORDERS

224
The Health Department requested authorization to purchase additional data processing hardware for the Mental Health Clinic at South Lake Tahoe, at a cost of \$13,545.00, and that the Chairman be authorized to sign Budget Transfer No. 140 relating to same.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the request was referred to the Data Processing Committee for review and report back to the Board on March 22, 1983.

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132
The Chief Administrative Officer submitted the request of the City of South Lake Tahoe that the Board discuss the building permit allocation system at South Lake Tahoe which will expire on April 30, 1983.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board deferred any action on this matter until it receives reports from its two delegates on the Building Permit Allocation Committee which will meet soon to discuss same.

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374-14
(298)
ORDINANCE NO. 3342 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, adding Subsection E to Section 5.52.080 of the County Ordinance Code governing community antenna television systems, to provide that franchisees be given 30 days' written advance notice of any proposed changes to same. (Introduced 3/1/83)

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132
ORDINANCE NO. 3343 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, amending Section 15, "Failure to Meet Deadlines", of Ordinance No. 3254, allowing property owners to apply for the issuance of a conditional building permit, if action by a regional agency, such as inability to determine land classification, keeps same from meeting deadlines; said Ordinance adopted as an urgency measure, to become effective immediately. (Introduced 3/1/83)

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Memo 4/29
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unani-
mously carried, the Board nominated Mrs. Joann Martin as a candidate
for consideration by the Nominating Committee of Alta California Regional
Center for its Board of Directors, as recommended by Mrs. Judy McDonald
of Mother Lode Rehabilitation Enterprises, Inc.

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There being no further business, the Board adjourned to Tuesday,
March 15, 1983, at 10:00 a.m.

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APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:

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

By *Dolores Brede*
Deputy Clerk