

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 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 Charlie Rice, Youth Director, First Baptist Church, Placerville.

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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 Board presented a plaque to Mrs. Lucile M. Langston in recognition of her service to El Dorado County as an employee of the El Dorado Justice Court and then the Sheriff's Department, from September 8, 1971, through February 25, 1983.

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94 RESOLUTION NO. 52-83 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, and then presented to Mr. Linden A. Brooks of the El Dorado County Resource Conservation District; said Resolution in appreciation of the cooperation and assistance of Mr. Brooks for the past 12 years.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, with two additions: (1) Letter to California Tahoe Regional Planning Agency requesting reimbursement of County funds appropriated for purchase of distance measuring (DME) equipment at the Lake Tahoe Airport; and (2) Request of County Counsel that he be authorized to file suit to collect monies owing the Lake Tahoe Airport by Go Air, Inc.

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

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

The Chairman was authorized to sign the following budget transfers:

117 No. 132 for the Probation Department, making numerous transfers between line items so said line items will not be overspent.

No. 134 for the Probation Department, transferring \$2,000 from Overtime and Retirement accounts to Travel; and \$6,132 from Regular Employees, Extra Help, and Unemployment accounts to Professional and Specialized Services; to make more funds available for travel expenses, and cover the cost of a personal services contract for the Victim/Witness Assistance Program respectively.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 15 1983

No. 135 for Mental Health, transferring \$7,000 from Regular Employees to Extra Help; and \$1,000 from Rents & Leases of Equipment to Central Duplicating; to avoid over expenditures in said accounts.

No. 145 for El Dorado Transit, increasing its Fixed Assets Account, in the amount of \$1,200, for the purchase of two mobile radio units.

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247 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>	
Claudette Colby	2138	211
Arthur and Irene Bilderback	897	571

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141-4 RESOLUTIONS NOS. 53-83 and 54-83 were adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Pollock Pines-Camino Ambulance; Lake Valley Judicial District Court; Placerville Justice Court; Public Defender; Library; Animal Control; and Welfare and Mental Health Departments.

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32-13 At the recommendation of the Airports Department, the Chairman was authorized to sign a Five-year Land Use Agreement with Thomas K. Atkins for lease of a portable hangar at the Placerville Airport.

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50 (27-3) At the request of County Training Programs, the Chairman was authorized to sign two Entry Forms to nominate "Job Search Workshop - A New Beginning", a program which assists people in finding jobs by teaching effective job finding techniques, for the National Association of Counties (NACO) 1983 Achievement Award.

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(115) 10-11 RESOLUTION NO. 55-83 was adopted, amending Authorized Personnel Resolution No. 241-81 to reflect changes relating to two Accounting Supervisor II, one Account Clerk III, and one Accounting Technician positions in the Auditor-Controller's Department due to the Early Retirement Option.

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3-3 RESOLUTION NO. 57-83 was adopted to provide property tax revenues to El Dorado Irrigation District for annexation of the Albert Kukucka property (EID 82-5) in accordance with AB 8 negotiations.

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2-1 RESOLUTION NO. 58-83 was adopted to provide property tax revenues to the City of Placerville for annexation of the Dale Hartwick property (CP 83-01) in accordance with AB 8 negotiations.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

21-6
At the recommendation of the Airports Department, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a one-year Agreement with Pacific Coast Airlines for operation of an airline service of four flights per day from Lake Tahoe Airport to Sacramento, San Francisco, San Jose, and Santa Barbara.

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Supervisor Dorr exited the meeting room.

27-4
27-5
27-6
27-7
27-8
At the request of the Public Works Department, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the Final Estimate (with Contractor's Acceptance Statement) of Project No. 3035 for the construction of traffic signals on Missouri Flat Road at State Highway 50 on and off ramps, including the intersection of Mother Lode Drive; and the Chairman was authorized to sign the following Change Orders to the Contract with M & M Electric Co.:

- a. Change Order No. 3, to include changes requested by the Contractor and those requested by the State, at no additional cost to the County;
- b. Change Order No. 4, to include an increase in work on Item No. 2 - Remove Painted Traffic Stripes and Pavement Markings, at an increased cost of \$743.50.

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Supervisor Dorr re-entered the meeting room.

11-1
At the recommendation of the General Services Division, Bid No. 349, one diesel-powered articulating wheel loader for the Public Works Department was awarded to the low bidder, Weaver Equipment Company of Sacramento, at a total cost of \$55,866.24 including tax, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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(61-5)
61-7
RESOLUTION NO. 56-83 was adopted, reorganizing the boundary lines of County Service Area No. 3 (in the Tahoe Basin) and County Service Area No. 7 (on the Western Slope), on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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Legislative Matters

22-1
On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Director of Health Services was authorized to testify before the State Senate Health Committee regarding the Medically Indigent Adult problems of small counties.

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32-4
32-6
At the request of the Health Department, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board voted to support Assembly Bill 490 (Isenberg), relating to the continuance of the State's responsibility for cost overruns for contract-back counties under the Medically Indigent Adult Program; and the Chairman was authorized to sign letters to members of the Assembly and Senate Health and Ways and Means Committees and to Senator Ray Johnson and Assemblyman Norm Waters.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 15 19 83

(325)
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At the recommendation of the Sacramento Mother Lode Regional Association of Supervisors and the Regional Council of Rural Counties (RCRC), and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board voted to oppose the California Wilderness Bill, House Resolution 1437 (Burton Bill) and S.5 (Cranston), and directed that our U.S. Congressmen and the House Committee on Interior and Insular Affairs be so advised.

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(326)
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Chief Administrative Officer was requested to review Assembly Bill 15X (Papan), regarding property tax refunds pursuant to Revenue and Taxation Code Section 5097, and report back to the Board on same on March 22, 1983.

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(113)
229
The Personnel Director submitted the Surveyor's request for reclassification of one Surveyor Technician II position to Deputy County Surveyor, and the replacement of one Surveyor Technician II position, due to the Early Retirement option, with one Clerk I Typist position.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board directed that the reclassification request be processed in the "normal" manner, i.e., reviewed during budget hearings, and the request for a new position be considered during hearings on the 1983-84 County budget.

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(231-6)
The Sheriff requested direction in the matter of the two contract mortuaries on the County's western slope, and one of the two contract mortuaries at South Lake Tahoe, requesting an increase in the fees they collect from the County for providing mortuary services to the Coroner's Office.

Mr. McFarlane of McFarlane Mortuary was present and advised that he is willing to continue under his current contract with the County to provide mortuary service to the Coroner's Office at South Lake Tahoe, at the current cost. He does not wish an increase in fees at this time.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board elected not to go to bid for mortuary services at South Lake Tahoe, advising that, if the other contract mortuary at South Lake Tahoe (Wilson's) is willing to continue under the current contract terms also, the County will continue its rotation between the two mortuaries; and the Board directed that bid proposals be solicited for mortuary services to be provided to the Coroner's Office on the western slope.

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(324)
(325)
The County Farm & Home Advisor's Office submitted the request of the Regional/Campus Director of the Cooperative Extension of the University of California, Davis, that the Chairman be authorized to sign a letter to the Office of Finance and Management, urging said Extension's exemption from President Reagan's Executive Order 12372, which mandates State and Local Government review of federally financed programs.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board accepted said letter and directed it be filed.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

The Mountain Democrat and Tahoe Daily Tribune newspapers requested the Board reconsider its action of March 1, 1983, whereby Bid No. 966-356, legal and classified advertising, was awarded as follows:

114-6 Western Slope - legal advertising to the low bidder, the Georgetown Gazette, and classified advertising to the low bidder, the Mountain Democrat;

South Lake Tahoe - legal and classified advertising to the low bidder, the Lake Tahoe News.

The Board denied the request for reconsideration, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote:
Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; No: Supervisor Stewart.

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422 Mr. M. Sherman Bliss of Tal Land Corporation requested the County Public Works Department remove snow from the roads within the Rubicon Palisades Subdivision, and advised that said Corporation would reimburse the County for said service.

The request was denied, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried.

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132 At the recommendation of the Building Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board denied the request of Mr. Paul S. Peterson 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.

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68 (21-36) On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter to the Executive Director of the California Tahoe Regional Planning Agency requesting reimbursement, from said Agency's Air Quality Mitigation Fund, of County funds appropriated for the purchase of distance measuring (DME) equipment at the South Lake Tahoe Airport, an important navigational aid to pilots flying into the South Lake Tahoe Airport during inclement weather.

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21-6 County Counsel was authorized to file suit against Go Air, Inc., Fireman's Fund Insurance Companies and other appropriate parties to collect amounts owing by Go Air, Inc., to the Lake Tahoe Airport, either from Go Air or Fireman's Fund, its bonding company, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried. (Royal American Airlines)

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70 On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board directed that California Governor George Deukmejian be contacted and advised that this Board urgently requests him to act immediately to make his appointments to the Tahoe Regional Planning Agency, to give said appointees an opportunity to fully review Agency actions and public hearings, to obtain maximum information on which to base future decisions.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 15 19 83

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the following:

- 57-6
245-10-82
- a. Amendment to the County General Plan in the Shingle Springs area from Low Density Residential and Medium Density Residential to Commercial, consisting of 36.32 acres, petitioned by Carlos and Jessie Yelinek, et al; and
 - b. Rezoning of said lands from Single Family Residential Zone to General Commercial Zone.

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

1. Policy #2 of the Shingle Springs Area Plan requires all commercial development be within the central portion of the Plan area;
2. The Long Range Plan encourages the intensification of urban uses when the amendment is of a similar or more intense nature as displayed in the Area Plan or where staff recommends the proposed land use is appropriate at that location and it meets the Area Plan policies. Policy #2 of the Area Plan does not support this request;
3. Limited sewer hookups are available, approximately 250, and are issued on a first-come, first-serve basis. Also, Policy T-7 restricts sewer demand to zoning effective on June 10, 1981;
4. Water service is subject to the Diamond Springs moratorium and water line extensions are limited by E.I.D.;
5. Concerns exist as to the ultimate impact on Durock Road due to increased land use designations.

Mr. Jim Ingram, Planning Consultant, was present and spoke on behalf of the applicants. Mrs. Jessie Yelinek was also present to speak to the request. Mrs. Yelinek advised that the request is not only on behalf of her and her husband, but also on behalf of the owners of 15 other properties in the neighborhood. Mr. Ken Milam, Planning Director, confirmed that written requests from the other property owners are on file in his office.

When Supervisor Walker asked if there was anyone from the neighborhood present this date who is opposed to the request, one woman stood (her name unclear) and stated she was.

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

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; Noes: Supervisors Lowe and Walker, the request was referred back to the Planning Commission to consider multi-family residential general plan designation and zoning as an alternative, and with the area of consideration to be expanded as discussed this date, and with the multi-family residential designation and zoning to include some mechanism whereby the zoning would not become effective until required services are available.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

Hearing was held as duly advertised to consider the following:

- 276
2/15/83
3/15/83
- a. Amendment to the County General Plan in the Lotus/Coloma area from Rural Residential Agricultural Ten to One Hundred Sixty-Acre to Parks and Recreation, consisting of 14.303 acres, petitioned by Eileen Ray and Vic McLean; and
 - b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Recreation Facility Zone.

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

1. The requests are consistent with the policies of the Lotus/Coloma Area Plan;
2. A portion of the rezoning is a condition of a previous special use permit;
3. The area is identified in the Draft River Management Plan as being suitable.

Mr. Jim Ingram, Planning Consultant, was present and spoke on behalf of the applicants.

Helen Haynes, owner of a small parcel between Mrs. Ray's and Mr. McLean's, was present and spoke in favor of their request.

Mr. Dave Grizzell, area resident, agreed that the requested use of the land is probably the best use for it, but requested the Board not act on the request until the River Management Plan is thoroughly addressed and adopted.

Mr. Vic McLean, one of the applicants, was present and stated that a delay in approving his request would create a financial hardship on him as he would be unable to operate his business on the property this summer (overnight camping for river rafters).

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

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board accepted the Negative Declaration and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission. (See Minutes of March 29, 1983 for Resolution No. 72-83 amending the County General Plan accordingly.)

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board accepted the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 3344, to become effective 30 days after the effective date of the required general plan amendment, based on the findings of the Planning Commission.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

Hearing was held as duly advertised to consider deletion of the Lotus/Coloma Area Plan Residential Policy C(6), which reads as follows: "When lands in Section 27, 28, 33, and 34, T11N, R10E, are annexed to a County fire district, those lands annexed must be zoned up to the potential use shown on the Land Use Map. In the interim, they will be zoned Estate Residential Ten Acre".

Mr. Clifton Sangmaster, resident of the area, was present and spoke in favor of the proposed change. The Board also received a letter from George A. and Suzanne Tagney, area residents who are in favor of the change.

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

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board approved the deletion of Residential Policy C(6) from the Lotus/Coloma Area Plan, as recommended by the Planning Commission.

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Hearing was held as duly advertised to consider the following:

- a. Amendment to the Lotus/Coloma Area Plan to delete the Planned Development Overlay requirement from the Land Use Map; and
- b. Amendment to the Lotus/Coloma Area Plan Zoning Map to delete the Planned Development Overlay Zone from same.

The Planning Commission recommended approval (except on parcels numbered 6-56-22 and -24 so not to create a problem for a project in process), based on the following reasons:

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 design problems, while in fact, existing County ordinances would resolve those design problems, i.e., in the Lotus/Coloma Area Plan to resolve water quality problems.

Mr. Dave Grizzell, resident of the Lotus/Coloma area, was present and stated his property is one that this change would apply to, and he was not opposed to the deletion of the Planned Development Overlay requirement, but is opposed to Design Control being put on the property in its place.

The Board responded to questions of Mr. Robert Solloum who asked how this would apply to his property.

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

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Board concurred in the reasons of the Planning Commission; accepted the Negative Declarations; and declared its intent to approve the amendment to the Lotus/Coloma Area Plan to delete the Planned Development Overlay requirement from the Land Use Map, with no exceptions, as recommended by the Planning Director this date, (see Minutes of March 29, 1983 for Resolution No. 72-83 amending the County General Plan accordingly); and the Board approved the amendment to the Lotus/Coloma Area Plan Zoning Map, to delete the Planned Development Overlay Zone from same, by adoption of ORDINANCE NO. 3345, to become effective 30 days after the effective date of the required general plan amendment.

Further, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the matter of DC, Community Design, Zone Overlay being established as replacement of the PD Zone Overlay was referred to the Planning Commission for its determination of either a historic or commercial designation.

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March 15, 1983

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

Hearing was held as duly advertised to consider rezoning of lands in the South Lake Tahoe area from Tahoe Residential One-Acre Minimum Zone to Recreational Facilities Zone, consisting of approximately 1.60 acres, petitioned by Richard Schwartz.

390-90
2157342
Mr. Rick Herbert, was present representing the applicant and spoke on behalf of same. The property in question is the site of Richardson's Marina (also known as Bender's Marina) at Camp Richardson. Mr. Herbert submitted petitions signed by many users of said marina who are in favor of it being improved to better provide public facilities and further recreational opportunities, which Mr. Schwartz plans to do after obtaining the requested rezoning.

Mr. Matt Painter, representing his mother and aunt who are owners of a parcel adjacent to the marina, stated they have no objection to improvement of the property, but oppose the requested rezoning fearing changes of use will follow. They very much oppose "wild development" of the property, such as the addition of restaurants, bars, etc. to the site, which would increase traffic and noise in the area.

Mr. Barberie (not certain of accuracy of name), who owns property in the area and question, and resides there approximately two months of each year, stated he has been visiting the Lake Tahoe area yearly since 1939, and he does not want to see the area change. He would oppose any type of change in use of the marina property which would create more traffic and noise.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board approved the Negative Declaration, and approved the rezoning as requested by adoption of ORDINANCE NO. 3346, which amends the County Zoning Ordinance accordingly, based on the finding that the requested zoning is consistent with the County General Plan.

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Related to the above request, Mr. Herbert, representing Mr. Schwartz, advised that Mr. Schwartz has obtained permits from the California Tahoe Regional Planning Agency (CTRPA) and the Tahoe Regional Planning Agency (TRPA) to rebuild an existing pier at the marina. The County Building Department has approved the construction plan, but will not issue the necessary permit until the Planning Department signs its approval. Mr. Ken Milma, Planning Director, advised that Planning staff feel that the project is not a mere "replacement" of the existing pier, but rather an "extension" of the pier and its use, thereby requiring a special use permit. Mr. Herbert requested the Board to make the final determination.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board recognized the permits issued by the regional agencies at South Lake Tahoe, and directed the Planning Department to "sign off" on the building permit.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

March 15

19 83

GENERAL ORDERS


On motion of Supervisor Lowe, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; Abstain: Supervisor Dorr, the Chairman was authorized to sign a letter to Dennis Winslow, Executive Director of the California Tahoe Regional Planning Agency, wishing him well in his new position as Assistant Planning Director for the City of Boulder, Colorado, effective April 15, 1983.

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There being no further business to come before the Board this date, the meeting was continued to Monday, March 21, 1983, at 9:00 a.m., at which time the Board will consider amendments to the County General Plan.

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APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:

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

By


Deputy Clerk