

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 21 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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The Invocation was offered by Pastor John Cowper, First Assembly of God Church.

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

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The Agenda was adopted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried with two additions: (1) Resolution to be presented to the K-C-Company; and (2) appointments to the Cable TV of Meyers Franchise Review Board.

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RESOLUTION NO. 165-83 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, acknowledging the exemplary performance of the K-C-Company and thanking and commending the owner of said Company, Mr. Joe Klein, and his employees for their cooperation and effort in the reopening of Highway 50; and the Chairman presented the Resolution to Mr. Klein who was present this date.

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The Minutes of June 14, 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 Flynn, seconded by Supervisor Walker, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

The Board approved Assessment Roll Changes numbered 1326 and 1327.

\* \* \* \*

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>	
Marjorie R. Miles	2058	152
Jean Merkeley	1718	278
Richard Davies	2009	524

\* \* \* \*

RESOLUTION NO. 156-83 was adopted discharging unpaid County Hospital accounts.

\* \* \* \*

RESOLUTION NO. 157-83 was adopted discharging unpaid County Welfare accounts.

\* \* \* \*

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 21 19 83

141-4  
RESOLUTIONS NOS. 158-83 and 159-83 were adopted authorizing an action for the recovery of County funds paid out for Western Slope Ambulance (County Service Area No. 7); Animal Control, Public Defender, Library, Welfare, and Mental Health Departments.

\* \* \* \*

50-8  
RESOLUTION NO. 160-83 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign an Agreement (No. 83-834-515) with the State Office of Economic Opportunity, in the amount of \$20,000.00, for continued provision of low income weatherization services in El Dorado County, for period June 1, 1983 through March 31, 1984.

\* \* \* \*

10-296  
19-2  
RESOLUTION NO. 161-83 was adopted, at the request of the Fair Manager, authorizing the utilization of funds, in the amount of \$50,000.00, allocated to the County of El Dorado County by Pacific Gas and Electric Company for the purpose of undergrounding the existing overhead electrical facilities at the County Fairgrounds.

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95  
The Board set a public hearing for June 28, 1983, at 2:15 p.m., to consider the Appeal submitted by Bill Mashek (Rubicon) on the Planning Commission's denial of River Use Permit No. 83-74 for river rafting on the South Fork of the American River.

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95  
The Board set a public hearing for June 28, 1983, at 2:15 p.m., to consider an Appeal submitted by Chuck Richards (Chuck Richards' Whitewater, Inc.) on the Planning Commission's denial of River Use Permit No. 83-18 for river rafting on the South Fork of the American River.

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21-80  
The Airports Department recommended the Chairman be authorized to sign a one-year Lease with Gray Line Scenic Tours, Inc., for advertising space at the Lake Tahoe Airport, at a cost of \$100 per month.

In a memorandum to the Board, dated June 9, 1983, County Counsel recommended that said Lease be amended to provide for a security deposit in an amount equal to two months rent.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Lease was approved, in concept, and referred to County Counsel for amendment, with the Chairman authorized to sign the amended Lease.

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21-80  
At the recommendation of the Airports Department, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a one-year Lease with Sierra House Inn for advertising space at the Lake Tahoe Airport, at a cost of \$1,365 per year.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 21 19 83

326  
At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board voted to oppose Senate Bill 637, which would provide unions or other parties the option of pursuing claims of violation of certain unlawful labor practices before either the Superior Court or the State Public Employment Relations Board (PERB).

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326  
At the request of the Gold Country Retirement Community and Health Center, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board voted to support Assembly Bill 2025 (Peace), which streamlines financing of multi-level service facilities by authorizing the California Health Finance Authority to issue tax exempt bonds for projects that include both a licensed skilled nursing facility and senior housing and expands the existing "Cal Mortgage" program, which insures only health facilities, to provide insurance for housing programs.

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Arthur Merrill, President of the State Association of County Auditors, recommended the Board adopt a Resolution and/or send letters to State Representatives requesting them to take whatever action is necessary to insure that counties receive revenues from the State in a timely fashion.

326  
On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board requested the Chief Administrative Officer to prepare a letter, for the Chairman's signature, to be sent to our State legislators, reminding them of the problems that cash flow stoppage by the State will have to the County, and urging timely adoption of the State budget for Fiscal Year 1983-84.

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22  
12-5-11M  
12-4  
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board set a Policy Review Session with the Health Department and El Dorado County Board of Realtors, Inc., for July 6, 1983, at 1:00 p.m., regarding identified probable ground water problems in high percolation areas of the western slope and septic system approvals by Environmental Health.

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206  
Flynn  
Thompson  
At the recommendation of the Public Works Department, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board rejected the sole bid for the Pony Express Trail Pavement, Recycling, Shoulder Widening, and Drainage Improvements Project (No. 3063), submitted by Teichert Construction Company, which was considerably in excess of the engineer's estimate; and authorized the Public Works Department to revise the contract documents and readvertise the project, with bids to be received on July 21, 1983, and award by the Board on July 26, 1983.

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114  
12-4  
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board waived formal bidding procedure and authorized El Dorado Transit to purchase a mid-size transit van from Wide One Corporation of Anaheim, at a cost not to exceed \$32,775.39, based on the finding that competitive bidding would not be in the public's interest because the unique nature of the property precludes receiving bids.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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## Carry-over Budget Matters:

213 The Board took no action of Supervisor Lowe's request that the Board again discuss the matter of deletion of a one-half-time Legal Secretary in the Superior Court budget, on motion of Supervisor Walker, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe.

\* \* \* \*

Supervisor Flynn requested the Board again discuss the matter of establishing an Equipment Replacement Sinking Fund.

213 On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board directed that an equipment replacement fund be established and put into operation with the beginning of Fiscal Year 1984-85, or sooner if funds become available.

\* \* \* \*

Supervisor Flynn requested the Board again discuss the matter of the River Management Plan, its financing, and the present employee working on the Plan.

213 The Board directed that one Principle Planner be restored to the Planning Department budget for Fiscal Year 1983-84, and the additional cost of that position be offset by additional revenues from the River Management Trust Fund, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Dorr and Lowe.

\* \* \* \*

The Sheriff requested a rehearing on budget requests for fixed assets for Sheriff, Civil-Coroner, Jail and Central Dispatch only, excluding that equipment previously approved for the Harbor and Navigation boating program, prior to final action on the Final 1983-84 County Budget.

213 The request was continued to June 28, 1983, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

\* \* \* \*

213 RESOLUTION NO. 162-83 was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, adopting the County Budget for Fiscal Year 1983-84.

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(101)  
3431  
325 Supervisor Flynn advised the Board of federal legislation passed in December 1982 which impacts counties' receipt of revenues from permit fees paid for summer homes in the Eldorado National Forest; and requested authorization to request the Regional Council of Rural Counties (RCRC) to take appropriate action.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a letter to RCRC, which was drafted by Supervisor Flynn requesting it take appropriate action in this matter.

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The California Tahoe Regional Planning Agency (CTRPA) offered a maximum monetary contribution of \$5,000 toward the completion of the South Lake Tahoe Airport Master Plan and Environmental Impact Report and, time permitting, continued staff support in an advisory capacity.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Board directed that a letter be sent to CTRPA accepting its offer; and the County Planning Department staff was requested to report back to the Board on June 28, 1983, on the estimated cost and manhours for completion of the Airport Master Plan and Environmental Impact Report.

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Hearing was scheduled for this date to consider the Appeal submitted by Wesley J. Nelson, on behalf of Arthur R. Wibom, et al, on Assessment Roll Changes Nos. 8111 through 8118, relating to value change.

In a letter dated June 21, 1983, Mr. Nelson requested the Appeal be withdrawn from the Agenda as the matter has been resolved with the Assessor's Office; and the Board approved the withdrawal, 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 Board appointed Messrs. Allan Dunlap, Mark Romagnolo, and Oliver Hayden to the Cable TV of Meyers Franchise Review Board.

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The South Lake Tahoe City Manager submitted for Board consideration, a draft agreement between the City of South Lake Tahoe and the County of El Dorado for the transfer of the Lake Tahoe Airport from the County to the City.

Mr. Dick Milbrodt, City Manager, and Mr. John Cefalu, South Lake Tahoe City Councilmember, were present and spoke on behalf of the City.

It was agreed to delete a portion of the agreement, beginning on line 22 of page 5 and ending on line 2 of page 6, relating to the completion of the Airport Master Plan and Environmental Impact Report; and to amend the language in section 8 of the agreement regarding airport employees.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the matter was continued to June 28, 1983, to allow Mr. Milbrodt and Mr. Cefalu the opportunity to present the amended draft agreement to the South Lake Tahoe City Council for its approval.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

June 21

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## SPECIAL ORDERS

### PLANNING MATTERS

Hearing was held as duly advertised to consider adoption of an Ordinance implementing Senate Bill 1534 (Mello) to allow second single family dwelling units on all lots zoned for single family residential uses (Granny Flat Ordinance).

Mr. Robert A. Laurie, Chief Assistant County Counsel, recommended language changes on the first page of the Ordinance, and further advised the Board to add the following finding at the end of Section E on the second page of the Ordinance: "The Board hereby finds that the adoption of this Ordinance may limit housing opportunities of the region and further finds that specific adverse impact on the public health, safety, and welfare, that would result from allowing second units within single-family areas within the Tahoe Basin, justify adoption of this Ordinance, in light of the current rules and regulations of the regional planning agencies that have land use jurisdiction over the Tahoe Basin."

A gentleman who identified himself as Mr. Alderson, was present and spoke in favor of the Ordinance. Also present to speak in favor were Vern Sayles of the Housing Advisory Commission and the Board of Realtors, and Dawn King of the Citizens for Community Betterment in Pollock Pines.

Mr. Ed Keller, of Somerset, was present and requested the Ordinance be amended to allow the second dwelling unit to be "detached" and to be up to 640 square feet in size on parcels 5 acres or larger in size.

Mrs. Ruth Loeffelbein, representing the Environmental Protection and Information Council, was present and spoke on behalf of same, advising that E.P.I.C. sees the Ordinance as a good compromise and reasonable approach to a poorly-thought-out State law and urged adoption of same. Mrs. Loeffelbein added that she just this date realized that the Ordinance does not provide that the second dwelling unit be allowed only by special use permit, and she feels E.P.I.C. would be concerned about that.

The following persons were present and spoke in opposition to the Ordinance: George Corneveaux and Guner Broseker of Sleepy Hollow Estate Subdivision, Helen Fleck, and Bob Beegle.

The Chairman closed the public hearing.

Supervisor Dorr advised he has received telephone calls from John Akin, opposed to the Ordinance; the Turner family, opposed to allowing the second dwelling units to be "detached"; and Brenda Miller, also opposed to allowing "detached" units. He also received a letter from Dean Essenmacher advising he is opposed to "detached" units.

In a letter dated May 16, 1983, Walter Harmon and Mary L. Freeman advised that the Pollock Pines Citizen's Advisory Committee for the Area Plan objected to the Ordinance. Supervisor Flynn advised that he has received a letter from Mary Freeman, also signed by Harold Cobb, advising that they are in favor of the Ordinance as now written.

The Board received a telephone call on May 17, 1983, from Teresa Lengyel of Georgetown, advising she considers the Ordinance irresponsible to the people of El Dorado County as it would result in the increased need for police and fire protection, schools, and waste disposal. The Board also received a letter from Mary Leslie-Rivers who is opposed to the Ordinance.

Continued next page . . . . .

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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In a letter to the Board dated June 14, 1983, Mr. Brian Jay Gibbs advised that he is strongly opposed to allowing the second dwelling units to be "detached", but would accept the Ordinance as written because the second units are required to be "attached".

The Board received letters in support of the Ordinance from the El Dorado County Taxpayers Association and Margaret Alderson.

Supervisor Dorr made a motion, seconded by Supervisor Flynn, to adopt the Ordinance with the changes recommended by County Counsel this date, with the Tahoe Basin excluded based on the statutory finding required, and with the addition of a provision to require that the second dwelling units be allowed only by special use permit.

Supervisor Lowe made a motion, seconded by Supervisor Walker, to amend Supervisor Dorr's motion to delete the provision requiring special use permits.

The Chairman called for the vote on Supervisor Lowe's amendment, which carried by the following vote: Ayes: Supervisors Lowe, Walker, and Stewart; Noes: Supervisors Dorr and Flynn.

The Chairman then called for the vote on Supervisor Dorr's motion to adopt the Ordinance, and the motion, as amended, carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Stewart; Noes: Supervisors Walker and Flynn; thereby ORDINANCE NO. 3367 was adopted, with changes recommended by County Counsel this date; said Ordinance to apply to the western slope of El Dorado County only, and to become effective 30 days from the date of adoption.

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Hearing was held as duly advertised to consider the following:

1. Appeal submitted by Nancy C. and James Kain, dba Chili Bar, Inc., (Chili Bar Whitewater Tours) on the Planning Commission's denial of River Use Permit No. 83-61 for river rafting on the South Fork of the American River;
2. Appeal submitted by Garth Pintler (Ouzel Voyages) on the Planning Commission's denial of River Use Permit No. 83-13 for river rafting on the South Fork of the American River;
3. Appeal submitted by Mr. Dennis Hamilton (Gold Country River Runners) on the Planning Commission's denial of River Use Permit No. 83-72 for river rafting on the South Fork of the American River.

The appellants were present, there were no written or verbal protests, and the hearing was closed.

At the recommendation of the Planning Director, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Appeals were granted, and the Planning Department was directed to issue the River Use Permits as requested.

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RESOLUTION NO. 163-83 was adopted authorizing the Planning Director to file Notices of Intent to file a Notice of violation and designating the Planning Commission to hear evidence and file Notice of Violation relating to land divisions which occur in violation of County Land Division Ordinances, 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.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

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The Board reconsidered its action of February 22, 1983, wherein Resolution No. 44-83 was adopted, removing El Dorado County, totally, from the alternate method of distribution for property tax apportionment for Fiscal Year 1983-84.

119  
In light of the unique problems faced by special districts and other agencies in transitioning off the alternate method (Teeter Plan), the Board determined: (1) to retain said system of property tax allocation for Fiscal Year 1983-84 for ad valorem taxes and bond redemption only, with the specific understanding that the other special assessments and user fees will no longer be handled under the alternate method (Teeter Plan) as of July 1, 1983; and (2) to go off the alternate method (Teeter Plan) totally beginning in Fiscal Year 1984-85, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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Chairman Stewart exited the meeting room, and Vice Chairman Lowe presided over the remainder of the meeting.

59-11-6  
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Planning Department was requested to clarify the Ordinance Code to require a special use permit for dredging, in response to complaints regarding gold miners trespassing and creating noise.

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(20)  
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the request of the Planning Director, and transferred the responsibility of preparing the grant proposal for the El Dorado Hills Airport Site Study from the Planning Department to the Airports Department.

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57-6  
RESOLUTION NO. 164-83 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, authorizing the Planning Department to make the necessary correction to the Coloma/Lotus Area Plan and Zoning Maps.

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(55)  
748  
The Planning Department recommended approval of the award of the bid for installation of four composting toilets in two locations along the South Fork of the American River to the sole bidder, Knutsen Builders, in the amount of \$18,250.00.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the matter was continued to June 28, 1983. (The Planning Director was requested to contact the Bureau of Land Management (BLM) to discuss the possibility of BLM purchasing and installing the toilets since they will be on BLM land; also, if the County owns and installs them, the Board requested the Planning Director to inquire as to the County's responsibility for maintenance of same.)

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

June 21

19 83

The Planning Director reported on gift deed activity compared to parcel mapping over the past three years, and recommended the Major and Minor Land Division Ordinances be amended to require a parcel map for all gift deeds with exceptions to allow family transfers to occur.

57 On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, County Counsel was directed to prepare an Ordinance amending the Major and Minor Land Division Ordinances to require a parcel map for all gift deeds, with no exceptions, and submit same to the Board Clerk who, in turn, will set a public hearing before the Board of Supervisors for adoption of said Ordinance as an urgency Ordinance.

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## Bid Results:

114-7 Bid No. 165-464, liquefied petroleum gas (propane) for the western slope and South Lake Tahoe was awarded to the low bidders, Empiregas, Inc., of Placerville, in the amount of \$.658 per gallon, for the western slope; and Cal-Gas of South Lake Tahoe, in the amount of \$.673 for South Lake Tahoe, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried.

\* \* \* \*

114-7 Bid No. 165-459, oil, grease, and solvent requirements for the western slope and South Lake Tahoe, was awarded to the second low bidders, D.W. Petroleum, Inc., of Placerville, in the amount of \$28,930.63, for the western slope, and Bi-State Petroleum Co. of Sparks, Nevada, in the amount of \$5,151.95, for South Lake Tahoe, on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Lowe; No: Supervisor Dorr; Absent: Supervisor Stewart.

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There being no further business, the meeting was continued to Monday, June 27, 1983, at 9:00 a.m., for public hearing on the Pollock Pines Area Plan and Zoning.

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APPROVED:

  
THOMAS L. STEWART, Chairman

ATTEST:

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

By

  
Deputy Clerk