

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 12

19 83

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Absent: Supervisor Patricia R. Lowe. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Stewart presided.

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The Invocation was offered by Pastor Norm Parker, Cameron Park Community Church.

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

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, with the addition of a request from Everett and Bertha Fox to place a mobilehome (second residence) on their property due to a medical hardship.

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The Minutes of July 5 and 6, 1983, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present.

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

Budget Transfer No. 247 was approved for Community Programs, transferring \$150 from Regular Employees to Extra Help; and transferring a total of \$700 from Maintenance of Equipment (\$100) and Professional & Specialized Services (\$600) to Office Expense (\$200), Travel (\$200) and Utilities (\$300).

Budget Transfer No. 250 was approved for the Welfare Department, transferring \$6,000 from Regular Employees to Special Departmental Expense to cover increased costs in certified mailing of food stamps.

Budget Transfer No. 253 was approved for the County Clerk, transferring \$1,303 from Overtime to Maintenance of Equipment (\$134), Central Duplicating (\$118), and Rents and Leases of Equipment (\$1,051) to cover year-end expenditures.

Budget Transfer No. 255 was approved for the Public Defender, transferring \$756.84 from Professional Expense to Extra Help (\$90.08), County Contribution to Retirement (\$139.14), Maintenance of Structures & Grounds (\$146.64), Memberships (\$180), Central Duplicating (\$20.25), and Special Departmental Expense (\$180.73).

Budget Transfer No. 258 was approved, transferring \$10,000 from the Auditor-Controller's Office and \$10,000 from the Treasurer-Tax Collector's Office to the Welfare Department to cover year-end appropriation shortfall in the Welfare Department.

Budget Transfer No. 262 was approved for the Elections Department, transferring \$1,000 from Regular Employees to Extra Help.

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The Chairman was authorized to execute a Release 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 in the name of Xandra Buchanan in volume 1609, page 535.

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2405
At the request of the Public Works Department, the Board approved the Preliminary Report and Escrow Statement, in the amount of \$980.00, for the purchase of real property from Jeffrey D. and Judith A. Moffatt for right-of-way for the Mt. Aukum Road Bridge Project, and authorized the Chairman to sign the following relating to same:

- 2405
a. Agreement with Jeffrey D. and Judith A. Moffatt for said purchase, at a cost of \$800.00;
b. Certificate of Acceptance of Grant Deed for said property;
c. Claim, in the amount of \$969.55.

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RESOLUTION NO. 177-83 was adopted, at the recommendation of the Public Works Department, setting a hearing for August 2, 1983, at 11:30 a.m., to consider the adoption of a Resolution of Necessity to acquire property by eminent domain for the Mt. Aukum Road Bridge Project.

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2405
At the recommendation of the Public Works Department, the Board approved the plans and specifications for the Missouri Flat Road-Forni Road Signalization Project (No. 3033), and authorized advertisement for bid opening to be held on August 4, 1983, at 2:00 p.m., with award by the Board on August 9, 1983.

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50
At the recommendation of the General Services Division, the Chairman was authorized to sign the following relating to the Community Programs Parking Pavement Project:

- 50
a. Agreement with Joe Vicini, Inc., in the amount of \$14,725.00;
b. Budget Transfer No. 263, transferring \$9,775.00 from Revenue Sharing (009), Tahoe Library Reserves, to Accumulative Capital Outlay (008), Community Programs Parking.

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443
RESOLUTION NO. 178-83 was adopted, setting a hearing for August 9, 1983, at 2:15 p.m., to consider abandonment of the public utilities easement in Pleasant Valley Estates No. 1 Subdivision between Lots 5 and 6, as requested by George Wanniger and recommended by the Planning Commission.

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50
Cornelia S. Scovill and Nancy White Davis were appointed as members of the Combined Advisory Board on Alcoholism, Drug Abuse, and Mental Health Services for terms expiring April 30, 1986.

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357
W. T. "Dub" Kramer was appointed as member at large of the County Fish and Game Committee.

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22-22
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board directed the Planning Department to issue a special use permit to Everett and Bertha Fox to allow a mobilehome to be placed on their property in which their granddaughter and her husband will reside to care for Mr. and Mrs. Fox due to a medical hardship.

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74-12
At the recommendation of the General Services Division, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign an Agreement with Dolven Larson Associates of Auburn, California/Reno, Nevada, for architectural services for the Ponderosa Justice Court Building, at a cost of \$38,250.00.

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The following Policy Review Sessions were scheduled as recommended, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present:

- 12-14
(87)
(23-4)
(74-12)
(32)
- July 13, 1983, at 9:00 a.m., with the Fair Board regarding security services at the 1983 El Dorado County Fair;
 - July 20, 1983, at 10:00 a.m., regarding renewal of Agreement with Lake Tahoe Transportation Systems, Inc., for special need dial-a-ride transportation services at South Lake Tahoe;
 - July 20, 1983, at 11:00 a.m., regarding U.S. Department of Agriculture, Soil Conservation Service's facility proposal;
 - July 20, 1983, at 1:30 p.m., with the Building Department regarding alternate proposals for building permit service at South Lake Tahoe.

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(70)
(302)
At the recommendation of the Placer County Board of Supervisors, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, RESOLUTION NO. 179-83 was adopted regarding delegation of water quality planning jurisdiction in the Lake Tahoe Basin to the Tahoe Regional Planning Agency.

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LEGISLATIVE MATTERS

316
At the request of the County of Los Angeles, the Chairman was authorized to sign a letter to Assemblyman Bader expressing this Board's support of Assembly Constitutional Amendment No. 35, which will significantly strengthen the Senate Bill 90 reimbursement process for local agencies, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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325
RESOLUTION NO. 180-83 was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, in opposition to Tariff Increase No. ICC-583; and the Board directed that copies of said Resolution be forwarded to U.S. Senators Cranston and Wilson, and U.S. Congressman Shumway, and the Sierra Planning Organization.

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326
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board directed that members of the State Senate Health and Welfare Committee be advised, by telephone or telegram, that this Board supports Assembly Bill 578 (Isenberg) in its present form, which would repeal the statutory requirement that counties with populations in excess of 200,000 have a full-time alcohol program administrator, and is opposed to amendments being suggested.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board voted to oppose Assembly Bill 1108 (Papan), as amended June 14, which would require local agencies to rezone land to other than Timberland Preserve Zone immediately upon application of the landowner, thereby bypassing the local land use decision-making process.

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PERSONNEL MATTERS

(115)
24-3
The Personnel Director submitted the request of the Public Works Department that Mr. Don Kennedy, Acting Highway Superintendent, be reclassified to Highway Superintendent effective July 9, 1983, and be placed at step "D" of the salary range for same.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the reclassification of Mr. Kennedy to Highway Superintendent, at step "B" of the salary range, effective July 9, 1983.

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115
(57-4)
At the recommendation of the Personnel Director, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board authorized the Personnel Office to issue new layoff notices effective August 13, 1983, to the Assistant Planning Director, and to the Principal Planner who was "bumped" by the Assistant Planning Director.

* * * *

115
(57-4)
At the recommendation of the Personnel Director, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Personnel Office to issue a new layoff notice effective August 13, 1983, to the former incumbent of the Supervising Drafter position in the Planning Department.

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124
(341-5)
The Public Works Department requested adoption of a Policy Statement setting forth the responsibility for removal of dead animals on the western slope. There was disagreement between the Agricultural Commissioner and the Director of Public Works as to what the Board's policy should be. Both were present to state their positions in the matter.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the matter was referred to the Chief Administrative Officer to bring forth a recommended policy on July 26, 1983.

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At the request of the Area Agency on Aging, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board took the following action:

- 507-4
- a. Approved the five-year El Dorado County Adult Day Health Care Plan and adoption of recommendations therein;
 - b. Authorized the Chairman to sign a transmittal letter, to be submitted to the State Department of Health Services, for said Plan's final approval;
 - c. Delegation of responsibility to said Agency for same to continue providing staff support to the El Dorado County Adult Day Health Care Planning Council.

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(119)
144
RESOLUTION NO. 181-83 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, authorizing the County Auditor-Controller and Treasurer-Tax Collector and the County Superintendent of Schools to pay claims by check, to be effective October 1, 1983, for school funds, and January 1, 1984, for County funds.

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(141)
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, County Counsel was authorized to enter into stipulated Agreements for dismissal of claims when determined by the involved department, the Risk Manager, and County Counsel that such matters do not involve the County and it is appropriate to enter into same.

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(117)
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board took the following action:

- (114)
114
- Lifted the hiring freeze on permanent and extra-help positions, totally, for the first quarter of fiscal year 1983-84 (July, August and September), with review at the end of the first quarter;
 - Lifted the freeze on out-of-County travel while retaining the requirement that all such trips must be authorized in advance by the County Administrator; and
 - Lifted the freeze on the purchase of services and supplies and fixed assets included in the 1983-84 budget.

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151
The State Department of Social Services requested assistance in providing emergency food and shelter services in El Dorado County under the Federal Emergency Management Agency's Emergency Food and Shelter Program, and advised that the County may either accept or decline administration of a \$17,515 grant award for same.

At the recommendation of the County Welfare Director, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board declines administration of the grant award.

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111
(349)
3906
53
ORDINANCE NO. 3369 was adopted, amending Section 3.28.030 of the County Ordinance Code, increasing the transient occupancy tax from 6% to 8%, on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; No: Supervisor Dorr; Absent: Supervisor Lowe.

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115
Mrs. Elaine Mackey and her attorney, Robert A. Jones, appeared before the Board to discuss actions of various County management officials in denying Mrs. Mackey, a Clerk Typist III at the Health Department, South Lake Tahoe, the opportunity to participate in the "Two-Year Early Retirement Benefit Program", and requesting the Board approve her request to participate in same.

At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board denied Mrs. Mackey's request to be included in the "Two-Year Early Retirement Benefit Program", as her position does not meet the criteria for same.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the following:

- 57-6
285-423
290-92
- a. Amendment to the County General Plan in the Lotus/Coloma area from Rural Residential Agricultural Ten to One Hundred Sixty Acre, to Recreational Facilities, consisting of 5 acres, petitioned by Helen M. Haines; and
 - b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Recreational Facilities Zone.

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

1. The General Plan Amendment and rezoning to Recreational Facilities is compatible with the surrounding land uses;
2. This proposal is consistent with the Goals and Policies of the Lotus/Coloma Area Plan;
3. The land parcel is physically suited for the proposed river campground and seasonal use;
4. The General Plan Amendment and rezoning, if approved, would not be detrimental to the public health, safety and welfare of the public.

The applicant was present; there were no written or verbal protests; and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the Negative Declaration as filed and declared its intent to approve this Amendment to the County General Plan, based on the findings of the Planning Commission (see Minutes of July 26, 1983 for Resolution No. 199-83 amending the County General Plan accordingly); further, the Board approved the rezoning, based on the findings of the Planning Commission, by adoption of ORDINANCE NO. 3370 which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment.

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Hearing was held as duly advertised to consider the following:

- 57-6
285-423
290-92
- a. Amendment to the County General Plan in the Georgetown area from Single Family Residential Medium Density to Commercial, consisting of 2.57 acres, petitioned by Arthea Senger; and
 - b. Rezoning of said lands from Single Family Residential Three-Acre Zone to Commercial Zone.

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

General Plan

1. The request is not in compliance with the adopted Georgetown Area Plan Development Policies 1 and 3, which read as follows: (1) Locate commercial development in the Main Street core area and expand as required along Highway 193. Retain the Post Office in a central location. The core area is defined as extending from the Georgetown Divide Public Utility District (G.D.P.U.D.) along Main Street to the Marshall Grade turn off, including South Street and Church Street within this corridor, and extending north and south from the intersection of Highway 193 and Main Street; and (3) No further commercial development along Wentworth Springs Road from the G.D.P.U.D. office to the eastern plan boundary.

Zoning

1. The rezoning is inconsistent with the General Plan.

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Mrs. Irene Smith, Agent, was present and spoke on behalf of the applicant, Arthea Senger, who was not present. Mrs. Smith noted that the Georgetown Advisory Committee is in favor of the requested General Plan Amendment and Rezoning. Mr. Ken Milam, Planning Director, had submitted to the Board a copy of a letter to the Planning Commission, from the Georgetown Advisory Committee, dated July 7, 1983, wherein the Committee's support of the request is expressed.

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

It was pointed out to Mrs. Smith that the Board could not approve the request without first revising Development Policies 1 and 3 in the Georgetown Area Plan, and such revisions constitute Amendments to the General Plan which must first be heard by the Planning Commission after adequate legal notice.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the matter was referred back to the Planning Commission to consider revision of Development Policies 1 and 3 in the Georgetown Area Plan, after which the Board will consider all three items together: Amendment to the General Plan to revise said Policies; Amendment to the General Plan as requested by Arthea Senger for her 2.57 acres; and the rezoning of Mrs. Senger's 2.57 acres. ✓

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Hearing was held as duly advertised to consider Draft Agricultural Policies and Definitions relating to buffer setbacks for the protection of agricultural lands, and two Ordinances amending general provisions of the zoning text.

57-6
39-90
Mr. Ed Murray was present and spoke on behalf of the "Agricultural Buffer Committee" on which he served, and stated said Committee is in support of the General Plan Amendment and adoption of the two Ordinances accordingly.

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

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board declared its intent to amend the County Long Range Plan to add the several Agricultural Policies and Definitions relating to buffer setbacks for the protection of agricultural lands (see Minutes of July 26, 1983, for Resolution No. 199-83 amending the County General Plan accordingly); and adopted ORDINANCES NOS. 3371 and 3372 amending general provisions of the zoning text accordingly, with the following language, as recommended by County Counsel, added to paragraphs "J", "K", and "M" in Ordinance No. 3372: "provided, however, that small parcels may qualify under this term if approved by the Board of Supervisors with an express finding that such parcel has a commercial agricultural use." ✓

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PLANNING MISCELLANEOUS

45
Mr. Tony Compagnone of Friends of Recreation, requested the County suspend river use permits and close the American River until after the spring runoff and until licensing laws can be enacted, or conditions of the river use permits can be made more restrictive and enforceable; and urged the following:

- a. Paddle trips be banned until the spring runoff is over;
- b. Wet suits be required;
- c. Trip size be limited to 15, and number of trips restricted to cut congestion; and
- d. Rafting companies be required to notify their customers, by mail, of the extreme dangers of running a river during the spring runoff. ✓

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unani-
mously carried by those present, the correspondence from Mr. Tony Compagnone
of Friends of Recreation was received and filed.

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21-3
Mr. Doug Noble, Assistant Planning Director, reported on the cost and man-
hours for completion of the South Lake Tahoe Airport Master Plan and Environ-
mental Impact Report, as outlined in his memorandum to the Board dated
July 12, 1983.

By informal consensus, the Board directed Planning staff to meet with repre-
sentatives of the City of South Lake Tahoe and relay to them the information
submitted to the Board this date.

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GENERAL ORDERS

151
Mr. Paul Berman, County Welfare Director, advised the Board that he has
received written notice from the State Department of Social Services that
funding advances to the counties will not be sent out in time for the
July, 1983, mid-month Welfare grants, due to the fact that the State Legis-
lature has not adopted the State budget for 1983-84.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously
carried, the Board directed that telegrams be sent to Governor Deukmejian;
Speaker of the House, Willie Brown; President Pro Tem of the Senate, David
Roberti; State Senators Ray Johnson and John Doolittle; and Assemblyman Norm
Waters, advising that, since El Dorado County has been notified that funding
advances will not be provided to the County in time for the July, 1983, mid-
month Welfare grants, the El Dorado County Board of Supervisors will be unable
to make such grants until advances are received or written assurance is
received that the County will be reimbursed by the State when the State bud-
get is adopted.

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There being no further business this date, the Board recessed until Wednesday,
July 13, 1983, at 9:00 a.m., for possible further action in the matter of
the Welfare grants.

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APPROVED:


THOMAS L. STEWART, Chairman

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

By 
Deputy Clerk