

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 9 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 (Supervisor Stewart present for morning session only). Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Stewart presided over the morning session; First Vice Chairman Lowe presided over the afternoon session.

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The Invocation was offered by Pastor Norman Greenfield, Community Baptist Church.

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The Pledge of Allegiance to the Flag was led by Mr. Joe Winslow, County General Services Director.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, with the addition of Supervisor Stewart's request that the Board conduct a public hearing for review and comment on the conceptual plan for drainage and road improvements within County Service Area No. 5.

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The Minutes of July 26 and August 2, 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 Dorr, seconded by Supervisor Lowe, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

117
Budget Transfer No. 17 was approved, transferring \$1,200.00 from County Counsel's Regular Employees Budget (1010) to Equipment (3370) for purchase of an IBM typewriter and secretarial steno chair for a new employee.

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117
Budget Transfer No. 18 was approved for the Public Works Department, increasing Reimbursable Revenue (7615) by \$2,200.00, for relocation of a utility pole on Bassi Road for Project No. 7071, Construction of Grading and Paving Improvements at Five Locations on County Roads on the Western Slope.

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248A
The Board approved Assessment Roll Changes numbered 1357 - 1362, 1371, and 1372.

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249
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>	
Lois R. Tompkins	1207	29
Vicki Glaser	2146	273

* * * *

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296-4 Pony Express Trail
RESOLUTION NO. 207-83 was adopted, at the recommendation of the Public Works Department, authorizing the Chairman to sign Claim No. 1, in the amount of \$115,590.00, to be submitted to the Local Transportation Commission, for the Pony Express Trail Pavement Overlay, Shoulder Widening, and Drainage Improvements Project (No. 3063).

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296-5 Mt. Aukum Rd. Bridge
At the recommendation of the Public Works Department, the Chairman was authorized to sign an Agreement with the County of Amador for administration of construction of the Mt. Aukum Road Bridge crossing the South Fork of the Cosumnes River.

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296-4 Green Valley Rd.
The Board approved the plans and specifications for the Green Valley Road Asphalt Concrete Overlay Project (No. 3043) from 0.12 mile east of La Crescenta Drive to North Shingle Road, and authorized the Public Works Department to advertise for bids to be opened on Augst 25, 1983, at 2:00 p.m., with award by the Board on August 30, 1983.

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296-5 Mt. Aukum Rd. Bridge
At the request of the Public Works Department, the Board approved the Preliminary Report and Escrow Statement, in the amount of \$311.10, for the purchase of real property for right-of-way for the Mt. Aukum Road Bridge Reconstruction Project at River Pines, and authorized the Chairman to sign the following:

- Jack 15-83*
- Agreement with Edgar W. Coulson, Jr., and Thomas F. Metzger for purchase of said property, at a cost of \$71.10;
 - Certificate of Acceptance of Grand Deed for same;
 - Claim, in the amount of \$311.10.

* * * *

The Sheriff requested authorization to purchase fixed assets, as itemized and attached to his memorandum to the Board dated June 15, 1983, which were not included in the budget for Fiscal Year 1983-84.

233
At the recommendation of the Chief Administrative Officer, the matter was continued until the State of California makes a final determination on the level of State funding for counties for Fiscal Year 1983-84.

* * * *

57-1
At the recommendation of the Chief Administrative Officer, the Chairman was authorized to sign a Letter Proposal Agreement and Addendum with Shearson/American Express, Inc., to serve as managing underwriter for a possible mortgage revenue bond program in El Dorado County.

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233-6
Award of Bid No. 965-468, pathology services for the western slope, was continued off calendar. (Tahoe Basin portion awarded 8/2/83.)

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(74) (94-2)
The Chairman was authorized to sign An Agreement with El Dorado County and Georgetown Divide Resource Conservation Districts for erosion and sediment control for Fiscal Year 1983-84.

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212
RESOLUTION NO. 208-83 was adopted, at the request of the Diamond Springs-El Dorado Firefighters Association, authorizing the closure of McHatten Alley in Diamond Springs on Monday, September 5, 1983, between 8:00 a.m. and 5:00 p.m. for the Eleventh Annual Bazaar Days.

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(114)
21
At the request of the Airports Department, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Purchasing Agent was authorized to solicit bid proposals from prospective contractors for the purchase of three pieces of snow removal equipment for the Lake Tahoe Airport.

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326
At the request of Contra Costa County, the Board authorized a letter from this Board in support of an amendment to Senate Bill 4 (Montoya), which provides that attorney fees, expert witness fees, and other reasonable costs could be provided to residential utility customers or their representatives who intervene in a rate case before the Public Utilities Commission; said amendment to provide that local government be included as an eligible representative of the residential customer; 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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326
The Marin County Board of Supervisors forwarded a copy of its mailgram to Governor Deukmejian urging his support of the elimination of the deflator in the newly adopted State Budget, in order to provide an additional \$607 million for local governments for fiscal year 1983-84. On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board received and filed the copy of Marin County's mailgram.

Further, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the Chief Administrative Officer to draft a letter, for the Chairman's signature, in support of the elimination of the deflator and distribution of the \$600 million to local governments, and agendize said letter for Board approval on August 16, 1983.

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At the recommendation of the Personnel Director, the Board adopted the following:

- 115
- a. RESOLUTION NO. 209-83 adopting job specifications for Building Operations Technician and setting the salary for same at \$1457 - \$1731 per month, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried;
 - b. RESOLUTION NO. 210-83 amending Authorized Personnel Resolution No. 30-83 to delete one Accounting Technician position and adding one Accountant I position in Community Programs; and deleting one Heating/Air Conditioning Technicain position and adding one Building Operations Technician position in the General Services Division, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried;
 - c. RESOLUTION NO. 211-83 deleting one Recorder Clerk I position and adding one Recorder Clerk II position in the Recorder's Office, on motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe; and
 - d. RESOLUTION NO. 212-83 amending Authorized Personnel Resolution No. 30-83 to delete one Equipment Mechanic position and adding one Fleet Maintenance Technician position in the Sheriff's Department; adopting job specifications for the Fleet Maintenance Technician and setting the salary for same at \$1475 - \$1792 per month; and adding .5 Sheriff's Clerk II position in the Sheriff's Department.

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276-4
Missouri Flat Road
The bid for the Missouri Flat Road-Forni Road Signalization Project (No. 3033) was awarded to the low bidder, M & M Electric of Sacramento, in the amount of \$58,988.40, and the Chairman was authorized to sign a contract with same, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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(504)
22-7
The Health Department (Mental Health Division) reported on proposals submitted by professional consultant firms to provide alcohol-related needs assessment services at South Lake Tahoe, and recommended the Division of Mental Health/Alcohol & Drug Services be authorized to pursue a Contract with the California Health Research Foundation (Andrew Mecca, Ph.D. and Steven M. Pittell, Ph.D.) for same, at a cost of \$6,000.00.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board denied the request for the needs assessment study.

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214
At the recommendation of the Probation Department, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a note of support and endorsement of the Legal Services for Crime Victims Program being developed by the McGeorge School of Law and supported by Governor Deukmejian and the State Legislature.

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The Board considered adoption of an Ordinance adding Section 10.12.200, "Parking in Residence Districts Prohibited", to the County Ordinance Code, to restrict the type of vehicle that can be parked on residential streets for period in excess of one hour or the time necessary to load or unload the vehicle.

(124)
19
Mr. Ellison Rumsey, resident of El Dorado Hills, was present and spoke in favor of the Ordinance on behalf of the El Dorado Hills Community Services District, as they are having problems of this nature in El Dorado Hills and requested such an Ordinance to resolve the matter.

Supervisor Dorr made a motion, seconded by Supervisor Lowe, to adopt the Ordinance.

Supervisor Flynn, made a motion, seconded by Supervisor Walker, to amend Supervisor Dorr's motion, to enact the Ordinance only where it is posted.

County Counsel advised that the Ordinance would have to be rewritten to provide that it only be enforced where posted, and the areas to be posted would then be designated by Resolution.

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

The Chairman then called for the vote on Supervisor Dorr's motion to adopt the Ordinance, which carried unanimously.

County Counsel advised that the motion of amendment supersedes the motion of adoption, therefore he will prepare an amended Ordinance and bring same back for introduction at a later date.

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(50-92)
5/17/83
ORDINANCE NO. 3383 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, amending Ordinance No. 3357 which was adopted by the Board on May 3, 1983, and governs the El Dorado County Commission on Aging, to correct language concerning expenses and appointment of members of said Commission, and to bring section numbers into accordance with the Ordinance Code issued in June, 1982.

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222-383
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board approved the request of Arthur Brewer for a variance to County Ordinance Code requirements to allow a sight distance of 250 feet to the north on Sly Park Road in the Pleasant Valley area (APN 79-130-42), due to curves on said road.

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80-2
Attorney Patrick J. Riley submitted the Summary Plan Description for El Dorado Disposal Service, Inc.'s Profit Sharing Retirement Plan prepared by Benetech, Inc., as requested by the Board on April 19, 1983, when approving the garbage collection rate increase requested by El Dorado Disposal Service, Inc.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the matter was continued to August 16, 1983, at 11:30 a.m., as requested by El Dorado Disposal Service, Inc.

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61-3
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board set a public hearing for Wednesday, August 31, 1983, at 6:00 p.m., at the Youth Camp at 7th and Alder on the west shore of Lake Tahoe, for public review and comment on the conceptual plan for drainage and road improvements with County Service Area No. 5.

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Mr. Steve Bock requested reinstatement of his building permit (No. 24557) in order to complete his home near Shingle Springs.

132
At the recommendation of the Building Department, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, Mr. Bock was directed to reinstate his building permit under terms of Section 15.16.130(4) of the Ordinance Code and pay the fee required for same.

Later in the day, after learning that the reinstatement fee Mr. Bock must pay is \$548.00, and noting that the Board did not have all the pertinent data from the Building Department this date, the Board voted to reconsider Mr. Bock's request on August 16, 1983, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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The Board recessed for lunch, then reconvened for the afternoon session with Chairman Stewart absent. First Vice Chairman Lowe presided over the afternoon session.

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SPECIAL ORDERS

PLANNING MATTERS

285-40-83
390-9a
Hearing was held as duly advertised to consider rezoning of lands in the Placerville Periphery area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 30.25 acres, petitioned by John Mirande. The Planning Commission recommended approval, based on the reason that the requested zoning is consistent with the General Plan.

Mr. Gene Thorne, Agent, was present and spoke on behalf of the applicant. Mr. Thorne advised that he surveyed the parcel and found it is 26 acres in size, not 30.25 acres as shown in County records.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board concurred in the reason of the Planning Commission; approved the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3384 which amends the County Zoning Ordinance accordingly.

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285-41-83
390-9a
Hearing was held as duly advertised to consider rezoning of lands in the Pleasant Valley area from Estate Residential Five-Acre Zone to Estate Residential Ten-Acre Zone, consisting of 19.28 acres, petitioned by Bruce A. Minners. The Planning Commission recommended approval, based on the reason that the requested zoning is consistent with the General Plan.

The applicants' neice was present to speak on their behalf.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board concurred in the reason of the Planning Commission; approved the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3385 which amends the County Zoning Ordinance accordingly.

At the request of Supervisor Walker, the Board, by consensus, requested the Planning Director to correspond with Mr. & Mrs. Minners and request their written approval for the Planning Commission to add one additional condition to their already-approved special use permit, which allows them to place a mobilehome on the subject property for housing; said condition to require the 19.28-acre parcel to become part of the property owners association that maintains Ranch Road if they are denied use of Bucks Bar Road (a County road) for access to the property and must use Ranch Road (a private road) for access.

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Hearing was held as duly advertised to consider the following:

- 46-190
- a. Cancellation of a portion of Agricultural Preserve No. 190 in the Lotus/Coloma area, consisting of 108.254 acres, requested by Archie and Ethel Lawyer and Ethel Tidd; and
 - b. Rezoning of said lands from Exclusive Agricultural Zone to Residential Agricultural and Estate Residential Ten-Acre Zones.

Attorney Gorman Silen was present and spoke on behalf of the applicants.

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 and the tentative cancellation of the specified portion of Agricultural Preserve No. 190, to become final upon payment of the cancellation fee, based on the following reasons:

1. The remainder does not meet three of the four criteria necessary for an agricultural preserve;
2. The previous cancellation of the remainder jeopardized this portion;
3. The rezoning provides adequate buffering to the adjacent preserve;
4. This portion is not a viable agricultural preserve.

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251-42-55
390-9a

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the Negative Declaration, and approved the rezoning as requested by adoption of ORDINANCE NO. 3386, which amends the County Zoning Ordinance accordingly, based on the following reasons:

1. The request is consistent with the General Plan;
2. The cancellation and proposed alternate use do not result in "leapfrog" (discontiguous urban land use patterns) development.

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423
Planning
Zoning
Ordinance
No. 1

Hearing was held as duly advertised to consider abandonment of public utilities easement in Pleasant Valley Estates No. 1 Subdivision between Lots 5 and 6, as requested by George Wanninger. The Planning Commission recommended approval, based on the reason the necessary agencies indicate there is not need for the public utilities easement.

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

RESOLUTION NO. 213-83 was adopted, relinquishing and abandoning said public utilities easement, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present.

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576
Pollock
Pines
Area
Plan

At the request of the Pollock Pines Area Plan Citizens Advisory Committee, the Board approved the formation of a Design Review Committee for the Pollock Pines area, and the appointment of Joan Irvine, Bob Lukehart, and Bob Miller as members of same, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Lowe; No: Supervisor Walker; Absent: Supervisor Stewart.

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95
Mr. Tony Compagnone, representing Friends of Recreation, advised the Board, in a letter dated July 31, 1983, of his intent to incorporate Fried of Recreation as a non-profit recreational co-op to provide recreational activities on an actual cost basis to allow anyone to afford a river trip or other recreational activity the co-op will schedule, and requested whether the American River has a quota for non-commercial use.

The Board requested County Counsel to draft a letter, for the Chairman's signature, advising Mr. Compagnone that he must provide the County with proof that his proposed operation is non-commercial, and, if he cannot so prove, he will have to abide by County regulations for obtaining a river use permit.

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ASSESSMENT AND SPECIAL DISTRICTS

COUNTY SERVICE AREA NO. 3

61-3
Hearing was held as duly advertised to consider placement of a \$5.00 assessment on improved parcels of land within County Service Area No. 3 for mosquito abatement purposed, pursuant to Ordinance No. 2061.

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

On motion of Director Walker, seconded by Director Dorr, and unanimously carried by those present, the Board adopted RESOLUTION NO. 214-83 establishing a \$5.00 fee on improved parcels within County Service Area No. 3 for mosquito abatement purposes.

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61-3
Hearing was held as duly advertised to consider placement of a \$1.40 assessment on improved parcels within the unincorporated portion of County Service Area No. 3 for ambulance services, pursuant to Ordinance No. 3283.

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

On motion of Director Walker, seconded by Director Flynn, and unanimously carried by those present, the Board adopted RESOLUTION NO. 215-83 establishing a \$1.40 fee on improved parcels within the unincorporated portion of County Service Area No. 3 for ambulance services.

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61-3
Hearing was held as duly advertised to consider placement of an assessment, not to exceed \$20.00, on improved parcels within the unincorporated portion of County Service Area No. 3 for the specific purpose of acquiring additional snow removal equipment, pursuant to Ordinance No. 3373.

Director Lowe referred to the memorandum to the Board dated August 5, 1983, from her and Director Stewart, wherein they reviewed the results of two public meetings held at South Lake Tahoe for the purpose of receiving public comment on the matter of such an assessment fee, for which, overall, there was a majority of support. As a result of concerns expressed at those meetings, Director Lowe recommended that Ordinance No. 3373 be amended to add a "sunset" provision whereby the Ordinance will expire in 10 years; and the following language is to be deleted from Section 6 of said Ordinance: "unless the governing board determines to revise, change, reduce, or modify such service fee established pursuant to the resolution provided for in Section 4". County Counsel advised he will bring forth an amended Ordinance at a later date.

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The Board received a letter from R. J. Rebuschatis of South Lake Tahoe, dated August 4, 1983, wherein he expressed his opposition to the assessment fee for purchasing snow removal equipment.

The Board also received a letter from Anne Petri of Tahoe Paradise, dated August 3, 1983, wherein she expressed her support for the assessment fee for purchasing snow removal equipment, as long as the equipment will be used exclusively in the Tahoe Basin.

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

On motion of Director Dorr, seconded by Director Walker, and unanimously carried by those present, the Board adopted RESOLUTION NO. 216-83 establishing an assessment fee, not to exceed \$20.00, on improved parcels within the unincorporated portion of County Service Area No. 3 for the specific purpose of acquiring additional snow removal equipment.

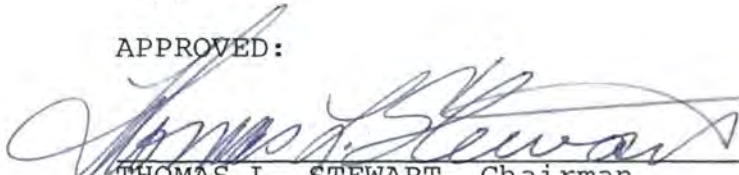
On motion of Director Dorr, seconded by Director Flynn, and unanimously carried by those present, the Board directed staff to initiate bidding procedure for acquisition of snow removal equipment.


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There being no further business to come before the Board of Supervisors this date, the Board adjourned to Tuesday, August 16, 1983, at 10:00 a.m.

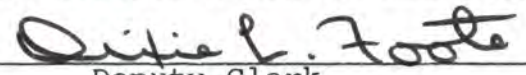
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APPROVED:


THOMAS L. STEWART, Chairman


PATRICIA R. LOWE, First Vice Chairman

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

By 
Deputy Clerk