

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 20 1983

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

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The Invocation was offered by Father Kester, St. Patrick's Church.

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

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with two additions: (1) Auditor-Controller's request to fill the Programming and Systems Manager position in the Data Processing Division; and (2) Gold Trail Union School District's request that the Board declare the week of January 3, 1984, as Dr. Albert Sabin Awareness Week.

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The Minutes of December 12, 1983, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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

292A The Board approved Assessment Roll Change number 8303.

\* \* \* \*

247 The Chairman was authorized to execute Release of Lien, discharging all property encumbered by the Agreement to reimburse the County for public assistance, as recorded in the official records of El Dorado County in the name of Dwain McNeil (volume 2228/page 427).

\* \* \* \*

1414 RESOLUTIONS NOS. 351-83 and 352-83 were adopted authorizing an action for the recovery of County funds paid out for Western Slope Ambulance (County Service Area No. 7), Welfare, Library, Public Defender, Lake Tahoe Ambulance, Tahoe City Ambulance, County Clerk, and Mental Health.

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296-y  
Valley Rd.  
At the request of the Public Works Department, the Board approved the Final Estimate (with Contractor's Acceptance Statement) of Project No. 3043, the asphalt concrete overlay of Green Valley Road (.12 mile east of La Crescenta Drive to North Shingle Road), in the amount of \$149,465.28.

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(34-1)  
296  
Amended

RESOLUTION NO. 353-83 was adopted, at the request of the Public Works Department, authorizing the Chairman to sign Program Supplement No. 8 to the Local Agency-State Agreement (No. 03-5925) for placement of pavement markings on various County roads and City of Placerville streets.

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22

The Board acknowledged receipt of a letter from Kimberly Ward, advising of her intention to terminate her Agreement with the County for consultant services regarding the Emergency Medical Services (EMS) Program, and directed same be placed on file.

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22

The Health Department was authorized to purchase one dot matrix printer from Placerville Computer Services of Placerville, at a cost of approximately \$630.00.

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50-4

At the recommendation of the Mental Health Division of the Health Department, the Chairman was authorized to sign an Amendment to the Agreement with the Alcoholism Council of the Sierra Nevada for Alcoholism services at Lake Tahoe, to reflect changes in direct services for family, group, and individual counseling and reduction in program funding of \$5,000.00.

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22-7

At the recommendation of the Mental Health Division of the Health Department, the Chairman was authorized to sign an Agreement with Kidwell's Guest Home for residential care and treatment services to persons referred by same for Fiscal Year 1983-84, in an amount not to exceed \$11,160.00.

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246-1

At the recommendation of the Veterans Service Office, the Chairman was authorized to sign the annual Agreement with the State Department of Veterans Affairs for allocation of funds, in the amount of \$6,312.00, for operation of said Office for Fiscal Year 1983-84.

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423  
Cameron Park North  
Unit II

RESOLUTION NO. 354-83 was adopted, setting a hearing for January 17, 1984, at 2:15 p.m., to consider abandonment of the public utilities easement between Lots 1049 and 1050 of Cameron Park North, Unit II Subdivision, in the Cameron Park area, as requested by Ron Gough and D. Roland.

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12-14  
(22-7)

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board set a Policy Review Session for January 4, 1984, at 9:00 a.m., with representatives of Cloud "9" House, a residential treatment facility, and the County Mental Health Department, to discuss funding for residential treatment facilities in El Dorado County.

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124  
(326)  
A letter from State Assemblywoman Gwen Moore, dated December 16, 1983, regarding her legislation, Assembly Bill 613, which would provide funds generated by a weight-distance tax on highway users for the maintenance, rehabilitation and reconstruction of streets and roads, was referred to the Public Works Department for analysis, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried.

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229  
349/15  
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved the County Surveyor's request to hire emergency help to finalize and check boundaries for various Special Districts, for submittal to the State Board of Equalization by December 29, 1983, to meet next year's tax roll.

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(350-3)  
115  
The County Auditor-Controller was authorized to hire Bruce Brubaker, at the third step of the salary range, to fill the Programming and Systems Manager position in the Data Processing Division, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker.

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485-7-15  
140  
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board agreed to add the requirement for a suggested fee schedule back into the Agreement with Omni-Means, Ltd., for the El Dorado Hills/Salmon Falls traffic circulation study.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board received and filed Supervisor Lowe's recommendations relating to the acquisition of parcels under the 1982 Bond Act.

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34  
(124)  
296  
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved the following recommendations of the Public Works Department for the implementation of the truck size provisions of the Federal Surface Transportation Assistance Act of 1982:

1. The Director of Public Works was designated as the County's representative to review the proposed access points to services to be furnished by Caltrans, and was authorized to provide written concurrence;
2. County Counsel was directed to draft an Ordinance to establish a process for terminal owners or trucking firms to make application to the County to have routes designated for access to terminals;
3. Public Works Department was directed to erect signs on County highways as necessary.

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428  
The recommendation of the Public Works Department that the area within Granada Heights Subdivision be rezoned to Planned Development and, after the rezoning, the Subdivision Agreement be terminated, was referred to the Planning Commission for consideration, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried.

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(22)  
12-23  
150  
At the request of the Health Department, the Board established a \$10.00 fee for certification and recertification of "Emergency Medical Services" personnel, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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(23)  
12-23  
350  
On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board voted to establish a Drug Abuse in Schools Advisory Committee, consisting of 21 members representing the organizations recommended by the County Superintendent of Schools, which is required in order to apply for funds in accordance with Assembly Bill No. 1983 (La Follette).

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59  
At the request of the Fair Manager, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the 1984 County Fair Budget and Budget Transfer No. 1-83, transferring \$64,290.00 from various accounts with overages to accounts needing additional monies.

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(24)  
12-23  
18  
At the recommendation of the General Services Division, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the County Surveyor was directed to establish the location of County property boundaries at the Georgetown Airport, in order to fence points of intrusion by an unauthorized dirt road that has been built at the Airport which traverses County property to private property northwest of the flight line.

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233-6  
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a six-year Contract with McFarlane Mortuary for mortuary services at South Lake Tahoe for the County Coroner, at a cost not to exceed \$120,000.00 for the entire six years.

Further, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, County Counsel was directed to send a letter to Wilson Family Mortuary at South Lake Tahoe, terminating the County Agreement with same for mortuary services.

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In response to a letter from Attorney J. Mark Nielsen, dated December 6, 1983, wherein Mr. Nielsen advised of what he considers to be clear and serious departures from the laws of California governing formulation and funding of El Dorado County's 1983-84 Final Budget and Secured Property Tax Levy, the Board took the following actions:

213  
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board declared that it intended to levy the full \$1.00 tax rate allowed under Proposition 13 and such levy was necessary to carry on County services and programs without further unacceptable cuts in services, programs, and reserves; that the "published budget", as it has been referred to in Mr. Nielsen's letter, accurately reflects the Board's instructions to the County Auditor-Controller to revise appropriations and reserves intended to be left open by the Board at the budget hearings and to revise revenue estimates (instructions as to both matters are contained in Resolution No. 162-83); and the Board acknowledged receipt of Mr. Nielsen's letter and determined that the Final Budget as presented at the November 8, 1983, meeting of the Board of Supervisors accurately reflects the intent and direction of the Board and its determination of appropriations and revenues for the 1983-84 fiscal year.

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213 Further, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board lifted the temporary restriction on the Equipment Reserve Fund, Contribution to Self-Insurance Fund, and Contingency Fund, which was imposed by the Board on December 13, 1983.

213 Lastly, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the letter to the Board from Mr. Austin S. Joy, dated December 20, 1983, regarding this issue, was referred to the Chief Administrative Officer for response to Mr. Joy and the Taxpayers Association.

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23  
(23-4)  
34-1  
34-1  
The request of the City of South Lake Tahoe that County Local Transportation Funds be designated for use in the Tahoe Basin for the Sierra Ski Ranch shuttle bus service (\$25,000.00), the Forest Service beach bus service (\$14,000.00), and the Heavenly Valley shuttle bus service (\$32,500.00), was continued off calendar pending the outcome of the County's appeal of the California Tahoe Regional Planning Agency's denial of El Dorado County's request for Local Transportation Funds, in the amount of \$88,036.00, for A.C. Overlay Projects on Lake Tahoe Boulevard and Pioneer Trail; on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried.

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(32)  
34-1  
RESOLUTION NO. 355-83 was adopted in support of the exploration and development of off-shore energy resources, and in opposition to Federal and State efforts to impose moratoriums on off-shore energy developments, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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12-14  
14-1  
83-1  
(23-4)  
Upon hearing County Counsel's comments on Supervisor Lowe's proposed amendments to Section 9.20.010 of the County Ordinance Code, to clarify the meaning of the words resell, resold, repurchase, and repurchased, relating to ski lift ticket fraud, as requested by Heavenly Valley Ski Resort and Sierra Ski Ranch; the matter was referred for discussion at the Board's Policy Review Session regarding skiing activities at County ski resorts, which is scheduled for January 11, 1984, at 9:00 a.m., on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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18-2  
Attorney Noble Sprunger's request for extension of the Use Agreement with Sierra Flyers, Inc., assigned to Gerald Jackson, Gerald Liddicoat, and John Branton, dba Sierra Aviation Center, for the fixed base operation at the Georgetown Airport, extending same for an additional five years, was continued off calendar, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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13-2  
(44-4)  
At the request of the Tahoe City Public Utility District, the Board waived the plan check and building permit fees, in the amount of \$4,956.00, for the Rubicon water line reconstruction, with the District required to inspect and certify its own work, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried.

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RESOLUTION NO. 356-83 was adopted, at the request of the Gold Trail Union School District, declaring the week of January 3, 1984, as Dr. Albert Sabin Awareness Week, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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## SPECIAL ORDERS

### Planning Matters

Hearing was held as duly advertised to consider rezoning of lands in the Lotus/Coloma area from Estate Residential Ten-Acre Zone to Single Family Residential Two-Acre Zone, consisting of 37.64 acres, initiated by the El Dorado County Planning Commission on lands owned by Leon Gastaldi.

Mr. Gastaldi was present and stated he is in favor of the rezoning.

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

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board accepted the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 3413, based on the finding of consistency with the General Plan.

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The Planning Department's report on the progress of the Bayley House restoration was continued to January 10, 1984, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried. (The Board informally requested Planning Department staff and County Counsel to review progress of the restoration, terms of the Lease Agreement, etc., for a report to the Board on January 10, 1984, and expressed a desire for Mr. Ballard, who has the Lease Agreement with the County for the restoration project, to be present that date to respond to questions of Board members.)

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Upon being advised by the Planning Director that the Planning Commission has appointed two of its members, Vee Hembrow and William V. D. Johnson, to the Ranch Marketing Committee, and the Agricultural Commission has appointed Larry Hyder and Greg Boeger to same, and that representatives of the County Planning Department will be meeting with the Committee to discuss various related problems; the Board received and filed correspondence from the Apple Hill Growers Association urging the formation of a Ranch Marketing Committee to establish a Countywide policy to meet the unique needs of the ranch marketing environment; 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 Board approved the concept of amending Section 16.28.040 of the Major Land Division Ordinance, to remove the requirement of County certification on private improvements for planned development districts where no inspection or approval by the County engineer is required.

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57 On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the concept of amending specified sections of Chapters 17.06, 17.28, 17.32, 17.34, and 17.70 of the County Ordinance Code, to allow by special use permit, licensed community-care facilities which provide services for more than six people in zones as stated in the Planning Commission's minutes of November 10, 1983; and Chapter 17.18, to include parking requirements for adult community-care facilities. ✓

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57 On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the concept of amending specified sections of Chapters 17.08, 17.20, 17.22, 17.23, 17.24, and 16.48 of the County Ordinance Code to standardize appeal periods to provide that appeals must be filed within ten (10) calendar days following the decision of the Zoning Administrator or Planning Commission, whichever is applicable. ✓

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57-9 On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved the concept of amending various sections of Chapter 17 of the County Ordinance Code, clarifying the required criteria for the placement of mobilehomes (1976 or newer) on parcels of land in El Dorado County. ✓

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57-9 On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the concept of amending Chapter 17.22 of the County Ordinance Code, establishing the requirements for the placement of mobilehomes (1976 or older) on land consisting of ten acres or more. ✓

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57 On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the concept of amending Chapter 17.22 of the County Ordinance Code, to provide that kennels (five or more dogs) be allowed only in zones of five acres or larger as a minimum parcel size. ✓

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57 3 21-9 On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried. ✓  
ORDINANCE NO. 3414 was adopted, adding Section 17.16.120 to the County Ordinance Code, to require a special use permit for all off-premise signs, ✓

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The Board considered adoption of an Ordinance adopting the Redevelopment Plan for the Missouri Flat-Diamond Springs Redevelopment Project, as amended to delete properties as requested and to delete tax increment financing. Assistant County Counsel William Wright advised the Board on December 13, 1983, that adoption of said Ordinance requires a four-fifths vote of the Board since the Planning Commission had recommended the Board not adopt the Plan without tax increment financing.

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A motion by Supervisor Flynn, seconded by Supervisor Stewart, to adopt the Ordinance adopting the Missouri Flat-Diamond Springs Redevelopment Project Plan, as amended to delete properties as requested and to delete tax increment financing, failed to carry, by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Dorr and Lowe.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board set a Policy Review Session for January 11, 1984, at 10:00 a.m., to discuss the possibility of using County Service Area No. 9 as a mechanism to raise property tax funds for major road improvements.

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Hearing was held as duly advertised to consider the formation, in the Latrobe Area, of the Ryan Ranch Road Benefit Zone, an Area of Benefit within County Service Area No. 9, for road improvement and maintenance, petitioned by Robert Kern, et al.

Mr. Kern was present and spoke in favor of the formation.

Mr. Charles Breezak, who recently purchased property in the area, was present and asked questions about road easements.

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

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the Negative Declaration and adopted RESOLUTION NO. 357-83 establishing the Ryan Ranch Road Benefit Zone, Zone No. 2 under County Service Area No. 9, subject to the condition that said Benefit Zone comply with the applicable procedures, policies, and criteria hereafter adopted by the County Service Area No. 9 Board of Directors; and appointing the following as members of the Board of Directors of the Ryan Ranch Road Benefit Zone: Tom Stinson, John Haverty, Jerry Hawkins, Phil Calef, and Dennis Westerberg.

Assistant County Counsel William Wright stated for the record that he has met with proponents and raised various issues that will be coming up when the Board formally considers the policies that will be adopted for County Service Area No. 9, and discussed with them the problems and concerns relating to the effect of private road status vs. public road status if those roads are improved with tax dollars. Mr. Kern was present and confirmed that such discussions did take place.

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Hearing was held as duly advertised to consider the formation of the Arroyo Vista Community Services District.

Mr. Raymond Simmons, area resident, was present and spoke in favor of the formation.

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

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board accepted the Negative Declaration and adopted RESOLUTION NO. 358-83 dispensing with an election and declaring the Arroyo Vista Community Services District duly organized, stating District purposes, fixing the District boundaries, and appointing the following as members of its Board of Directors: Garland C. Loveless, David F. R. McGeary, Tom K. Smith, Blake Wilson, and Raymond J. Simmons.

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