

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 17 19 84

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

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The Invocation was offered by Reverend Richard Eggert, The Historic Mother Lode Community Church.

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

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The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, with the removal of item number 23 regarding staffing of the Public Defender's Office; and the addition of Memoranda of Understanding with six County employees regarding wages, hours, and conditions of employment.

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The Minutes of April 4 and April 10, 1984, 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 Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Consent Calendar matters were considered and acted upon as follows:

RESOLUTION NO. 104-84 was adopted authorizing an action for the recovery of County funds paid out for County Service Area No. 7 (western slope ambulance service), Welfare, Public Defender, and Library Departments.

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As recommended by County Counsel, the Board denied the claim for personal injuries and property damage, in the amount of \$250,000.00, filed by Attorney Robert C. Tronvig, Jr., on behalf of Paul C. Graham.

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RESOLUTION NO. 105-84 was adopted, at the request of the Public Works Department, establishing a tow away zone on Salmon Falls Road commencing at a point 250 feet south of the New York Creek Bridge to ½ mile north of the New York Creek Bridge.

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RESOLUTION NO. 106-84 was adopted, at the recommendation of the Public Works Department, amending Resolution No. 247-81, to change speed limits on various County roads.

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At the recommendation of Community Programs, the Chairman was authorized to sign Project Progress Review Report, as required by the State Office of Economic Opportunity for Community Services Block Grant recipients, summarizing Program activities for the twelve-month period from March 1, 1983, through February 29, 1984, and addressing Community Action Agency goals for Fiscal Year 1983-84.

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At the recommendation of the Department of Agriculture, the Chairman was authorized to sign Agreements (Nos. 6117, 6302, 6177, 6245, 6059, and 6007, respectively) with the State Department of Food and Agriculture for funds for Fiscal Year 1984-85 for the following:

- a. Reimbursement of compensation paid the County Agricultural Commissioner, in an amount not to exceed \$6,600.00;
- b. Apiary inspections, in an amount not to exceed \$500.00;
- c. Egg Quality control, in an amount not to exceed \$600.60, plus \$10.30 per 100 egg sample examined at retail at the request of retailers or consumers;
- d. Inspection of nursery stock at all El Dorado County producer locations and at 12 County retail nursery locations, in an amount not to exceed \$676.00;
- e. Implementation and enforcement of pesticide permit regulations, in the amount of \$16,790.00; and
- f. Insect trapping, in an amount not to exceed \$66,529.00.

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The Board accepted for filing, the 1983 El Dorado County Crop Report, pursuant to Section 2279 of the California Agricultural Code.

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The Board approved the Final Map for Phase I of the Lakeview Development Subdivision in the Diamond Springs/El Dorado area, containing 10 residential lots on 0.860 acre; subdivider: Keith Barrett.

\* \* \* \*

Being advised that on August 18, 1981, Richard and Melanie Kidman granted El Dorado County an open space easement on their lot in the Tahoe Paradise Unit No. 22 Subdivision (APN 33-402-13), and that the Kidmans have since sold their lot to the U. S. Forest Service, the Chairman was authorized to sign a Grant Deed transferring said easement from the County to the U. S. Forest Service, as recommended by the Planning Department, & RESOLUTION NO. 107-84 adopted accordingly.

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RESOLUTION NO. 108-84 was adopted, setting a hearing for May 15, 1984, at 2:15 p.m., to consider abandonment of a 30-foot public utilities and service easement in front of Assessor's Parcel No. 81-051-04, Lot 36, of Tahoe Paradise Unit No. 48 in the Tahoe area, as requested by R. Neil and Debra J. Thompsen.

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Public Works Department was authorized to raze the house on property owned by the County on Latrobe Road at Clark Creek, and to clear the debris from the property.

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326  
The Chief Administrative Officer's recommendation relating to the request of the County Supervisors Association of California (CSAC) for support of AB 2468 (Cortese), to provide stable, predictable funding and greater local governance for California county governments, was continued to April 24, 1984, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present.

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326  
As requested by the Stanislaus County Board of Supervisors, the Board declared its opposition to the reorganization of the California Association of Councils of Governments (CAL COG) to provide a staff office and a lobbyist on legislative representation in Sacramento specifically for CAL COG, and directed that Stanislaus County be so advised by letter, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present.

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326  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed that a telegram be sent to the Senate Judiciary Committee advising of this Board's opposition to SB 2031, and noting in said telegram that a letter will follow outlining facts on which said opposition is based, as said Bill would do the following:

- a. Repeal the statute authorizing "confidential marriage" procedures, and requirements for premarital medical examinations;
- b. Transfer all confidential marriage records to a central registry in Sacramento;
- c. Replace the blood test with the requirement that County Clerks distribute health information materials prepared by the State Department of Health Services to each applicant for a marriage license; and
- d. Authorize counties to establish marriage license fee levels to cover costs of maintaining licensing services outside normal business hours.

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326  
354  
At the recommendation of the Director of Mental Health and Substance Abuse Administrator, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board declared its support of the modified Alcohol and Drug Transfer Program as contained in amended Assembly Bills 3872 and 3873; authorized the Chairman to sign letters of support to be sent to Assemblyman Lancaster, Mr. Chauncey Veach, and Governor Deukmejian; and authorized Dr. Frank Dougherty, Director of Mental Health, to testify before the appropriate Legislative Committee regarding said Bills, as well as Assembly Bill 2381 which the Board considered on March 6, 1984.

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81  
At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign Memoranda of Understanding with Sara L. Bishop, Dolores Haines, Clarise J. Needle, Elizabeth Green-Hayes, Louise Rozowski, and James P. Saint, regarding wages, hours, and conditions of employment for period ending June 30, 1985.

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124  
196  
A-C  
8-2  
✓  
In response to the petition signed by 24 residents of Braden Road in Camino, requesting resurfacing and maintenance of said road, the Director of Public Works was requested to meet with the residents, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present.

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124  
196  
A-C  
8-2  
✓  
In response to the request of the Greenwood Civic Organization, that the County improve Spanish Dry Diggins Road, the Board requested the Director of Public Works to include the improvement of Spanish Dry Diggins Road as a line item in his proposed budget for fiscal year 1984/85, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present.

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124  
196  
A-C  
8-2  
✓  
The construction contract for the grading, paving, and drainage improvements at two locations on County roads on the west slope of El Dorado County (Project No. 7075) was awarded to the low bidder, J & S Paving Company of Placerville, in the amount of \$29,850.00; and the Board authorized additional funding, in the amount of \$2,595.00, for a total of \$33,295.00 from the Shingle Springs Area Road Improvement Fund, for this project; on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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124  
196  
A-C  
8-2  
✓  
The recommendation of the General Services Division that the Airport Operations Supervisor provide facility and grounds maintenance at the Georgetown Airport with in-house employees, or by contract for specific specialty work; that the existing five-year fixed base operator agreement for the Georgetown Airport be allowed to expire without extension; and that the General Services Division be assigned the task of advertising the requirements for a fixed base operator for the Georgetown Airport to provide aircraft maintenance and fuel pumping service for the period July 1, 1984, through June 30, 1987; was referred to County Counsel to form an opinion on evidence presented this date and the question of whether competitive bidding is required, and to report back to the Board on May 1, 1984; on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present.

25% COTTON FIBER --//--

The Board recessed briefly, and the tape recorder turned off; the Board reconvened, and the tape recorder turned back on. It was later discovered that the entire morning session, up to this point, was not recorded due to a malfunction of the tape recorder, which was corrected, and the remainder of the meeting was recorded.

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117  
Budget Transfer No. 171 was approved, transferring \$22,000.00 from General Fund Appropriation for Contingency (9900) to the County Engineer's Professional and Specialized Services (2180 - \$17,000.00) and Special Departmental Expenses (2230 - \$5,000.00), for increased costs due to subdivision activity, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present.

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117  
Budget Transfer No. 174 was approved for the County Library, increasing Other State Revenues (5287) by \$10,452.00; and transferring same to Extra Help (1020 - \$2,757.00), Special Departmental Expense (2230 - \$6,695.00), and Office Expense (2170 - \$1,000.00), due to an increase in El Dorado County's allocation for Fiscal Year 1983-84 from the Public Library Fund provided by Senate Bill 358, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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117  
Budget Transfer No. 176 was approved, transferring \$65,000.00 from General Fund Appropriation for Contingency (9900) to the Welfare Department's General Relief Rents and Leases (4249), due to an increase in the standard of General Relief as approved by the Board on December 7, 1983, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present.

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341-5  
Upon hearing Dolores M. Brenneman's request that the Board consider the matter of a neighbor's dog that is allowed to roam and attack other domestic animals, the Board requested the Director of Animal Control to meet with Mrs. Brenneman to discuss the procedure for initiating a vicious dog hearing; and the Board requested Mr. Ed Delfino, Agricultural Commissioner, to meet with Mrs. Brenneman to discuss her complaints about Animal Control personnel; on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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## PLANNING MATTERS

380-90  
285-20-20  
Hearing was held as duly advertised to consider rezoning of lands in the Somerset/Fairplay/Mt. Aukum area from Residential Agricultural Twenty-Acre Zone to Estate Residential Ten-Acre Zone, consisting of 22.7 acres, petitioned by James and Marilyn Erhart. The Planning Commission recommended approval based on the following reasons:

1. The physical characteristics of the land support the request;
2. The request is consistent with the General Plan;
3. Improvements (access road) have occurred since the adoption of the Area Plan that support the request.

Mr. Erhart was present and spoke to his request.

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

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board accepted the Negative Declaration and approved the rezoning, by adoption of ORDINANCE NO. 3447 which amends the County Zoning Ordinance accordingly, based on the reasons of the Planning Commission.

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Erased Bond

25% COTTON FIBER

Hearing was held as duly advertised to consider rezoning of lands in the Finnon Area from Unclassified Zone to Residential Agricultural Twenty-Acre Zone, consisting of 39.8 acres, petitioned by Jodar Wine Company. The applicant originally requested PA, Planned Agricultural, Zone, but was encouraged by Planning Department staff to apply for the RA-20 Zone instead. The Agricultural and Planning Commissions recommended PA, Planned Agricultural, Zone, based on consistency with the 1969 General Plan and the Long Range Plan.

Mr. Vaughn Jodar, representing Jodar Wine Company, was present and spoke on behalf of same, stating the Company would like the property zoned PA, Planned Agricultural. There were no written or verbal protests.

481-2-84

Board members expressed concern about the fact that the notices the Planning Department staff sent surrounding property owners, advising them of both the Planning Commission and Board of Supervisors hearings on this request, advised that the Commission and Board would be considering rezoning the property to RA-20 Zone and made no mention of the possibility of rezoning same to PA, Planned Agricultural, Zone.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board continued the hearing to May 1, 1984, and directed the Planning Department to notify surrounding property owners of the applicant's revised request for PA, Planned Agricultural, Zone and the impact of said zone on surrounding properties.

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Hearing was held as duly advertised to consider rezoning of lands in the Georgetown Area from Estate Residential Ten-Acre Zone to Mineral Resources Zone, consisting of 35 acres, petitioned by Bear Creek Aggregates, a Division of Gordon T. Shepherd, Inc. The Planning Commission recommended approval, based on the following reasons:

390-92

1. The public facilities necessary to support this request are present and available for immediate use;
2. The physical characteristics of the land support the request;
3. The request is consistent with the General Plan.

The applicant was not present, there were no written or verbal protests, and the hearing was closed.

485-2-84

The Board concurred in the reasons of the Planning Commission, accepted the Negative Declaration, and approved the rezoning by adoption of ORDINANCE NO. 3448 which amends the County Zoning Ordinance accordingly, 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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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Chairman was authorized to sign the Certificate of Compliance, as amended by County Counsel, regarding the improvement of the road serving parcels 3 and 4 of Parcel Map No. 77-652, as requested by Michael Smith on behalf of Stuart Kime.

424A

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Erased Bond

25% COTTON FIBER

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At the recommendation of the Planning Commission, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the concept of amending Section 17.35.030(E) of the County Ordinance Code to delete the reference to signs, due to conflict with another Section of the County Ordinance Code.

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ORDINANCE NO. 3449 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, amending Section 16.36.040 of the County Ordinance Code, relating to the definition of "division of land" under the Minor Land Division Ordinance.

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Hearing was held as duly advertised to consider protests on the Resolution of Intention and Engineer's Report for the El Dorado Hills Business Park, Phase I, Assessment District.

The Chairman opened the hearing; Mr. Robert Brunsell of Sturgis, Ness, Brunsell and Sperry, bond counsel, was present to review the purpose of today's hearing; Mr. Gene Thorne, project engineer, was present and reviewed the results of the bid opening for the construction contract; and Mr. Scott Olson, of Birr, Wilson and Company, Inc., bond marketing firm, was present and spoke to marketing of the bonds for this project.

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 acted as follows:

- a. Adopted RESOLUTION NO. 109-84 amending Resolution of Intention No. 65-84 to provide for alternative method of collecting assessments;
- b. Accepted Engineer's Report for filing;
- c. Adopted RESOLUTION NO. 110-84 approving report and assessment and ordering improvement;
- d. Approved waiver of 30-day cash collection period;
- e. Accepted Paid and Unpaid List for filing;
- f. Adopted RESOLUTION NO. 111-84 determining assessments remaining unpaid;
- g. Adopted RESOLUTION NO. 112-84 authorizing issuance of bonds;
- h. Adopted RESOLUTION NO. 113-84 ordering sale of bonds to Birr, Wilson and Company, Inc.;
- i. Adopted RESOLUTION NO. 114-84 awarding the construction contract to the lowest bidder, T & S Construction of Sacramento, in the amount of \$2,868,919.70;
- j. Authorized publication of the Notice of Award of Contract; and
- k. Adopted RESOLUTION NO. 115-84 authorizing the County Engineer to issue change orders for the work in El Dorado Hills Business Park, Phase I, Assessment District, under specified conditions.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board directed that the Planning and Agriculture Departments be advised that the Board has some doubt as to whether the formula in the Long Range Plan that rates agricultural land is a valid formula, and would like to see said formula re-examined and tested against soil samples in the area, by professionals, to determine its validity; and, if found invalid, would like a proposal for new criteria for rating agricultural land.

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There being no further business to come before the Board this date, the Board adjourned to Tuesday, April 24, 1984, at 10:00 a.m.

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APPROVED:

*Patricia R. Lowe*  
PATRICIA R. LOWE, Chairman

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

By *Doris L. Foote*  
Deputy Clerk

Erasedable Bond

25% COTTON FIBER