

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 31, 1984

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. Ann R. Macy, Board of Supervisors Clerk was also present.

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The Invocation was offered by Pastor Darrell Anderson, Sierra View Grace Brethren Church.

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

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, RESOLUTION NO. 225-84 was adopted, and at the request of Chairman Lowe, Supervisor Flynn read the contents of said resolution and presented same to James J. Devine, President of Jay Dee Transport, Camino, honoring the California Trucking Association for its efforts in attempting to reduce and arrest the number of intoxicated drivers on California's highways. Two members of the California Highway Patrol were also present and expressed their appreciation for the Association's efforts.

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At the request of the South Lake Tahoe Marketing Council, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the Chairman to sign a Proclamation endorsing and supporting the World's Toughest Triathlon to be held September 8, 1984, at South Lake Tahoe.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the request that the Board give the Sheriff's Department permission to assist in planning and supervision of the Triathlon, was referred to the Sheriff for his discretion in the matter.

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The Agenda was adopted on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, with the addition of one New Business item.

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The Minutes of July 24, 1984, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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

The Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance in the name of John Gordon Elliott, and as recorded in the official records of El Dorado County in Volume 2153, Page 443.

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141-4  
RESOLUTION NOS. 237-84 and 238-84 were adopted authorizing an action for the recovery of County funds paid out for ambulance service, and Welfare, Public Defender, and Library services.

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296  
At the request of the Public Works Department, the Board approved the Final Estimate in the amount of \$29,850 for Project No. 7075, construction of grading, paving, and drainage improvements at two locations on County roads on the West Slope of El Dorado County.

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22-1  
At the recommendation of the Health Department, RESOLUTION NO. 239-84 was adopted authorizing the Chairman to sign an Agreement with the State Department of Health Services for funds, in a maximum amount of \$143,446.00, for the County Medical Services Program for Fiscal Year 1984-85, for Medically Indigent Adults.

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22-7  
At the recommendation of the Mental Health Division, Health Department, the Chairman was authorized to sign an Amendment to the Post-Doctoral Psychology Intern Agreement with Mary Halpin, Ph.D., for services at the Placerville Clinic, extending the term of same through August 31, 1984, and increasing the amount by \$2,000.00.

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At the recommendation of the Probation Department, the Chairman was authorized to sign Agreements with the following for AB 90 County Justice System Subvention Program funds for Fiscal Year 1984-85:

428  
New Morning, Inc., for counseling and shelter care services for status offenders in the amount of \$90,916.00;

Tahoe Human Services, Inc., for counseling and shelter care services for status offenders in the amount of \$35,000.00;

Voluntary Action of South Lake Tahoe for alternative sentencing program in the amount of \$24,212.00.

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57  
Community Development Director having advised that the black topping, sealing, and striping of the parking lot at the Raley's Shopping Center in El Dorado Hills has been completed, the Board authorized the Planning Division to release the bonding assignment for same, in the amount of \$4,857.00.

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114-7  
Bid No. 280-007 - Janitorial and related supplies for Warehouse stock, was awarded to lowest most complete bidders: J. C. Nelson of Fairfield for paper products, soaps, cleaners, bags, and miscellaneous products; and to Paul Koss Company of Sacramento for janitorial utensils in the amounts as listed in bid spread sheet attached to Purchasing Agent's letter of July 24, 1984; and the Purchasing Agent was authorized to award two annual purchase orders for same.

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Bid No. 550-022 - Prescription drugs for the Health Department at South Lake Tahoe, was awarded to sole bidder, Shelley Drug, Inc., of South Lake Tahoe in amounts as listed on attachment to Purchasing Office's memorandum dated July 23, 1984; and the Purchasing Agent was authorized to issue an annual purchase order for same.

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Bid No. 965-004 - Animal control contract at South Lake Tahoe was awarded to the Tahoe Humane Society of South Lake Tahoe in the amount of \$105,000.00, and the Chairman was authorized to sign the following: Two-year contract with same for operation of a County-owned animal control shelter and for services required to carry out the requirements of the County Animal Control Ordinance, and a Lease with same for lease of real property commonly known as Lot 41 in Tahoe Paradise Unit No. 51, and all appurtenances and improvements, including personal property at said premises.

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RESOLUTION NO. 240-84 was adopted at the request of the Founders Day Committee of Georgetown, authorizing the closure of Main Street between Highway 193 and Harkness Street from 8:00 a.m. to 6:00 p.m. on Sunday, August 5, 1984, for the annual Georgetown Founders Day celebration.

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RESOLUTION NO. 241-84 was adopted, at the request of John E. Markey, for closure of Main, School, South, and Harkness Streets on Saturday, September 15, 1984, at 9:30 a.m., for approximately one hour, for the fifth annual Georgetown Kids' Pet Parade.

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At the request of the Native Sons of the Golden West, Placerville Parlor No. 9, and Native Daughters of the Golden West, Marguerite Parlor No. 12, the Board proclaimed the State of California Admission Day, September 9, 1984, as a special day to be honored and recognized by El Dorado County; a day for all County residents to be proud and respectful of the Mother Lode heritage that El Dorado County contributed to the greatness of this State and Nation.

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At the recommendation of the Combined Advisory Board on Alcoholism, Drug Abuse, and Mental Health Services, Mary Engelken, Norine Hegy, and Dan Weinberg were reappointed as members of said Board for terms expiring April 30, 1987.

\* \* \* \*

RESOLUTION NO. 242-84, a Resolution of Intention, was adopted amending the powers of County Service Area No. 9 to include the authority to provide street lighting services, and setting hearing on same for September 4, 1984, at 2:30 p.m.

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RESOLUTION NO. 243-84 was adopted providing property tax revenues to the El Dorado Hills Community Services District for annexation of property (EDHCSD 84-01 - El Dorado Hills Community Services District) in accordance with AB 8 negotiations.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the following Policy Review Sessions were set:

September 5, 1984, at 10:30 a.m. for the Fire Mitigation Presentation Committee Report.

October 3, 1984, at 9:00 a.m., regarding proposed revision to the County Business License Ordinance.

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The Elections Department submitted for Board consideration, Certification of the Surface Mining Initiative Petition, together with the complete text of said Petition, which would require permanent buffer zones of 10,000 feet on all boundaries of the proposed project from any existing residential use, hospital use, church use, or school use, including but not limited to nursery or day care uses. The Elections Department advised that pursuant to Section 3709 of the California Elections Code, the Board of Supervisors may either pass the ordinance without alteration at a regular meeting, or order a special election, or place it on the November 6, 1984, Presidential General Election. The Elections Department certified that the Petition qualified by more than twenty percent (20%) of the registered voters at the last Gubernatorial election (1982).

After discussions between various Board members and County Counsel, the Chairman opened the matter to the public for comment.

Tina Thomas, attorney, representing the Homeowners Protective Committee, who circulated the Petition, was present, and recommended that the Board place the Initiative on the ballot to allow the public to vote on the subject.

Wes Paulsen, Engineer for the Hazel Creek mine, spoke against the proposal, stating that mining was very strictly controlled in the United States, and if this initiative passed it would result in the closure of all mining activity in this County.

Mike Petersen, attorney representing Gold Fields Mining Company, stated they would literally be declaring war on this initiative; that it was the most discriminatory ordinance he has ever looked at: that no where in El Dorado County is it possible to obtain that buffer zone.

Jewel McNew, Treasurer of the Homeowners Protective Committee, stated that she would prefer that the matter be put on the ballot.

Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, directed that the Surface Mining Initiative be placed on the ballot for the General Election to be held on November 6, 1984.

Supervisor Stewart moved that the Board take the initiative to prepare the notice of opposition to this proposed measure. Supervisor Flynn stated he would like to wait another week to have the argument against the measure before the Board. Supervisor Stewart withdrew his motion in support of Mr. Flynn's thoughts on the matter.

Supervisor Stewart then moved that Supervisors Flynn and Walker represent the Board and work with staff and County Counsel to prepare the argument against the measure. The motion died for lack of a second.

Supervisor Flynn, seconded by Supervisor Stewart, moved to carry the matter of a statement to appear on the ballot over to next week (August 7, 1984), and the motion failed to carry by reason of the following vote: Ayes: Supervisors Flynn and Stewart; Noes: Supervisors Dorr, Walker, and Lowe.

The Chairman then announced that the matter now rests with the proponents and opponents to prepare the statements.

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(21-3)  
The City of South Lake Tahoe submitted letter requesting approval of the South Lake Tahoe Planning Commission being designated the Airport Land Use Commission to review the South Lake Tahoe Airport Master Plan and Environmental Impact Statement.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board designated the City of South Lake Tahoe Planning Commission as the Airport Land Use Commission for the purpose of the preparation of the Lake Tahoe Airport Master Plan and Environmental Impact Statement, based on the findings that the Airport is under the ownership of the City of South Lake Tahoe, and the proximity of the County's Planning Commission to the Basin makes it extremely difficult to pursue insofar as the hearing process is concerned; and the City of South Lake Tahoe has agreed to hold the County harmless in the event there is a challenge to this designation, as this is a limited designation only.

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(25)  
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23  
A letter was received from the Tahoe Basin Association of Governments (TBAG), polling member entities on the question of whether TBAG should intervene, by becoming a party to the litigation, in the matter of a Federal injunction against the Tahoe Regional Planning Agency (TRPA) which precludes private residential and commercial development in the Tahoe Basin during this building season, and prevents commencement or completion of a number of public projects.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board granted that the County as a member of TBAG, join as outlined this date by the City of South Lake Tahoe's attorney, Dennis Crabb, to intervene in the State of California vs. Tahoe Regional Planning Agency, and the decision rendered by Judge Garcia; to be limited to argue the local government's point of view, and conditioned on approval by other local agencies, and further, to be contingent upon receipt of a letter pertaining to the monetary obligation of this County.

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80-8  
Chief Administrative Officer held a duly noticed public hearing at the Lake Tahoe County Library on July 27, 1984, relating to the request of the Tahoe Truckee Disposal Co., Inc., for a 12.7% rate increase for garbage pickup in the Tahoma-Emerald Bay franchise area. The Chief Administrator advised the Board that there were no members of the public in attendance. The Chief Administrative Officer, Kent Taylor, recommended that the Board adopt the resolution, amending and replacing an earlier resolution which the Board had in their papers, and grant the requested rate increase, and further, to consider the possibility of having the service within the franchise area made a mandatory service.

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 244-84 was adopted, as amended, adopting increased rates, and including a 9% landfill surcharge to the rates.

Mr. Russ Barnett, Tahoe Truckee Disposal Company, was present, and stated that they have a mandatory service ordinance that they operate under in Placer County, and that it has worked very well; it has helped to clean up the community, and they would like to see it in El Dorado County as well.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Dorr and Lowe, the Board directed the Chief Administrative Officer, together with County Counsel, to bring back before the Board an ordinance for mandatory pickup along the lines as is enforced in Placer County, for consideration for application to the Tahoe-Emerald Bay franchise area.

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354  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board continued off calendar the recommendation of the El Dorado County Alliance of Service Providers, that the Board develop and adopt a policy statement regarding social services funding, and direct staff to seek and secure additional funding/resources through active advocacy on behalf of the County.

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73  
Lake Tahoe Resource, Conservation and Development Council submitted a letter requesting a letter of support from the Board for its application for designation of the Lake Tahoe Basin as a Resource Conservation and Development Area and for Federal assistance under Public Law 87-703.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the letter of support as requested.

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(7/1)  
Communication received from the National Organization on Disability (NOD) requesting that the Board proclaim the Decade 1983-1992 as "The Decade of Disabled Persons"; and appoint a liaison to NOD.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the request was approved, and the Chairman, Patricia R. Lowe, was designated as the Board's liaison with NOD.

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70  
(7/1)  
On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board ratified a letter to the Lahontan Regional Water Quality Control Board, signed by the Chairman of the Board of Supervisors, requesting that said Control Board schedule a meeting in early August wherein the County will request them to consider waiving the 30% land coverage limitation currently in effect at the County's South Lake Tahoe government complex, as it relates to the County's urgent need to expand the South Lake Tahoe jail.

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240  
On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board appointed Ann Goodrich, County Personnel Director, as their representative on the University of California, Cooperative Extension, Search Committee for the recently vacated Farm & Home Advisor position.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, Introductory Ordinance adding Chapter 10.30 to the County Ordinance Code, regulating the operation of off-road vehicles on private property, was continued to August 14, 1984.

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## SPECIAL DISTRICTS

### COUNTY SERVICE AREA NO. 3

The Board of Supervisors adjourned to reconvene as the Board of Directors of County Service Area No. 3.

61-3  
County Counsel submitted the following for Board consideration, relating to the transfer of six Galion Six-wheel drive motor graders from the County of El Dorado to County Service Area (CSA) No. 3: (1) Assignment to be signed by the Chairmen of the Board of Supervisors and County Service Area No. 3; Uniform Commercial Code Financial Statement, to be signed by the Chairman of County Service Area No. 3; and Draft review letter regarding same, to be signed by lessee's counsel.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the matter was continued to August 7, 1984.

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## GENERAL ORDERS

296-4  
Sly Park  
1-21  
Public Works Department recommended that the Board solicit letters of support from Federal legislators and other interested parties for the Public Land Highways project to improve Sly Park Road by widening and realigning same between Park Creek Road and Mile Post 9.90; and forward said letters to the Federal Highway Administration, State Department of Transportation, and U. S. Forest Service.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the matter was approved as recommended with additional direction that letters of support be solicited also from the City of South Lake Tahoe and from U.S. Senator Chappie and U. S. Congressman Shumway, and the Board urged residents along the road to write to the U.S. Department of Transportation; the State Department of Transportation; the U.S. Department of Transportation, the U.S. Forest Service, and their legislators.

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133-1  
At the recommendation of the Community Development Director, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a contract with Garry Gates for professional plan check services for the Community Development Department at a cost of \$55.00 per hour, not to exceed twelve hours, for a lumber retail store facility proposed for construction on Assessor's Parcel No. 327-07-27.

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101  
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board set August 29, 1984, at 8:30 a.m., for a Forest Service field trip, to include the Board members and the Community Development Director and his staff, to observe various activities in the forest and their problem areas.

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14-26  
At the recommendation of Chief Assistant County Counsel and the General Services Director, the Board adopted RESOLUTION NO. 245-84, as amended, declaring the necessity of additional jail replacement facilities due to overcrowding; approving plans for a jail annex adjacent to Forni and Gold Nugget Road; directing staff to negotiate, subject to Board approval and direction, agreements for excavation and earthwork for said facilities and authorizing filing of Notice of Categorical Exemption for said project with all required agencies.

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On motion of Supervisor Flynn, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign the Notice of Exemption/Certificate of Determination on the project.

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The Board adjourned to August 1, 1984, at 10:00 a.m. to review the El Dorado Hills/Salmon Falls Area Traffic Circulation Study and El Dorado Hills/Salmon Falls Area Fee Structure Analysis prepared by Omni-Means Ltd., and to consider adoption of an Area of Benefit for construction of road improvements in the El Dorado Hills/Salmon Falls area.

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APPROVED: Patricia R. Lowe  
Patricia R. Lowe, Chairman

ATTEST:  
Billie Mitchell, County Clerk  
& ex officio Clerk of the Board

By: Ann K. Tracy  
Board Clerk