

County of El Dorado

BOARD OF SUPERVISORS

ROBERT E. DORR.....DISTRICT I
PATRICIA R. LOWE.....DISTRICT II
JAMES R. SWEENEY.....DISTRICT III
JOSEPH V. FLYNN.....DISTRICT IV
THOMAS L. STEWART.....DISTRICT V

BILLIE MITCHELL.....COUNTY CLERK

330 Fair Lane • Placerville, CA 95667
Telephone (916) 626-2464



C O N F O R M E D

A G E N D A

March 4, 1986 10:00 a.m.

AGENDA CLOSING TIME - 12:00 NOON WEDNESDAY

JOSEPH V. FLYNN, Chairman Dixie L. Foote, Board Clerk

SUPERVISORS: DORR, LOWE, SWEENEY, FLYNN, AND STEWART
All members present

8:30 a.m. - Closed Session (Personnel), Board's Conference Room in the Administrative Office

9:15 a.m. - Closed Session concerning pending litigation regarding a matter in which the Board will determine whether or not to initiate litigation, pursuant to Government Code Section 54956.9 (Board's Conference Room in the Administrative Office)

9:45 a.m. - Board of Equalization

INVOCATION - Reverend Norman Greenfield, Community Baptist Church

PLEDGE OF ALLEGIANCE


ADOPT AGENDA

SWLDFS BOARD ACTION - Agenda adopted with two additions (nos. 41 & 42).

APPROVAL OF CONFORMED AGENDA (MINUTES) OF THE MEETING OF FEBRUARY 25, 1986

FDSwLS BOARD ACTION - Approved

CONSENT CALENDAR (All matters on the Consent Calendar are to be approved by one motion unless a Board member requests separate action on a specific item.)

1. Budget and/or Fund Transfers
RECOMMENDED ACTION: Approve
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2. Budget Transfer No. 128, increasing Estimated Revenue Aid for Mental Health (5205) by \$21,224.00; and increasing Mental Health Division's Professional and Specialized Services account (2180) by \$19,146.00 and Overtime account (1030) by \$2,078.00, for Supplemental Residential Care Services Plan for Fiscal Year 1985-86.
 RECOMMENDED ACTION: Approve, and authorize Chairman to sign

1508

3. Budget Transfer No. 129, increasing Estimated Revenue Aid for Mental Health (5205) by \$4,284.00, and increasing Mental Health Division's Overtime account (1030) by \$3,884.00, Office Supplies account (2170) by \$200.00, and Transportation and Travel account (2250) by \$200.00, for Mental Health Division's assessment of Special Education Pupils Plan for Fiscal Year 1985-86.
 RECOMMENDED ACTION: Approve, and authorize Chairman to sign

1553

4. Budget Transfer No. 133, increasing District Attorney's Estimated Miscellaneous Revenue by \$17,500.00; and increasing Professional and Specialized Services account (2180) by \$10,000.00, Transportation and Travel account (2250) by \$6,500.00, and Special Departmental Expense account (2230) by \$1,000.00, to cover depleted accounts due to recent surge in murder cases.
 RECOMMENDED ACTION: Approve, and authorize Chairman to sign (The Board continued this item to March 11, 1986.)

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LSwDFS

5. Budget Transfer No. 134, increasing Estimated Miscellaneous Revenue (7630) and Surveyors' Extra Help account (1020) by \$323.00, for services relating to preparation of topog map for Pioneer Regional Park.
 RECOMMENDED ACTION: Approve, and authorize Chairman to sign

1554

6. Release of Lien as submitted by County Counsel's Office. (1)
 RECOMMENDED ACTION: Approve

1259

7. Resolution Authorizing an Action for the Recovery of County Funds Paid Out. (1)
 RECOMMENDED ACTION: Adopt Resolution No. 49-86

1388

- 8. Public Works Department recommending Resolution be adopted, authorizing the Chairman to sign Grant Deed No. 028866 granting a portion of Old State Highway 50, between Echo Summit and Upper Truckee Road, to the State of California, and Letter Agreement dated February 13, 1986, wherein the State accepts transfer of ownership of said Road.

1555

LSwDFS

RECOMMENDED ACTION: Adopt Resolution No. 50-86, authorizing Chairman to sign

- 9. Health Department (Mental Health Division) requesting Chairman be authorized to sign an Agreement with Robb Mark Petrusky, M.D., for psychiatric services in the Mental Health Program, in an amount not to exceed \$52,500.00, for period March 3, 1986 - September 30, 1986.

1556

LDSWS F (n)

RECOMMENDED ACTION: Approve, and authorize Chairman to sign

- 10. Sheriff requesting letter of endorsement supporting the Big Brothers/Big Sisters' application for a grant, in the amount of \$10,000.00, through the United Way of Sacramento, to assist in the operation of the Placerville Youth Center.

1558

RECOMMENDED ACTION: Approve

- 11. Risk Manager recommending Resolution be adopted, finding Linda Wheeler incapacitated for the performance of her duties as a Deputy Sheriff II, Custodian, due to the result of injury or disease arising out of and in the course of her employment. (Approved in principal - 2/4/86)

1423

SwDFS L (n)

RECOMMENDED ACTION: Adopt Resolution No. 51-86

- 12. State Department of Food and Agriculture requesting Board adopt a Proclamation paying tribute to the men and women who work in Weights and Measures to protect the interests of consumers, businesses, and government.

1559

RECOMMENDED ACTION: Approve

SwDLFS

BOARD ACTION - Consent Calendar matters approved as recommended with the exception of number 4 which was continued to March 11, 1986.

END CONSENT CALENDAR

- 13. CAPITAL OUTLAY MATTERS
BOARD ACTION - None submitted.

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RECOMMENDED FUTURE POLICY REVIEW SESSIONS

- 14. Chief Administrative Officer proposing date of Wednesday, March 19, 1986, at 1:30 p.m., for a Policy Review Session relating to County revegetation standards for new development.

1560

LDSwFS

BOARD ACTION - Said policy review session scheduled for March 31, 1986, at 2:00 p.m..

LSWDFS

In addition, the Board approved the date and time of March 31, 1986, at 3:00 p.m. for a workshop with the Planning Commission to review the Draft Cameron Park Airport Land Use Plan prepared by the Foothill Airport Land Use Commission.

1561

LEGISLATIVE MATTERS

- 15. Chief Administrative Officer requesting support of Senate Bill 1477 (Doolittle) relating to interstate transfers of prisoners.

1562

LDSwFS

BOARD ACTION - Board voted to support SB 1477.

PERSONNEL

- 16. Personnel recommendations as submitted by the Personnel Director.

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BOARD ACTION - None submitted.

DEPARTMENT MATTERS

- 17. Health Department (Mental Health Division) recommending Resolution be adopted, approving the Proposal for Services to Mentally Disabled Homeless in El Dorado County for submission to the State Department of Mental Health. (Continued from 2/25/86)

1398

LDSwF S
(ab)

BOARD ACTION - RESOLUTION NO. 52-86 adopted.

- 18. Sheriff requesting Resolution be adopted, reinstating members of the volunteer Sheriff's Reserve as employees under Workers' Compensation laws.

1563

SWDLFS

BOARD ACTION - RESOLUTION NO. 53-86 adopted.

MARCH 4, 1986

19. Department of Agriculture submitting for adoption, Resolution adopting the Animal Control Fee Schedule.

SWDLFS

BOARD ACTION - RESOLUTION NO. 54-86 adopted.

1564

20. County Librarian submitting response to the petition submitted by seventeen students of Cosumnes River College-Placerville Center requesting the Main County Library be open to the public Monday through Saturday. (Referred - 1/21/86)

SWLDFS

BOARD ACTION - Petition received and filed; and Chief Administrative Officer requested to draft a letter, for the Chairman's signature, to the college requesting any assistance it can provide through its resources.

1369

21. Treasurer-Tax Collector requesting direction regarding the 1985-86 projections relating to the business license revenues. (Chief Administrative Officer recommends Treasurer-Tax Collector be requested to survey comparable Counties' business license fees, and report back to the Board in two weeks.)

LSWDFS

BOARD ACTION - Board approved Chief Administrative Officer's recommendation; i.e., Treasurer-Tax Collector requested to survey comparable counties' business license fees, and report back to the Board on March 18, 1986.

1565

22. Data Processing Division requesting Purchasing Agent be authorized to issue a Request for Proposal for consulting services to assist in the design and writing of a Request for Proposal and Bench Mark Test for the replacement of El Dorado County's central mainframe computer, and Chairman be authorized to sign Budget Transfer No. 137, transferring \$15,000.00 from Data Processing's Fixed Assets account (3370) to Professional and Specialized Services account (2180) to cover costs of same.

LSWDFS

BOARD ACTION - Approved.

1566

23. Chief Administrative Officer requesting adoption of Policy entitled "Smoking in County Facilities and Vehicles" as recommended by the Smoking Policy Committee; and recommending employee organization representatives be commended for their input and participation on said Committee.

SLDSWF

BOARD ACTION - Approved.

1567

- 24. Purchasing Office recommending award of Bid No. 250-084, mobile radio equipment for the Public Works and Agriculture Departments, to low bidder, El Dorado Communications of Placerville; and requesting authorization for the Purchasing Agent to issue a purchase order, in the amount of \$7,267.00 including sales tax, for same. (Continued from 2/25/86) (Chief Administrative Officer to make oral recommendation.)
BOARD ACTION - Approved.

1513

SWLDFS

COMMUNICATIONS

- 25. Mosquito Fire Protection District requesting exemption from Conflict of Interest Code requirements.
BOARD ACTION - Approved.

1568

FSwDLS

- 26. Mr. and Mrs. John Griffis requesting reconsideration of the Board's action of January 21, 1986, wherein it denied the detachment of their property (APN 103-040-04) from Zone No. 8, Woodleigh Lane, Woodleigh Court, and Wilkenson Lane, an Area of Benefit within County Service Area No. 9, in the Cameron Park Area.
BOARD ACTION - Request received and filed (denied).

1377

LDSwFS

ASSESSMENT AND SPECIAL DISTRICTS

- 27. Adoption of the following Resolutions for the Tahoma-Tahoe Cedars Storm Drain, Erosion Control, Street Improvement Assessment District:

- a. Resolution determining to undertake proceedings pursuant to Special Assessment and Assessment Bond Acts for the making of acquisitions and improvements without further proceedings under Division 4 of the Streets and Highways Code;

- BOARD ACTION - RESOLUTION NO. 55-86 adopted.

1355

SLDSWF

- b. Resolution authorizing execution of Letter Agreement with Jones, Hall, Hill & White for legal services;

- BOARD ACTION - RESOLUTION NO. 56-86 adopted.

SLDSWF

- c. Resolution of Intention to make acquisitions and improvements;

- BOARD ACTION - RESOLUTION NO. 57-86 adopted.

SLDSWF

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d. Resolution preliminarily approving Engineer's Report, appointing time and place of hearing protests to be held on April 8, 1986, at 2:00 p.m., and directing notice thereof, and describing proposed boundaries of Assessment District and directing filing of boundary map;

SLDSWF

BOARD ACTION - RESOLUTION NO. 58-86 adopted.

1355

e. Resolution appointing managing underwriter.

SLDSWF

BOARD ACTION - RESOLUTION NO. 59-86 adopted.

SUPERVISORS SPECIAL REQUESTS

28. Supervisor Lowe requesting Resolution be adopted, supporting the California Tahoe Conservancy's 1986-87 Budget request, and calling upon the State Legislature and the Governor to approve said request for funding.

LSDSWF

BOARD ACTION - RESOLUTION NO. 60-86 adopted.

1569

PUBLIC FORUM/PUBLIC COMMENT - 1:50 p.m. (Any person wishing to address the Board on any item that is not on the Agenda may do so at this time providing a request is presented to the Board Clerk's Office prior to the noon/lunch recess.)

COMMUNITY DEVELOPMENT MATTERS - 2:00 p.m.

29. Hearing to consider the following:

a. Amendment to the County General Plan in the Diamond Springs/El Dorado Area (District III) from Single Family Residential-Low Density (1 d.u./5.0 - 9.9 acres) to Single Family Residential-Medium Density (1 d.u./1.0 - 4.9 acres), consisting of 2.25 acres, petitioned by Bryant C. Eriksen (Agent: James C. Willson); (Planning Commission recommends approval.)

SWDLFS

BOARD ACTION - Board approved the Negative Declaration, and declared its intent to approve the General Plan amendment, based on the findings of the Planning Commission outlined in the Community Development Director's memorandum to the Board dated 2-3-86.

1570

Continued next page

b. Rezoning of said lands from Estate Residential Five-Acre Zone to One-Acre Residential Zone. (Planning Commission recommends approval.)

SwDLFS

BOARD ACTION - Board approved the Negative Declaration, and approved the rezoning by adoption of ORDINANCE NO. 3612, to become effective 30 days following the effective date of the General Plan amendment, based on the findings of the Planning Commission outlined in the Community Development Director's memorandum to the Board dated 2-3-86.

1570

30. Hearing to consider the following:

a. Amendment to the County General Plan in the Pleasant Valley/Oak Hill/Sly Park Area (District III) from Rural Residential Ten to One Hundred Sixty-Acre (1 d.u./10 - 160 acres) to Low Density Residential (1 d.u./5.0 - 9.9 acres), consisting of 6.42 acres, petitioned by David Rathkamp; (Planning Commission recommends approval.)

SwDLFS

BOARD ACTION - Board approved the Negative Declaration, and declared its intent to approve the General Plan amendment, based on the findings of the Planning Commission outlined in the Community Development Director's memorandum to the Board dated 12-2-85.

1571

b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone. (Planning Commission recommends approval.)

BOARD ACTION - Board approved the Negative Declaration, and approved the rezoning by adoption of ORDINANCE NO. 3613, to become effective 30 days following the effective date of the General Plan amendment, based on the findings of the Planning Commission outlined in the Community Development Director's memorandum to the Board dated 12-2-85.

31. Hearing to consider the following:

a. Amendment to the County General Plan in the Pleasant Valley/Oak Hill/Sly Park Area (District III) from Low Density Residential (1 d.u./5.0 - 9.9 acres) to Medium Density Residential (1 d.u./1.0 - 4.9 acres), consisting of 6.6 acres, petitioned by Alicia Fellows (Agent: Brian DeBerry); (Planning Commission recommends approval.)

BOARD ACTION - Board approved the Negative Declaration, and declared its intent to approve the General Plan amendment, based on the findings set forth in Planning staff's report to the Planning Commission which is attached to the Community Development Director's memorandum to the Board dated 12-18-85.

SwSDLF

1572

b. Rezoning of said lands from Estate Residential Five-Acre Zone to One-Acre Residential Zone. (Planning Commission recommends Single Family Two-Acre Residential Zone.)

BOARD ACTION - Board approved the Negative Declaration, and approved the rezoning to R1A Zone as requested, by adoption of ORDINANCE NO. 3614, to become effective 30 days following the effective date of the General Plan amendment, based on the findings set forth in Planning staff's report to the Planning Commission which is attached to the Community Development Director's memorandum to the Board dated 12-18-85.

SwSDLF

32. Hearing to consider the following:

a. Amendment to the County General Plan in the Pleasant Valley/Oak Hill/Sly Park Area (District II) from Single Family Residential Low Density to Commercial, consisting of 5.97 acres, petitioned by Yesterday Farms (Agent: Doug Noble); (Planning Commission has no recommendation.)

BOARD ACTION - Board approved the Negative Declaration, and declared its intent to approve the General Plan amendment (for actually only 1.4 acres of the property in question), based on the two findings outlined in the Community Development Director's memorandum to the Board dated 1-2-86.

LSWDFS

1573

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b. Rezoning of said lands from Estate Residential Five-Acre Zone to Planned Commercial Zone. (Planning Commission has no recommendation.)

BOARD ACTION - Board approved the Negative Declaration, and approved the rezoning of the subject 1.4 acres, from RE-5 to PC, by adoption of ORDINANCE NO. 3615, to become effective 30 days following the effective date of the General Plan amendment, based on the three findings outlined in the Community Development Director's memorandum to the Board dated 1-2-86.

LSwDFS

1573

33. Hearing to consider naming County Road No. 2007 in the Somerset/Fairplay/Mt. Aukum Area, Old Outingdale Road. (Hearing set - 2/11/86) (Requires Resolution)

BOARD ACTION - RESOLUTION NO. 61-86 adopted naming County Road No. 2007, "Old Outingdale Road".

LDSwFS

1432

COMMUNITY DEVELOPMENT MATTERS

34. John and Judy McDonald requesting waiver of zoning variance fees and refund of parcel map fee required prior to construction of Garden Valley Fire Station No. 1 and the Garden Valley Post Office located on the northeast corner of Greenwood and Marshall Roads in Garden Valley. (Chief Administrative Office recommends denial.)

BOARD ACTION - Continued to March 11, 1986, and County Counsel and Community Development Department staff requested to report back with recommended actions to accomplish the Board's desire to assist the McDonalds, particularly in the matter of the construction of the fire station.

DSLSWF

1574

35. Supervisor Sweeney requesting the Board refer the matter of significant development occurring at the southerly end of Oak Hill Road (land splits, grading, and building) to Planning Division staff, County Counsel, and the District Attorney for a report back to the Board on March 11, 1986.

BOARD ACTION - Community Development Department directed to lead the investigation, and work with the District Attorney's Office to look for any possible violations in this matter, and report back to the Board as soon as possible.

SwLDFS

1575

- 36. Community Development Department requesting direction on whether its staff should continue investigations and abatement of County Ordinance Code violations if the District Attorney's legal staff cannot be provided to handle referral of same.

BOARD ACTION - Board directed that a committee be formed to look into the matter, and report back to the Board; said committee to consist of representatives of County Counsel's Office, District Attorney's Office, and the Administrative Office, with Supervisors Dorr and Sweeney authorized to represent the Board on said committee.

1576

SLSWF D
(ab)

- 37. County Counsel reporting on the decision of the First Appellate Court on the Lewis v. Hayward lawsuit affecting "window" Williamson Act cancellations. (Referred - 2/4/86)

BOARD ACTION - Board directed staff to proceed on ministerial acts such as final maps and building permits, to continue the status quo; and, on discretionary acts, to give notice of the lawsuit at hand, require hold harmless agreements, and proceed according to past practice; based on the following reasons:

SWDLFS

1. The case itself does not address the extent to which it should apply to the situation in El Dorado County; whether it should be applied retroactively; whether it should apply to situations where people have expended substantial sums of money and have obtained some form of vested rights on the property; whether, in fact, it is the law -- it hasn't been decided by the Supreme Court -- it will probably be accepted by that Court and, until such time, it is technically not the law.

1407

2. It is not the law in the Third Appellate Court District, arguably, there is a conflicting opinion of the Fourth Appellate District in the Honey Springs Case;

3. The State Department of Real Estate is not pulling any white papers and not taking any action to impose any moratoriums;

4. No other counties appear to be making any determinations that the decision should stop further development in their counties; and

Continued next page

5. It would have an unfair and detrimental impact upon people who relied upon prior actions that have been taken by the County and by the State Legislature.

- 38. Community Development Department recommending deletion of Chapter 8.40 of the County Ordinance Code relating to public spas, which is no longer necessary due to State law being enacted in 1982; and submitting for conceptual approval, Ordinance adding Chapter 8.40 to same regarding underground storage tanks.

1577

FSWDLs BOARD ACTION - Approved in concept.

- 39. Community Development Department recommending Board maintain the current combined single limit liability insurance, in the amount of \$500,000.00, for outfitters operating on the South Fork of the American River for the 1986 season.

1578

LSDSWF BOARD ACTION - Board directed that outfitters operating on the South Fork of the American River for the 1986 season must provide combined single limit liability insurance in an amount of \$1,000,000.00, effective May 15, 1986; and allowed them to continue through May 14, 1986, under their existing river use permits, with coverage in the amount of \$500,000.00.

- 40. Recreation Commission requesting the following:

a. Approval of bicycle and pedestrian trail routes as listed in said Commission's Memorandum dated February 26, 1986;

b. Approval of use of the Road Improvement Fund, on a case-by-case basis, to assist in funding said trails in County road right-of-way; and

c. Recreation Division be directed to work with the Department of Public Works to bring a proposed funding method and updated cost analysis back to the Board for the Snows Road path.

1579

LFSWS D (n) BOARD ACTION - Approved.

Additionally, the Board directed staff to seek out, explore, and identify major sources of funding for bicycle and pedestrian trails and report back to the Board, via the Recreation Commission, during hearings on the 1986-87 County budget.

LSDSWF

NEW BUSINESS

41. The Board authorized the Community Development Department to submit an application to the U.S. Department of Housing and Urban Development, Federal Insurance Administration, for participation in the National Flood Insurance Program; adopted RESOLUTION NO. 62-86 acknowledging the need of El Dorado County and desire to participate in the National Flood Insurance Program (with Community Development Department requested to provide the Board an assessment of the budget impact of the Resolution); and action on the proposed flood damage prevention ordinance was continued to March 11, 1986.

1532

DSSwF L (n)

42. The letter from Ed Burleson, Chairman of the Veterans Building House Committee, dated February 26, 1986, copied to the Board of Supervisors, regarding a problem with gaseous fumes at the County Fairgrounds, was referred to the Environmental Health Division, and staff was requested to circulate any further reports they have in this area to the Board.

1580

SWLDFS

43. Being reminded that, on January 21, 1986, the Board adopted Resolution No. 19-86, removing Lot 11 (APN 16-514-011) in Rubicon Palisades Subdivision from the list of tax-defaulted properties to be sold at public auction in February, and County Counsel was directed to secure said lot for public ^{agency ownership} and being further reminded that on February 11, 1986, the Board adopted Resolution No. 35-86, authorizing the Chairman to sign an Agreement with the State, acting by and through the California Tahoe Conservancy, for the purchase of said lot, at a cost of \$3,000.00; and being now advised that subject lot did go on sale and was sold to four individuals for \$3,400.00; the Board directed the Chief Administrative Officer to cause an investigation to occur as to why this lot was sold against the directive of the Board, and requested County Counsel to review Chapter 8 of the Revenue and Taxation Code as relates to such acquisitions and report back to the Board on same.

1309

SWLDFS

44. The Traffic Advisory Committee was requested to report to the Board on March 18, 1986, on the traffic "bottleneck" being created by trucks out of the Diamond Lime Quarry going up to Greenwood, down Marshall Grade to Coloma and around, and back Salmon Falls Road, empty, impacting Green Valley Road, Salmon Falls Road, Highway 193, Marshall Grade, and Coloma. (Originally referred to the Committee on February 25, 1986.)

SWLDFS

1521

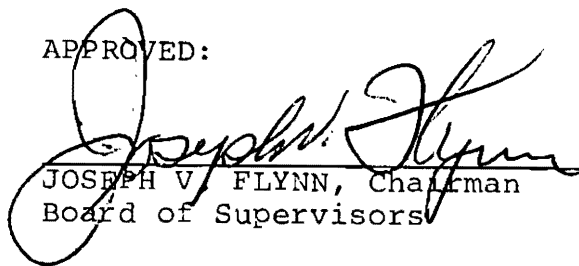
MEETINGS SCHEDULED FOR THE WEEK
(Open to the Public)

March 3, 1986	9:30 a.m.	Cosumnes River Water and Power Authority/Board of Supervisors Chambers, Sacramento
	3:00 p.m.	Building Industry Advisory Committee
	6:30 p.m.	Joint meeting of the Board of Supervisors and the Placerville City Council
March 5, 1986	1:00 p.m.	Recreation Commission
	2:00 p.m.	Sierra Business Development Corporation/Auburn
	3:00 p.m.	Sierra Economic Development District/Auburn Sierra Planning Organization/Auburn
	7:00 p.m.	Foothills Airport Land Use Planning Commission/Auburn Fair Association Board of Directors
March 6, 1986	9:00 a.m.	Planning Commission/Planning Meeting Room
	9:30 a.m.	Local Transportation Commission/Board Chambers
	10:30 a.m.	Local Agency Formation Commission/Board Chambers
	4:00 p.m.	Golden Sierra Private Industry Council/Auburn
March 7, 1986	9:30 a.m.	Tahoe Transportation District/City Administrative Offices, South Lake Tahoe

POLICY REVIEW SESSIONS
(Open to the Public)

March 5, 1986	9:00 a.m.	County Service Area No. 7 Policy Review Session regarding contracting with fire districts for ambulance services for 1986-87
	10:00 a.m.	1986-87 Budget Workshop with County Department Heads and their staff
March 19, 1986	9:00 a.m.	Update of County Capital Improvement Plan
	10:30 a.m.	Review of County-wide re- sponse to the storm-related emergency in February

APPROVED:



JOSEPH V. FLYNN, Chairman
Board of Supervisors

ATTEST:
BILLIE MITCHELL, County Clerk and
ex officio Clerk of the Board

By Billie L. Foote
Deputy Clerk