

# BASS LAKE BULLETIN

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www.basslakeaction.org

## YES ON P FOR CITYHOOD KEEP OUR MONEY IN EL DORADO HILLS

### BLAC ENDORSES YES ON CITYHOOD VOTE

After polling the membership and finding overwhelming support, the Board of Directors of the Bass Lake Action Committee (BLAC) last month voted unanimously to back cityhood for El Dorado Hills, throwing its weight behind the “Yes on Measure P” drive. The Board took the action after studying the issues and finding that cityhood would be in the best interest of the Bass Lake community.

Prior to making the decision, it became evident to the Board that with the planned addition of up to 1,400 homes, two or more parks, two elementary schools, and a high school to our community, people living along Bass Lake Road will see an explosion of growth, increased traffic, and a diminution of the rural atmosphere so prized by the residents. The widening and realignment of Bass Lake Road to facilitate travel from Highway 50 to Green Valley Road promises to usher in more traffic and increase activity along the roadway.

For those reasons, BLAC representatives attended the Local Area Formation Committee (LAFCo) meetings on the proposed cityhood, and followed the incorporation issues through the El Dorado Hills Community Services District meetings so as to assess the cityhood movement. The BLAC Board also reviewed the various studies and the Comprehensive Fiscal Analysis that were prepared by the independent LAFCo consultants.

The Board came to the conclusion that a city would be fiscally viable and that local control under cityhood is preferable over the present county government based in Placerville. The Board feels that a city council will be more responsive to the calls for responsible growth that up to now seem to have been ignored. The experience of many

Bass Lake residents over the past few years has made them feel that the County Board of Supervisors does not seem to understand or care about the concerns and the issues that the citizens of Bass Lake deal with on a daily basis.

BLAC’s decision to endorse cityhood was followed several days later by the decision of the Board of Directors of the EDH CSD to also endorse cityhood for El Dorado Hills.

BLAC may endorse political campaigns and may take political positions because it is incorporated as a 501(c)(4) nonprofit organization. More information on the “Yes on Cityhood, Yes on Measure P” campaign may be found at [www.edhcity.org](http://www.edhcity.org). ~



Part of Bass Lake Regional Park Site

### COUNTY IN SECRET NEGOTIATIONS TO SELL BASS LAKE PARK LAND

Bass Lake Action Committee has discovered that the county has apparently been in secret negotiations with the Rescue School District to sell it part of the 41-acre parcel on which the proposed Bass Lake Regional Park was to have been built.

For some time, rumors have circulated that the County was in negotiations with the Rescue School Board regarding the sale of a portion of the property to the district. However, there was no mention of this in

the minutes of the County Supervisors or the Rescue School Board until the very recent September School Board meeting, and up to then everyone at the County and the School District claimed no knowledge of any such negotiations.

The first official mention of the proposed transaction was a cryptic item in the Board of Supervisor’s Closed Session Agenda of May 24, 2005, that provided for a conference with a property negotiator regarding real property described as “a portion of Assessor’s Parcel Number 115-010-10,” that only a few people know is the park property parcel. Only the APN was disclosed, not a description of the property or its location. The person with whom the negotiator was to negotiate was Rescue Unified School District, and the undisclosed instructions to negotiator concerned both price and terms of payment.

Over four months later, the Agenda for the County Board of Supervisors meeting on Tuesday, September 27, included Item 53, by Supervisor Dupray. Dupray asked county staff to enter into discussions with the Rescue Union School District regarding the possible location of a school on a portion of the Bass Lake Park site, and to amend the Draft Environmental Impact Report for the park site, at the school district’s expense, to incorporate the construction of a school site as a project alternative. BLAC understands that at that Board of Supervisors’ meeting, Supervisor Dupray stated that he wanted to get the process “out in the open.”

BLAC has obtained a copy of a letter from the Rescue School District superintendent dated September 13, 2005, concerning use of a portion of the park site for a school. A copy of the letter is available for viewing on the BLAC website.

Since these ongoing negotiations are between local government entities about the sale of real property, and if consummated would entail the transfer of public funds, BLAC believes that these discussions should have been transparent and held in a public forum. Also, even though the item was “disclosed” in the closed session

*(continued next page)*

**PARK SALE** *continued*

agenda purportedly under Government Code section 54956.8 (part of the Ralph M. Brown Act that mandates open government meetings), the second sentence of that statute provides that "prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies the real property or real properties which the negotiations may concern and the person or persons with whom its negotiator may negotiate." (emphasis added)

BLAC is not aware of any open and public session that identified the property and the persons that were to negotiate for the property. Therefore it appears that the County violated the Brown Act by failing to hold such a meeting and making an open disclosure. The Brown Act is designed to ensure the accountability of government officers and to enable citizen's oversight of government agencies by keeping official decision-making processes as open as possible to public knowledge and participation. The Board also violated its own County policy as set forth in a memorandum dated February 8, 2000, from the office of the County Counsel entitled "The Ralph M. Brown Act," which while being much less specific provides, in part, "Prior to holding any closed session, the legislative body shall disclose in an open meeting the item or items to be discussed in the closed session."

It appears that the Board of Supervisors failed to meet the requirements of both state law and the requirements of its own policy with respect to these negotiations. This duplicitous procedure is reminiscent of the secretive process that the Board followed when the Bass Lake Regional Park was proposed. In the same manner as when the park was proposed, there has been no disclosure to nearby residents of the possibility of an elementary school being built immediately across the road from their homes.

Currently there is a Draft Environmental Impact Report in process on the 41-acre proposed Bass Lake Regional Park site, which has already been through the Notice of Preparation of an EIR process and many public meetings. The EIR project alternatives have been set by that process and by those meetings. The introduction of a school to this site would be in conflict with the original intent of the EIR, which was to discover the impacts that would be created by the placement of an active sports park on forty-one acres of environmentally sensitive property next to a lake owned by El Dorado

Irrigation District. An elementary school would have much different, and more profound, effects with respect to traffic, noise, lights and the environment.

BLAC also questions the vagueness of Supervisor Dupray's motion, as there is no reference to which part of the park, or how much acreage, is to be discussed for the location of the proposed elementary school.

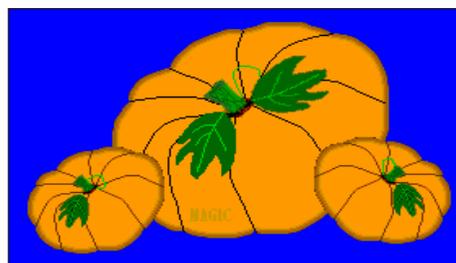
While BLAC is not averse to having a school built on the property, it is BLAC's firm belief that there are both safety hazards and adverse environmental impacts that must be fully mitigated before any school can be built on the Property. ~

**BLAC ELECTION OF OFFICERS NEARS**

Bass Lake Action Committee members are reminded that nominations for the board offices of BLAC for 2006 are due in by the regular meeting that will be held on November 7, 2005, at the home of Herb and Kathy Prevost. Candidates may also be nominated from the floor at that meeting.

Board offices are open to any BLAC member in good standing. Those wishing to run for a position should contact Nominating Committee Chair Tasha Boutselis. The final slate of candidates will be announced in the November Bass Lake Bulletin, which will be distributed immediately after the November meeting.

The election of officers will take place at the regular monthly meeting to be held on December 5, 2005, at the home of Dee and Denny Olberding. All BLAC members are cordially invited to attend the December meeting, as members must be present at that meeting in order to vote for the candidates of their choice. ~



Government open to the people

**COUNTY FAILS TO NOTIFY BASS LAKE RESIDENTS OF WETLANDS DESTRUCTION**

In a continuation of what appears to be a campaign to keep Bass Lake residents in the dark about county projects that impact our area, the Bass Lake Action Committee has discovered that, in direct violation of Federal law, the county failed to notify the Bass Lake community that they had asked the U.S. Army Corps of Engineers for a permit to fill in a wetlands and a pond area that will be paved over when the new Silver Springs Road is built between Bass Lake and Green Valley Road.

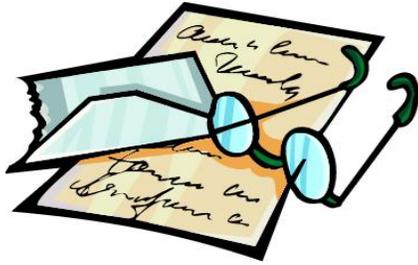
Federal law (33 CFR 325) requires that whenever a project will impact a wetlands area, a Public Notice must be sent by the applicant (in this case the County) to nearby landowners and interested organizations so that each affected person or organization may submit comments on the project. If no responses are received by the Corps of Engineers, the law provides that "a lack of response will be interpreted as meaning there is no objection to the proposed project." So if no notices are sent out, no one will respond to the Corps, and it will be presumed no one objects to a particular project.

Most folks around Bass Lake would be glad to see a nice new road built from Bass Lake up to Green Valley Road. However, the lack of notification on this particular project leads one to wonder if there might be other projects that they might like to comment on, but which they never heard about until it was a done deal.

Bass Lake Action Committee has formally asked the Corps of Engineers for a 30-day extension of the time to comment from the now-passed September 8 deadline, so as to allow Bass Lake residents to submit their comments on the project.

This is perhaps another example of how the County treats us. They keep us in the dark about what they are doing and then point to a public notice buried in the Placerville Mountain Democrat when we complain.

The Public Notice and the attached maps showing the project are available as PDF files for viewing on the [basslakeaction.org](http://basslakeaction.org) website. ~



## THE PRESIDENT'S LETTER

*"I am beginning to learn that it is the sweet simple things of life which are the real ones after all."*  
 - Laura Ingalls Wilder

"Nothing is so certain as change," my Father said to me one day several years ago while we were discussing the state of the world. Yet change is something we all feel uncomfortable with to some degree and the fear of the unknown.

Over two years ago the Bass Lake Action Committee was formed and in October 2003 we published our first Bass Lake Bulletin.

The first single-sheet two sided newsletter did not feature a President's Letter, which began the following month. However, the continuing issues of roads and park development seem to remain much the same today. In October of 2004 the newsletter, now in a four-page format, featured the President's Letter discussing the Draft Environmental Impact Report (DEIR) for the proposed Bass Lake Regional Park, which was seemingly in progress and expected to be released in the near future. Yet, a year later, we still do not have a DEIR and it appears that El Dorado County is preparing to sell 14 acres of the proposed Bass Lake Regional Park site to the Rescue Union School District for an elementary school.

Now that is change! With its acreage reduced to 27 acres, can the proposed park still be called a regional park? What will the resulting changes mean to Bass Lake Road residents? The traffic, noise, and resulting lights that come with a school will most certainly affect the quality of life of the residents of the area unless adequate mitigation is put in place. Stay tuned for the latest developments!

On a different note, the Board of the Bass Lake Action Committee recently took a stand by endorsing the incorporation of El Dorado Hills. Your Board took this step for

many reasons, among which were local control of land use, better police protection, and better representation. Certainly, cityhood would be a huge change for many residents who have lived in the foothills for many years and desire the continued preservation of the rural lifestyle, which new residents also seek.

However, your Board recognizes that the County Board of Supervisors several years ago approved the rapid development of the El Dorado Hills area, which will rapidly change and impact the lifestyle we all desire. We believe local control could more adequately deal with the resulting growth and traffic. Under cityhood, decisions that affect us daily would be made locally by city council members who actually live in our community.

I encourage every resident to register to vote if you haven't already and to attend the Candidates' Nights sponsored by the League of Women's Voters and EDH CSD on October 5 and 6 that will be held at the EDH CSD facility in the Pavilion Room on Harvard Way. If you arrive at six o'clock you will have the opportunity to visit with the candidates. The formal presentation will begin at seven o'clock. Since there are 18 candidates, the meeting will be spread over two consecutive evenings to allow for adequate presentation time.

Now on to more mundane things. The Sacramento Business Journal recently reported the average incomes of Californians is not increasing, while the national economy continues to improve, according to data released by the US Census Bureau. Median household income for 2003-2004 was \$49,927, down slightly from the previous year. The released data indicated that slightly less than one in seven Californians had incomes below the federal poverty level for 2004.

MBK Homes, a subsidiary of the global conglomerate company Mitsui and Co., Ltd. of Tokyo, is opening a Northern California office in Roseville. They are purchasing enough land on four sites to build 600 homes in Sacramento, Placer and El Dorado Counties. MBK would become the area's tenth-largest homebuilder in the Greater Sacramento area if they build all 600 homes in one year. MBK plans to build both attached and detached homes in the \$275,000 to \$400,000 range for first-time and move-up buyers. About one-third of the homes will be built with a density of twelve to twenty homes per acre, one-third built at eight to twelve homes per acre, and the re-

maining homes are slated to have a lower density.

Enjoy the lovely Sierra Foothill Fall, and I hope to see you trick-or-treating later on this month.

*Kathy Prevost*

President  
 Bass Lake Action Committee



## HISTORY OF HALLOWEEN

Much of the history of Halloween wasn't written down for centuries; some of it is still sketchy and subject to debate. One theory is that Halloween originated in the British Isles out of a pagan Celtic celebration that believed that spirits rose from the dead and mingled with the living on a certain day. The Celts left food at their doors to encourage good spirits and wore masks to scare off the bad ones.

Later, the Roman Catholic church, in an attempt to get rid of pagan holidays, such as Halloween, established November First as All Saint's Day in celebration of all the saints who do not have their own holy day. It is also believed that the Christian practice of celebrating the evening before a holiday, such as Christmas Eve, New Year's Eve, etc., influenced the practice of celebrating Halloween on the prior evening. In any case, the celebrations on the eve of All Saint's Day continued to grow, and old traditions tended to linger on.

The modern name, Halloween, comes from "All Hallows' Evening," the eve of All Hallows' Day, another name for All Saints' Day. Eventually, the name became abbreviated to "Hallowe'en" and then "Halloween." ~



## BOS UNDERFUNDS ROADS, DEFERS MAINTENANCE

In September the El Dorado County Board of Supervisors deliberately adopted a traffic impact fee program that unquestionably underfunds road projects designed to accommodate the projected growth in the county. In essence, the new fee program will fund \$214 million of a \$635 million projected cost. It appears that the developers will benefit, and the ordinary residents are going to have to pay for the shortfalls.

Every one of the Supervisors admitted publicly that the proposed fees were "too low," yet they approved the fee program on a 3 to 1 vote, with Supervisor Charie Paine dissenting.

The Board also adopted a 2005-2006 County Budget which underfunds road maintenance and does not address the \$133 million in deferred road maintenance that is growing daily.

In short, it appears that the county is not going to build the needed roads, and if and when they do, they won't be able to maintain them. Is this what was meant when we were promised that the new General Plan would "limit growth and fix traffic"? ~



## COMCAST CHANGES CSPAN CABLE LINEUP

Comcast has notified the El Dorado Hills Community services district that it will change the location of both CSPAN and CSPAN2 cable stations effective October 1, 2005.

According to Comcast representative Sanford Inouye, those channels will be relocated from their present locations, CSPAN from channel 27 to channel 96, and CSPAN2 from channel 28 to channel 97, as of that date.

Though a notice of these changes was included in everyone's August cable bills, let this be a reminder of the changes. ~



## VACANCY ON DESIGN REVIEW COMMITTEE ANNOUNCED

The El Dorado Hills Community Services District is accepting applications for a vacancy on the Design Review Committee through October 13, 2005, for consideration by the District's Board of Directors.

The DRC consists of five members appointed to two-year terms of office and currently meets every Tuesday at 8:00 AM at the District Office. The Design Review Committee reviews and approves proposals for property improvements on approximately seventy percent of the lots in El Dorado Hills governed by the Covenants, Conditions & Restrictions (CC&Rs) recorded on each parcel.

This review process helps assure that the property improvement standards established by the original developer and accepted by each home owner at time of purchase are consistently observed and maintained. Although the CC&R requirements for each village can vary, virtually any exterior improvement must be screened by this committee. Improvements can include grading, paint color, roofing, fencing, landscape, new homes and additions, sheds, patios and decks, recreational vehicle storage, and sport courts.

Applications for appointment to the DRC may be obtained at the District office or by calling 916-933-5426. To qualify, members must be residents of El Dorado Hills and/or own property within the Community Services District boundaries. For additional information, contact Wayne Lowery, General Manager at 916-614-3211. ~

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## EL DORADO HILLS SAFEWAY PROGRESS

Green Valley Marketplace, the new shopping center to be built at Green Valley Road and Francisco Drive and anchored by a new Safeway grocery store, is finally on its way to being built, according to spokesman Jeffery C. Coker of the Donahue Schriber Realty Group.

Groundbreaking is expected to take place in October, with the construction of the buildings slated to begin sometime in February of next year. When the grand opening of the center will occur will depend on weather conditions and the pace of construction. ~

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