

## AGREEMENT

This agreement is made and entered into this 15<sup>th</sup> day of September, 1992, by and between the Counties of Alpine, Amador, and El Dorado, referred to hereinafter as the "Counties".

**WHEREAS**, the Counties have certain common boundaries as set forth in Attachment "A" hereto, which attachment is incorporated hereinafter by reference as though set forth in full; and

**WHEREAS**, State Highway 88 is an increasingly heavily trafficked major regional highway through the Sierra Nevada; and

**WHEREAS**, Said Highway 88 forms or is close to a boundary between Amador and El Dorado Counties; and

**WHEREAS**, Kirkwood Meadows is a ski development located at the intersection of all three Counties' boundaries; and

**WHEREAS**, the increasing pressure for development along Highway 88 and in Kirkwood Meadows has caused the Counties to recognize the need for cooperation and communication regarding the Counties' land-use planning for the area impacted by said Highway and Kirkwood Meadows; and

**WHEREAS**, the Counties desire to cooperate and communicate regarding their land-use regulation for said impacted area, which is more particularly described as the area adjacent to Highway 88 east from Dew Drop in Amador County to its intersection with

Highway 89 at Picketts Junction in Alpine County and then along Highway 89 to Luther Pass and the parts of the three Counties which are affected by development along said routes (the "Planning Area" hereinafter); and

**WHEREAS**, each County maintains a technical advisory committee of land-use planners, public work officials, sanitarians, and similar officials; and

**WHEREAS**, the Counties desire to work together to regulate the development of the Planning Area cooperatively to communicate with each other as to proposed development in the Planning Area.

**THE PARTIES HERETO AGREE** as follows:

1. It is the purpose of this agreement to develop and implement a cooperative and integrated program of land-use regulation for the Planning Area in order that the unique aesthetic attributes of the Planning Area shall be preserved and strengthened. The meetings held pursuant to this agreement shall attempt to promote and carry out said purpose. However, the Counties and any boards, commissions, or other official bodies or persons acting on the Counties' behalf shall not be bound by any recommendation of the Tri-County Technical Advisory Committee (TC-TAC) but shall consider such recommendation prior to carrying out the policies of the County.

2. The TC-TAC shall consist of technical advisory staff from each County and shall include representatives from El Dorado National Forest, Toiyabe National Forest and Kirkwood Meadows Public Utility District as ex-officio members of the Committee.

Said Committee shall meet as set forth herein in order to report, review and advise each other on proposed developments and other events which may occur in or otherwise affect the Planning Area and shall make recommendation to the affected County or Counties. Said meetings shall occur on reasonable notice whenever called by the Planning Director or other designated person in any of the Counties.

3. Said meetings shall be held in the County Seat of the County calling the meeting unless the Planning Directors or other designated persons agree that said meeting shall be held elsewhere. Each County shall bear its own costs incurred by the members of the Technical Advisory Committee in attending said meetings.

4. Said TC-TAC shall review the needs for public services in the Planning Area and shall advise their respective Counties on said needs in order to ensure that said needs are reviewed by the Counties when said Counties are deciding on any proposed development in the Planning Area.

5. The TC-TAC, or member thereof, shall keep the respective boards of supervisors and planning commissions of each County informed as to any development proposed in or affecting the Planning Area and, further, shall keep said boards and commissions informed as to the actions recommended at any meetings of the TC-TAC. Copies of the minutes of said meetings of the TC-TAC shall promptly and regularly sent to the respective boards of supervisors and planning commissions of each County.

6. Semi-annually the boards of supervisors of the

Counties shall meet jointly in order to review each County's land-use policies regarding the Planning Area, provided however, that said boards may meet more often than semi-annually as they seem advisable. The semi-annual meetings of the boards of supervisors shall be held at a time and location agreeable to the boards, at which time said boards shall review land-use, public services, and related matters from the operators, property owners, and residents of the Planning Area, and other members of the public.

7. In order for the TC-TAC to be informed as to proposed development in the Planning Area, the planning director or other designated person in each of the Counties shall be responsible to give notice of any meeting or hearing at which any proposed development in the Planning Area may be discussed by any County board, commission, or other official body or person to his counterparts in other Counties. In addition, the planning director or other designated person in each County shall report to the planning directors or other designated persons in other Counties on actions taken or decisions made regarding any proposed development in the Planning Area by any board, commission, or other official body or person in the County.

8. The meetings of the TC-TAC shall be held pursuant to the provisions of the Brown Act, Chapter 9 (commencing with Section 54950) of Part I of Division 2 of Title 5 of the Government Code of the State of California.

9. This agreement may be terminated by any one of the Counties giving notice to the other Counties that the first County

desires to terminate the agreement.

10. The Planning Area as defined herein or other provisions of this agreement may be reviewed by the TC-TAC on an annual basis. Any proposed amendments shall be referred to each County's Board of Supervisors for approval.

Dated: October 20, 1992

C. J. [Signature]  
Alpine County

ATTEST:

Barbara K Jones  
Deputy Clerk of the Board of Supervisors

Dated: October 9, 1992

[Signature]  
Amador County

ATTEST:

Catherine J. Manion  
Clerk of the Board of Supervisors

Dated: September 15, 1992

Vernon F. Gerner  
El Dorado County  
**VERNON F. GERNER, Chairman**

ATTEST:

Margaret E. Moody  
Deputy Clerk of the Board of Supervisors

(LOUISE/TC-TAC.AGR)