



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minutes - Final Board of Supervisors

James R. Sweeney, Chairman, District III
Helen K. Baumann, Vice Chairman, District II
Rusty Dupray, District I
Charlie Paine, District IV
Norma Santiago, District V

Cindy Keck, Clerk of the Board of Supervisors
Laura S. Gill, Chief Administrative Officer *Louis B. Green,*
County Counsel

Tuesday, April 18, 2006

8:00 AM

Board of Supervisors Meeting Room

Public Testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals speaking for a group are allocated 5 minutes. (Adopted 8/10/93) Matters not on the agenda may be addressed by the general public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Board reserves the right to waive said rules by a majority vote.

For Purposes of the Brown Act (Government Code Section 54954.2 (a), the numbered items on this Agenda give a brief general description of each item of business to be transacted or discussed. The recommendations of the staff, as shown, do not prevent the Board of Supervisors from taking other action.

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE

The Board of Supervisors is concerned that large amounts of written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. To ensure timely delivery, written information from the public must be received by the Board Clerk by Monday prior to the meeting. The Board Clerk cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

8:00 A.M. - CALL TO ORDER AND CLOSED SESSIONS

Present: 3 - Supervisor Sweeney, Supervisor Paine and Supervisor Santiago

9:00 A.M. - CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF CONSENT CALENDAR

At this time the Board will make any necessary additions, deletions, or corrections to the Agenda; determine matters to be added to or removed from the Consent Calendar; and with one motion adopt the Agenda and approve the Consent Calendar.

A motion was made by Supervisor Dupray, seconded by Supervisor Paine to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 16, 18, 19, 20 and 29 pulled from the Consent Calendar for separate action; and Items 40, 41, 42, 43, 45 and 49 added to the Consent Calendar.

Yes: Dupray, Baumann, Sweeney, Paine and Santiago

Additionally, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to add one Closed Session matter.

Yes: Dupray, Baumann, Sweeney, Paine and Santiago

PRESENTATIONS

1. **06-0578** Board presenting awards to winners of the 13th Annual Student Map Drawing Contest hosted by the County and sponsored by the local organization of professional Surveyors, Architects, Geologists and Engineers (S.A.G.E.).

OPEN FORUM**CONSENT CALENDAR**

2. **06-0579** Approval of the Board of Supervisors Conformed Agenda (Minutes) of the Special Meeting of Monday, April 3, 2006 and the Regular Meeting of Tuesday, April 4, 2006.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
3. **06-0577** Release of lien (on file with the Clerk).
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
4. **06-0600** Mental Health Department recommending Marcia Rose and Jeffrey Meyer be appointed to serve on the Mental Health Commission - West Slope Council for terms to expire January 2007 and January 2008 respectively; and Renee Shank be appointed to serve on the South Lake Tahoe Council for a term to expire January 2007.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.

5. **06-0601** Mental Health Department recommending Chairman be authorized to sign Agreement 650-S0611 with Seventh Avenue Center, LLC in an amount not to exceed \$131,400 for a two year term to provide a long-term 24-hour Special Treatment Program for mentally ill adults on an "as-requested" basis for said Department, noting this amount is equal to the cost of one client in the facility each day for the term of the contract.

RECOMMENDED ACTION: Approve.

FUNDING: Manage Care allocation, Realignment.

This matter was approved on the Consent Calendar.

6. **06-0602** Mental Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement 005-S0611 with Summitview Child Treatment Center, Inc. revising the scope of services for the period July 1, 2005 through June 30, 2007 to provide services to seriously emotionally disturbed minors on an "as-requested" basis for said Department, noting there is no change to term or amount of contract.

RECOMMENDED ACTION: Approve.

FUNDING: MediCal and EPSDT.

This matter was approved on the Consent Calendar.

7. **06-0585** General Services Department recommending Chairman be authorized to sign Bid Document 06-968-076 for the Georgetown Airport Security Fencing and Gates Project; and authorize said Department to advertise for bids to be received no later than 2:00 p.m., Tuesday, May 23, 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

8. **06-0537** General Services Department recommending Chairman be authorized to sign Grant Easement between the County of El Dorado, the Sacramento-Placerville Transportation Corridor Joint Powers Authority and El Dorado Irrigation District to proceed with the Mother Lode Force Main Sewer Replacement beginning at Sunset Lane and ending at the Shingle Springs Lift Station in Shingle Springs. (Continued 04/04/06, Item 27)

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

9. **06-0587** Development Services Department, Planning Services Division, recommending adoption of Resolution rescinding action of the Board on November 30, 2004 (Item 38) wherein Resolution of Intention 353-2004 was adopted changing the land use designation/zoning on APNs 099-160-13 and -14, property owner, Gary Figor.
RECOMMENDED ACTION: Adopt Resolution 107-2006.
This matter was approved on the Consent Calendar.
10. **06-0590** Development Services Department, Planning Services Division, recommending Chairman be authorized to sign Avigation and Noise Easements and Certificates of Acceptance from Sheri M. Hillis and Mark P. Hillis; Paul M. Howell and Denise L. Howell; Valerie M. Lott and Dennis Lott; James R. Owens and Lynnel K. Owens; John T. Ray and Mary Ann Ray; John D. Shepherd and Heidemarie Shepherd; Silver Springs, LLC; William C. Scott, Jr.; Melissa Barnett Thomas (3); John Voelke and Jean Voelke; John R. Woy and Tina M. Woy; Ross H. Westphal and Mary E. Westphal; Stewart Johns Wilson, III and Karen Lenore Wilson; Mark A. Williams and Jennifer F. Williams; and Scott W. Zufelt for property in the vicinity of the Cameron Park Airport.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
11. **06-0589** Agriculture, Weights and Measures recommending Chairman be authorized to sign Amendment 01 to Agreement 624-S05010 with Sierra Forest Communities Institute increasing compensation amount to an amount not to exceed \$48,500 for a term to expire December 31, 2006 to assist with specialty weed abatement and eradication.
RECOMMENDED ACTION: Approve.
FUNDING: General Fund, California Department of Food and Agriculture.
This matter was approved on the Consent Calendar.
12. **06-0597** Sheriff's Department recommending Chairman be authorized to sign Fiscal Year 2006-2007 Boating Safety and Enforcement Financial Aid Program Contract in the amount of \$261,766 for boating safety and enforcement activities.
RECOMMENDED ACTION: Approve.
FUNDING: Grant funds.
This matter was approved on the Consent Calendar.

- 13. 06-0598** Sheriff's Department requesting authorization to sign Agreement 2006-18 with the Drug Enforcement Administration of the United States Department of Justice in the amount of \$22,000 for the period January 1, 2006 through December 31, 2006 to defray the cost relating to the eradication and suppression of illicit marijuana, noting retroactive as to term, agreement not received from the DEA until mid-March.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
- 14. 06-0607** Library Director recommending Budget Transfer 26117 increasing the allocation for Library books and operations by \$57,664.61 and accepting donations from the Friends of the Library and community members. (4/5 vote required)
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
- 15. 06-0583** Auditor-Controller submitting reports of the external audits for Fiscal Year 2004-2005 performed by Bartig, Basler and Ray, Certified Public Accountants and Management Consultants; said reports include Annual Financial Report, Single Audit, Appropriations Limit Calculation, Management Report, and Spousal Abuser Prosecution Program.
RECOMMENDED ACTION: Receive and file results.
This matter was approved on the Consent Calendar.

16. **06-0559** Transportation Department recommending adoption of Resolution amending the Authorized Personnel Allocation Resolution **adding 33** positions for the Capital Improvement Program in said Department; and Human Resources and Department of Transportation be authorized to develop an aggressive recruitment program to fill the new allocations.
RECOMMENDED ACTION: Continue off calendar.

FUNDING: CIP/Road Fund.

A motion was made by Supervisor Paine, seconded by Supervisor Baumann, that this matter be continued off calendar. The motion carried by the following vote:

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

17. **06-0586** Transportation Department recommending Chairman be authorized to sign Notice of Completion for the Cameron Park Drive Intersection Improvements at Meder Road Project 73127 under construction with Martin Brothers Construction, Inc.
RECOMMENDED ACTION: Approve.

FUNDING: West Slope Traffic Improvement Fees and RSTP.

This matter was approved on the Consent Calendar.

18. **06-0591** Transportation Department recommending the Board reject the single bid of \$6,874,329.98 from Lorang Brothers Construction, Inc. for the Green Valley Road Widening-County Line to Francisco Drive and Utility Undergrounding Phase III Project; and recommending staff be authorized to re-advertise a smaller contract for the first stages of the work (the earthwork component) that better aligns cost with available revenue.
RECOMMENDED ACTION: Approve.

FUNDING: Interim 2004 General Plan Traffic Impact Mitigation Fee Program.

This matter was continued to April 21, 2006, at 2:00 p.m., by the following vote of the Board:

Yes: 4 - Baumann, Paine, Sweeney, Santiago

Absent: 1 - Dupray

On April 21, 2006, a motion was made by Supervisor Dupray, seconded by Supervisor Paine to approve the award of bid to Lorang Brothers Construction, Inc. for the Green Valley Road Widening-County Line to Francisco Drive and Utility Undergrounding Phase III Project.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

19. **06-0592** Transportation Department recommending Chairman be authorized to sign Amendment 01 to Agreement AGMT 05-789 with Stantec Consulting, Inc. extending the term one additional year through April 18, 2007 to perform professional and technical services.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Paine, seconded by Supervisor Santiago to approve this matter with direction to staff to provide certification documentation.

Yes: 4 - Baumann, Sweeney, Paine and Santiago

Absent: 1 - Dupray

20. **06-0605** Transportation Department recommending Chairman be authorized to sign Agreement AGMT 06-1013 with Nichols Consulting Engineers, Chtd. in an amount not to exceed \$350,000 for a term to expire May 1, 2008 to provide "as-needed" assistance for a County-wide National Pollutant Elimination System Program and development of a revised Storm Water Management Plan for the Lake Tahoe Basin.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund 50% and Road Fund 50%.

This matter was continued to April 21, 2006, at 2:00 p.m., by the following vote of the Board:

Yes: 4 - Baumann, Paine, Sweeney, Santiago

Absent: 1 - Dupray

On April 21, 2006, a motion was made by Supervisor Santiago, seconded by Supervisor Paine to authorize the Chairman to sign the Agreement with Nichols Consulting Engineers, Chtd., with the caveat that the appropriate certification is to accompany agreements being submitted for Board approval.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

21. **06-0593** Transportation Department recommending Chairman be authorized to sign Construction Responsibility and Reimbursement Agreement with El Dorado Irrigation District for a total amount of \$354,628.67 for the Pleasant Valley Road Two-Way Left-Turn Lane Project 73318, (EID's share \$346,229.93/County's share \$8,398.74)

RECOMMENDED ACTION: Approve.

FUNDING: El Dorado Irrigation District, 2004 General Plan Traffic Impact Mitigation Fees.

This matter was approved on the Consent Calendar.

22. **06-0599** Transportation Department recommending Resolution summarily vacating (AOE 2006-06) one five-foot wide public utility easement located along the side boundary line of APN 112-750-44, The Promontory Village No. 2, Lot 44, requested by Robert S. Petty, Nadine Gutierrez Petty, Steven Phelps and Susan Anuber to accommodate planned construction of improvements on said lot.

RECOMMENDED ACTION: Adopt Resolution 104-2006.

This matter was approved on the Consent Calendar.

23. **06-0612** County Counsel recommending Chairman be authorized to sign Acquisition and Disclosure Agreement relating to the issuance of Mello Roos bonds for the Laurel Oaks development.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

24. **06-0603** El Dorado County and Georgetown Divide Resource Conservation Districts requesting an informational luncheon meeting with the Board of Supervisors on Tuesday, May 16, 2006 from 12:00 noon to 2:00 p.m. in the Main Library Meeting Room.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

25. **06-0606** Chief Administrative Office, Human Resources Division, recommending the following pertaining to benefit changes to the Blue Shield Self-Insured Plan for Fiscal Year 2006-2007:

(1) Eliminate pre-existing conditions exclusion clause at a cost of \$29,723;

(2) Increase the Lifetime maximum expense from \$1 million to \$2 million for a total cost of \$52,381; and

(3) Eliminate the \$200 physical exam "wellness program" and implement, in its place, the physical/wellness benefits standard to Blue Shield at a cost of \$41,612, noting savings due to lower utilization projections.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

26. **06-0608** Chief Administrative Office, Procurement and Contracts Division, submitting a list of property surplus to the needs of the County and recommending Board so declare and authorize disposal of surplus vehicles in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

27. **06-0617** Chief Administrative Office recommending Chairman be authorized to sign Agreement 728-S0611 with Murray and Downs, AIA, Architects, Inc. in an amount not to exceed \$37,000 to provide architectural services for the Cameron Park Court Alternative Dispute Resolution Modular addition, noting the Cameron Park facility will transfer to the State this fall; said addition needs to be completed prior to the transfer date and adding this space to the Cameron Park Court will improve efficiency in handling civil matters.

RECOMMENDED ACTION: Approve.

FUNDING: ADR Filing Fees, State Dept. of Consumer Affairs.

This matter was approved on the Consent Calendar.

28. **06-0616** Chief Administrative Office recommending the Board proclaim the week of April 24-28, 2006 as National County Government Week in recognition of the leadership, innovation and valuable service provided to the citizens of El Dorado County.

RECOMMENDED ACTION: Adopt Proclamation.

This matter was approved on the Consent Calendar.

29. **06-0615** Supervisor Dupray requesting the Board ratify signatures on a letter sent to Golden Sierra Job Training Agency expressing El Dorado County's intent to withdraw its participation in the Joint Powers Agreement (JPA), effective July 1, 2006.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Dupray, seconded by Supervisor Paine to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

30. **06-0609** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-045-080 for the purchase of one new commercial electric range for the Psychiatric Health Facility and one new convection steamer for Human Services, Community Services Division; and authorize one purchase order to the low qualified bidder, Economy Restaurant Fixtures, Inc. of Sacramento, CA in the amount of \$7,723, including sales tax for the range and one purchase order in the amount of \$13,166, including sales tax for the steamer.

RECOMMENDED ACTION: Approve.

FUNDING: Program Donations/Medi-Cal Realignment.

This matter was approved on the Consent Calendar.

- 31. 06-0613** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-725-094 for the purchase of Motorola radios to be used to facilitate emergency radio communication between Sheriff personnel, Central Dispatch and other emergency agencies; and authorize blanket purchase order to the low qualified bidder, Continental Wireless of Garland, TX in the amount of \$105,799, including sales tax for a three month period and authorize an extension to same in three month increments for a twelve month period if vendor agrees to the extension with the same pricing, terms and conditions; and recommending an increase to same on an "as needed" basis during the awarded period if funding is available within the requesting department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 32. 06-0614** Chief Administrative Office, Procurement and Contracts Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 611-S0511 with New Business Solutions, Inc. dba Walker's Business Products and Services increasing compensation by \$100,000 to \$400,000 for a term through April 26, 2007 to provide design, purchase and installation of HON/Maxon systems furniture and related services on an "as-requested" basis for departments County-wide.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 33. 06-0610** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-680-095 for the purchase of Armor Vests to replace the SWAT Team's expired ballistic vests which are no longer protected or covered by the manufacturer's warranty; and authorize blanket purchase order to the sole qualified bidder, L.C. Action Police Supply of San Jose, CA in the amount of \$18,154, including sales tax for a twelve month period and authorize an increase to same on an "as needed" basis during the awarded period if funding is available within the requesting department's budget.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 34. 06-0618** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-045-075 for the purchase and installation of one new Insinger automatic single tank tray washer to replace an old existing tray washer in the Placerville Jail; and authorize blanket purchase order to the low qualified bidder, Kamran & Co., Inc. of Santa Barbara, CA in the amount of \$27,628, including sales tax for same.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.
- 35. 06-0619** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-045-085 for the purchase of new kitchen appliances and equipment to replace worn out kitchen appliances and equipment in the Placerville Jail; and authorize blanket purchase order to the low qualified bidder, Arrow Restaurant Equipment and Supplies Inc. of Montclair, CA in the amount of \$13,780, including sales tax for same.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.
- 36. 06-0620** Chief Administrative Office, Procurement and Contracts Division, recommending the Board waive minor irregularities in the sole bid response and award Bid 06-595-101 for the purchase of wetland plant super cells to be used for stream zone revegetation and to stabilize the floodplain of the new creek channel in Angora Creek; and authorize blanket purchase order to sole bidder, Rocky Mountain Native Plants Company of Rifle, CO in the amount of \$32,547, including sales tax and shipping for same.
RECOMMENDED ACTION: Approve.

FUNDING: Local, State and Federal Grants.

This matter was approved on the Consent Calendar.
- 37. 06-0594** Supervisor Baumann requesting the Board appoint Gayle Erbe-Hamlin, Public Health Director, to serve as the Board of Supervisor's alternate on the Sacramento Sierra Valley Children's Health Initiative Regional Project Charter, a.k.a. Healthy Kids, Healthy Future Governing Board.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 38. 06-0604** Supervisor Sweeney recommending the Board of Supervisors meeting for Tuesday, April 25, 2006 be convened at the regular time with closed session at 8:00 a.m. and open session at 9:00 a.m., due to the rescheduling of the "kick off" breakfast for the 36th annual Capitol-to-Capitol Conference.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 39. 06-0621** Supervisor Paine recommending adoption of Resolution of Intention authorizing Planning Department staff to proceed with a public hearing process to consider changing the General Plan use designation for a 1.05-acre portion of APN 071-280-51 from Medium Density Residential to Commercial, said change is necessary to correct a mapping error.

RECOMMENDED ACTION: Adopt Resolution **124-2006**.

This matter was approved on the Consent Calendar.

NOTICED HEARING/DEPARTMENT MATTERS

DEPARTMENT MATTERS

- 40. 06-0581** Chief Administrative Office recommending the Board adopt the final response to the 2005-2006 Grand Jury Mid-Session Report; and recommending the Chairman's signature be ratified on the letter of submittal to the Superior Court Presiding Judge, dated March 30, 2006 that accompanied the final response.

This matter was added to the Consent Calendar and approved.

- 41. 06-0596** District Attorney advising the Board of current perpetual agreements requiring periodic payments; and requesting continuation of Agreement 01-098-01 with the State of California, Department of Justice in the approximate amount of \$50,000 for a twelve month period from March 1, 2006 which will authorize the Purchasing Agent to establish blanket purchase orders to process payments for this Agreement, noting this service provides laboratory analysis of blood and urine samples and related services for alcohol.

This matter was added to the Consent Calendar and approved.

42. [06-0588](#) General Services Department recommending Chairman be authorized to sign retroactive Agreement 631-S0611 with John Kipping, MA in an amount not to exceed \$20,000 for the period April 12, 2006 through April 11, 2008 to provide arborist services on an "as-requested" basis for County-owned properties.

FUNDING: General Fund, Parks and Grounds Maintenance budget.

This matter was added to the Consent Calendar and approved.

43. [06-0479](#) Information Technologies recommending Resolution **084-2006** amending the Authorized Personnel Allocation Resolution by **deleting** two Principal Information Technology Analyst positions, and **adding** two Information Technology Manager positions; and recommending Resolution **085-2006** amending the the Salary Schedule to establish the salary range for the position of Information Technology Manager; and further recommending Human Resources implement a reduction in force (RIF) if necessary for Principal Information Technology Analyst incumbents should those incumbents not be selected to fill the IT Manager positions. (Continued 3/28/06, Item 8)

FUNDING: General Fund.

This matter was added to the Consent Calendar and Resolution Nos. 084-2006 and 085-2006 adopted.

44. [06-0611](#) Sheriff's Department requesting the ratification of Resolution **105-2006** declaring a local emergency beginning in late March and continuing through early Spring 2006; said Resolution authorizes the Chairman, in his capacity as Director of Emergency Services, to request the Governor and President to proclaim a state of emergency and to apply for and secure emergency program services from the Governor's Office of Emergency Services; and further recommending the Chairman be authorized to execute any and all consultant services, contracts, and purchase orders for goods and services in connection with the emergency, to be treated in accordance with County Code Section 2.42.110; and adoption of Resolution **106-2006** ratifying the declaration of local emergency issued by the Director of Emergency Services on April 12, 2006.

A motion was made by Supervisor Santiago, seconded by Supervisor Paine to ratify Resolution 105-2006 and adopt Resolution 106-2006 ratifying the declaration of emergency issued on April 12, 2006.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

45. [06-0234](#) Sheriff's Department recommending adoption of Resolution **102-2006** continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of person and property exists. (Refer 4/4/2006, Item 52)

This matter was added to the Consent Calendar and Resolution 102-2006 adopted.

46. [06-0125](#) Transportation Department recommending the following:
- (1) Find that a state of emergency continues to exist and authorize said Department to proceed under Public Contract Code Sections 20395, 22035 and 22050 to immediately stabilize and repair roads severely damaged by recent storms including Mosquito Road, Church Mine Road, and Cosumnes Mine Road;
 - (2) Find based upon the substantial evidence in the record regarding the conditions of the road and bridge approach facilities at said roads, that the emergency will not permit a delay resulting from competitive solicitation for bids, and that immediate action is necessary to stabilize and repair the roads and bridge approach to prevent further damage to, or failure of, the facilities, and to provide for access for public services to populated areas served by these roads;
 - (3) Authorize the Department to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency repairs pursuant to written contract and authorize the Chairman of the Board to execute those contracts; and
 - (4) Continue to the **April 25, 2006** Board Meeting for status review.
(Refer 4/4/06, Item 51) (4/5 vote required)

FUNDING: Road Fund, seeking OES funds for 75% of costs. FEMA funding unknown, funding plan to be presented.

A motion was made by Supervisor Dupray, seconded by Supervisor Santiago to approve this matter.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

- 47. 06-0440** Chief Administrative Office recommending the Board receive and file new information concerning issues related to naturally occurring asbestos. (Refer 03/14/06, Item 34)
- No formal action taken; however, by consensus the Board received and filed this matter and Chief Administrative Officer to return to the Board on May 16, 2006 with any new information pertaining to same.**
- 48. 06-0439** Chief Administrative Office, Economic Development Division, recommending Resolution **103-2006** establishing the El Dorado County Economic Development Advisory Commission. (Refer 03/14/06, Item 33)
- A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to continue this matter to May 9, 2006, noting staff direction derived from comments of Board members during the discussion.**
- Yes:** 5 - Dupray, Baumann, Sweeney, Paine and Santiago
- 49. 06-0495** Chief Administrative Office, Procurement and Contracts Division, requesting ratification of the Purchasing Agent's signature on Purchase Order No. 2615020 to East Bay Restaurant Supply of Sacramento, California in the amount of \$10,884.38, for the purchase of a double convection oven for the kitchen facility at the Placerville Jail, noting emergency purchase order was necessary due to safety issues. (Refer 03/28/06, Item 28)

FUNDING: General Fund.

This matter was added to the Consent Calendar and approved.

BOARD OF SUPERVISORS CONVENED AS THE PUBLIC HOUSING AUTHORITY BOARD
TO CONSIDER THE FOLLOWING:

- 50. 06-0582** Hearing to consider the following pertaining to the adoption of Resolution **PHA1-06** approving submission of the El Dorado County Public Housing Authority (PHA) 2006-2007 Streamlined Annual Agency Update:
- (1) Approve the El Dorado County Public Housing Authority (PHA) Year 2006/07 Streamlined Annual Agency Plan for submission to the Department of Housing the Urban Development;
 - (2) Authorize Chairman to sign PHA Certifications of Compliance with the Streamlined Annual PHA Plan and Related Regulations;
 - (3) Recognize the contribution of the PHA Agency Participant Advisory Board in assisting with the update of the Agency Plan;
 - (4) Approve an amendment to the PHA Administrative Plan for the Section 8 Housing Choice Voucher Program; and
 - (5) Authorize Director of Human Services, as the Director of the Housing Authority, to make future amendments to the Administrative Plan as may be required to comply with Housing and Urban Development (HUD) regulatory changes, noting annual plan and administrative plan reflect minor HUD regulatory changes.

Hearing no protests, a motion was made by Supervisor Santiago, seconded by Supervisor Paine to adopt Resolution PHA1-06.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

PUBLIC HOUSING AUTHORITY BOARD ADJOURNED

TIME ALLOCATION - 2:00 P.M.

- 51. 06-0580** Hearing to consider an amendment to recorded final map for Sly Park Hills, Unit 6 (TM68-0006C) to remove the 20-foot public utilities easement and 10-foot slope easement on the portion of Lot 46 fronting Shad Way to allow a front setback reduction for garage/addition from 20 feet to 7 feet on APN 009-563-06-100 consisting of approximately 11,602 square feet in the Pollock Pines area; Applicant: Mark Messner (District II).

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Paine to certify the project is categorically exempt pursuant to Section 15303(a) of the California Environmental Quality Act Guidelines; approve TM68-0006C based on findings and subject to conditions presented by Planning staff; and accept the Notice of Deed Restriction and Covenant to Indemnify the County of El Dorado, after executed by the property owners.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

- 52. 06-0584** Hearing to consider Appeal approving Planned Development PD95-0001(R2)/Cool Village allowing construction of a 5,600 square-foot retail building on Parcel 2, and a 4,440 square-foot office building on Parcel 5, consisting of 0.812 and 0.733 acres (APNs 071-480-02 and 071-480-05) in the Cool area; Appellant: Steven Proe/El Dorado County Taxpayers for Quality Growth; Applicant: Corman Communities, Inc. (District IV).

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Paine to deny the Appeal, upholding the action of the Planning Commission to approve Planned Development PD95-0001R2m based on findings and subject to conditions presented by Planning staff.

Yes: 5 - Dupray, Baumann, Sweeney, Paine and Santiago

- 53. 06-0541** Hearing to consider Resolution of Intention to amend the General Plan to increase the floor area ratio (FAR) standards set forth in Policy 2.2.1.5; and create and adopt a new Mixed Use Development land use designation. (Refer 4/4/06, Item 57)

A motion was made by Supervisor Sweeney, seconded by Supervisor Baumann to adopt Resolution of Intention 111-2006 authorizing staff to proceed with the process to amend the the Land Use Element of the General Plan to modify policies relating to floor area ratios (F.A.R.) with direction to staff that when the documentation is prepared, the floor area ratio be capable of being separated out and brought forward as a "stand alone" policy.

Yes: 4 - Baumann, Sweeney, Paine and Santiago

Absent: 1 - Dupray

Additionally, in a separate motion made by Supervisor Paine, seconded by Supervisor Santiago, the Board authorized Planning Services to continue to use the current consultant (Pacific Municipal Consultants) for the preparation of the environmental impact report.

Yes: 4 - Baumann, Sweeney, Paine and Santiago

Absent: 1 - Dupray

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 54. 06-0562** Pursuant to Government Code Section 54956.9(a): **Existing Litigation:** El Dorado County v. Gale A. Norton, et al., United States District Court, Eastern District Case No. CIV.S-02-1818 GEB DAD; and El Dorado County v. California Department of Transportation, et al., Superior Court of California-County of Sacramento. Case No. 03CS00003.
- No action reported.**
- 55. 06-0563** Pursuant to Government Code Section 54956.9(a): **Existing Litigation:** El Dorado County Taxpayers et al., EDC (General Plan Lawsuit) Sacramento County Superior Court 96-CS-01290.
- On an unanimous vote, with all members present, the Board authorized the Chairman to sign Settlement Agreement with the petitioners resolving litigation pertaining to the General Plan appeal.**
- 56. 06-0564** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to negotiator regarding the following real property described as APNs 107-020-10-100; 107-010-10-100; 108-470-04-100; 108-470-05-100; 108-470-06-100; 108-470-16-100; 108-470-17-100; and 108-470-19-100. The person with whom the negotiator may negotiate is Anthony Mansour. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager.
- No action reported.**
- 57. 06-0565** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:** Instructions to negotiator regarding the following real property described as 054-422-63-100 and 054-422-65-100. The persons with whom the negotiator may negotiate are John Christopher Fusano, Trustee and Anita Agnes Fusano, Trustee of the John Christopher Fusano and Anita Agnes Fusano Family Trust. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager, and Universal Field Services.
- No action reported.**

- 58. 06-0566** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 097-020-50-100. The person with whom the negotiator may negotiate is John Christopher Fusano. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager, and Universal Field Services.
No action reported.
- 59. 06-0568** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 097-020-46-100. The person with whom the negotiator may negotiate are William E. Patton and Mary R. Swann; Gregory W. Patton; Gael Barsotti, Trustee and Joan Barsotti, Trustee of the Barsotti 2000 Family Trust; and James E. Carter, Trustee and Maureen Carter, Trustee, as Trustees of the James E. and Maureen Carter Revocable Trust. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.
- 60. 06-0567** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as 097-020-51-100. The person with whom the negotiator may negotiate is Christopher G. Fusano, Trustee of the Fusano Family Revocable Trust Dated February 12, 1980. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.
- 61. 06-0569** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 097-020-47-100 and 097-020-48-100. The persons with whom the negotiator may negotiate are Steven Able and Laura Able. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.

- 62. 06-0570** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APNs 054-351-34-100 and 097-010-85-100. The persons with whom the negotiator may negotiate are James R. Kidder, as Trustee of the James R. Kidder Trust established April 17, 1998. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.
- 63. 06-0571** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 097-010-78-100. The persons with whom the negotiator may negotiate are Tim Quigley and Christine Quigley. Instructions to negotiator will concern price and terms of payment. Negotiator on behalf of the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.
- 64. 06-0572** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 097-010-67-100. The persons with whom the negotiator may negotiate are Gerald L. Bordges and Janet M. Bordges. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.
- 65. 06-0573** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 097-010-82-100. The person or person with whom the negotiator may negotiate is Mohammad Nader. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.
No action reported.

66. 06-0574 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**

Instructions to negotiator regarding real property described as APN 097-010-06-100. The persons with whom the negotiator are Lyn D. Shalley and Donna Rae Shalley; Lloyd E. Elliott, Irene Elliott, Sharon S. Elliott and Robert L. Elliott. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Manager and Universal Field Services.

No action reported.

67. 06-0575 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**

Instructions to negotiator regarding real property described as APN 097-010-87-100. The persons with whom the negotiator may negotiate are Lloyd E. Elliott, Jr.; Robert Lee Elliott; and Donna Rae Shalley. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.

No action reported.

68. 06-0576 Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**

Instructions to negotiator regarding real property described as APN 097-010-10-100. The persons with whom the negotiator may negotiate are Marie Wagnon and Mike Wagnon. Instructions to negotiator will concern price and terms of payment. Negotiator for the County will be Pete Feild, Right of Way Program Manager and Universal Field Services.

No action reported.

06-0655 New Business

At the recommendation of County Counsel and by a unanimous vote of the Board, the following closed session was added to the Agenda:

Section 54956.9(a), **Existing litigation:**

Charles W. Holland vs Gary Lacy and El Dorado County; Superior Court Case No. PC20060166.

On a unanimous vote, the Board authorized County Counsel to defend the matter on behalf of the County and the District Attorney.