



County of El Dorado

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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, May 23, 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: 2 - Supervisor Sweeney and Supervisor Santiago

Absent: 1 - Supervisor Paine

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 Santiago to adopt the Agenda and approve the Consent Calendar with the following exceptions: Items 9, 10 and 47 continued off calendar; Item 43 pulled from the Consent Calendar for separate action; and Items 48, 49, 50, 52, 54, 55 and 56 added to the Consent Calendar and approved.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

PRESENTATIONS

1. **06-0825** **PRESENTATION** by Ms. Jeanne Lear of South Tahoe Refuse on the Recycling and Refuse Diversion Program and benefits of the proposed Resource Recovery Facility for future recycling goals.

No action required.

OPEN FORUM**CONSENT CALENDAR**

2. **06-0786** Approval of the Board of Supervisors Conformed Agendas (Minutes) of the Regular Meetings of Tuesday, May 9, 2006 and Tuesday, May 16, 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

3. **06-0791** Human Services Department, Community Services Division, requesting Director be authorized to sign and submit an application to Soroptimist International of Cameron Park for a grant in the amount of \$5,000 to obtain design services and furnishings for a secure garden retreat area at the new El Dorado Hills Senior Day Care facility.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

4. **06-0792** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 303-S0611 with Speech and Language Development Center, Inc., dba Morning Sky Residential Program in an amount not to exceed \$40,000 for a two-year term to provide foster care/group home services on an "as-requested" basis for clients of the Child Protective Services Program.

RECOMMENDED ACTION: Approve.

FUNDING: Federal/State/County General Fund.

This matter was approved on the Consent Calendar.

5. **06-0793** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 266-S0611 with Positive Option Family Service in an amount not to exceed \$100,000 for a two-year term to provide foster care/group home services on an "as-requested" basis for clients of the Child Protective Services Program.

RECOMMENDED ACTION: Approve.

FUNDING: Federal/State/County General Fund.

This matter was approved on the Consent Calendar.

6. **06-0794** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Amendment 01 to Agreement 541-S0511 with Mildred Russ dba Sun West Building Services of California increasing compensation by \$16,440 to \$32,880 for a term to expire May 23, 2007 to provide janitorial services at the South Lake Tahoe offices for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: Federal/State/County General Fund.

This matter was approved on the Consent Calendar.

7. **06-0795** Human Services Department, Social Services Division, recommending the Board approve the El Dorado County Transitional Housing Placement Program (THPP) Plan for submission to the California Department of Social Services (CDSS) to govern an ongoing provision of services to assist foster youths as they move from dependency to self-sufficiency by providing housing and supportive services needed for independent living.

RECOMMENDED ACTION: Approve.

FUNDING: Federal/State/County General Fund.

This matter was approved on the Consent Calendar.

8. **06-0796** Sheriff's Department recommending Chairman be authorized to sign the revised County Operational Area Emergency Plan for continued program funding.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

9. **06-0798** General Services Department recommending Chairman be authorized to sign the Off-site Operators Permit 374-O0611 with Doug Bawden dba High Sierra Helicopters in the amount of \$828 per year to provide commercial services to the Placerville Airport on a month to month basis.

RECOMMENDED ACTION: Approve.

FUNDING: Airport Enterprise Fund.

This matter was continued off calendar upon adoption of the Agenda.

10. **06-0799** General Services Department recommending Chairman be authorized to sign the Fixed Base Operator Airport Lease Agreement 614-I0511 with Rick Atkins dba Ragtime Aero in the amount of \$734.29 per month for a period of five years, with two additional option periods of five years each thereafter for Space CH-02 at the Placerville Airport.

RECOMMENDED ACTION: Approve.

FUNDING: Airport Enterprise Fund.

This matter was continued off calendar upon adoption of the Agenda.

11. **06-0800** General Services Department requesting authorization to exercise option to extend Lease Agreement 353-L0011 with Sierra Investment Group, LLC in the amount of \$1,639.69 per month for the term June 1, 2006 through May 31, 2007 for office space located at 3330 Cameron Park, Suite 900 in Cameron Park for the Sheriff's Department.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 12. 06-0801** General Services Department recommending Chairman be authorized to sign Lease Agreement 641-L0611 with SCC Properties in the amount of \$13,824 per month for a term to expire May 31, 2011, with the option for three additional two year terms, for 11,520 square feet of office space located at 4505 Golden Foothill Parkway, El Dorado Hills, for the Department of Transportation.

RECOMMENDED ACTION: Approve.

FUNDING: Road Fund Monies, Road Impact Fees.

This matter was approved on the Consent Calendar.

- 13. 06-0802** General Services Department recommending Chairman be authorized to sign Facility Use Agreement 739-O0611 with Shingle Springs Community Center in an amount not to exceed \$12,734.52 for the term July 1, 2006 through June 30, 2007, with two subsequent one year options to renew said Agreement, for property located at 4440 South Shingle Road, Shingle Springs, for the Community Services Senior Nutrition Program.

RECOMMENDED ACTION: Approve.

FUNDING: State and Federal Funds, Donations.

This matter was approved on the Consent Calendar.

- 14. 06-0815** General Services Department recommending Chairman be authorized to sign Community Enhancement Funding Agreement 784-F0611 with Imagination Theater Company in the amount of \$3,000 for a term of three months for the purchase of one heating, ventilation and air conditioning unit for the theater facility located at the El Dorado County Fairgrounds.

RECOMMENDED ACTION: Approve.

FUNDING: Community Enhancement Funding.

This matter was approved on the Consent Calendar.

- 15. 06-0821** Transportation Department recommending Resolution accepting an Irrevocable Offer of Dedication (IOD 2005-15) from Steven Lee Harrity and Wendy Lynn Harrity for a slope and a retaining wall easement located on Cameron Park Drive (APN 083-122-15) in Cameron Park necessary to satisfy conditions for Design Review 04-08S and to accommodate construction of the Camerado Office Building.

RECOMMENDED ACTION: Adopt Resolution **146-2006**.

This matter was approved on the Consent Calendar.

- 16. 06-0819** Transportation Department recommending Performance Bond No. 929347732 be reduced by \$300,352.77 to \$461,427.23 for Serrano Villages K1 and K2, Unit 3 (TM 01-1377) the reduced amount is the estimated cost of the remaining improvement, plus 10% of the completed work.
RECOMMENDED ACTION: Approve.
This matter was approved on the Consent Calendar.
- 17. 06-0758** Transportation Department recommending Resolution sanctioning "Combined Use" designations on sections of Wentworth Springs Road (two sections) and Ice House Road (one section). (Continued 5/16/06, Item 16)
RECOMMENDED ACTION: Adopt Resolution **135-2006**.
FUNDING: Road Fund Discretionary.
This matter was approved on the Consent Calendar.
- 18. 06-0804** Transportation Department recommending the following pertaining the Apalachee Phase 2A Erosion Control Project (95182):
(1) Find that the construction must be performed by an independent contractor;
(2) Approve the Plans and Contract documents and authorize the Chairman to sign said Plans for same; and
(3) Authorize said Department to advertise for construction bids.
RECOMMENDED ACTION: Approve.
FUNDING: United States Forest Service.
This matter was approved on the Consent Calendar.
- 19. 06-0806** Transportation Department recommending the following pertaining to the Apalachee Phase 3A Erosion Control Project 95184:
(1) Find that the construction must be performed by an independent contractor;
(2) Approve Plans and Contract documents and authorize the Chairman to sign said Plans; and
(3) Authorize said Department to advertise for construction bids.
RECOMMENDED ACTION: Approve.
FUNDING: California Tahoe Conservancy, United States Forest Service, and the Bureau of Reclamation.
This matter was approved on the Consent Calendar.

- 20. 06-0805** Transportation Department recommending the Chairman be authorized to sign the Federal Apportionment Exchange Program and State Match Program Agreement No. X06-5925(044) with the California Department of Transportation allowing the direct exchange of \$359,164 in Fiscal Year 2005-2006 Regional Surface Transportation Program (RSTP) Exchange Funds and allowing for the disbursement of \$100,000 in State Match Funding, noting these funds will be used for the replacement of three bridges, road maintenance on the West Slope, and chip seal in the Tahoe Basin.

RECOMMENDED ACTION: Approve.

FUNDING: RSTP Exchange.

This matter was approved on the Consent Calendar.

- 21. 06-0818** Transportation Department recommending Chairman be authorized to sign Funding Agreement AGMT 06-1034 with El Dorado County Transportation Commission in the amount of \$67,000 for the Camino Area Parallel Capacity/Safety Study.

RECOMMENDED ACTION: Approve.

FUNDING: Interim 2004 General Plan Highway 50 Traffic Impact Mitigation Fee Program.

This matter was approved on the Consent Calendar.

- 22. 06-0822** Transportation Department recommending Resolution calling for mailed ballot election to be set August 29, 2006 for the establishment of a special tax to provide road maintenance, improvement services and lighting services for Texas Hill Zone of Benefit 98112 within County Service Area 09.

RECOMMENDED ACTION: Adopt Resolution **147-2006**.

FUNDING: Zone of Benefit Assessments.

This matter was approved on the Consent Calendar.

- 23. 06-0823** Transportation Department recommending Resolution calling for a mailed ballot election to be set for August 29, 2006 for the establishment of a special tax to provide road and drainage facility maintenance and improvement services for Ryan Ranch Road Zone of Benefit 98102 within County Service Area 09.

RECOMMENDED ACTION: Adopt Resolution **148-2006**.

FUNDING: Zone of Benefit Assessments.

This matter was approved on the Consent Calendar.

- 24. 06-0848** Child Support Services recommending Chairman be authorized to sign Agreement 733-S0611 with American Eagle Attorney Service, Inc. in an amount not to exceed \$120,000 for a term to expire May 31, 2008 for process services for child support enforcement purposes on an "as-requested" basis.

RECOMMENDED ACTION: Approve.

FUNDING: State/Federal.

This matter was approved on the Consent Calendar.

- 25. 06-0841** District Attorney recommending Resolution **153-2006** authorizing him to execute a Grant Award Agreement including extensions and amendments thereof for the Workers' Compensation Insurance Fraud Program for fiscal year 2006/2007.

RECOMMENDED ACTION: Approve.

FUNDING: State Department of Insurance

This matter was approved on the Consent Calendar.

- 26. 06-0843** Fair Manager recommending Chairman be authorized to sign the El Dorado County Fair 2006 Operating Budget in the amount of \$1,329,645, noting before depreciation there is a \$26,000 net profit and after depreciation there is a net loss of \$73,613.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 27. 06-0847** Fair Manager recommending adoption of the 2006 El Dorado County Fair Proclamation and extending an invitation to the Board to attend the ribbon cutting on June 15, 2006 at 11:50 A.M. at the Green Gate at the El Dorado County Fairgrounds for "A Fair to Remember".

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

28. **06-0797** Auditor-Controller recommending the Board receive and file the following pertaining to the Gann Spending Limit:
- (1) Report of "Comparison of Actual Tax Proceeds to Adopted Appropriations Limit" for prior fiscal periods;
 - (2) Schedule of Proposition 4 Compliance for Fiscal Year 2004-2005 Actual Revenues;
 - (3) Schedule of Proposition 4 Compliance for Fiscal Year 2005-2006 Adopted Revenues; and
 - (4) Set a public hearing for June 13, 2006 at 9:00 a.m. for discussion and adoption of the Appropriations Limit for Fiscal Year 2006-2007.
- RECOMMENDED ACTION:** Approve.
- This matter was approved on the Consent Calendar.
29. **06-0845** Auditor-Controller recommending Chairman be authorized to sign Amendment 01 to Agreement 028-S0610 with Maximus, Inc. increasing the amount by \$3,000 to \$8,000 for a term to expire August 16, 2007 for services related to the preparation of the Office of Management and Budget OMB A-87 Cost Allocation Plan for use in fiscal year 2007/2008.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.
30. **06-0844** Auditor-Controller recommending Chairman be authorized to sign Amendment 01 to Agreement 088-S0610 with Maximus, Inc. increasing the amount by \$18,500 to \$38,750 for a term to expire August 16, 2007 for services related to the preparation and submission of State Mandated Cost Claims (SB-90) for fiscal year 2006/2007.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.
31. **06-0824** Human Resources Division recommending Resolution amending the Authorized Personnel Allocation by **adding** three (3) Senior Sheriff's Technician positions, five (5) Community Services Officer positions, and twenty-one (21) Sheriff's Technician I/II positions and **deleting and abolishing** five (5) Senior Sheriff's Assistant positions and twenty-four (24) Sheriff's Assistant I/II positions; and recommending Resolution amending the Salary Schedule implementing a new salary range for the position of Senior Sheriff's Technician.
- RECOMMENDED ACTION:** Adopt Resolutions **149-2006 and 150-2006**.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.

32. **06-0826** Human Resources Division recommending Chairman be authorized to sign Agreement with Blue Shield of California in the amount of \$600,000 for the term July 1, 2006 through June 30, 2007 for claims administration services and Preferred Provider Organization (PPO) provider network access for the County's self-insured health plan.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

33. **06-0827** Human Resources Division recommending Chairman be authorized to sign Agreement with Pacificare of California in the approximate amount of \$1,400,000 for the term July 1, 2006 through June 30, 2007 for group health benefits for County employees, noting rates will increase by 17%, however, cost savings in the Health Fund will absorb the cost of the increase.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

34. **06-0828** Human Resources Division recommending Chairman be authorized to sign the Group Vision Care Plan Administrative Services Agreement incorporating a 5% increase in administrative fees for an estimated amount of \$18,100 effective July 1, 2006 for up to a 24 month period for administrative services from Vision Service Plans (VSP).
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

35. **06-0829** Human Resources Division advising the Board of current perpetual contracts and recommending the Purchasing Agent be authorized to establish blanket purchase orders to process Fiscal Year 2006-2007 payments, noting these services are evaluated on an annual basis by Aon Consulting, the County's health insurance consultant.
RECOMMENDED ACTION: Approve.

FUNDING: Human Resources budget.

This matter was approved on the Consent Calendar.

36. **06-0817** Human Resources Division recommending modification to the Supervisor's Assistant job specification by adding the language that an incumbent may be removed through a 4/5 vote of the Board.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 37. 06-0842** Information Technologies recommending Chairman be authorized to sign Amendment 01 to Agreement 044-S0611 with El Dorado County Office of Education in an amount not to exceed \$50,000 for the term July 1, 2006 through June 30, 2007 to provide operation and maintenance of County television/video production equipment and production of live telecasts and/or video recordings of the Board of Supervisors meetings and other meetings and special events on an "as-requested" basis for said Department; and authorize Procurement and Contracts Division to process a change order for BP260050 to increase the fiscal year 2006/2007 amount to same.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.**
- 38. 06-0846** Information Technologies recommending Chairman be authorized to sign Agreement 697-S0611 with the County of Sacramento in an amount not to exceed \$100,140 for a term to expire June 30, 2007 for the exchange of criminal justice information between Sacramento County Office of Communication Information Technology and El Dorado County criminal justice agencies.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** General Fund.
- This matter was approved on the Consent Calendar.**
- 39. 06-0838** County Service Area 10 recommending Chairman be authorized to sign Amendment 01 to Agreement 028-03/04 with HDR Engineering, Inc. increasing compensation by \$11,950 to \$99,001 for a term to expire December 29, 2006 for continued work at the Union Mine Disposal Site Septage Facility, noting of the \$11,950, \$2,139 is for project management services and \$9,811 is for design services. These services are necessary to complete projects related to the installation of a second tank and the design of new projects that will enable the County to obtain an Industrial Waste Permit from El Dorado Irrigation District.
- RECOMMENDED ACTION:** Approve.
- FUNDING:** County Service Area 10 Special Revenue Funds.
- This matter was approved on the Consent Calendar.**
- 40. 06-0813** Supervisor Dupray recommending, on behalf of the Youth Commission, that the June 6, 2006 luncheon meeting with Board of Supervisors be rescheduled to a time to be announced in the Fall of 2006.
- RECOMMENDED ACTION:** Approve.
- This matter was approved on the Consent Calendar.**

- 41. 06-0790** Supervisor Paine recommending a Certificate of Commendation be presented to Kenneth Robert Van Winkle for achieving the rank of Eagle Scout, Boy Scouts of America, Troop 164.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 42. 06-0789** Supervisor Santiago recommending Resolution approving the use of State Highway Routes 89 and 50 between the County line at Tahoma and South Lake Tahoe through Stateline between the hours of 8:00 p.m. on Friday, July 7, 2006 and 3:00 a.m. on Saturday, July 8, 2006 for the Second Annual Reno-Tahoe Odyssey Relay Run Adventure.

RECOMMENDED ACTION: Adopt Resolution **142-2006**.

This matter was approved on the Consent Calendar.

- 43. 06-0839** Chief Administrative Office recommending Resolution accepting the proposed exchange of property tax increments for the subject Bell Woods II Reorganization, LAFCO Project No. 06-01, pending approval by the El Dorado Hills Community Services District on May 11, 2006 and Cameron Park Community Services District on May 17, 2006; and further recommending concurrent detachment from County Service Area No. 09, Zone 17.

RECOMMENDED ACTION: Adopt Resolution **152-2006**.

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 152-2006 with Exhibit B as amended this date.

Yes: 3 - Dupray, Baumann and Sweeney

Absent: 2 - Paine and Santiago

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS**DEPARTMENT MATTERS**

- 44. 06-0695** Public Health Department recommending Chairman be authorized to sign Agreement with Healthcare Technology Management Services (Healthcare Tech) in an amount not to exceed \$81,000 for a term to expire December 31, 2006 to provide consulting services for planning and system procurement services related to the ACCEL Initiative. (Continued 5/9/06, Item 5)

FUNDING: HCAP and AHRQ Grant.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 45. 06-0783** Public Health Department recommending Chairman be authorized to sign Retroactive Agreement with Marshall Medical Center in the total amount of \$1,491,986 for the term September 30, 2005 through September 29, 2008 to provide necessary services to assist Marshall Medical Center in meeting the objectives and scope of work of the El Dorado County Safety Net Technology Project/ACCESS El Dorado Grant; and recommending Chairman be authorized to sign Budget Transfer 26134 increasing revenue and expenditure appropriations by \$495,395 in fiscal year 2005-2006, noting agreement is retroactive as to term due to Marshall Medical Center receiving this grant after the starting date; said grant includes provisions for subcontracting health-related technology projects.

FUNDING: Grant funding

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 46. 06-0803** Transportation Department recommending the Director of said Department be authorized to submit AB3090 State Transportation Improvement Program (STIP) Amendment Request to the El Dorado County Transportation Commission (EDCTC) related to the programming of the Missouri Flat Interchange Phase 1A and 1B Projects in the 2006 STIP request; and further recommending the following pertaining to same:
- (1) Identify Interim 2004 General Plan Traffic Impact Mitigation (TIM) Program Fees as the local funds available to advance the Phase 1A Project earlier than programmed in the 2006 STIP;
 - (2) Commit to deliver the project within 12 months of the California Transportation Commission (CTC) approval of the STIP Amendment, anticipated in September of 2006, with the understanding that the AB3090 arrangement may be cancelled if that condition is not met;
 - (3) Identify the replacement project to be included in the 2006 (STIP) in the year the Phase 1A project is currently programmed, fiscal year 08/09, as the Phase 1B Project; and
 - (4) Request the EDCTC acknowledge the Missouri Flat Interchange Project as the regions highest priority and commit to program the current unprogrammed STIP shares, and future shares as they become available, to the Missouri Flat Interchange Project until the current project scope is funded.

A motion was made by Supervisor Sweeney to approve staff's recommendations with the exception of (4) being amended to read: "Request the EDCTC acknowledge the Missouri Flat Interchange Project as one of the regions highest priorities..."

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 47. 06-0812** Transportation Department recommending Chairman be authorized to sign Amendment 01 to Agreement 05-838 with Republic Electric, Inc. increasing compensation by \$43,000 to \$118,000 for a term to expire June 30, 2006 to provide maintenance and repair of traffic signals and associated equipment.

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

This matter was continued off calendar upon adoption of the Agenda.

48. [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 **June 6, 2006** Board Meeting for status review.
(Refer 05/16/06, Item 31) (4/5 vote required)

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

This matter was added to the Consent Calendar and status review continued to June 6, 2006.

49. [06-0234](#) Sheriff's Department recommending adoption of Resolution **143-2006** continuing the state and local emergency declared on December 31, 2005 if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required) (Refer 5/16/06, Item 29)

This matter was added to the Consent Calendar and Resolution 143-2006 adopted.

50. [06-0611](#) Sheriff's Department recommending adoption of Resolution **144-2006** continuing the state of emergency declared on April 12, 2006 if it is found that conditions of extreme peril to the safety of persons and property exists. (4/5 vote required) (Refer 5/16/06, Item 30)

This matter was added to the Consent Calendar and Resolution 144-2006 adopted.

- 51. 06-0784** Human Resources Division recommending Chairman be authorized to sign Agreement 704-S0611 with Los Rios Community College District in an amount not to exceed \$87,930 for a one year term to provide supervisory and customer service training on an "as-requested" basis for El Dorado County employees.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 52. [06-0814](#)** Environmental Management recommending Resolution **145-2006** declaring that an emergency as defined by Public Contract Code Sections 22035 and 22050 has existed at the Union Mine Waste Water Treatment Facility dating from April 4, 2006; authorize said Department dispense with the competitive bidding requirements and authorize the Chairman to execute the needed contracts; and continue to **June 6, 2006** to review the emergency action and determine whether there is a need to continue the emergency action. (4/5 vote required)

This matter was added to the Consent Calendar and Resolution 145-2006 adopted.

- 53. 06-0840** Environmental Management Department recommending the Board consider the request for assignment of the Solid Waste Services Agreement and Parent Company Guaranty between Waste Connections of California, Inc. and USA Waste of California, Inc. dba Waste Management/El Dorado Disposal Service for the collection and disposal of municipal solid waste generated by residential, commercial and industrial customers in a delineated franchise area in the western portion of the County, and to operate the WEDRS materials recovery facility near Placerville; and recommending this item be continued to **June 6, 2006** for further discussion and action.

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve staff's recommendation and this matter continued to June 6, 2006 for further discussion and action.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 54. 06-0832** County Service Area 10 recommending Chairman be authorized to sign Contract 044-C-05/06-11 with California Laboratory Services in the amount of \$80,000 to provide analysis of ground, surface and wastewater sample testing from the Union Mine Landfill and the Union Mine Wastewater Treatment Facility.

FUNDING: County Service Area 10, Special Revenue Funds.

This matter was added to the Consent Calendar and approved.

- 55. 06-0834** County Service Area 10 recommending Chairman be authorized to sign Amendment 01 to Agreement 004-A-05/06-11 with Field Solutions, Inc. increasing compensation amount by \$25,100 to \$81,200 for a term to expire December 23, 2006 to provide continued waste discharge monitoring and reporting services at the Union Mine Disposal Site.

FUNDING: Special Revenue Funds.

This matter was added to the Consent Calendar and approved.

- 56. 06-0833** County Service Area 10 recommending Chairman be authorized to sign Amendment 02 to Contract 031-PW-03/04 with Joe Vicini, Inc. in the amount of \$92,086 for a term to expire June 18, 2007 to provide continued work at the Union Mine Landfill.

FUNDING: Special Revenue Funds.

This matter was added to the Consent Calendar and approved.

- 57. 06-0820** Supervisor Sweeney requesting staff be directed to issue Building Permits 168746 (APN 083-221-57) and 168749 (APN 083-221-58) as soon as the usual process is complete, without regard to the General Plan designation of Multifamily Residential (MFR) on the subject parcels.

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to continue this matter to June 6, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

58. 06-0656 Chief Administrative Office updating the Board on the progress of the following Capital Improvement Projects: Veterans Memorial; the El Dorado Hills Senior Center; the Animal Control Facility for the West Slope and the Animal Control Facility for the Tahoe Basin. General Services Department will present its next update on June 27, 2006. (Refer 4/25/06, Item 38)

No formal action taken; presentation received and filed.

BOARD OF SUPERVISORS CONVENED AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD TO CONSIDER THE FOLLOWING:

59. 06-0836 Air Quality Management District recommending Chairman be authorized to sign Amendment 01 to Agreement 009-DNV05-06-11 with El Dorado County Environmental Management Department in the amount \$23,416 for a term to expire June 30, 2007 for the purchase of a Toyota Prius.

FUNDING: Special Revenue Project Funds.

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED.

10:00 A.M. - TIME ALLOCATION

60. 06-0785 **PRESENTATION** by Terry Wenig, Superintendent of Buckeye Union School District, providing an update to the Board and public on the recent activities and plans for the school district.
No action required.
61. 06-0831 **PRESENTATION** of Certificate of Appreciation to Mr. Neil Hillier in recognition of twelve years of dedicated service to the Pioneer Fire Protection District.
No action required.
62. 06-0787 **PRESENTATION** by California's Clean Air Program and the American Lung Association's Resources and Education Supporting People Everywhere Controlling Tobacco (RESPECT) Program recognizing the El Dorado County Board of Supervisors for its support of smoke-free outdoor dining policies in the cities of Placerville and South Lake Tahoe.
No action required.

2:00 P.M. - TIME ALLOCATION

- 63. 06-0837** Hearing to consider adoption of Resolution **151-2006** to establish Agricultural Preserve No. 301 (Williamson Act Contract WAC05-0005) in the Fairplay area (District II), and Ordinance **4692** to rezone APN's 046-081-42 and 094-210-05 from Residential Estate Ten-acre (RE-10) to Exclusive Agricultural (AE), requested by Robert and Allison Green.

A motion was made by Supervisor Baumann, seconded by Supervisor Dupray to declare that the intent of the Board is to approve the Williamson Act Contract and the rezone with direction to staff to return on June 6, 2006 with an ability to modify or waive the setback on the properties across Mt. Aukum Road from the site; said matter to be scheduled as a department matter on the morning calendar.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

CAO REPORTS**ITEMS TO/FROM SUPERVISORS****ADJOURNMENT****CLOSED SESSION**

- 06-0782** 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 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.

- 06-0788** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:** **Significant exposure to litigation.** Title: Intermountain Slurry Seal v. El Dorado County.

On a unanimous vote of the Board, with Supervisor Paine being absent, the Board approved a settlement agreement, on behalf of the Hidden Lakes Road Zone of Benefit, in the amount of approximately \$23,900 to be paid to Intermountain Slurry Seal for work performed.

- 06-0807** Pursuant to Government Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-140-44. The person with whom the negotiator may negotiate is Kumar Sharma, on behalf of the Jai Shri Ram Hospitality Group, LLC, A California Limited Liability Company. Instructions to negotiator will concern both price and terms of payment. Negotiator for the County will be Pete Feild, on behalf of the Department of Transportation.
No action reported.
- 06-0808** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-211-01. The person with whom the negotiator may negotiate is Margaret L. Bowman, Trustee of the Margaret L. Bowman Revocable Trust dated May 14, 1997. Instructions to negotiator will concern both price and terms of payment. Negotiator for the County will be Pete Feild, on behalf of the Department of Transportation.
No action reported.
- 06-0809** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-211-02. The person with whom the negotiator may negotiate is Myrtle A. Dodgson. Instructions to negotiator will concern both price and terms of payment. Negotiator for the County will be Pete Feild, on behalf of the Department of Transportation.
No action reported.
- 06-0810** Pursuant to Government Code Section 54956.8, **Conference with Real Property Negotiator:**
Instructions to negotiator regarding real property described as APN 327-211-03. The persons with whom the negotiator may negotiate are Roger Miller and Julie Clark. Instructions to negotiator will concern both price and terms of payment. Negotiator for the County is Pete Feild, on behalf of the Department of Transportation.
No action reported.
- 06-0811** Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Clerk of the Board of Supervisors.
No action reported.

06-0850

Pursuant to Government Code Section 54957, **Public Employee**

Performance Evaluation:

Title: Acting General Services Director.

No action reported.