



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, June 6, 2006

8:00 AM

Board of Supervisor 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 33 and 45 pulled from Consent Calendar for separate action; Items 56, 57, 58, 59, 62 and 65 added to the Consent Calendar and approved; Items 6, 7, 8 and 55 heard together; Item 61 removed from Agenda; Item 63 continued to June 13, 2006; and Items 52 and 67 heard together.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

PRESENTATIONS

1. **06-0890** **PRESENTATION** proclaiming June 12-23, 2006 as the El Dorado County "Cares and Shares Coordinated Giving" campaign period.

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, that this matter be Adopted. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

OPEN FORUM**CONSENT CALENDAR**

2. **06-0852** Approval of Board of Supervisors Conformed Agendas (Minutes) of Special Meeting of Monday, May 22, 2006 and Regular Meeting of Tuesday, May 23, 2006.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

3. **06-0853** Public Health Department recommending Chairman be authorized to sign Funding Agreement 508-PHD0306 with Marshall Medical Center in the amount of \$26,426 and Funding Agreement 509-PHD0306 with Barton Memorial Hospital in the amount of \$41,465 to assist in preparedness for, and response to, bioterrorism, other outbreaks of infectious disease, and other public health threats and emergencies, delivering coordinated and effective care to victims of terrorism and other public health crisis.

RECOMMENDED ACTION: Approve.

FUNDING: HRSA Hospital Preparedness Grant.

This matter was approved on the Consent Calendar.

4. **06-0854** Public Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement 459-PHD0605 with Carol Casaday, dba Human Services Consulting extending the term through December 31, 2006 with no increase in compensation to provide grant writing services on an "as-needed" basis to continue services for projects currently in progress.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

5. **06-0855** Public Health Department recommending Chairman be authorized to sign Amendment 01 to Agreement NNA09 with California Department of Alcohol and Drug Programs increasing compensation amount by \$187,524 to \$1,602,964 for fiscal year 2005/2006 for the term July 1, 2004 through June 30, 2008 for alcohol/drug treatment and prevention programs; and Budget Transfer 26144 increasing estimated revenue and expenditure appropriations from the State for fiscal year 2005/2006 for same. (4/5 vote required)

RECOMMENDED ACTION: Approve.

FUNDING: Department of Alcohol and Drug Programs.

This matter was approved on the Consent Calendar.

6. **06-0856** Mental Health Department recommending Chairman be authorized to sign retroactive Agreement 644-S0611 with Trinity County in the amount of \$20,000 for the term July 1, 2005 through June 30, 2007 to provide psychiatric inpatient services to residents of that County over the age of 18 who are eligible for mental health services on a fee-for-service basis.
RECOMMENDED ACTION: Approve.

FUNDING: Trinity County.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago, that this matter be Approved. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

7. **06-0857** Mental Health Department recommending Chairman be authorized to sign Agreement 668-S0611 with Plumas County in the amount of \$40,000 for a term of two years to provide psychiatric inpatient services to residents of that County over the age of 18 who are eligible for mental health services on a fee-for-service basis.
RECOMMENDED ACTION: Approve.

FUNDING: Plumas County.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago, that this matter be Approved. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

8. **06-0858** Mental Health Department recommending Chairman be authorized to sign Agreement 669-S0611 with Alpine County in the amount of \$22,000 for the term July 1, 2006 through June 30, 2008 to provide psychiatric inpatient services to residents of that County over the age of 18 who are eligible for mental health services on a fee-for-service basis.
RECOMMENDED ACTION: Approve.

FUNDING: Alpine County.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago, that this matter be Approved. The motion carried by the following vote:

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

9. **06-0859** Mental Health Department recommending Chairman be authorized to sign Amendment 02 to Agreement 24530 with California Department of Rehabilitation in the amount of \$146,928 for the term July 1, 2004 through June 30, 2007 to provide vocation rehabilitation services to Mental Health clients.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal Department of Rehabilitation funds/realignment.
This matter was approved on the Consent Calendar.
10. **06-0860** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement 003-S0711 with Suburban Propane, L.P. in an amount not to exceed \$40,000 for the period July 1, 2006 through June 30, 2008 to provide repair or replacement of propane appliances on an "as-requested" basis for clients of said Department.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal and State Grant Funding.
This matter was approved on the Consent Calendar.
11. **06-0861** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement 005-S0711 with Emergency Response Systems, Inc. dba Personal Emergency Response Systems, Inc. in the amount of \$40,000 for the period July 1, 2006 through June 30, 2008 to provide and install personal response systems and monitoring services on an "as-requested" basis to clients of said Department.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal and State Grant Funding.
This matter was approved on the Consent Calendar.
12. **06-0862** Human Services Department, Community Services Division, recommending Chairman be authorized to sign Agreement 007-S0711 with Elder Options, Inc. in an amount not to exceed \$40,000 for the period July 1, 2006 through June 30, 2008 to provide in-home geriatric care services on an "as-requested" basis for said Department.
RECOMMENDED ACTION: Approve.
- FUNDING:** Federal and State Grant Funding.
This matter was approved on the Consent Calendar.

- 13. 06-0863** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 358-S0610 with Lexipol, LLC in an amount not to exceed \$7,900 for a period of two years for the development of a law enforcement policy manual for the Department of Human Services Special Investigation Unit, noting County Counsel will review proposed significant policy changes or new policies with potential legal liability.

RECOMMENDED ACTION: Approve.

FUNDING: Federal, State and County General Fund.

This matter was approved on the Consent Calendar.

- 14. 06-0864** Human Services Department, Social Services Division, recommending Chairman be authorized to sign Agreement 489-S0611 with Carousel Outreach, a California Corporation, dba Carousel House in an amount not to exceed \$200,000 for a period of two years 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 and County General Fund.

This matter was approved on the Consent Calendar.

- 15. 06-0865** Probation Department recommending Chairman be authorized to sign Agreement 702-S0611 with Stephen Clifford, dba Enterprise Investigations in an amount not to exceed \$50,000 for the term June 7, 2006 through June 6, 2007 to provide detailed professional pre-employment background investigations on an "as-requested" basis for candidates seeking employment with said Department.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 16. 06-0866** Treasurer-Tax Collector recommending Agreement 781-S0611 with Moore Wallace North America, Inc. in an amount not to exceed \$55,000 for the period June 1, 2006 through May 31, 2007 to provide printing, programming and artwork to produce and mail annual secured and unsecured property tax bills for said Department.

RECOMMENDED ACTION: Approve, and authorize Chairman to sign Agreement upon final approval by Risk Management and County Counsel.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

17. **06-0867** Sheriff's Department recommending Chairman be authorized to sign Amendment 01 to Agreement 326-S0411 with iSECUREtrac increasing blanket purchase order by \$30,000 for fiscal year 2005/2006 payments; and authorize an increase to blanket purchase order on an "as-needed" basis if funding is available within said Department's fiscal years 2005/2006 and 2006/2007 budgets.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

18. **06-0868** Information Technologies Division recommending Chairman be authorized to sign Agreement 696-S0611 with Learning Tree International USA, Inc. in an amount not to exceed \$23,790 for a one year term to provide on-site technical training, specifically Course 296 "Project Management: Skills for Success" for said Department.

RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

19. **06-0869** Environmental Management Department recommending Chairman be authorized to sign Amendment 03 to Agreement 008-03/04 with Decade Software Company, LLC increasing compensation amount by \$1,500 to \$85,500 for a term to expire November 30, 2006 to provide software license and technical support.

RECOMMENDED ACTION: Approve.

FUNDING: Special Revenues.

This matter was approved on the Consent Calendar.

20. **06-0895** Environmental Management recommending the Board approve the Final Closure and Postclosure Maintenance Plan for the Union Mine Landfill, noting the Plan includes a cost estimate of final postclosure maintenance, which totals \$213,080 a year for 30 years.

RECOMMENDED ACTION: Approve.

FUNDING: County Service Area 10 Special Revenue Funds.

This matter was approved on the Consent Calendar.

- 21. 06-0870** General Services Department requesting authorization to exercise option to extend Facility Use Agreement 386-L0011 with Mother Lode Lions Club in the amount of \$1,500 per month for a term commencing July 1, 2006 through June 30, 2007 for the Human Services Department, Senior Nutrition Program located at 1741 Missouri Flat Road, Diamond Springs.
RECOMMENDED ACTION: Approve.
- FUNDING:** State and Federal Funds and Donations.
- This matter was approved on the Consent Calendar.
- 22. 06-0871** General Services Department recommending Chairman be authorized to sign Facility Use Agreement 740-O0610 with Pollock Pines Recreation Unlimited, Inc. in the amount of \$450.50 per month commencing July 1, 2006 through June 30, 2007 with the option for five additional one year terms thereafter for the Human Services Department, Senior Nutrition Program located at 5581 Gail Street, Pollock Pines.
RECOMMENDED ACTION: Approve.
- FUNDING:** State and Federal Funds, Donations.
- This matter was approved on the Consent Calendar.
- 23. 06-0880** Transportation Department recommending Chairman be authorized to sign Notice of Completion accepting the Green Valley Road at Dry Creek - Bridge Replacement (Contract 77103) as substantially complete.
RECOMMENDED ACTION: Approve.
- FUNDING:** Highway Bridge Replacement and Rehabilitation (HBRR), Regional Surface Transportation Program (RSTP), and Traffic Impact Mitigation Fees (TIM).
- This matter was approved on the Consent Calendar.

- 24. 06-0881** Transportation Department recommending the following pertaining to the Silvertip Phase 2 Erosion Control Project 95141:
(1) Find that construction must be performed by an independent contractor;
(2) Approve the plans and contract documents and authorize Chairman to sign said plans; and
(3) Authorize Department to advertise for construction bids.
RECOMMENDED ACTION: Approve.

FUNDING: California Tahoe Conservancy (CTC), Caltrans, Regional Surface Transportation Program(RSTP), and Tahoe Regional Planning Agency (TRPA) Water Quality Mitigation Funds.

This matter was approved on the Consent Calendar.

- 25. 06-0884** Transportation Department recommending Resolution acknowledging but rejecting at this time, Irrevocable Offer of Dedication (IOD2006-02) from Richmond American Homes of California, Inc. a Colorado Corporation, for a drainage easement located on APNs 112-850-09 and -10, Lots 108 and 109 of The Promontory Village No. 4 in El Dorado Hills for the installation of new drainage facilities.
RECOMMENDED ACTION: Adopt Resolution **155-2006**.

This matter was approved on the Consent Calendar.

- 26. 06-0882** Transportation Department recommending adoption of Resolution wherein the Board of Supervisors elects to hear future Resolutions of Necessity, as necessary, and designating County Counsel to review, process and approve said Resolutions for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317. (4/5 vote required)
RECOMMENDED ACTION: Adopt Resolution **154-2006**.

This matter was approved on the Consent Calendar.

- 27. 06-0883** Transportation Department recommending the Board authorize the Right of Way Unit staff to proceed with the acquisition process for a portion of APN 327-130-54 (DS Placerville LLC); APN 327-130-56 (DS Placerville LLC); APN 327-130-62 (DS Placerville LLC); APN 327-130-76 (DS Placerville LLC); and APN 327-130-77 (DS Placerville LLC) for the U.S. Highway 50/Missouri Flat Road Interchange Project 71317.
RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 28. 06-0885** Transportation Department recommending Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication (IOD2006-03) from Richmond American Homes of California, Inc. a Colorado Corporation for a drainage easement located on APNs 112-850-12, and -13, Lots 112 and 113 of The Promontory Village No. 4 in El Dorado Hills for the installation of new drainage facilities.
RECOMMENDED ACTION: Adopt Resolution **156-2006**.
This matter was approved on the Consent Calendar.
- 29. 06-0886** Transportation Department recommending Resolution accepting Irrevocable Offer of Dedication (IOD2006-05) from Francis Kirk Countryman and Lois Anne Countryman for a road right of way, in fee, a public utilities easement, and slope easement situated along the centerline of Sand Ridge Road (APN 046-570-05) in Placerville to meet condition requirements of Boundary Line Adjustment 03-0099.
RECOMMENDED ACTION: Adopt Resolution **157-2006**.
This matter was approved on the Consent Calendar.
- 30. 06-0887** Transportation Department recommending Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication (IOD2006-07) from GHC Company 5, LLC for a drainage easement located on properties identified as APNs 113-740-03, -05, -08, -11 and -12 on Lots 13, 15, 18, 21 and 22 of Serrano Village J3B, Unit 2 located in El Dorado Hills to accommodate final grading and the installation of drainage facilities
RECOMMENDED ACTION: Adopt Resolution **158-2006**.
This matter was approved on the Consent Calendar.
- 31. 06-0888** Transportation Department recommending Resolution acknowledging, but rejecting at this time, Irrevocable Offer of Dedication (IOD2006-10) from Chris G. Fusano and John C. Fusano for a road right of way and public utilities easement on APN 105-100-16 located south of the centerline of Peterson Lane in Coloma to meet condition requirements of Certificate of Compliance COC90-81.
RECOMMENDED ACTION: Adopt Resolution **159-2006**.
This matter was approved on the Consent Calendar.

- 32. 06-0889** Transportation Department recommending Resolution approving the California Department of Transportation's Disadvantaged Business Enterprise (DBE) Program for El Dorado County; and authorize Chairman to sign the Race-Neutral Implementation Agreement for Local Agencies (AGMT 06-1105) and the DBE Annual Submittal Form (AGMT 06-1123).

RECOMMENDED ACTION: Adopt Resolution **160-2006**.

This matter was approved on the Consent Calendar.

- 33. 06-0778** Transportation Department requesting the Board continue the matter pertaining to the establishment of an interim task order policy for said Department. (Refer 5/16/06, Item 32)

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to continue this matter to June 27, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 34. 06-0873** Chief Administrative Office, Procurement and Contracts Division, submitting list of property surplus to the needs of the County and recommending Board so declare and authorize disposal of same 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.

- 35. 06-0874** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare as surplus three Heckler & Koch GMBH HK33A2 Machineguns with three magazines per gun; and authorize purchase order to Defense Consulting, Inc. of Reno, NV for the trade-in allowance of the surplus equipment in exchange for the purchase of thirteen A3 M-4 14.5 Barrel Model LE6921 Colts with collapsible stock and tritium front sight inlay for the Sheriff's Department.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

- 36. 06-0875** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-070-106 for the purchase of one 2007 (1) Ford F-550 cab and chassis with dump truck body to the low qualified bidder; and authorize blanket purchase order to Placerville Ford of Placerville, CA in the amount of \$45,234, including sales and tire tax for the Department of Transportation, noting this vehicle replaces a 1977 Chevy dump truck used for road operations in the Tahoe Basin.
RECOMMENDED ACTION: Approve.

FUNDING: Department of Transportation Road Fund.

This matter was approved on the Consent Calendar.

- 37. 06-0876** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-070-098 for the purchase of two (2) new 2007 Chevrolet Suburbans to the low qualified bidder; and authorize blanket purchase order to Family Chevrolet of Shingle Springs, CA in the amount of \$79,383, including sales and tire tax, for Fleet Management, noting the two vehicles will replace two vehicles used by the Sheriff's Department scheduled for replacement due to the amount of mileage.
RECOMMENDED ACTION: Approve.

FUNDING: Fleet Vehicle Replacement Reserve Fund.

This matter was approved on the Consent Calendar.

- 38. 06-0877** Chief Administrative Office, Procurement and Contracts Division, recommending award of Bid 06-920-117 for the purchase of IBM software maintenance and support to the low qualified bidder; and authorize purchase order to California Integrated Solutions, Inc. of Phillips Ranch, CA in the amount of \$35,474 for Information Technologies.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

- 39. 06-0878** Chief Administrative Office, Procurement and Contracts Division, recommending Purchasing Agent be authorized to make a sole source purchase for various telephone equipment from Avaya Communications in the amount of \$124,780.63 for Information Technologies, noting the vendor is marketing a special purchase plan offering a 50% discount on equipment maintenance and support plans.
RECOMMENDED ACTION: Approve.

FUNDING: General Fund.

This matter was approved on the Consent Calendar.

40. 06-0879 County Service Area 10 recommending Chairman be authorized to sign Notice of Completion accepting the construction of a 2,000,000 gallon reinforced concrete storage tank at the Union Mine Landfill as substantially complete; contractor for this Project is Syblon Reid.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

41. 06-0891 Supervisor Dupray recommending Certification of Recognition for Betty Riley for her years of service to the Sierra Planning Organization and Sierra Economic Development District.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

42. 06-0892 Supervisor Dupray recommending the Board confirm the appointment of the El Dorado County Youth Commissioners for 2006/2007.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

43. 06-0893 Supervisor Dupray recommending Douglas Bisbee be reappointed to serve on the Assessment Appeals Board for a term to expire September 2009.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

44. 06-0851 Supervisor Baumann recommending Rod Avery be appointed to serve as the District II representative on the Fair Association Board of Directors for a term to expire January 2009.

RECOMMENDED ACTION: Approve.

This matter was approved on the Consent Calendar.

45. 06-0894 Supervisor Sweeney recommending County Counsel be directed to prepare an agreement for the Chairman to sign to lien for the fees due upon the sale or transfer of APN 097-061-31 for Doris Kalivoda.

RECOMMENDED ACTION: Approve.

A motion was made by Supervisor Sweeney, seconded by Supervisor Dupray to direct County Counsel to review this matter, process a lien, and return to the Board for approval of same.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

END CONSENT CALENDAR

NOTICED HEARING/DEPARTMENT MATTERS**DEPARTMENT MATTERS**

- 46. 06-0904** Hearing to consider adoption of Resolution **162-2006** establishing the annual benefit assessment for the 2006-2007 tax year for Road Zones of Benefit within County Service Area No. 2, noting continuation of existing benefit assessments with no increase over current levels.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 162-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 47. 06-0905** Hearing to consider adoption of Resolution **163-2006** establishing the annual benefit assessment for the 2006/2007 tax year for snow removal services within County Service Area No. 3, noting continuation of existing benefit assessments with no increase in assessment over current levels.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 163-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 48. 06-0906** Hearing to consider adoption of Resolution **164-2006** establishing the annual benefit assessment for the 2006/2007 tax year for Road Zones of Benefit within County Service Area No. 9, noting continuation of existing benefit assessments with no increase over current levels.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 164-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 49. 06-0907** Hearing to consider adoption of Resolution **165-2006** establishing the annual benefit assessment for the 2006/2007 tax year for Lighting Zones of Benefit within County Service Area No. 9, noting continuation of existing benefit assessment with no increase over current assessments.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 165-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 50. 06-0908** Hearing to consider adoption of Resolution **166-2006** establishing the annual benefit assessment for the 2006/2007 tax year for Drainage Zones of Benefit within County Service Area No. 9, noting continuation of existing benefit assessments with no increase in assessment over current levels.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 166-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 51. 06-0909** Hearing to consider adoption of Resolution **167-2006** establishing the annual benefit assessment for the 2006/2007 tax year for Emerald Meadows Zone of Benefit No. 580 within County Service Area No. 9, noting continuation of existing benefit assessment with no increase over current assessment.

FUNDING: Zone of benefit assessments.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution 167-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

52. 06-0910 Hearing to consider adoption of Resolution Nos. **168-2006** and **169-2006** superseding Resolution Nos. 315-2004 and 316-2004 setting new ambulance service rate schedules for County Service Area Nos. 3 and 7 respectively, effective July 1, 2006.

FUNDING: Ambulance fees for service.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to adopt Resolution Nos. 168-2006 and 169-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

53. 06-0911 Hearing to consider adoption of Resolution **170-2006** setting new fees based on the actual costs of providing services for the Public Health Clinic and Laboratory effective July 6, 2006, and approving the proposed process for adjusting said fees in the future.

Hearing no protests, a motion was made by Supervisor Baumann, seconded by Supervisor Dupray to adopt Resolution 170-2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 54. 06-0837** Planning Services recommending the following pertaining to Williamson Act Contract (WAC05-0005) and the Rezone (Z05-0017) of 39 acres in the Fairplay area, requested by Robert and Allison Green:
- (1) Adopt the negative declaration based on the Initial Study prepared by staff;
 - (2) Adopt Resolution **151-2006** establishing Agricultural Preserve 301 on APNs 094-210-05 and 046-081-42 based on the findings of the Planning Commission;
 - (3) Adopt Ordinance **4692** to rezone said APNs from Residential Estate Ten-acre (RE-10) to Exclusive Agricultural (AE) based on the findings of the Planning Commission;
 - (4) Authorize Agreements between the County and property owners of Lots 1-3 of River Pines Estates Unit No. 1 to exempt said parcels from the special setbacks for agricultural protection as provided in Section 17.06.150 of the County Ordinance Code; and
 - (5) Add the following finding: "The Board of Supervisors finds that due to the location of Mt. Aukum Road, topographic constraints, and the inability to utilize the westernmost portion of the subject property for agricultural purposes, sufficient separation exists between the proposed agricultural land and Lots 1,2 and 3 of River Pines Estates Unit No. 1 to create the necessary buffer to protect the agricultural operations. The agricultural setback normally required pursuant to Section 17.06.150 shall not be applied to the parcels identified as APNs 046-690-01, -02 and -03 as a result of this zone change." (Referred 5/23/06, Item 63)

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

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 55. 06-0916** Mental Health Department recommending the Board retroactively approve and authorize the Interim Director of said Department to sign the Substance Abuse and Mental Health Services Administration (SAMHSA) grant with the California Department of Mental Health in the total amount of \$186,887 for the term July 1, 2005 through June 30, 2006 to address the needs of children and adults diagnosed as severely emotionally disturbed or seriously mentally ill.

FUNDING: California Department of Mental Health.

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

56. [06-0840](#) Environmental Management Department recommending the following pertaining to Waste Connections of California, Inc.
- (1) Authorize Chairman to sign Resolution **161-2006** granting the request for assignment to Waste Connections of California, Inc. of the Solid Waste Services Agreement between the County 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 (including the El Dorado Hills and Cameron Park Community Services Districts) and to operate the WEDRS materials recovery facility near Placerville; and
 - (2) Authorize Chairman to sign Agreement for Assignment of Solid Waste Services. (Continued 5/23/06, Item 53)

This matter was added to the Consent Calendar and Resolution 161-2006 adopted.

57. [06-0814](#) Environmental Management recommending the following:
- (1) Find that a state of emergency continues to exist at the Union Mine Wastewater Treatment Plant as a result of the 2005/2006 wet weather season;
 - (2) Find that, based on substantial evidence, immediate action is still necessary to stabilize said Plant;
 - (3) Authorize said Department to continue to dispense with competitive bidding requirements to immediately secure assistance from outside contractors and consultants to perform the necessary emergency work pursuant to written contracts and to authorize the Chairman to execute same; and
 - (4) Continue this matter to **June 20, 2006** for review of the emergency action. (Item 52, 5/23/06)

This matter was added to the Consent Calendar and status review continued to June 20, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

58. [06-0234](#) Sheriff's Department recommending adoption of Resolution **171-2006** 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 5/23/06, Item 49)

This matter was added to the Consent Calendar and Resolution 171-2006 adopted.

59. [06-0611](#) Sheriff's Department recommending adoption of Resolution **172-2006** 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 5/23/06, Item 50)

This matter was added to the Consent Calendar and Resolution 172-2006 adopted.

60. [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 13, 2006** Board Meeting for status review. (Refer 05/23/06, Item 48) (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 Santiago, seconded by Supervisor Dupray to approve this matter and continue the status review to June 13, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

61. **06-0896** Supervisor Baumann requesting Board discussion on the current status of APN 109-402-14 located in the Barnett Business Park and, if necessary, direct staff to take action with regard to same.

This matter was withdrawn by Supervisor Baumann upon adoption of the Agenda.

- 62. 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. (Continued 5/23/06, Item 57)

This matter was added to the Consent Calendar and approved.

- 63. 06-0903** Supervisor Santiago recommending the Board approve a Memorandum of Agreement between the City of South Lake Tahoe, Lake Tahoe Unified School District and the County of El Dorado to examine the opportunity to create a joint Government/Civic Facility at South Lake Tahoe; said agencies to share the cost of an assessment process based on their proportional share or space needs and will work collaboratively in assigning respective agency staff to coordinate and facilitate the identification of an architect/engineer to assist in the project evaluation, conduct reviews, define timelines for action, and undertake preliminary design work as agreed to by all parties.

This matter was continued to June 13, 2006 by Supervisor Santiago upon adoption of the Agenda.

- 64. 06-0917** Chief Administrative Office recommending the Board approve the revised Vehicle Use Policy D-1, now titled "Vehicle Use, Standards, Procurement and Disposal Policy"; and further recommending Human Resources Division be directed to complete the necessary meet and confer process with County bargaining units required prior to implementing said Policy. (Continued 5/9/06, Item 67)

A motion made by Supervisor Baumann, seconded by Supervisor Dupray to adopt the Policy as presented and direct staff to continue to work with the various employee groups failed.

Yes: 2 - Dupray, Baumann

No: 2 - Sweeney, Santiago

Absent: 1 - Paine

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to continue this matter to June 20, 2006.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 65. 06-0918** Environmental Management Department recommending Chairman be authorized to sign retroactive Agreement 045-A-05/06-11 with Nick J. Farros, Sr. dba NJF Engineering in an amount not to exceed \$83,660 to provide assistance with the Final Closure and Postclosure of the Union Mine Landfill, noting Task 1 in the amount of \$26,800 is retroactive to March 31, 2006.

FUNDING: County Service Area 10 Special Revenue Funds.

This matter was added to the Consent Calendar and approved.

- 66. 06-0915** Chief Administrative Office providing the Fiscal Year 2006/2007 Budget Message; and recommending the Board receive and file the Fiscal Year 2006/2007 Proposed Budget for El Dorado County, noting public hearing will be held during the week of June 12, 2006.

No formal action taken; however, by consensus the Board received and filed the fiscal year 2006/2007 proposed budget.

TIME ALLOCATION - 10:00 A.M.

- 67. 06-0872** Public Health Department recommending award of Request for Proposal of ambulance billing services and reporting on staff communications with regard to collection services for same. (Referred 6/6/06, Item 67)

A motion was made by Supervisor Baumann, seconded by Supervisor Santiago to approve staff's recommendations as discussed this date, acknowledging that the intent of the Board is to award the Ambulance Billing Service Request for Proposal to Wittman Enterprises, LLC; to continue to use the Revenue Recovery Division's mechanism of collection; and to return to the Board on June 13, 2006 after all parties involved have met with regard to same.

Yes: 3 - Baumann, Sweeney and Santiago

Recused: 1 - Dupray

Absent: 1 - Paine

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

- 68. 06-0897** Hearing to consider adoption of the 2003 Triennial Plan Assessment and Plan Update as required by Section 40925 of the Health and Safety Code, noting District remains "borderline" between attainment and non-attainment due to variable meteorological conditions, transport of air pollution from the San Francisco and Sacramento areas, and locally generated emissions. This update recommends adoption or amendment of control measures for architectural coatings, graphic arts, and miscellaneous metal parts coatings.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter with direction to staff to ascertain the mitigation measures outlined in the California Environmental Quality Act documents for Sacramento Municipal Utility District's new plant at Rancho Seco and the impacts of same to the air quality of El Dorado County.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 69. 06-0898** Hearing to consider proposed amendments to Rule 233-Stationary Internal Combustion Engines are categorically exempt from the California Environmental Quality Act and adoption of same, noting amendments will correct the requirement for fuel meters and to eliminate past dated requirements.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

- 70. 06-0899** Hearing to consider proposed amendments to Rule 501-General Permit Requirements and Rule 523-New Source Review are categorically exempt from the California Environmental Quality Act and adoption of same, noting amendments needed to satisfy the requirements of SB 700, which affects agricultural operations (removed exemption of air quality permits).

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

71. 06-0900 Hearing to consider proposed new Rule 527 - Federal Major Modifications is satutorily exempt from the California Environmental Quality Act and adoption of same, noting said Rule addresses the differing state and federal requirements applicable to modifications of federal major sources. El Dorado County only has one such source, and said Rule is not expected to have an impact.

Hearing no protests, a motion was made by Supervisor Dupray, seconded by Supervisor Baumann to approve this matter.

Yes: 4 - Dupray, Baumann, Sweeney and Santiago

Absent: 1 - Paine

AIR QUALITY MANAGEMENT DISTRICT BOARD ADJOURNED

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

CLOSED SESSION

- 06-0913** Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Chief Administrative Officer.
No action reported.
- 06-0850** Pursuant to Government Code Section 54957, **Public Employee Performance Evaluation:**
Title: Acting General Services Director.
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.
- 06-0901** Pursuant to Government Code Section 54956.9(a): 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. 03CS0003.
No action reported.
- 06-0902** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. Title: In re: EEOC complaint of Nicole Sahaj-Meyers.
No action reported.
- 06-0914** Pursuant to Government Code Section 54956.9(b), **Anticipated Litigation:**
Significant exposure to litigation. Title: Legal issues related to TIM Fee Program.
One (1) potential case.
No action reported.