



County of El Dorado

Minutes - Final Board of Supervisors

Brian K. Veerkamp, Chair, District III
John Hidahl, First Vice Chair, District I
Lori Parlin, Second Vice Chair, District IV
Shiva Frentzen, District II
Sue Novasel, District V

Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

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

Tuesday, October 13, 2020

9:00 AM

<https://zoom.us/j/99773432110>

Virtual Meeting - [Click here to view meeting](#)

PUBLIC PARTICIPATION INSTRUCTIONS: To comply with physical distancing requirements and the stay at home order from the Governor, the Board Chambers will be closed to members of the public and all public participation will be handled remotely.

The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 997 7343 2110.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/99773432110>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. The clerk will call you by the last three digits of your phone number when it is your turn to speak. Speakers will be limited to 3 minutes.

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By participating in this meeting, you acknowledge that you are being recorded.

If you choose not to observe the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 4:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at edc.cob@edcgov.us. Your comment will be placed into the record and forwarded to the Board of Supervisors.

The Clerk of the Board is here to assist you, please call 530-621-5390 if you need any assistance with the above directions to access the meeting.

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
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The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

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

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on February 26, 2019, incorporated herein:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

Public comment on certain agenda items designated and approved by the Board may be treated differently with specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending upon the nature of the issue. It is the practice of the Board to allocate 20 minutes for public comment during Open Forum and for each agenda item to be discussed. (Note: Unless designated on the agenda, there is no Open Forum period during Special Meetings.)

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Chair of the Board may take the following actions:

- Step 1. Request the person adhere to Board guidelines. If the person refuses, the Chair may turn off the speaker's microphone.
- Step 2. If the disruption continues, the Chair may order a recess of the Board meeting.
- Step 3. If the disruption continues, the Chair may order the removal of the person from the Board meeting.

9:00 A.M. - CALLED TO ORDER

Present: 5 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Novasel, Supervisor Hidahl and Supervisor Parlin

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Frentzen gave the Invocation.
Supervisor Parlin led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Adopt the Agenda and Approve the Consent Calendar with no changes.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and separate Board action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Board action.

OPEN FORUM

Public Comment: C. Felton, J. McGinnis, L. Newey, M. Lane, J. Gainsborough, G. Wick, K. Payne, Gagan

20-1395 Open Forum (See attachment)

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. The total amount of time reserved for Open Forum is 20 Minutes.

CONSENT CALENDAR

- 1. **20-1359** Clerk of the Board recommending the Board Approve the Minutes from the regular meeting of October 6, 2020.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **20-1313** Joint Board of Supervisors/Grand Jury Audit Committee recommending the Board receive and file the audits of the County financial statements, performed by CliftonLarsonAllen LLP, for the year ending June 30, 2019. Reports include:
 - 1) Annual Financial Report;
 - 2) Single Audit Report; and
 - 3) Management Reports.

This matter was Approved on the Consent Calendar.

- 3. **20-1278** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$10,000 from the Mosquito Fire Protection District ("District") Impact Mitigation Fee account to the District, or to a District account as designated by the District, for the purchase of a rescue squad vehicle to increase the District's ability to respond to the larger number of calls due to new development that has occurred within the District.

FUNDING: Development Impact Fees.

This matter was Approved on the Consent Calendar.

- 4. **20-1279** Chief Administrative Office, Emergency Medical Services and Emergency Preparedness and Response Division, recommending the Board authorize the continued utilization of perpetual Agreement 3959 with EMSsystems.

FUNDING: Hospital Preparedness Program grant.

This matter was Approved on the Consent Calendar.

5. **20-1202** Chief Administrative Office, Parks Division, recommending the Board:
- 1) In accordance with Chapter 3.13, Section 3.13.030 of County Ordinance Code, find that it is more economical and feasible to engage an independent contractor for project management services for the Old Depot Bike Park project;
 - 2) Approve and authorize the Chair to sign Agreement for Services 5060 with Loorz Construction Management, LLC. in the not-to-exceed amount of \$115,200, for a term to become effective upon execution by both parties and expiring two years thereafter; and
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 5060, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: California State Parks Statewide Parks Program Grant (Prop 68).

This matter was Approved on the Consent Calendar.

6. **20-1252** Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Approve and authorize the Purchasing Agent to sign the First Amendment to Agreement for Services 3139 with Eric S. Hill doing business as Hilltop Tree Service, increasing the compensation by \$90,000 for a total not to exceed amount of \$155,000, updating the fee schedule, and extending the term of the Agreement for an additional year through November 8, 2021, for certified arborist services for matters of public safety on an as-requested basis by County departments; and
 - 2) Make findings pursuant to Article II, Section 210b(6) of the El Dorado County Charter and 3.13.030 Section C of the County Ordinance 5116 that the ongoing aggregate of the work performed is not sufficient to warrant the addition of permanent staff.

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

This matter was Approved on the Consent Calendar.

7. **20-1343** Human Resources Department recommending the Board approve the 2021 Operating Engineers, Local 3 Health Trust health rates.

FUNDING: County-wide cost, shared between the County departments (General Fund and Non-General Fund) and employees.

This matter was Approved on the Consent Calendar.

- 8. **20-1317** Recorder-Clerk recommending the Board authorize the Chair to sign perpetual Memorandum of Understanding 5211 with the California Department of Justice in the amount of \$840 for Fiscal Year 2020-2021 for continued Electronic Recording Delivery System (ERDS) oversight of regulations, which allows the Recorder-Clerk continued secure use of electronic recording.

FUNDING: ERDS Special Revenue Fund.

This matter was Approved on the Consent Calendar.

- 9. **20-1256** Treasurer-Tax Collector, Revenue Recovery Division, recommending the Board discharge the relevant departments and department heads from further accountability to collect the debts listed on the attached Discharge of Accountability Summary by Department in the amount of \$54,308.32, pursuant to Government Code Sections 25257 through 25259. Some of these debts date as far back as 2003, and are uncollectible due to expiration of statute of limitations, death or bankruptcy, and consequently are unlikely to be collected.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 10. 20-1267** Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign a proclamation recognizing October 2020 as “Domestic Violence Awareness Month” in the County of El Dorado.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 11. 20-1241** Health and Human Services Agency (HHSA), Public Health Division, in collaboration with Chief Administrative Office, Fiscal Division, recommending the Board:

- 1) Approve and authorize the Chair to sign a Budget Transfer Request increasing Fixed Asset Appropriations by \$8,000 for the purchase of a Pharmaceutical Refrigerator, and decreasing Services and Supplies by \$8,000; and
- 2) Add the Pharmaceutical Refrigerator to the HHSA, Public Health Division Fixed Asset list.

FUNDING: Federal CARES Act funding.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 12. 20-1127** Department of Transportation recommending the Board approve and authorize the Chair to sign Second Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, AKT Promontory LLC, for Promontory Village 2C, TM 98-1356-R-3, extending the performance period to November 12, 2021.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

- 13. 20-1142** Department of Transportation recommending the Board consider the following:
- 1) Accept the subdivision improvements for Serrano Village J, Lot H, TM 14-1524, as complete;
 - 2) Reduce Performance Bond 0773091 from \$1,506,392.41 to \$264,671.67, which is ten percent of the total cost of the subdivision improvements, an amount which guarantees against any defective work, labor done, or defective materials furnished, and which is to be released after one year if no claims are made;
 - 3) Hold Laborers & Materialmens Bond 0773091 in the amount of \$1,323,358.37 for six months to guarantee payments to persons furnishing labor, materials, or equipment; and
 - 4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods upon written request by the Department.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

14. 20-1340

Sheriff's Office recommending the Board approve and authorize the Chair to:

- 1) Accept an award in the amount of \$1,000,000 from the Board of State and Community Corrections (BSCC) for the Proposition 64 Public Health and Safety grant program (Prop 64 PH&S) with a grant performance period of October 1, 2020 through March 31, 2024; and
- 2) Adopt and authorize the Chair to sign the required Governing Body Resolution **155-2020** authorizing the applicant to enter into a contract with the BSCC, identifying the Sheriff, and designees, to execute on behalf of El Dorado County, extensions, grant agreements, amendments and subsequent grant modifications with the BSCC for the Prop 64 PH&S Grant, subject to approval by County Counsel.

FUNDING: State of California Board of State Community Corrections (BSCC), Proposition 64 Public Health and Safety Grant.

This matter was Approved and Resolution 155-2020 was Adopted upon Approval of the Consent Calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS (Items in this category may be called at any time)

- 15. 20-0526 Chief Administrative Office recommending the Board receive an update from County Departments on the operational impacts of COVID-19 and provide direction to staff if necessary. (Cont. 10/6/2020, Item 14)

FUNDING: N/A

Public Comment: R. Ferrerio, J. Gainsborough

The Board received an update from County Departments on the operational impacts of COVID-19.

Supervisor Veerkamp left the meeting at 9:48 am during this item.

- 16. 20-1356 Supervisor Veerkamp recommending the Board appoint a delegate to an October 29th conference of North State representatives to discuss the re-opening of California's economy, re-opening of schools, and actions in response to the State of California's threat to withhold entitled funds of the counties.

FUNDING:

A motion was made by Supervisor Hidahl, seconded by Supervisor Frentzen to Continue this matter to October 20, 2020 and direct staff to confirm if participation in the conference is open to all factions of government.

Yes: 4 - Veerkamp, Frentzen, Hidahl and Parlin

Noes: 1 - Novasel

- 17. 20-1264 Chief Administrative Office, Facilities Division, recommending the Board:
1) Approve the attached revised Capital Workplan;
2) Approve the addition of \$1,200,000 in fixed assets for various generator purchases; and
3) Approve the attached budget transfer increasing revenue and appropriations in the amount of \$293,490 for carry forward grant funding from the Sheriff's office for the purchase of generators. (4/5 vote required)

FUNDING: Various.

A motion was made by Supervisor Novasel, seconded by Supervisor Frentzen to Approve this matter.

Yes: 4 - Frentzen, Novasel, Hidahl and Parlin

Absent: 1 - Veerkamp

18. 20-1137

Chief Administrative Office, Facilities Division (Facilities) and the Health and Human Services Agency (HHS), recommending the Board:

- 1) Receive and file a presentation on the status of the HHS South Lake Tahoe El Dorado Center Campus Project; and
- 2) Provide direction to Facilities and HHS regarding next steps.

FUNDING: To be determined; Public Health Realignment, other County funding sources to be determined.

Public Comment: K. Payne

The Board received a presentation on the status of Health and Human Services Agency South Lake Tahoe El Dorado Center Campus Project and provided direction to staff on options. This item will return to the Board in March of 2021.

Supervisor Veerkamp returned to the meeting at 10:36 am during this item.

9:00 A.M. TIME ALLOCATION (Items will not be heard prior to the time stated)

- 19. 20-0871** HEARING - Public Defender recommending the Board:
- 1) Repeal Resolution 203-2009;
 - 2) Adopt and authorize the Chair to sign Resolution **152-2020** which establishes a new Public Defender Fee Schedule, and Eligibility and Screening Guidelines, for conservatees and proposed conservatees who are appointed to be represented by the Public Defender pursuant to Probate Code Sections 1470, 1471, and 1472; and
 - 3) Authorize the Public Defender to reduce, waive, or defer fees if ordered by the Court.

FUNDING: General Fund.

Supervisor Veerkamp opened the public hearing and upon input from staff and the public closed the hearing.

A motion was made by Supervisor Hidahl, seconded by Supervisor Frentzen to Approve this matter and Adopt Resolution 152-2020.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

11:00 A.M. TIME ALLOCATION (Items will not be heard prior to time stated)

- 20. 20-1363** Chief Administrative Office recommending the Board adopt and authorize the Chair to sign a proclamation recognizing October 2020 as “Pregnancy and Infant Loss Awareness Month,” and October 15, 2020, as “Pregnancy and Infant Loss Awareness Day” in the County of El Dorado.

FUNDING: N/A

Public Comment: T. Meyer

Don Ashton, Chief Administrative Officer, read the Proclamation.

A motion was made by Supervisor Frentzen, seconded by Supervisor Novasel to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

21. 20-1261

HEARING - Health and Human Services Agency recommending the Board, acting as the Governing Board of the El Dorado County Public Housing Authority:

- 1) Adopt and authorize the Chair to sign Resolution **153-2020** to acknowledge the El Dorado County Public Housing Authority (PHA) as a high performing agency exempt from the requirement to annually submit an updated Agency Plan;
- 2) Approve and authorize Items A through B.7 of the Public Housing Authority Five-Year Agency Plan (HUD-50075-FY) due to the U.S. Department of Housing and Urban Development by October 18, 2020;
- 3) Approve the 2020 update to the Public Housing Authority Administrative Plan for continued administration of the Housing Choice Voucher Program;
- 4) Authorize the Chair to sign the accompanying PHA Certifications of Compliance with PHA Plans and Related Regulations HUD-50077, Civil Rights Certification HUD-50077-CR, and any other documents related to submittal of the Five-Year Agency Plan and the 2020 update to the Administrative Plan; and
- 5) Recognize the contribution of the Public Housing Authority Participant Advisory Board in assisting with development of the Five-Year Agency Plan and 2020 update to the Administrative Plan.

FUNDING: 93% Federal, 4.2% Public Housing Authority Fund Balance, 2.5% General Fund, 0.3% other revenue sources.

Supervisor Veerkamp opened the public hearing and upon input from staff and the public closed the hearing.

A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Approve this matter and Adopt Resolution 153-2020.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

2:00 P.M. TIME ALLOCATION (Items will not be heard prior to time stated)

22. 20-1203

HEARING - To consider the recommendation of the Planning Commission on the Rancho Victoria project (Rezone Z18-0009/Tentative Parcel Map P18-0011) to request a rezone from Rural Lands, 40-Acre (RL-40) to Rural Lands, 20-Acre (RL-20) and a Tentative Parcel Map dividing an 81.81 acre property into three parcels ranging in size from 26.70 acres to 33.13 acres on property identified by Assessor's Parcel Number 087-010-035, consisting of 81.81 acres, in the Latrobe area, submitted by Jeff Sweigart; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff with minor modifications to proposed Mitigation Measure CUL-2 as recommended by the Planning Commission (Attachment C);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachment E);
- 3) Approve Rezone Z18-0009 rezoning Assessor's Parcel Number 087-010-035 from Rural Lands, 40-Acre to Rural Lands, 20-Acre based on the Findings as recommended by the Planning Commission (Attachment D);
- 4) Approve Tentative Parcel Map P18-0011, based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission (Attachments D and E); and
- 5) Adopt Ordinance **5130** for said Rezone. (Attachment B) (Supervisory District 4- 2)

FUNDING: N/A

Supervisor Veerkamp opened the public hearing and upon input from staff and the public closed the hearing.

A motion was made by Supervisor Frentzen, seconded by Supervisor Parlin to Approve this matter and Adopt Ordinance 5130. Correction to the item as it pertains to Supervisorial District 2 not 4.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

ITEMS TO/FROM SUPERVISORS (May be called at any time during the meeting)

Supervisor Hidahl reported on the following:
Director of Planning and Building one on one meeting.
Vegetation Management Ad Hoc meeting.
Veteran's Affairs meeting.
El Dorado Hills Heritage/Carson Creek Village presentation.
Planning Commission two by two meeting.
Planning and Building staff meeting.

Supervisor Frentzen reported on the following:
Constituent meetings.

Supervisor Parlin reported on the following:
Hemp Farm visit.
National Night Out.
Golden State Job Agency meeting.
Hope Valley trip.
Coloma outfitters meeting.
Director of Transportation monthly meeting.
Hemp Farm neighbor visit.
Measure P.
County Counsel, Planning Commissioner and Planning and Building staff meeting.
Monthly Republican meeting.

Supervisor Novasel reported on the following:
Constituent meetings.
Staff meetings.
El Dorado County Youth and Families Commission meeting.
Tahoe Transportation District meeting.
First 5 meeting.

Supervisor Veerkamp reported on the following:
Vegetation Management grant.
CCI grant.
Vegetation Management Ad Hoc meeting.
Water Agency meeting.
Planning Commission two by two meeting.

CAO UPDATE (May be called at any time during the meeting)

Don Ashton, Chief Administrative Officer, reported on the following:
Upcoming Public Safety Power Shutoff (PSPS) event.

ADJOURNED AT 2:52 P.M.

CLOSED SESSION

- 23. 20-1291** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organization: El Dorado County Employees' Association, Local 1, representing employees in the Supervisory, Professional, and General Bargaining Units (Est. Time: 20 Min.)
No Action Reported. All five Supervisors participated.

- 24. 20-1327** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Chief Administrative Officer. (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

- 25. 20-1329** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Air Pollution Control Officer. (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

- 26. 20-1352** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Transportation. (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

On August 19, 2003, the Board adopted the following protocol: It is a requirement that all speakers, County staff and the public, when approaching the podium to make a visual presentation to the Board of Supervisors, must provide the Clerk with the appropriate number of hard copies of the presentation for Board members and the audience.