



County of El Dorado

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

Minutes - Draft Board of Supervisors

John Hidahl, Chair, District I
Lori Parlin, First Vice Chair, District IV
Wendy Thomas, Second Vice Chair, District III
George Turnboo, District II
Sue Novasel, District V

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

Tuesday, December 7, 2021

9:00 AM

<https://us06web.zoom.us/j/85699635366>

330 Fair Lane, Placerville, CA or live-streamed

ADDENDUM

Staff recommending item 38 be Continued to December 14, 2021.

There has been a correction to the title of item 50.

Chief Administrative Officer and Director of Health & Human Services recommending the Board continue Item 53 until February 22, 2022, to allow Health & Human Services the opportunity to hold community meetings in Pollock Pines relative to Project Homekey prior to having a closed session discussion regarding the terms of negotiation.

Item 61 is hereby added to the Consent Calendar.

PUBLIC PARTICIPATION INSTRUCTIONS: In accordance with new guidance from the California Department of Public Health, the meeting will be open to the public. The meeting will continue to be live-streamed via Zoom and YouTube.

Members of the public may address the Board in-person or via Zoom to make a public comment. Seating is limited and available on a first-come, first-served basis. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 856 9963 5366. Please note you will not be able to join the live-stream until the posted meeting start time.

To observe the live stream of the Board of Supervisors meeting go to <https://us06web.zoom.us/j/85699635366>.

To observe the Board of Supervisors meetings via YouTube, click <https://www.youtube.com/channel/UCUMjDk3NUItZJrpw2CL7Zkg>.

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. Speakers will be limited to 3 minutes.

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.

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
and historical heritage**

This institution is an equal opportunity provider and employer.

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The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us, preferably no less than 24 hours in advance of the meeting.

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 August 24, 2021, incorporated herein:

The Board wants all members of the public to feel welcome to speak, especially regarding controversial items. Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. If the three minutes are exceeded the speaker's microphone will be muted. Applause or other outbursts are not allowed in the Board Chambers.

During noticed public hearings only, individuals authorized by organizations to speak to organizational positions may request additional time, up to five minutes.

Public comment on certain agenda items designated and approved by the Board may be treated differently within 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-jurisdictional matters have additional flexibility depending on the nature of the issue. The Board Chair may limit public comment during Open Forum.

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 Board Chair may take the following actions:

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

9:00 A.M. - CALLED TO ORDER

Present: 5 - Supervisor Novasel, Supervisor Hidahl, Supervisor Parlin, Supervisor Thomas and Supervisor Turnboo

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Pastor Drew Buell of the Cool Community Church gave the Invocation.

Supervisor Turnboo led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: J. McGinnis, C. Barrasto, J. Gainsborough, K. Greenwood, M. Rodriguez

A motion was made by Supervisor Novasel, seconded by Supervisor Parlin to Adopt the Agenda and Approve the Consent Calendar with the following changes:

Pull items 2 and 11 for discussion.

Supervisor Novasel registered a No vote on item 5

The letter attached to item 5 has a revised street address.

Continue item 38 to 12/14/2021.

There is a change to the title of item 50.

Continue item 53 to 2/22/2022.

Continue item 55 off calendar.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

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.

CONSENT CALENDAR

- 1. **21-1918** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of the Board on November 16, 2021.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **21-1838** Assessors' Office recommending the Board approve and authorize the Purchasing Agent to sign License Agreement 6085 with MetroList Services Inc for access to MetroList's multiple listing service database containing real property listings for use in determining the value of real property located in El Dorado County, for a retroactive term of September 1, 2021 through August 31, 2024 with a Not to Exceed amount of \$16,200.

FUNDING: General Fund.

Public Comment: K. Payne

A motion was made by Supervisor Turnboo, seconded by Supervisor Parlin to Approve this matter.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

- 3. **21-1837** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$422,000, upon receipt of verification of purchase, to the Lake Valley Fire Protection District from its Development Impact Mitigation Fee Account.

FUNDING: Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

4. 21-1849

Chief Administrative Office recommending the Board:

1) Adopt and authorize the Chair to sign Resolutions making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Cameron Park Community Services District, Parks Resolution **167-2021**, Cameron Park Community Services District, Fire Resolution **168-2021**, El Dorado County Fire Protection District Resolution **169-2021**, Diamond Springs El Dorado Fire Protection District Resolution **166-2021**, El Dorado Hills County Water District Resolution **170-2021**, Garden Valley Fire Protection District Resolution **171-2021**, Georgetown Fire Protection District Resolution **172-2021**, Lake Valley Fire Protection District Resolution **173-2021**, and Rescue Fire Protection District Resolution **174-2021**; and 2) Review, receive, and file the annual financial report required for the following special districts required under the Mitigation Fee Act for the period of July 1, 2020 through June 30, 2021: Cameron Park Community Services District (Fire Protection), Cameron Park Community Services District (Parks and Recreation), Diamond Springs - El Dorado Fire Protection District, El Dorado County Fire Protection District, El Dorado Hills Community Services District, El Dorado Hills County Water District, Garden Valley Fire Protection District, Georgetown Divide Recreation District, Georgetown Fire Protection District, Lake Valley Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and Rescue Fire Protection District.

FUNDING: There is no fiscal impact to the County related to this action.

This matter was Approved and Resolutions 166-2021, 167-2021, 168-2021, 169-2021, 170-2021, 171-2021, 172-2021, 173-2021 and 174-2021 were Adopted upon Approval of the Consent Calendar.

5. 21-1885

Chief Administrative Office recommending the Board authorize the Chair to sign a letter to Governor Gavin Newsom urging his support of local school districts' efforts to return to the safe, normal education of the County's children.

This matter was Approved on the Consent Calendar.

Supervisor Novasel registered a No vote on this matter.

6. **21-1751** Chief Administrative Office recommending the Board receive and file special tax reports for County Service Area No. 3 and County Service Area 7, specific to the County of El Dorado ambulance services for Fiscal Year 2020-2021.

FUNDING: Special Taxes.

This matter was Approved on the Consent Calendar.

7. **21-1879** Chief Administrative Officer recommending the Board adopt and authorize the Chair to sign Resolution **175-2021** amending the current Personnel Allocation Resolution to delete 1.0 full time equivalent vacant Sr. Administrative Analyst allocation in the Chief Administrative Office that was added on August 31, 2021 to serve as the American Rescue Plan Act Ombudsman.

FUNDING: American Rescue Plan Act.

Resolution 175-2021 was Adopted upon Approval of the Consent Calendar.

8. **21-1733** Chief Administrative Officer and Director of Human Resources recommending the Board approve the Final Passage (**Second Reading**) of Ordinance **5153** amending El Dorado County Ordinance Chapter 2.06 Board of Supervisors - Conduct of Business and Compensation. (Cont. 11/16/2021, Item 36)

FUNDING: General Fund.

Ordinance 5153 was Adopted upon Approval of the Consent Calendar.

9. **21-1227** Chief Administrative Office, Emergency Medical Services and Emergency Preparedness and Response Division, recommending the Board:
- 1) Make a finding in accordance with County Ordinance 5116, Title 3, Chapter 3.13, Section 3.13.30 that the work provided by NBS Government Finance Group for the provision of annual tax roll billing consulting services for County Service Areas 3 and 7 requires specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work; and
 - 2) Authorize the Chair to execute Amendment I to Agreement 3396, increasing the total not-to-exceed (NTE) \$99,948.71 for a new total NTE of \$219,948.71 for services and extending the term through December 31, 2024.

FUNDING: County Service Areas 3 and 7.

This matter was Approved on the Consent Calendar.

- 10. 21-1371** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Authorize the Purchasing Agent to sign Amendment I to Facility Use Agreement 4481 with the Assembly Committee on Rules, California State Assembly for 96 square feet of space located at 2441 Headington Road in Placerville; and
 - 2) Make findings pursuant to Government Code 25526.6 that issuance of this Facility Use Agreement is in the public interest.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 11. 21-1492** Chief Administrative Office, Facilities Division, recommending the Board consider the following:
- 1) Make findings pursuant to Article II, Section 210b (6) of the El Dorado County Charter that independent contractors can more economically and feasibly perform the work under this agreement than County employees; and
 - 2) Authorize the Purchasing Agent to sign Agreement for Services 6044 with W.W. Grainger in an amount not-to-exceed \$139,946 for a one year term to provide facility condition assessment services.

FUNDING: Accumulative Capital Outlay Fund.

Public Comment: K. Greenwood

A motion was made by Supervisor Novasel, seconded by Supervisor Turnboo to Approve this matter. Direction was given to staff to execute a contract or return to the Board if it exceeds the purchasing agent's authority to do an assessment of the County buildings on the 56 acres.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

- 12. 21-1624** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Authorize the Purchasing Agent to execute Amendment I to Agreement for Services 5158 with Williams + Paddon/Architects + Planners, Inc. to extend the term two years to provide on-call architectural services as related to the Department of Transportation's Shakori Garage Replacement; and
 - 2) Make findings pursuant to Article II, Section 210b(6) of the El Dorado County Charter that the ongoing aggregate of work to be performed is not sufficient to warrant the addition of permanent staff.

FUNDING: General Fund Capital Reserve.

This matter was Approved on the Consent Calendar.

- 13. 21-1670** Chief Administrative Office, Facilities Division, recommending the Board consider the following:
- 1) Find pursuant to Article II, Section 210b(6) of the El Dorado County Charter that the ongoing aggregate of the work to be performed in Agreement for Services 4495 is not sufficient to warrant the addition of permanent staff; and
 - 2) Authorize the Purchasing Agent to sign Amendment II to Agreement for Services 4495 with AMG Management Group LLC, to increase the term by one year and compensation by \$109,420 to provide ongoing facility project management and due diligence services regarding Senate Bill 844 Adult Local Criminal Justice Facility Financing Placerville Jail Expansion Project and Senate Bill 81 Local Youthful Offender Rehabilitative Financing Program New Placerville Juvenile Hall Facility Project.

FUNDING: Senate Bills 844 and 81 grant funding.

This matter was Approved on the Consent Calendar.

- 14. 21-1723** Chief Administrative Office, Procurement & Contracts Division, on behalf of Information Technologies (IT), recommending the Board:
- 1) Authorize the Fixed Asset addition of twelve (12) servers and two (2) network switching devices for the Department of Information Technologies to the FY 2021-22 budget;
 - 2) Waive formal bid requirements in accordance with Purchasing Ordinance 3.12.160, exemptions from competitive process, Section D;
 - 3) Authorize the Purchasing Agent to utilize National Association of State Procurement Officials competitively bid contract MNWNC-109 from SidePath, Inc. for the acquisition of twelve (12) servers (VxRail P670F 7-Node Cluster, VxRail E660F 5-Node Cluster) and two (2) network switching devices (2GbE Connectivity); and
 - 4) Authorize the Purchasing Agent to issue a purchase order in the amount of \$837,874.40 including applicable taxes and fees for server and switch equipment.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 15. 21-1881** Clerk of the Board, with the recommendation of Supervisor Thomas, make the following appointment to the Diamond Springs and El Dorado Community Advisory Committee:
- Appoint Patrick Klein, Member, Term Expiration 12/7/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 16. 21-1888** Clerk of the Board, based upon the recommendation of the Behavioral Health Commission, recommending the Board make the following appointment to the Behavioral Health Commission:
Reappoint Debra Thornburgh, Commission Member, Term Expiration 12/7/2024.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 17. 21-1853** Election Department recommending the Board declare the results of the official canvass of the November 2, 2021 Consolidated Districts Election conducted by the Election Department.

FUNDING: Fee Offset.

This matter was Approved on the Consent Calendar.

- 18. 21-1884** Human Resources Department recommending the Board, acting as the Board of Directors for the Air Quality Management District, approve and adopt the revised Air Quality Engineer class specification.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 19. 21-1859** Human Resources Department and the District Attorney's Office recommending the Board consider the following related to the District Attorney's Office:
- 1) Approve and adopt the District Attorney's Office department specific class specification of Assistant Chief Investigator (District Attorney); and
 - 2) Adopt and authorize the Chair to sign Resolution **176-2021** to:
 - a) Approve the salary range, job class number, and bargaining unit for the new classification of Assistant Chief Investigator (District Attorney);
 - b) Addition of 1.0 Full Time Equivalent (FTE) Assistant Chief Investigator (District Attorney) allocation;
 - c) Addition of 1.0 FTE Assistant District Attorney allocation;
 - d) Deletion of 1.0 FTE Investigator (District Attorney) allocation; and
 - e) Deletion of 1.0 FTE Deputy District Attorney I-IV allocation in the District Attorney's Office in the Authorized Personnel Allocation Resolution.

FUNDING: Grant Funding and General Fund.

This matter was Approved and Resolution 176-2021 was Adopted up Approval of the Consent Calendar.

- 20. 21-1840** Information Technologies Department recommending the Board:
1) Approve and authorize the Chair to execute Amendment I to Agreement 5823 with AgreeYa Solutions, Inc., incorporating El Dorado County's Health Insurance Portability and Accountability Act Business Associate Agreement as an exhibit; and
2) Authorize the Purchasing Agent to sign any amendments to Agreement 5823 that do not extend the term or increase the dollar amount.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 21. 21-1830** Treasurer/Tax Collector recommending the Board authorize the issuance of a business license to Beverly Barad operating a fortunetelling/psychic reading business via phone and Skype readings from her home in the Shingle Springs area.

FUNDING: Applicant Fees.

This matter was Approved on the Consent Calendar.

- 22. 21-1782** Supervisor Novasel recommending the Board authorize the Chair's signature on a Proclamation recognizing December 10, 2021 as Human Rights Day in El Dorado County.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS**23. 21-1583**

Health and Human Services Agency (HHS) recommending the Board:

- 1) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to enter into Agreement 6035 with Pallco Enterprises, Inc., dba as Orion Outdoor Media, to print, install, and maintain outdoor media posters as there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work;
- 2) Approve and authorize the Chair to sign Agreement for Services 6035 with Pallco Enterprises, Inc. for the provision of outdoor advertising, with a maximum contractual obligation of \$113,500 for the term of three years and four months from February 1, 2022 to June 30, 2025; and
- 3) Authorize the HHS Director or their designee to execute further documents relating to the Agreement, contingent upon County Counsel and Risk Management approval, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: 100% State funding.

This matter was Approved on the Consent Calendar.

24. 21-1602

Health and Human Services Agency (HHS) recommending the Board:

- 1) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to contract with The Center for Common Concerns (HomeBase) because "Specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;"
- 2) Approve and authorize the Chair to sign Amendment 1 to Agreement for Services 5919 with The Center for Common Concerns (HomeBase), with no change to the term through September 30, 2022, and with an increase of \$175,000 for a new maximum obligation of \$250,000, for the provision of strategic and practical technical assistance and support for the El Dorado Opportunity Knocks Continuum of Care, and HHS Homeless Program; and
- 3) Authorize the HHS Director or their designee to execute further documents relating to Agreement for Services 5919, contingent upon approval by County Counsel and Risk Management, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: 100% Federal: Homeless Housing, Assistance, and Prevention Program (HHAP) funding.

This matter was Approved on the Consent Calendar.

- 25. 21-1677** Health and Human Services Agency (HHS) recommending:
- 1) Approve and authorize the Chair to sign Agreement 6017 with California Mental Health Services Authority (CalMHSA) for the provision of a California-centric enterprise solution for Electronic Health Records (EHR) Program Participation Agreement, with a not-to-exceed (NTE) amount of \$50,000, and for the retroactive term of one (1) year from July 1, 2021 through June 30, 2022; and
 - 3) Authorize the HHS Director or their designee to execute further documents relating to Agreement 6017, contingent upon approval by County Counsel and Risk Management, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: 100% Behavioral Health QIP Startup Funds.

This matter was Approved on the Consent Calendar.

- 26. 21-1695** Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign a Proclamation recognizing November 20, 2021 as National Adoption Day in the County of El Dorado, and express appreciation to Lilliput Children's Services, Stanford Sierra Youth & Families, Sierra Child and Family Services, and the citizens of El Dorado County who have provided permanent families for children through adoption.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 27. 21-1725** Health and Human Services Agency recommending the Board adopt and authorize the Chair to sign Resolution **164-2021** to:
- 1) Approve the addition of one (1.0) Full Time Equivalent (FTE) Office Assistant I/II - Limited Term allocation; and
 - 2) Approve the addition of one (1.0) FTE Program Assistant - Limited Term allocation in the Health and Human Services Agency.

FUNDING: 100% American Rescue Plan Act (ARPA) Low-Income Home Energy Assistance Program.

Resolution 164-2021 was Adopted upon Approval of the Consent Calendar.

- 28. 21-1735** Health and Human Services Agency (HHS) recommending the Board:
- 1) Accept, with gratitude, an unrestricted donation of \$10,000 from the El Dorado Community Foundation, to support efforts by the Animal Services Program during the Caldor Fire; and
 - 2) Authorize the HHS Director or designee to execute document(s) relating to the donation from the El Dorado Community Foundation to the Animal Services Program.

FUNDING: El Dorado Community Foundation.

This matter was Approved on the Consent Calendar.

- 29. 21-1764** Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and authorize the Chair to sign Funding Out Agreement 6112 with El Dorado County Community Health Center to support their mobile dental program, in the amount of \$85,000, effective upon execution through June 30, 2022; and
 - 2) Authorize the Director of HHS or their designee to execute further documents relating to Agreement 6112, contingent upon County Counsel and Risk Management approval, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: California Department of Public Health Oral Health Grant.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 30. 21-1101** Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:
- 1) Adopt and authorize the Chair to sign Resolution **154-2021**, approving proposed revised Rule 523-1 Federal Non-Attainment New Source Review ("Rule"); and
 - 2) Direct staff to forward the Rule to the California Air Resources Board for transmittal to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan, replacing the previous 2019 version of Rule 523-1.

FUNDING: N/A

This matter was Approved and Resolution 154-2021 was Adopted upon Approval of the Consent Calendar.

- 31. 21-1232** Department of Transportation recommending the Board receive and file Annual Mitigation Reports for Fiscal Year 2020-21:
- 1) The Traffic Impact Fee Program in compliance with California Government Code Section 66006;
 - 2) The Community Benefit Fee according to the Alto, LLC Development Agreement in compliance with California Government Code Sections 65865(e) and 66006;
 - 3) The Developer fee programs of: Bar J, Marble Valley, Serrano J7 Frontage Improvement and Bass Lake Hills Specific Plan Public Facilities Plan in compliance with California Government Code Sections 66006; and
 - 4) The Intelligent Transportation System Program in compliance with California Government Code Sections 66006.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 32. 21-1760** Department of Transportation recommending the Board approve and authorize the Director of Transportation to sign a Modification to the United States Department of Agriculture Forest Service Domestic Grant 18-DG-11051900-022, which will increase the current grant funding from \$345,000 to \$375,000 for use on the Country Club Heights Erosion Control Project, Capital Improvement Program, 36107009.

FUNDING: United States Forest Service Grant Funds. (100% - Federal)

This matter was Approved on the Consent Calendar.

33. 21-1822

Department of Transportation recommending the Board consider the following:

- 1) Accept the subdivision improvements for Saratoga Estates Villages 2A, 2B, 2C, and 3, TM 14-1520, as complete;
- 2) Reduce Performance Bond 30050876 from \$5,668,639.20 to \$964,151.92, 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, which is to be released after one year if no claims are made;
- 3) Hold Laborers & Materialmens Bond 30050876 in the amount of \$4,820,759.60 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 Transportation.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

34. 21-1825

Department of Transportation recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Rapid Construction, Inc. for the Country Club Heights Erosion Control Project - Phase III, Capital Improvement Program 36107009, Contract 5408; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period.

FUNDING: Funding for Phase III work is as follows: United States Forest Service (28% - Federal), California Tahoe Conservancy (60% - State), and Tahoe Regional Planning Agency - Water Quality/Stream Environment Zone Mitigation (12% - Local).

This matter was Approved on the Consent Calendar.

35. 21-1860

Department of Transportation and Chief Administrative Office, Community Development Finance and Administration Division, recommending the Board approve the attached budget transfer to establish appropriations in a recently established special revenue fund for developer-funded Silver Springs Right-of-Way costs in FY 2021-22. (4/5 vote required)

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

36. 21-1533

Department of Transportation recommending the Board approve and authorize the Chair to sign the Second Amendment to Agreement for Services 3392 with Dewberry Engineers, Inc., for on-call structural engineering and associated services, extending the performance period an additional two (2) years to December 10, 2023, updating one classification on the rate schedule, and updating contract language per California Department of Transportation federal funding requirements.

FUNDING: Funding for various Capital Improvement Program and Environmental Improvement Program projects, will be provided by associated Federal, State, and Local funding sources. Local funding sources may include any combination of the following: Traffic Impact Fee Program, Missouri Flat Area Master Circulation and Financing Plan, Road Fund, Tribe Funds, Accumulative Capital Outlay, Developer Advanced Funds, Sacramento Municipal Utility District, and/or General Fund.

This matter was Approved on the Consent Calendar.

37. 21-1408

Department of Transportation recommending the following as related to the U.S. 50 / Camino Area Safety Project, Capital Improvement Program number 71319/36104015:

1) Approve and authorize the Chair to sign Relinquishment (State Highway) Agreement 03-0700 between the California Department of Transportation and County of El Dorado, in order to relinquish to County a portion of a State Highway Right-of-Way within County's jurisdiction; and
2) Adopt and authorize the Chair to sign Resolution **177-2021** to authorize the Chair to execute and confirm the Relinquishment (State Highway) Agreement 03-0700.

FUNDING: Regional Surface Transportation Program Exchange Funds-Rural-EDCTC (47%), Traffic Impact Fee - Hwy 50 (37%), State Transportation Impact Mitigation Fee (10%), Tribe Funds (5%), and Road Fund (1%). (State and Local Funds)

This matter was Approved and Resolution 177-2021 was Adopted upon Approval of the Consent Calendar.

- 38. 21-1231** Planning and Building Department recommending the Board receive and file the Annual Report for Fiscal Year 2020-21 for the Ecological Preserve Fee and Oak Woodland Conservation Fee Programs in compliance with California Government Code Section 66006.

FUNDING: Ecological Preserve Fees and Oak Woodland Conservation Fees.

Staff recommending this matter be Continued to December 14, 2021.

This matter was Continued to December 14, 2021 upon Approval of the Consent Calendar.

- 39. 21-1257** Planning and Building Department, Planning Division, Current Planning Unit, recommending the Board approve and authorize the Chair to sign Amendment II to Agreement 3802 with Dudek, increasing the compensation amount by \$400,000 for a total not-to-exceed amount of \$800,000 and other minor administrative changes determined necessary with no changes to the scope or term of the Agreement.

FUNDING: Applicant Funded / Transient Occupancy Tax.

This matter was Approved on the Consent Calendar.

- 40. 21-1258** Planning and Building Department, Planning Division, Current Planning Unit, recommending the Board approve and authorize the Chair to sign Amendment IV to Agreement 447 with Ascent Environmental, Inc., increasing the compensation amount by \$800,000 for a total not-to-exceed amount of \$1,600,000, updating Exhibit B to reflect the consultant’s current hourly rates, and other minor administrative changes determined necessary, with no changes to the scope or term of the Agreement.

FUNDING: Applicant Funded.

This matter was Approved on the Consent Calendar.

41. 21-1753

Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board consider the following:

- 1) In accordance with Chapter 3.13, Section 3.13.030 of County Ordinance Code, Contracting Out, find that for the Zoning Ordinance Update Project, due to the limited timeframes, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant the addition of permanent staff; and
- 2) Approve and authorize the Chair to sign Agreement 5857 with Dudek to assist the County with updating Title 130 of the County Zoning Ordinance, with a not-to-exceed amount of \$102,545, and a term of three (3) years effective upon execution.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 42. 21-0954** Probation Department (Probation) recommending the Board:
- 1) Discontinue collection of fees for all Probation accounts, effective July 1, 2021, pursuant to California Assembly Bill 1869 (2020) (AB1869);
 - 2) Discontinue collection of fees for all Probation accounts, effective January 1, 2022, pursuant to California Assembly Bill 177 (2021) (AB177); and
 - 3) Discharge the debts identified in the attached Report in the amount of \$4,116,561.94, for all Probation accounts with charges outlined in AB1869 and AB177.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 43. 21-1367** Probation Department recommending the Board approve and authorize the Chair to sign retroactive Amendment II to Agreement for Services 2998 with Julie Wyatt, dba J. Wyatt Consulting, to:
- 1) Increase the amount of the contract by \$30,000 for a total not to exceed amount of \$460,302.07;
 - 2) Extend the term of the agreement through November 30, 2021; for a new term of July 14, 2018, to November 30, 2021; and
 - 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 2998, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Public Safety Realignment (AB 109).

This matter was Approved on the Consent Calendar.

- 44. 21-1770** Sheriff's Office recommending the Board approve and authorize the Purchasing Agent to sign Agreement for Services 5930 with E-S Press Inc for two days of mandatory training on Emotional Survival for Law Enforcement for a retroactive term of October 7, 2021 through October 8, 2021 in the amount of \$15,000.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 45. 21-1845** Health and Human Services Agency recommending the Board, acting as the Governing Board of the In-Home Supportive Services Public Authority:
 - 1) Receive a presentation by a representative of the In-Home Supportive Services Advisory Committee; and
 - 2) Receive and file the Fiscal Year 2020-21 In-Home Supportive Services Public Authority and Advisory Committee Annual Report.

FUNDING: 35% State funding, 55% Federal, and 10% County General Fund.

Public Comment: K. Greenwood

The Board, acting as the Governing Board of the In-Home Supportive Services Authority:

- 1) Received a presentation by a representative of the In-Home Supportive Services Advisory Committee; and
- 2) Received and filed the Fiscal Year 2020-21 In-Home Supportive Services Public Authority and Advisory Committee Annual Report.

- 46. 21-1625** **HEARING** - Health and Human Services Agency recommending the Board, acting as the Governing Board of the El Dorado County Public Housing Authority (PHA):
 - 1) Adopt and authorize the Chair to sign Resolution **163-2021** to acknowledge the El Dorado County PHA as a high performing agency exempt from the requirement to annually receive approval from HUD of its Agency Plan;
 - 2) Approve the 2021 update to the annual Public Housing Authority Administrative Plan for continued administration of the Housing Choice Voucher Program, Special Purpose Vouchers and Emergency Housing Vouchers;
 - 3) Authorize the Chair to sign the accompanying PHA Certifications and any other documents related to submittal of the 2021 update to the annual Administrative Plan; and
 - 4) Recognize the contribution of the Resident Advisory Board in assisting with the 2021 update to the Administrative Plan.

FUNDING: 97.5% Federal, 2.2% General Fund, 0.3% other revenue sources.

Public Comment: J. Gainsborough

Supervisor Hidhal opened the public hearing and upon hearing from staff and the public closed the hearing.

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to Approve this matter and Adopt Resolution 163-2021.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

47. 21-1824

Chief Administrative Office recommending the Board appoint two members to the Fiscal Year 2022-23 Budget Ad Hoc Committee.

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to appoint Supervisor Parlin and Supervisor Thomas to the Fiscal Year 2022-23 Budget Ad Hoc Committee.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

9:30 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**48. 21-1422**

Health and Human Services Agency recommending the Board:

- 1) Approve the **Introduction** (First Reading) of revised and updated Ordinance **5149** that allows participation in the Health Plan of San Joaquin Local Initiative Two-Plan public/commercial Medi-Cal Managed Care Plan Model, which has been updated to correct the effective date of the county plan model change to January 1, 2024. (refer to 10/19/21, Item 12); and
- 2) Waive the full reading of the Ordinance, read by title only and continue this matter to December 14, 2021, for **Final Passage** (Second Reading).

FUNDING: There are no funding requirements related to County operations or associated activities.

A motion was made by Supervisor Thomas, seconded by Supervisor Parlin to Continue Ordinance 5149 to December 14, 2021 for Final Passage (Second Reading).

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

10:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**49. 21-1736**

Department of Transportation recommending the Board:

- 1) Receive the workshop information on the Tahoe Regional Planning Agency's Project Impact Assessment Guidelines for the implementation of Senate Bill 743 (2013); and
- 2) Approve and authorize the Chair to sign Resolution **165-2021**, Adopting the Tahoe Regional Planning Agency's Project Impact Assessment Guidelines as El Dorado County Vehicle Miles Traveled Threshold of Significance and for Evaluation of Project Impacts in the Tahoe Basin Under the California Environmental Quality for implementation of Senate Bill 743 for projects in the unincorporated areas of the Tahoe Basin.

FUNDING: N/A

Public Comment: K. Payne, W. Deloria

A motion was made by Supervisor Novasel, seconded by Supervisor Parlin to Approve this matter and Adopt Resolution 165-2021.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

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

50. 21-1894

HEARING - El Dorado County Surveyor, Registrar of Voters, County Counsel, and the Chief Administrative Office recommending the Board:

- 1) Consider the final two map Alternatives: El Dorado Hills Community Draft Redistricting Alternative - Revised B, and El Dorado Hills Community Draft Redistricting Alternative ~~B2~~ B1, and select one map to become the Supervisorial District Official Map;
- 2) Approve the Introduction (First Reading) of Ordinance 5155 amending the Existing Supervisorial District Boundaries to those Shown on the Map entitled "Official Map, Supervisorial District Boundaries, adopted December 2021"; and
- 3) Waive the full reading of the Ordinance, read by title only and continue this matter to December 14, 2021, for Final Passage (Second Reading).

FUNDING: N/A

Public Comment: K. Greenwood, R. Williams

Supervisor Hidahl opened the public hearing and upon hearing from staff and the public closed the hearing.

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to:

- 1) **Select El Dorado Hills Community Draft Redistricting Alternative - Revised B1 map to become the Supervisorial District Official Map;**
- 2) **Approve the Introduction (First Reading) of Ordinance 5155 amending the Existing Supervisorial District Boundaries to those Shown on the Map entitled "Official Map, Supervisorial District Boundaries, adopted December 2021"; and**
- 3) **Waive the full reading of the Ordinance, read by title only and continue this matter to December 14, 2021, for Final Passage (Second Reading).**

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

1:00 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

OPEN FORUM

Public Comment: L. Marenco, M. Lane, E. Mackey, J. McGinnis, J. Gainsborough, R. Marlet, K. Greenwood, 013, C. Souza, T. Doyle, M. Rodriguez

21-1973

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. The total amount of time reserved for Open Forum is 20 Minutes.

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

51. 21-1516

HEARING - To consider the Department of Agriculture recommending the Board approve and authorize the Chair to sign an urgency Ordinance **5154** extending an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the County of El Dorado for twelve (12) months and direct staff to develop an ordinance for a permanent ban on industrial hemp.

FUNDING: N/A

Public Comment: K. Payne, R. Miller, D. Hardy, T. Vanhorn, Sheriff D'Agostini, P. Castillo, G. Krakow, L. Tannenbaum, K. Greenwood

After the main motion was made, a substitute motion was made by Supervisor Parlin to Approve this matter and Adopt urgency Ordinance 5154.

Motion failed for lack of a second.

A motion was made by Supervisor Thomas, seconded by Supervisor Novasel to approve and authorize the Chair to sign an urgency Ordinance 5154 extending an interim moratorium on the cultivation of industrial hemp for all purposes within the unincorporated areas of the County of El Dorado for twelve (12) months.

Yes: 5 - Novasel, Hidahl, Parlin, Thomas and Turnboo

A motion was made by Supervisor Thomas, seconded by Supervisor Novasel to:
1) Direct staff and the joint working committee on industrial hemp to continue to explore if all concerns raised in regards to law enforcement and safety issues, impact to neighbors, county cost to regulate, and internal county staffing capacity can be successfully addressed in an ordinance; and
2) By the end of 2022, bring back an ordinance for an industrial hemp pilot program or an ordinance for the permanent ban on industrial hemp.

Yes: 3 - Novasel, Hidahl and Thomas

Noes: 2 - Parlin and Turnboo

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

Supervisor Novasel reported on the following:
California State Association of Counties conference.
Judge Kingsbury's retirement celebration.

Supervisor Parlin reported on the following:
Fair Association two by two meeting.
El Dorado County Fire Safe Council meeting.
Bureau of Land Management meeting.
Amador/El Dorado Forest Forum.
Water Agency and local cattle ranchers meeting.
Tax Payer's Association meeting.
BioMass facility visit.
Pioneer Energy update.
Association of California Water Agencies conference.

Supervisor Thomas reported on the following:
Sacramento Area Council of Government luncheon.
El Dorado County Transportation meeting.
Sacramento Area Council of Government Board meeting.
Water Agency meeting.

Supervisor Turnboo reported on the following:
Local Agency Formation Commission meeting.
El Dorado County Transit/Transportation meeting.
County Counsel meeting.
Chief Administrative Officer meeting.
Department Head meetings.
Ride along with Department of Transportation staff.
Congressman Tom McClintock meeting.

Supervisor Hidahl reported on the following:
Chamber luncheon.
Local Agency Formation Commission meeting.
El Dorado County Transit/Transportation meeting.
Homelessness and Food Bank of El Dorado County.
Judge Kingsbury's retirement celebration.
El Dorado Hills Community Council meeting.

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

Don Ashton, Chief Administrative Officer, reported on the following:

Please see the attached Caldor Fire update.

Property Tax refund checks mailed.

Update on Homeless.

Redistricting policy conversation.

Ambulance Joint Powers Authority strategic meeting.

Carla Hass, Communications Director, provided an update on the Caldor Fire recovery:

Right of Entry (ROE) forms submitted.

ROE program has closed.

Update on property clean up.

Health and Human Services Agency staff efforts.

Land Use unit processing fee waivers and better use of TRAKIT.

Updated dashboard.

21-1958 CAO Update (See Attachment)

ADJOURNED AT 6:39 P.M. in remembrance of the anniversary of the bombing of Pearl Harbor.

CLOSED SESSION

- 52. 21-1832** Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:
Property: No physical address, APN 325-240-011
County Negotiators: Don Ashton, Chief Administrative Officer, successor or designee
Negotiating Parties: State of California or designee
Under Negotiation: Price and terms of payment for sale. (Est. Time: 15 Min.) (Cont. 11/16/2021, Item 43)
No Action Reported. All five Supervisors participated.
- 53. 21-1834** Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:
Properties: 5940 Pony Express Trail, Pollock Pines, CA 95726 - Best Western Stagecoach Inn [APN 101-201-080-000, APN 101-141-073, APN 101-141-076]
County Negotiator: Don Ashton, Chief Administrative Officer, successor or designee
Negotiating Parties: Kayna Westley CA LLC, or designated representative
Under Negotiation: Price and terms of payment for sale. (Est. Time: 15 Min.) (Cont. 11/16/2021, Item 45)

Chief Administrative Officer and Director of Health & Human Services recommending the Board continue Item 53 until February 22, 2022, to allow Health & Human Services the opportunity to hold community meetings in Pollock Pines relative to Project Homekey prior to having a closed session discussion regarding the terms of negotiation.

This matter was Continued to February 22, 2022 upon Approval of the Consent Calendar.
- 54. 21-1917** Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 5 Min.)

On a 5-0 vote, the Board of Supervisors authorized the initiation of litigation against McKinsey and Company, Inc. relating to McKinsey's role in furthering the opioid crisis. As with other opioid-related litigation matters, the County will be represented by Baron & Budd PC.

- 55. 21-1833** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 15 Min.) (Cont. 11/16/2021, Item 44)
- This matter was Continued off Calendar upon Approval of the Consent Calendar.**
- 56. 21-1906** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: County of El Dorado, et al. v. Jennette H. Waldow, et al. (El Dorado County Superior Court Case No. 21CV0122) ; Number of potential cases: (1). (Est. Time: 15 Min.)
- No Action Reported. All five Supervisors participated.**
- 57. 21-1916** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: County of El Dorado v. Amerisourcebergen Drug Corporation, et al., United States District Court for the Eastern District of California, Case No. 2:18-at-679, Number of potential cases: (1). (Est. Time: 15 Min.)
- In the matter of County of El Dorado v. AmerisourceBergen Drug Corporation (commonly referred to as the national opioid litigation), on a 5-0 vote, the Board of Supervisors approved the County's participation in the national settlement and authorized the Chief Administrative Officer to execute the participation forms and any other documents necessary to effectuate the County's participation in the settlement.**
- 58. 21-1841** **Pursuant to Government Code Section 54957- Public Employee Appointment.** Title: Director of Planning and Building. (Est. Time: 15 Min.)
- Public Comment: K. Greenwood*
- No Action Reported. All five Supervisors participated.**
- 59. 21-1697** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Transportation. (Est. Time: 15 Min.) (Cont. 11/16/2021, Item 46)
- No Action Reported. All five Supervisors participated.**
- 60. 21-1863** **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.**

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.

ADDENDUM

Staff recommending item 38 be Continued to December 14, 2021.

There has been a correction to the title of item 50.

Chief Administrative Officer and Director of Health & Human Services recommending the Board continue Item 53 until February 22, 2022, to allow Health & Human Services the opportunity to hold community meetings in Pollock Pines relative to Project Homekey prior to having a closed session discussion regarding the terms of negotiation.

GENERAL GOVERNMENT - CONSENT ITEMS

- 61. 21-1954** Chief Administrative Officer and Director of Health & Human Services recommending the Board direct Health & Human Services to return to the Board on February 22, 2022, to provide a report to the Board in open session on the community engagement efforts relative to Project Homekey in Pollock Pines and delay the report back to the Board relative to the Navigation Center and Pallet Homes that was directed on November 9, 2021, to May 17, 2022, due to a lack of resources needed to report back to the Board on both matters by February.

FUNDING: N/A

This matter was Approved on the Consent Calendar.