



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

Wednesday, December 2, 2020

9:00 AM

<https://zoom.us/j/93315933949>

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 933 1593 3949.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/93315933949>.

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.

To view Board of Supervisors meetings via Facebook Live, go to <https://www.facebook.com/EIDoradoCountyNews>. Please note the Board will not be using this function and therefore will not see any comments posted during the livestream.

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 Tuesday 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 or if you would like to participate in the meeting from a conference room at the Government Center in Bldg. A

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 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

**Rabbi Evon Yakar of the Temple Bat Yam gave the Invocation.
Supervisor Veerkamp led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: A. Nevis, N. Yanish, K. Payne

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

Supervisor Frentzen registered a No vote on item 5 based on the agreement being retroactive.

Pull item 8 for discussion.

Supervisor Novasel recused herself from item 8.

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: R. Miller, C. Felton, L. Gerry, M. Lane, Jerry, J. Gainsborough

20-1643 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. **20-1598** Clerk of the Board recommending the Board Approve the Minutes from the regular meeting of November 17, 2020.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **20-1486** Chief Administrative Office, Parks Division, recommending the Board adopt and authorize the Chair to sign Resolution **186-2020** authorizing the submittal of a Parks and Water Bond Act of 2018 (Prop 68) Grant Program application to the State of California, Department of Parks and Recreation, for Forebay Community Park for site renovation and improvements.

FUNDING: California Department of Parks and Recreation.

Resolution 186-2020 was Adopted upon Approval of the Consent Calendar.

- 3. **20-1579** Human Resources Department, Risk Management Division, recommending the Board approve Medical Malpractice insurance coverage in the revised and increased amount from \$237,481 to \$265,215, and continue to authorize the Human Resources Department, Risk Management Division, to sign and approve all documents required to secure continued insurance coverage and programs for Fiscal Year 2020-21 in order to avoid lapse of coverage.

FUNDING: Risk Management Internal Service Fund.

This matter was Approved on the Consent Calendar.

- 4. **20-1562** Human Resources Department recommending the Board, acting as the Board of Directors for the Air Quality Management District, approve and adopt the revised Sr. Air Quality Engineer class specification.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 5. **20-1619** Clerk of the Board recommending the Board retroactively approve and authorize the Purchasing Agent, or designee, to sign the Agreement for Services 5303 with Barbara Kavanaugh, doing business as BK Consult, for a term beginning on October 28, 2020 through April 30, 2021 in the amount of \$4,000.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

Supervisor Frentzen registered a No on this item due to the agreement being retroactive.

- 6. **20-1526** Supervisor Veerkamp recommending the Board authorize the Chair's signature on a letter in support of the historical designation of the Jeepers Jamboree event by the State's Off-Highway Motor Vehicle Recreation Program.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 7. **19-1131** Planning and Building Department recommending the Board approve the attached Fiscal Impact Analysis and Public Facilities Financing Plan Process Manual and Guidelines.

FUNDING: Project Applicant Time and Materials Funding.

This matter was Approved on the Consent Calendar.

- 8. **20-1477** Planning and Building Department recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance **5135** amending Title 5 - County Business License Ordinance of the El Dorado County Ordinance Code, Chapter 5.56 - Vacation Home Rentals, making clarifying updates to the code for the purpose of program implementation and introducing a cap of 900 permits total in the Tahoe Basin. (Cont. 11/17/2020, Item 35)

FUNDING: N/A

Public Comment: S. Kerrigan

A motion was made by Supervisor Hidahl, seconded by Supervisor Frentzen to Adopt Ordinance 5135.

Yes: 4 - Veerkamp, Frentzen, Hidahl and Parlin

Recused: 1 - Novasel

LAW AND JUSTICE - CONSENT ITEMS

9. 20-1539

Sheriff's Office recommending the Board:

- 1) Approve the budget transfer increasing appropriations in the Sheriff's Office Budget and use of Special Revenue Funds in the amount of \$1,825,815 for a new comprehensive records management system (\$1,325,815), an increase (\$250,000) to an existing FY 2020/21 budget line item for a license plate reader system, and a new Crime Scene Investigations Vehicle (\$250,000) (4/5 vote required);
- 2) Approve changes and increases to the Sheriff's Office FY 2020/21 Fixed Asset List due to the increase in budget for the license plate reader system and the addition of the Crime Scene Investigations Vehicle; and
- 3) Approve contract with Sun Ridge systems in the amount of \$1,325,815 for a perpetual term upon execution of the agreement for a comprehensive records management system.

FUNDING: Special Revenue Funds.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 10. **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. 11/17/2020, Item 28)

FUNDING: N/A

Public Comment: A. Nevis, K. Link, J. Gainsborough

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

- 11. **20-1610** Planning and Building Department, in collaboration with the Chief Administrative Office, recommending the Board revise the El Dorado County Board of Supervisors Governance handbook to add a protocol regarding joint Planning Commission and Board of Supervisors Biannual Meeting.

FUNDING: N/A

Public Comment: K. Payne

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

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

12. 20-1518

Chief Administrative Officer recommending the Board:

- 1) With the concurrence of the Human Resources Director, approve the new County-wide class specification, Enterprise Resource Planning Analyst job classification;
- 2) Approve the revised class specification for the Business Systems Analyst I/II classification;
- 3) Adopt and authorize the Chair to sign Resolution **187-2020** to approve the following:
 - a) The job class number, bargaining unit, and salary range for the Enterprise Resource Planning Analyst as recommended by the Human Resources Director;
 - b) The addition of 1.0 full time equivalent (FTE) Business Systems Analyst I/II position to the Information Technologies Department;
 - c) The addition of 1.0 FTE Enterprise Resource Planning Analyst position in the Auditor's Office;
 - d) The addition of 1.0 FTE Enterprise Resource Planning Analyst position in the Chief Administrative Office; and
- 4) Approve a budget transfer increasing appropriations in the three departments and lowering general fund contingency by \$247,800 (4/5th vote required).

FUNDING: General Fund with partial cost recovery through the A-87 cost plan.

Public Comment: A. Nevis, K. Payne

A motion was made by Supervisor Hidahl, seconded by Supervisor Veerkamp to Approve this matter and Adopt Resolution 187-2020.

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

13. 20-1600

Chief Administrative Office recommending the Board provide direction to the Human Resources Director relative to the compensation paid to the Treasurer-Tax Collector.

FUNDING: General Fund.

Public Comment: A. Nevis, K. Payne

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to Approve this matter and direct staff to:

- 1) Return to the Board with an equitable solution to solve the issue of Elected Officials and/or Department Heads earning a salary less than their subordinates;
- 2) Align the Treasurer-Tax Collector's salary with the Assessor's salary;
- 3) Increase the Treasurer-Tax Collector's compensation this year by 5.3%;
- 4) Review appropriations mid-year to determine any necessary increases to Elected Officials and/or Department Heads salaries; and
- 5) Return to the Board with a revised Salary & Benefits Resolution within the next 45 days that reflects the direction provided.

Yes: 4 - Veerkamp, Novasel, Hidahl and Parlin

Noes: 1 - Frentzen

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

14. 20-1377

Planning and Building Department, Planning Division, Long Range Planning, and the Urgency Housing Ad Hoc Committee, recommending the Board:

- 1) Approve Urgency Ordinance **5136**, adopting amendments to Title 130 of the El Dorado County Ordinance Code to temporarily amend restrictions for the limited use of recreational vehicles as a temporary housing option for hardship purposes;
- 2) Find that the urgency ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to statutory exemption 21080 (b)(4) (Emergency Projects); CEQA Guidelines Section 15269(c) (Specific actions necessary to prevent or mitigate an emergency); and CEQA Guidelines Section 15061 (b)(3)(Common Sense Exemption); and
- 3) Direct staff to report to the Board in two years concerning the implementation and status of the limited use of recreational vehicles as a temporary housing option for hardship purposes. (4/5 vote required)

FUNDING: N/A

Public Comment: K. Payne, T. Burnette, C. Felton, Jane, J. Gainsborough

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

- 1) Approve this matter to include the California Environmental Quality Act (CEQA) finding;**
- 2) Adopt Urgency Ordinance 5136;**
- 3) Find that Urgency Ordinance 5136 is exempt from CEQA; and**
- 4) Direct staff to:**
 - a) Make a correction to Section 5 of Urgency Ordinance 5136 to reflect the correct Government Code 52123;**
 - b) Provide an update to the Board within one year pertaining to the implementation of the program; and**
 - c) Conduct a housing workshop with the Board within the next six months.**

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

11:00 A.M. - TIME ALLOCATION (Item will not be heard prior to time stated)**15. 20-1400**

HEARING - To consider the recommendation of the Planning Commission on the Paye project (Rezone Z19-0001/Tentative Parcel Map P19-0001) to request a rezone from Open Space (OS) to Residential Estate Five-Acres (RE-5) and Residential Estate Ten-Acres (RE-10) and a Tentative Parcel Map dividing a 103.6 acre property into four parcels ranging in size from 5.6 acres to 7.1 acres and one 78.4 acre remainder parcel, including an offer to the County for a 1.51 acre parcel containing Wentworth Springs Road County maintained right of way on property identified by Assessor's Parcel Number 061-071-026-000, in the Georgetown Rural Center, submitted by Millennium Planning and Engineering on behalf of Mark Paye, the property owner; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study (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 Z19-0001 rezoning Assessor's Parcel Number 061-071-026-000 from Open Space to Residential Estate Five-Acres and Residential Estate Ten-Acres based on the Findings as recommended by the Planning Commission (Attachment D);
- 4) Approve Tentative Parcel Map P19-0001, 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 **5133** for said Rezone. (Attachment B) (Supervisory District 4) (Cont. 11/10/2020, Item 44)

FUNDING: Applicant Fees (General Fund).

Supervisor Veerkamp 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 Hidahl to Approve this matter to include Revised Condition of Approval for item 7 and Adopt Ordinance 5133.

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

1:00 P.M. TIME ALLOCATION (Items will not be heard prior to time stated)**16. 20-1410**

Chief Administrative Office recommending the Board:

- 1) Direct staff to utilize the recommended budgeting plan for the El Dorado Sacramento Municipal Utility District (SMUD) Cooperative Agreement Special Revenue Fund;
- 2) Approve a budget transfer increasing the payment to the Georgetown Divide Public Utility District by \$1,433 to reach the 9/59ths of the SMUD payment outlined in the Georgetown Divide Public Utility District Transition Agreement approved by the Board on March 3, 2009 (4/5 vote required); and
- 3) Direct the Parks Manager and Parks Commission to present recommendations to the Chief Administrative Office on how to utilize SMUD funding provided for parks purposes during the annual budget process.

FUNDING: El Dorado - SMUD Cooperation Agreement Special Revenue Fund.

Public Comment: K. Payne, M. Saunders

A motion was made by Supervisor Veerkamp, seconded by Supervisor Novasel to Approve this matter and direct the Chief Administrative Officer and an Ad Hoc Committee to meet with SMUD and Forest Services to revisit revenue sharing and revenue generation on high impact tourists areas and return to the Board within two years to be reevaluated.

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

2:00 P.M. TIME ALLOCATION (Items will not be heard prior to time stated)**17. 20-1615**

Chief Administrative Officer recommending the Board of Supervisors review and discuss Resolution **188-2020**, a resolution advocating for local control during the COVID-19 pandemic, and authorize the Board Chair to sign the resolution or provide further direction to staff, including authorization to submit the executed resolution to the Governor and our state legislative representatives.

FUNDING: N/A

Public Comment: A. Nevis, K. Link, L. Brent-Bumb, M. Nebens, J. Spencer, S. Teshara, R. Michelson, Judi, Tracy, Lujan, J. Gainsborough, L. Green-Jones, D. Manning, M. Rodriguez, J. Yoder, J. McGinnis

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Approve this matter and Adopt Resolution 188-2020. The Board further directed staff to draft a letter to the Governor, Senate, Legislature and Assemblyman Bigelow in support of Resolution 188-2020 presented by staff and authorize the Chair to sign the letter.

Yes: 4 - Veerkamp, Frentzen, Hidahl and Parlin

Noes: 1 - Novasel

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

Supervisor Hidahl reported on the following:
California State Association of Counties conference.
Commission on Aging meeting.
COVID-19 town hall meeting.
Bear River Holdings presentation.
County Counsel meeting.
Department of Transportation Director meeting.
Transportation and Transit audits.

Supervisor Frentzen reported on the following:
Thanksgiving blessings.
Constituent meetings.

Supervisor Parlin reported on the following:
Cameron Woods Apartments staff meeting.
SOFAR collaborative meeting.
Board of Forestry and Fire Protection meeting.
Health and Human Services Agency Director meeting.
El Dorado National Forest meeting.
Planning staff monthly meeting.
Coloma Lotus Economic Analysis update.
Environmental Management Director monthly meeting.
Bear River Holdings presentation.
General Manager of Georgetown Recreation meeting.

Supervisor Novasel reported on the following:
California State Association of Counties conference.

Supervisor Veerkamp reported on the following:
SOFAR collaborative meeting.
Water Agency meeting.
Sacramento Area Council of Governments Board meeting.
COVID-19 town hall meeting.
Sacramento Area Council of Governments nominating meeting.
Transportation Director meeting.
Agenda Review.
SOFAR steering committee meeting.
Vegetation Management grant meeting.
Sacramento Area Council of Governments Transportation/Transit meeting.

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

**Don Ashton, Chief Administrative Officer, reported on the following:
Supervisor Elect Thomas and Turnboo participating in California State
Association of Counties New Supervisor's Institute.
Supervisor Elect Thomas has met with all Department Heads.
Supervisor Elect Turnboo will complete his meetings with all Department Heads
by the end of the year.
Board approval of BK Consulting contract for Good Governance workshop.**

ADJOURNED AT 5:18 P.M.

CLOSED SESSION

18. 20-1602 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2) and **Initiation of Litigation** pursuant to Government Code section 54956.9(d)(4). Title: Number of potential cases: (4+). (Est. Time: 20 Min.)

No Action Reported. All five Supervisors participated.

19. 20-1607 **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Rural Communities United (Bio) v. County of El Dorado, et al. (Case No. PC20170536), Number of potential cases: (1). (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.