



County of El Dorado

Minutes - Draft Board of Supervisors

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

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, July 20, 2021

9:00 AM

<https://zoom.us/j/97185788537>

330 Fair Lane, Placerville, CA or live-streamed

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 971 8578 8537. 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://zoom.us/j/97185788537>.

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.

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.

Live Web Streaming and archiving of most Board of Supervisors meeting videos, all meeting agendas, supplemental materials and meeting minutes are available on the internet at:
<http://eldorado.legistar.com/Calendar.aspx>

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. During noticed public hearings, 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. 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.

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 Novasel, Supervisor Hidahl, Supervisor Parlin, Supervisor Thomas and Supervisor Turnboo

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Chaplain Betsy Vanderpool of the Sierra Chaplaincy 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 Thomas, seconded by Supervisor Parlin to Adopt the Agenda and Approve the Consent Calendar with the following change:

Supervisors Parlin and Turnboo registered a No vote on item 11 as they would like the record to reflect that they are voting No because they support the Planning Commission’s recommendation that the project be conditioned to build a Class 1 Bike Path as part of the project and this approval does not do that.

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. **21-1181** Clerk of the Board recommending the Board approve the Minutes from the regular meeting on July 13, 2021 and the special meeting on July 16, 2021.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **21-0814** Chief Administrative Office, Facilities Division, recommending the Board:
1) Authorize the Purchasing Agent to execute Amendment I to Agreement for Services No. 4681 with More 4 Less Pest Control to increase compensation by \$25,000 for an amended not to exceed amount of \$95,000 to provide routine and emergency on-call pest control services at various County operated locations; and
2) Make findings that it is more economical and feasible to contract out the requested services in accordance with Chapter 3.13, Section 3.13.030, of the County Purchasing Ordinance.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 3. **21-0458** Clerk of the Board recommending the Board approve **Final Passage** (Second Reading) of Ordinance **5143** to repeal Ordinance 4476 Section 15 and Ordinance 4591 which established and amended the membership of the Environmental Board of Appeals. (Cont. 7/13/2021, Item 25)

FUNDING: N/A

Ordinance 5143 was Adopted upon Approval of the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

4. 21-1097

Child Support Services recommending the Board approve the continuation of the following perpetual agreements:

- 1) Agreement 3276 with West Publishing for the use of Dissomaster software for calculating child support obligations for a not-to-exceed amount of \$550 in FY 2021-22; and
- 2) Agreement 3113 with Stamps.com for postage meters and software for a not-to-exceed amount of \$450 in FY 2021-22.

FUNDING: State and Federal Child Support funds.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

5. **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 **085-2021**, 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 085-2021 was Adopted upon Approval of the Consent Calendar.

6. **21-0847** Department of Transportation and County Counsel recommending the Board approve and authorize the Chair to sign Amendment II to Agreement for Legal Services 412-S1311 / 2700 between El Dorado County and Meyers Nave, A Professional Corporation, revising the firm's name from Meyers, Nave, Riback, Silver & Wilson, for general advice and litigation representation, inclusive of eminent domain, concerning various Capital Improvement Program projects, with no other material changes. (4/5 vote required)

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.

7. **21-1026** Department of Transportation recommending the Board consider the following:
- 1) Approve the continuation of three (3) perpetual agreements:
 - a) Agreement 428-S0110 with the State of California Department of Transportation, to provide signal maintenance service budgeted for \$3,000;
 - b) Agreement 821-S0710 with Squarerigger, Inc., to provide annual software support and maintenance budgeted for \$4,000;
 - c) Agreement 427-M0810 for the Capital SouthEast Connector Joint Powers Authority, for the planning, design, and construction of the Elk Grove-Rancho Cordova El Dorado Connector, budgeted for \$55,000; and
 - 2) Authorize the Purchasing Agent to establish change orders to add funds to each agreement as necessary to process associated payments for Fiscal Year 2021-22.

FUNDING: Road Fund.

This matter was Approved on the Consent Calendar.

8. **21-1032** Department of Transportation recommending the Board consider the following:
- 1) Accept the subdivision improvements for Carson Creek Unit 3 - Phase 1, TM TM14-1519-F, as complete;
 - 2) Reduce Performance Bond 931113 from \$2,163,816.21 to \$394,349.58, 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 931113 in the amount of \$1,971,747.90 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.

9. 21-1033

Department of Transportation recommending the Board consider the following:

- 1) Accept the subdivision improvements for Carson Creek Unit 3 - Phase 2, TM14-1519-F-2, as complete;
- 2) Reduce Performance Bond K13509025 \$624,744.59 to \$190,504.79, 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 K13509025 in the amount of \$952,523.96 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.

10. 21-1066

Department of Transportation recommending the Board consider the following:

- 1) Accept the subdivision improvements for Silver Spring, Unit 1, TM97-1330, as complete;
- 2) Reduce Performance Bond EACX4012966 from \$ \$5,096,215.00 to \$509,621.50, 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 EACX4012966 in the amount of \$5,096,215.00 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.

11. 21-1052

Returning at the Board's direction for final action to uphold the approval of Design Review Permit DR19-0006/Cool General Retail and certification of the Environmental Impact Report to allow the construction of a 9,100 square foot commercial retail building and associated driveway, parking lot, utilities, signage, and landscaping improvements. The property, identified by Assessor's Parcel Number 071-500-037, consisting of 1.69 acres, in the Cool Rural Center; and staff recommending the Board take the following actions consistent with the Board's conceptual action and direction to staff:

- 1) Deny requests received from Woodcrest Real Estate Ventures (Woodcrest REV)(DR-A21-0001) and Divide Preservation Society & Cool Pilot Hill Advisory Committee (DPS and CPHAC)(DR-A21-0002) appealing the Planning Commission's May 13, 2021 conditioned approval of Design Review DR19-0006/Cool General Retail and certification of the Environmental Impact Report;
- 2) Amend Condition of Approval 13 to remove the underlined language requiring construction of a Class 1 Bike Path and reinstate the strikethrough language allowing for payment of an in-lieu fee for the Class 2 Bike Lane; and
- 3) Certify the Environmental Impact Report, adopt the Findings of Fact, and adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act Guidelines Section 1507(d), incorporated as Conditions of Approval. (Cont. 6/29/2021, Item 43) (Supervisory District 4)

FUNDING: Privately-funded appeal for Developer-funded project.

This matter was Approved on the Consent Calendar.

Supervisors Parlin and Turnboo registered a No vote on this item as they would like the record to reflect that they are voting No because they support the Planning Commission's recommendation that the project be conditioned to build a Class 1 Bike Path as part of the project and this approval does not do that.

12. 21-1123

Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution **086-2021** for Abandonment of Easement 21-0002, to abandon a portion of public utility easements on Lot 1367 of Cameron Park North Unit No. 3, recorded in Book D of Subdivisions at Page 13, identified as Assessor's Parcel Number 082-374-010.

FUNDING: Application Fees (General Fund).

Resolution 086-2021 was Adopted upon Approval of the Consent Calendar.

END CONSENT CALENDAR

DEPARTMENT MATTERS (Items in this category may be called at any time)**13. 21-0701**

Department of Transportation recommending the Board:

- 1) Receive the workshop information on implementation of Senate Bill 743 for transportation projects; and
- 2) Approve and authorize the Chair to sign Resolution **088-2021**, the El Dorado County Vehicle Miles Traveled Threshold of Significance for Evaluation of Transportation Project Impacts Under the California Environmental Quality Act, that provides direction on the County's application of the methodology, significance thresholds, mitigation measures, and screening criteria for implementation of Senate Bill 743 for transportation projects.

FUNDING: Road Fund.

Public Comment: W. Deloria

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to Approve this matter and Adopt Resolution 088-2021.

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

14. 21-1067

Probation Department recommending the Board:

- 1) Receive a Presentation on Pretrial, Probation, and Parole Supervision Week; and
- 2) Approve and authorize the Chair to sign a Proclamation recognizing July 18 through 24, 2021, as Pretrial, Probation, and Parole Supervision Week in the County of El Dorado.

FUNDING: N/A

Supervisor Hidahl read the Proclamation.

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

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

- 15. 21-1065** Human Resources, Risk Management Division, recommending the Board approve insurance coverage and programs for a total amount of \$7,011,100 and 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 2021-22 in order to avoid lapse of coverage, including the following:
- 1) PRISM - insurance and program participation in the following: Excess General Liability; Excess Workers' Compensation; Primary Workers' Compensation; Property; Pollution; Underground Storage Tank; Cyber Liability; Master Crime; Catastrophic Inmate Medical Insurance; Watercraft; Optional Excess Liability and Airport Operations Liability; and
 - 2) Volunteer Blanket Insurance with WellFleet.

FUNDING: Risk Management Internal Service Fund.

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

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

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

- 16. 21-1176** Chief Administrative Office recommending the Board receive a presentation from PG&E on the Community Wildfire Safety Program and Public Safety Power Shut Off events.

FUNDING: N/A

Public Comment: L. Brent-Bumb, K. Greenwood

Received and Filed.

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

17. 21-1001

HEARING - Library Department recommending the Board:

- 1) Conduct a public hearing to consider public comment on the annual written report of benefit assessment/service charges for Zone of Benefit D within County Service Area 10 for library services at the Cameron Park Library; and
- 2) Adopt and authorize the Chair to sign Resolution **087-2021** confirming the annual written report and authorizing the benefit assessment/service charges to be collected in the same manner as the County's ad valorem real property taxes for the 2021-2022 fiscal year, noting that the pre-existing benefit assessment/service charges have been in place and collected since prior to the effective date of Proposition 218, with no increases in the amounts and no change in the methodology for calculating the amounts.

FUNDING: County Service Area Benefit Assessments/Service Charges.

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

A motion was made by Supervisor Parlin, seconded by Supervisor Novasel to Approve this matter and Adopt Resolution 087-2021.

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: K. Payne, Krista, L. Bradley, M. Lane, K. Greenwood, G. Martin, C. Cowherd, J. Gainsborough

21-1249 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)

- 18. 21-1091** HEARING - To consider a request from Verizon Wireless c/o Sara King, submitting for approval of the Appeal (CUP-A21-0001), to overturn the Planning Commission's denial of CUP20-0006 for the approval of a cellular facility on the Oak Ridge High School Football Field. The subject property is identified by Assessor's Parcel Number 121-190-022, located on the south side of Harvard Way, approximately 300-feet west of the intersection with Silva Valley Parkway, in the El Dorado Hills area, and staff recommending the Board take the following action:
- 1) Grant the appeal of the Planning Commission's denial of the Oak Ridge High School Cell Facility, CUP20-0006, thereby approving the project.
- (Supervisory District 1)

FUNDING: Developer-Funded Cell Tower Improvements.

Public Comment: K. Payne, K. Greenwood, B. Reinhardt

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

A motion was made by Supervisor Hidaahl, seconded by Supervisor Turnboo to grant the appeal CUP-A21-0001, thereby reversing the Planning Commission's denial of the project, resulting in the approval of Conditional Use Permit CUP20-0006 for the proposed Verizon wireless facility at the Oak Ridge High School football stadium, subject to the revised Findings and Conditions of Approval for the project.

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

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

Supervisor Parlin reported on the following:

- Fair Ad Hoc meeting.
- Sierra Nevada Conservancy board meeting.
- Legislative reception.
- Good Governance workshop.
- Volcanoville and Fire Safe picnic.
- Tax Payer's Association meeting.
- Joint Planning Commission meeting.

Supervisor Novasel reported on the following:

- Town hall meeting regarding traffic in Meyers.

Supervisor Thomas reported on the following:

- Constituent meetings.
- Human Resources Director meeting.
- Legislative reception.
- Good Governance workshop.
- Joint Planning Commission meeting.
- Traffic update.

Supervisor Turnboo reported on the following:

- Director of Transportation meeting.
- Tour of the County.
- County Counsel meeting.
- Chief Administrative Officer meeting.
- Fair Ad Hoc meeting.
- Legislative reception.
- Tax Payer's Association meeting.
- Two by Two meeting.
- Town hall meeting.

Supervisor Hidahl reported on the following:

- Legislative reception.
- Good Governance workshop.
- Air Quality grants.
- Joint Planning Commission meeting.

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

Laura Schwartz, Deputy Chief Administrative Officer, reported on the following:

An update was provided with regards to the July 13, 2021 Board meeting where the Board directed staff to schedule a Two by Two meeting and Special Joint meeting with the City of Placerville.

ADJOURNED AT 2:40 P.M.

CLOSED SESSION**19. 21-1157**

Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator: Instructions to its negotiator regarding the real property described as Property: Project: Diamond Springs Parkway Phase 1B Project CIP No. 72334; Properties: Placerville, California 95667 (APN's: 327-270-043, 046, 050) County Negotiators: Tanna Reynoso Acting Right of Way Supervisor, El Dorado County Department of Transportation Negotiating Parties: James E. Teter and Elizabeth Ann Teter, Trustees. Under Negotiation: price and terms of payment. (Est. Time: 10 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.