



County of El Dorado

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

Minutes - Draft Board of Supervisors

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

Kim Dawson, Clerk of the Board of Supervisors
Tiffany Schmid, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, October 10, 2023

8:00 AM

<https://edcgov-us.zoom.us/j/87497117012>

330 Fair Lane, Building A Placerville, CA
OR Live Streamed - [Click here to view](#)

ADDENDUM

Item 39 is hereby added to Closed Session.

Although the County strives to offer remote participation, be advised that remote Zoom participation is provided for convenience only. In the event of a technological malfunction, the only assurance of live comments being received by the Board is to attend in person. Except for a noticed teleconference meeting, the Board reserves the right to conduct the meeting without remote access if there is a malfunction.

PUBLIC PARTICIPATION INSTRUCTIONS: The Board of Supervisors meeting room 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. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 874 9711 7012. Please note you will be able to join the live-stream 15 minutes prior to the posted meeting start time. To observe the live stream of the Board of Supervisors meeting go to <https://edcgov-us.zoom.us/j/87497117012>.

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 in writing. You are encouraged to submit your comment in writing by 4:00 PM on the Monday before the meeting to ensure the Board of Supervisors has adequate time to review. 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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<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 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-judicial 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.

8:00 A.M. - CALLED TO ORDER AND RECESSED TO CLOSED SESSION

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

9:00 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

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

INVOCATION (provided by Supervisor Thomas) AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Thomas provided inspirational comments to begin the meeting.

Supervisor Laine led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: C. Lewis, D. Getz, L. Cauchon, K. Beal

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

Pull items 12 and 16 for discussion.

Continue item 27 to October 17, 2023.

Yes: 5 - Hidahl, Thomas, Turnboo, Laine 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.

CONSENT CALENDAR

- 1. **23-1843** Clerk of the Board recommending the Board Approve the Minutes from the regular meeting on September 26, 2023.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **23-1803** Chief Administrative Office recommending the Board:
 - 1) Make findings that the provision of pension actuarial software and services provided by GovInvest Inc. are in the public's best interest and that there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(B);
 - 2) Approve and authorize the Chief Administrative Officer to sign the attached Actuarial Services and Technology Licensing Agreement 8089 with GovInvest Inc., in the total amount of \$98,750, for a term of five years from October 15, 2023, through October 14, 2028, with annual fees of \$19,750; and
 - 3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement 8089, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 3. **23-1722** Chief Administrative Office, Parks Division, recommending the Board receive and file annual donation reports for Fiscal Years 2021-22 and 2022-23, pursuant to Resolution 081-2021 in accordance with California Government Code § 25355, for donations totaling \$3,437.

FUNDING: Private donations.

This matter was Approved on the Consent Calendar.

4. **23-1818** Clerk of the Board, based upon the recommendation of the El Dorado County Commission for Youth and Families, recommending the Board make the following appointment to the El Dorado County Commission for Youth and Families:
Appoint Annie Muse-Fisher, Public Member, Term Expiration 6/30/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

5. **23-1246** Human Resources Department recommending the Board:
1) Approve and authorize the Purchasing Agent to execute Amendment IV to Agreement 4665 with Clearstar Inc. for pre-employment background checks to include subconsultant language, and update Exhibit 1-C to include revised domestic pricing and international charges for pre-employment background checks with no change to the term of the agreement or the not-to-exceed amount; and
2) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement 4665, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

6. **23-1248** Human Resources Department, Risk Management Division, recommending the Board:
1) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to contract with Sedgwick Claims Management Services, Inc. (Sedgwick) as the County's third-party administrator for Workers' Compensation tail claims because "specialty skills and qualifications not expressly identified in classifications are involved in the performance of the work";
2) Approve and authorize the Chair to sign perpetual Agreement 7803 with Sedgwick to provide services as the County's third-party administrator for Workers' Compensation tail claims, in the amount of \$111,050 for the period of November 1, 2023, through October 31, 2024; and
3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement 7803, excluding term extensions and increases to compensation, contingent upon approval by County Counsel and Risk Management.

FUNDING: Workers' Compensation Fund.

This matter was Approved on the Consent Calendar.

- 7. **23-1715** Information Technologies Department recommending the Board approve and authorize the Chair to sign a Proclamation designating October 2023 as Cybersecurity Awareness Month in El Dorado County.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 8. **23-1845** Supervisor Laine recommending the Board:
 - 1) Find that a public benefit is derived from supporting the Pollock Pines/Camino Community Center Association efforts to provide an essential community venue; and
 - 2) Approve and authorize the Chief Administrative Officer to sign a funding Agreement, consistent with the County’s standard form and upon the approval of County Counsel, with the Pollock Pines/Camino Community Center Association authorizing payment of the \$2,500 community funding contribution in support of these efforts.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 9. **23-1846** Supervisor Laine recommending the Board:
 - 1) Find that a public benefit is derived from supporting the Meyers Community Foundation efforts to provide a strong sense of community and promote eco-friendly, healthy transportation options; and
 - 2) Approve and authorize the Chief Administrative Officer to sign a funding Agreement, consistent with the County’s standard form and upon the approval of County Counsel, with the Meyers Community Foundation authorizing payment of the \$2,500 community funding contribution in support of these efforts.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

10. 23-1140

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

- 1) Make findings that the provision of Organizational Consulting and Software as a Service (SaaS) services provided by Carahsoft Technology Corporation are in the public's best interest and that there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(B);
- 2) Approve and authorize the Purchasing Agent to electronically sign Amendment I to Purchase Contract 6707 with Carahsoft Technology Corporation, to revise the scope of services to include updated services provisions, add \$175,000 to the maximum obligation, thereby increasing the maximum obligation of the purchase contract from \$165,040 to \$340,040, and extend the term an additional 1.7 years, for a new term of October 24, 2022, through June 30, 2025;
- 3) Authorize the Purchasing Agent to execute further documents relating to Agreement 6707, contingent upon approval by County Counsel and Risk Management, including amendments which do not increase the maximum dollar amount or term of the Agreement; and
- 4) Authorize the HHS Director, or the Chief Assistant Director of HHS, to execute programmatic, administrative, and fiscal documents relating to Agreement 6707.

FUNDING: 100% State Emergency Response Enhancement Funds Program Allocation.

This matter was Approved on the Consent Calendar.

11. 23-1691

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

- 1) Adopt and authorize the Chair to sign Resolution **154-2023**, for submission to the California Department of Housing and Community Development (HCD), which is required to apply for the 2023 Emergency Solutions Grants (ESG) Program Balance of State Allocation;
- 2) Delegate authority to HHS to submit an application on behalf of the County in the estimated amount of \$400,000, with a required one-to-one match in the estimated amount of \$400,000, to be met through existing grant funding received by HHS Housing and Homelessness Services, for the ESG Balance of State Allocation of federal funding administered by HCD;
- 3) If awarded, delegate authority to the HHS Director, or HHS Chief Assistant Director, to accept the ESG Balance of State Allocation funding, in the estimated amount of \$400,000 with a required match that will be met through existing grant funding, and execute any grant agreement, with a term to be determined, contingent upon County Counsel and Risk Management approval; and
- 4) Authorize the HHS Director, or HHS Chief Assistant Director, to execute further documents related to said award, including any extension(s) or amendment(s) thereto, which do not increase the Net County Cost of the Agreement.

FUNDING: 100% Federal funding from the U.S. Department of Housing and Urban Development (HUD), administered by HCD, with a required one-to-one cash match to be met by Homeless Housing, Assistance and Prevention (HHAP) funding.

This matter was Approved and Resolution 154-2023 was Adopted upon Approval of the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

12. 23-1502

Department of Transportation recommending the Board:

- 1) Find in accordance with El Dorado County Board of Supervisors Purchasing Policy, C-17, 3.5 Specific Exemptions & Written Findings of Fact, heavy equipment rentals are exempt from competitive bidding;
- 2) Authorize the Chair to sign Agreement 7967 with California Compaction Equipment Inc. for as-needed equipment rentals in the not-to-exceed amount of \$900,000 for a term beginning November 30, 2023 and expiring three (3) years thereafter;
- 3) Authorize the Chair to sign Agreement 7988 with Holt of California for as-needed equipment rentals in the not-to-exceed amount of \$900,000 for a term beginning November 30, 2023 and expiring three years thereafter; and
- 4) Authorize the Purchasing Agent to increase the on-call equipment rental agreements on an "as needed" basis during the term of the contract as long as funding is available within the requesting department's budget.

FUNDING: Transient Occupancy Tax - Local Discretionary (50%), Transient Occupancy Tax - Measure S (15%), County Service Area 3 (5%), Tribe Funds (5%), Road Fund (10%) and Road Maintenance and Rehabilitation Act of 2017 (15%)

Public Comment: K. Nalewaja, K. Payne, C. Lewis, L. Cauchon

A motion was made by Supervisor Laine, seconded by Supervisor Parlin to Approve this matter with an amendment to remove Transient Occupancy Tax - Measure S funding in the amount of 15% and alternatively use County Service Area 3 funding up to 20%.

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

13. 23-1690

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **150-2023** authorizing the submittal of applications to the State of California, Department of Resources Recycling and Recovery, for all eligible Grant Programs. This resolution would be in effect for a period of five (5) years from the effective date of the resolution or until rescinded by the Board.

FUNDING: California Department of Resources Recycling and Recovery.

Resolution 150-2023 was Adopted upon Approval of the Consent. Calendar.

- 14. 23-1552** Department of Transportation, Maintenance and Operations Division, recommending the Board approve and authorize the Chair to sign Rental Agreement 7989 with Lake Valley Properties for temporary housing located at 1160 Nottaway Drive in South Lake Tahoe, in the amount of \$15,000, to commence on November 1, 2023, and terminate on March 31, 2024.

FUNDING: Road Fund. (100%)

This matter was Approved on the Consent Calendar.

- 15. 23-1610** Department of Transportation, Maintenance and Operations Division, recommending the Board:
- 1) Reduce the cost of one (1) grader on the Fiscal Year (FY) 2023-24 Fixed Asset List (6040 - Equipment) from \$525,000 to \$485,000; and
 - 2) Add One (1) Replacement Fencing to the FY 2023-24 Fixed Asset List (6020 - Building and Improvements) totaling \$40,000.

FUNDING: Road Fund (100%).

This matter was Approved on the Consent Calendar.

- 16. 23-1626** Planning and Building Department, Planning Division, Current Planning Unit, recommending the Board approve and authorize the Chair to sign Amendment II to Agreement 5349 with ICF Jones and Stokes, Inc. for the provision of project specific environmental consulting services for the Central El Dorado Hills Specific Plan, amending the scope of work, increasing the not-to-exceed amount from \$261,939.37 to \$363,567.13, and extending the term of the Agreement by three (3) months with a revised expiration of May 22, 2024.

FUNDING: Applicant-Funded.

Public Comment: K. Nalewaja, D. Getz, M. West, E. Terra, L. Cauchon, H. Krogh, R. Williams

A motion was made by Supervisor Turnboo to not Approve this matter.

Motion failed due to a lack of a second.

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

Yes: 4 - Hidahl, Thomas, Laine and Parlin

Noes: 1 - Turnboo

17. **23-1527** Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board adopt and authorize the Chair to sign Resolution of Intention **149-2023** to Amend Title 130 of the County Zoning Ordinance and initiate a Zoning Ordinance Update to prepare and adopt a Scenic Corridor Ordinance.

FUNDING: General Fund.

Resolution 149-2023 was Adopted upon Approval of the Consent Calendar.

18. **23-1776** Planning and Building Department, Planning Division, Long Range Planning Unit, Housing, Community and Economic Development Program, recommending the Board:
- 1) Adopt and Authorize the Chair to sign Resolution **155-2023** to authorize the submittal of an updated Grant Program application to the State of California Department of Community Development for funding under Senate Bill 2 Permanent Local Housing Allocation Non-Entitlement Local Government Competitive Component for \$3,150,000 for an eligible activity for Diamond Village Apartments;
 - 2) Authorize the Director of the Planning and Building Department, contingent upon approval by County Counsel and Risk Management, to execute the grant agreement and subsequent amendments not affecting the award amount or the term and to sign other grant-related documents;
 - 3) Direct staff to create a new Special Revenue Fund for depositing the \$150,000 for administrative costs related to monitoring grant compliance; and
 - 4) Approve and authorize the Chair to sign a budget transfer amending the Fiscal Year 2023-24 Adopted Budget increasing revenue and appropriations by \$3,000,000 in the Housing, Community and Economic Development budget and establishing a budget with \$150,000 in revenue and appropriations in the new Special Revenue Fund. (4/5 vote required)

FUNDING: State Senate Bill 2 (Chapter 364, Statutes of 2017) Permanent Local Housing Allocation Program Competitive Component from the Building Homes and Jobs Trust Fund.

This matter was Approved and Resolution 155-2023 was Adopted upon Approval of the Consent Calendar.

19. 23-1812

Surveyor's Office recommending the Board adopt and authorize the Chair to sign Resolution **151-2023** for Abandonment of Easement 2023-0001 to abandon a strip of land, 25 feet in width within Parcel 1 of Parcel Map recorded in Book 40 of Parcel Maps, at Page 81, El Dorado County Records, said Easement described on said map as "25' Drainage Easement", identified as Assessor's Parcel Number 048-240-031, requested by property owners, Catherine M. Huffman, an unmarried woman Richard J. Anderson, an unmarried man, as joint tenants. Said Property is within the community of Smith Flat, Supervisorial District 3, located at 1804 Alexander Court.

FUNDING: Application Fees. (General Fund)

Resolution 151-2023 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

20. 23-1546

District Attorney's Office recommending the Board consider the following:

- 1) Authorize the District Attorney to accept a grant from the California Governor's Office of Emergency Services (CalOES) for the Child Abuse Treatment (AT) Program with a total project cost of \$321,875 for the period of January 1, 2024 - December 31, 2024, based on the received Letter of Intent;
- 2) Approve and authorize the Chair to sign the Certification of Assurance of Compliance;
- 3) Authorize the District Attorney to execute the Grant Award Agreement required documents, including any extensions of amendments thereof which would not increase net county cost, contingent upon review and approval by County Counsel; and
- 4) Adopt and authorize the Chair to sign Resolution **153-2023**, extending the expiration date of 1.0 FTE Victim/Witness Program Specialist I/II - Limited Term position one year, through December 31, 2024.

FUNDING: CalOES Victims of Crime Act (VOCA) funds and General Fund for the match portion.

This matter was Approved and Resolution 153-2023 was Adopted upon Approval of the Consent Calendar.

21. 23-0913

Probation Department recommending the Board:

- 1) Make findings that the provision of consulting, analysis, and grant writing services provided by Consultant are in the public's best interest and that these services are more economically and feasibly performed by an outside independent Consultant in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(A), El Dorado County Charter, Section 210(b)(6), and/or Government Code Section 31000;
- 2) Make findings in accordance with Procurement Policy C-17 Section 3.4, 2(f) exempting the competitive bidding process, with Purchasing Agent concurrence, because "the procurement is for goods where the continuity of providers will provide efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiencies or critical knowledge";
- 3) Approve and authorize the Chair to sign Amendment II to Agreement for Services 5531 with Rane Community Development to increase the not-to-exceed amount by \$60,000, with no changes to the billable rates, for a total not-to-exceed amount of \$150,000; update the Conflict of Interest section; and extend the term to June 30, 2024 for the provision of grant writing, meeting facilitation, and consulting services; and
- 4) Authorize the Chief Probation Officer and Deputy Chief Probation Officer to execute further documents relating to Agreement 5531, including future amendments which do not increase the maximum dollar amount or term of the Contract, and contingent upon approval by County Counsel and Risk Management.

FUNDING: AB109 (Public Safety Realignment Act) (100%).

This matter was Approved on the Consent Calendar.

22. 23-1288

Probation Department recommending the Board:

- 1) Make findings in accordance with El Dorado County Ordinance Code, Chapter 3.13.030 (B) that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;
- 2) Make findings that in accordance with Procurement Policy C-17 Section 3.4(2)(a) that the procurement for goods and services are of a technological, specialized, unique character; and
- 3) Authorize the Purchasing Agent to issue Purchase Contract 8059 with Axon Enterprise Inc. (Axon) for Taser 10 Conducted Energy Weapons (CEWs), body worn cameras, associated equipment, training, and software licenses in the amount of \$824,704 for the period of January 1, 2024, through December 31, 2029.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 23. 23-0090** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the December 2022 Storms. (Cont. 9/12/2023, Item 28)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 24. 23-0523** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the February and March 2023 Storms. (Cont. 9/12/2023, Item 17)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

25. 23-1633

Department of Transportation recommending the Board take the following actions pertaining to the Pony Express Trail Bicycle, Pedestrian and ADA Improvements Project, Capital Improvement Program Number 36109010:

- 1) Authorize an increase in the estimated total project cost from \$2,840,692 to \$4,064,285;
- 2) Authorize the Department of Transportation to utilize \$523,593 in Shingle Springs Band of Miwok Indians Intergovernmental Agreement (Tribe) Funds for the funding shortfall and complete the construction;
- 3) Reject the bid submitted by B & M Builders, Inc.'s as non-responsive;
- 4) Award only the Base Bid of the Construction Contract to Doug Veerkamp General Engineering, Inc., the lowest responsive, responsible bidder;
- 5) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval by County Counsel and Risk Management; and
- 6) Authorize the Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (District V)

FUNDING: Active Transportation Program (ATP) (35%), Transportation Development Act (TDA) (7%), Congestion Mitigation and Air Quality Program (CMAQ) (13%), Regional Surface Transportation Program (RSTP) Federal Funds - Caltrans Local Assistance (32%), and Road Fund (<1%), Shingle Spring Band of Miwok Indians Intergovernmental Agreement (Tribe) Funds (13%).

Public Comment: K. Payne, L. Cauchon

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

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

26. 23-1811 Auditor-Controller recommending the Board adopt and authorize the Chair to sign “Resolution **156-2023** Authorizing the Issuance and Sale of Special Tax Bonds and Approving and Authorizing Forms of a Supplement to Fiscal Agent Agreement, Preliminary Official Statement and Bond Purchase Agreement and Authorizing Additional Actions in Connection Therewith for Community Facilities District No. 2014-1 (Carson Creek).”

FUNDING: Community Facilities District Special Taxes.

Public Comment: R. Williams, G. Steed, Sue W.

A motion was made by Supervisor Turnboo to not Adopt Resolution 156-2023.

Motion failed due to a lack of a second.

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Adopt Resolution 156-2023 with the following conditions:

- 1) No new money bonds after this issue; and**
- 2) The County to receive a letter from Lennar waiving any right to new money bonds after this issue.**

Yes: 3 - Hidahl, Laine and Parlin

Noes: 1 - Turnboo

Recused: 1 - Thomas

27. 23-1372 Chief Administrative Office, Parks Division, recommending the Board approve the Introduction (First Reading) of Ordinance **5184**, County Skate and Bike Park Ordinance, amending rules for Skate Parks and Bike Parks, waive full reading of the Ordinance, read by title only, and continue this matter to the next regular meeting of the Board of Supervisors for Final Passage (Second Reading).

FUNDING: N/A

This matter was Continued to October 17, 2023 upon Approval of the Consent Calendar.

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

- 28. 23-1458** Supervisor Parlin recommending the Board receive and file a presentation provided by representatives of the Rural County Representatives of California on their Strategic Plan and the work of their affiliated entities.

FUNDING: N/A

Public Comment: L. Cauchon

The Board received and filed a presentation provided by representatives of the Rural County Representatives of California on their Strategic Plan and the work of their affiliated entities.

- 29. 23-1564** Library Department, on behalf of the El Dorado County Library Commission, recommending the Board:
 - 1) Receive and file an annual report from the Library Commission; and
 - 2) Provide direction as needed to the Library Commission concerning a work plan, issues to study or other areas pertaining to library services.

FUNDING: N/A

Public Comment: L. Cauchon

The Board received and filed an annual report from the Library Commission.

11:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**30. 23-1826**

HEARING - To consider the recommendation of the Planning Commission on the Rizzuto project (Plan Amendment GPA21-0001/Rezone Z21-0001/Tentative Parcel Map P21-0002) to request a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), Rezone from Residential Estate, Ten Acres (RE-10) to Residential Estate, Five Acres (RE-5), and Tentative Parcel Map to create two (2) parcels of 5.13 acres and 5.17 acres in size from an existing 10.3-acre parcel, located on the west side of Green Valley Road, approximately 0.6 miles northwest of the intersection with Deer Valley Road, in the El Dorado Hills area, submitted by Michael Rizzuto, 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 prepared by staff in accordance with the CEQA Guidelines; (Attachment F);
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval (Attachments H and J);
- 3) Adopt and authorize the Chair to sign Resolution **152-2023** for General Plan Amendment GPA21-0001 changing the land use designation from Rural Residential (RR) to Low Density Residential (LDR), (Attachment C);
- 4) Adopt and authorize the chair to sign Ordinance **5183** for Rezone Z21-0001, rezoning from Residential Estate, Ten Acres (RE-10) to Residential Estate, Five Acres (RE-5) (Attachment B);and
- 5) Approve Tentative Parcel Map P21-0002 to create two (2) parcels of 5.13 acres and 5.17 acres in size from an existing 10.3-acre parcel based on the Findings and subject to the Conditions of Approval as recommended by the Planning Commission; (Attachments G and H). (Supervisory District 1).

FUNDING: N/A

Public Comment: L. Cauchon

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

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Approve this matter and Adopt Resolution 152-2023 and Ordinance 5183.

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

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

OPEN FORUM

Public Comment: No name given, D. Sabino, P. Vanderkar, D. Cooke, K. Adams, L. Cauchon, L. Tannebaum, E. Erkkila, D. Wolfson

23-1920 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 Board Chair may limit public comment during Open Forum.

1:15 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

- 31. 23-1762** Supervisor Hidahl recommending the Board receive a presentation from the California Department of Insurance on the new Mitigation in Rating Plans and Wildfire Risk Models.

FUNDING: N/A

Public Comment: K. Kruger, L. Cauchon

The Board received a presentation from the California Department of Insurance on the new Mitigation in Rating Plans and Wildfire Risk Models.

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

32. 23-1823 **HEARING** - To consider two (2) appeals received appealing the Planning Commission’s August 24, 2023 approval of Green Gables Growers Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002 to request a Commercial Cannabis Use Permit for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis and a Variance for reduction of the 1,500 foot setback from two (2) school bus stops, on the property identified as Assessor’s Parcel Number 087-021-057, consisting of 105.9-acres in the Latrobe area, submitted by Robert Sandie; and staff recommending the Board of Supervisors take one of the following actions: 1) Deny the appeals and uphold the approval of CCUP20-0004 and V23-0002 Green Gables Growers, based on the Findings and subject to the Conditions of Approval as approved by the Planning Commission; or 2) Approve the appeals and deny the approval of CCUP20-0004 and V23-0002 Green Gables Growers based on the attached Findings for Denial. (Supervisorial District 2)

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

Public Comment: B. Sadie, L. Cauchon, A. Sevicks, L. Tannenbaum, M. Burch, Kevin M.

Supervisor Thomas opened the public hearing which was limited to Continuing the item to November 7, 2023 and upon hearing from staff and the public closed the public hearing.

A motion was made by Supervisor Turnboo, seconded by Supervisor Parlin to Continue this matter to November 7, 2023.

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

TO AND FROMS: This is an opportunity for Board Members to provide informational updates on matters of countywide concern. No action will be taken. (May be called at any time during the meeting)

Supervisor Parlin reported on the following:

Water storage tour.
Rural County Representative of California annual meeting.
Poet Laureate item coming to the Board.
Mosquito Firehouse visit.
Chili Bar Ad Hoc Committee meeting.
French Meadows restoration project visit.
First 5 Commission meeting.

Supervisor Turnboo reported on the following:

Area Planning Agency Committee meeting.
Latrobe school district meeting.
Sheriff's monthly meeting.
SMUD Ad Hoc meeting.
SOFAR Biomass working group meeting.
Community and Economic Development Advisory Committee meeting.
El Dorado Hills two by two meeting.
Health and Human Services Agency nutrition lunch.
Transportation/Transit meetings.
Grand Jury meeting.
United States Department of Agriculture meeting.

Supervisor Hidaahl reported on the following:

Rural County Representative of California annual meeting.
Local Agency Formation Commission meeting.
Pioneer Community Energy Community meeting.
El Dorado Hills Community Council meeting.
Greater Sacramento Economic Council event.
Transportation/Transit meetings.
El Dorado Hills ribbon cutting event.

Supervisor Laine reported on the following:

California Tahoe Conservancy meeting.
Tahoe Regional Planning Agency meeting.
Vacation Home Rental Advisory Committee meeting.
Emerald Bay speed limits.
Tobacco prevention group presentation.
Meek's Bay meetings.
South Tahoe High School homecoming.

Supervisor Thomas reported on the following:

Diamond Springs Community Park update.
Alder Creek update.
Apple Hill tour.
El Dorado Chamber Leadership event.
Harvest Traffic Committee meetings.
Barton Hospital presentation.
Faith, thought and community leaders meeting.

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

Tiffany Schmid, Chief Administrative Officer, reported on the following:
No report.

The Board recessed to Closed Session at 3:01 P.M.

The Board reconvened from Closed Session at 5:20 P.M.

ADJOURNED AT 5:20 P.M.

CLOSED SESSION

Public Comment: L. Cauchon

- 33. 23-1866** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1).
No Action Reported.
- 34. 23-1701** **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organizations: El Dorado County Employees' Association, Local 1, AFSCME Council 57 representing employees in the Supervisory, Professional, and General Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; El Dorado County Criminal Attorneys' Association representing employees in the Criminal Attorney Unit; El Dorado County Managers' Association representing employees in the Management Unit; Deputy Sheriff's Association representing employees in the Law Enforcement Unit; El Dorado County Probation Officers Association representing employees in the Probation Bargaining Unit; and El Dorado County Law Enforcement Management Association representing employees in the Law Enforcement Sworn Management Unit.
No Action Reported.
- 35. 23-1829** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Erin Trefethen v. El Dorado County (Case # TBD) Number of potential cases: (1).
No Action Reported.
- 36. 23-1842** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: County of El Dorado v. El Dorado County Civil Service Commission and Erin Trefethen. (El Dorado County Case No. 23CV0237). Number of potential cases: (1).
No Action Reported.
- 37. 23-1888** **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: Thomas Eide v. Experian Information Solutions, Inc., et al. United States District Court for the Eastern District of California, Case No. 2:22-CV-01820-KJM-DB Number of potential cases: (1).
No Action Reported.

38. 23-1830

Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1).

No Action Reported.

ADDENDUM

CLOSED SESSION

39. 23-1907

Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Title: George Sheetz & Friends of El Dorado County v.El Dorado County. (Case No. PC20170255)
Number of potential cases: (1).

In the matter of George Sheetz & Friends of El Dorado County v El Dorado County, the Board of Supervisors on a 5-0 vote, authorized the retention of the law firm Akin Gump Strauss Hauer & Feld LLP to represent the County at no cost in the pending United States Supreme Court proceedings and the Board further ratified the County Counsel's signature on the engagement letter sent to said law firm.