



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

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

Tuesday, September 22, 2020

9:00 AM

<https://zoom.us/j/98587080653>

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

ADDENDUM

Item 46 is hereby added to the Consent Calendar.

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 985 8708 0653.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/98587080653>.

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

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 Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at edc.cob@edcgov.us. Your comment will be placed into the record and forwarded to the Board of Supervisors.

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

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
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. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

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

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

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

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

9:00 A.M. - CALLED TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Veerkamp gave the Invocation.
Supervisor Hidahl led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: K. Payne, J. Gainsborough, K. Greenwood

**A motion was made by Supervisor Frentzen, seconded by Supervisor Hidahl to Adopt the Agenda and Approve the Consent Calendar with the following change:
Pull item 46 for discussion.**

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: A. Nevis, K. Greenwood, M. Lane, J. Gainsborough, J. McGinnis, K. Payne, J. Robinson

20-1274 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. **20-1190** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of September 1, 2020.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **20-1179** Auditor-Controller recommending the Board adopt and authorize the Chair to sign Resolution **143-2020** establishing the 2020/21 tax rates for the county-wide general tax and voter-approved general obligation indebtedness of the K-12 school and community college districts located wholly within El Dorado County.

FUNDING: N/A

Resolution 143-2020 was Adopted upon Approval of the Consent Calendar.

- 3. **20-1159** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$128,000 to the Cameron Park Community Services District (Cameron Park Fire Department) from its Development Impact Mitigation Fee Account for the construction of a new fire and rescue training facility.

FUNDING: Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

- 4. **20-1157** Chief Administrative Office recommending the Board rescind Resolution 048-2016 which was approved by the Board of Supervisors on March 22, 2016, supporting the mission and purpose of the Tahoe Prosperity Center and appointed the District V Supervisor to sit as a voting member of the Tahoe Prosperity Center Board of Directors, and adopt Resolution **142-2020** which affirms the County's support of the mission and purpose of the Tahoe Prosperity Center but appoints the District V Supervisor as a Board liaison instead of a voting member.

Resolution 142-2020 was Adopted upon Approval of the Consent Calendar.

5. **20-1095** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$64,333.99 from the Georgetown Divide Recreation District ("District") Parks and Recreation Impact Mitigation Fee account to the District, or to a District account as designated by the District, for projects to expand the District's capabilities to serve new development that has occurred within the District.

FUNDING: Georgetown Divide Recreation District Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

6. **20-0697** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Authorize the Purchasing Agent to sign Amendment II to Agreement for Services 2864 with Mesa Energy Systems, Inc. to increase compensation by \$200,000 for an amended not-to-exceed amount of \$365,000 and to increase the term an additional year, expiring July 17, 2022, to provide on-call and emergency maintenance and repair services for heating, ventilating, and air conditioning (HVAC) equipment located at various County operated locations; and
 - 2) Make findings pursuant to Article II, Section 210b(6) of the El Dorado County Charter and 3.13.030 Section C of County Ordinance 5116 that the ongoing aggregate of the work performed under this Agreement is temporary or occasional in nature and the work to be performed is not sufficient to warrant the addition of permanent staff.

FUNDING: Accumulative Capital Outlay Fund, General Fund, COVID-19 Funds.

This matter was Approved on the Consent Calendar.

7. **20-1176** Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the procedures outlined in the County's Purchasing Ordinance, Chapter 3.12 and Section 3.12.220 thereof.

FUNDING: Various.

This matter was Approved on the Consent Calendar.

8. **20-1068** Chief Administrative Office, Procurement and Contracts Division, recommending the Board:
- 1) Award RFP 20-985-037 to Ray Morgan Company of Roseville, California for a new copier rental program for a period of five (5) years following Board approval;
 - 2) Authorize the Purchasing Agent to issue individual purchase contracts on an "as needed" basis for the placement of copiers countywide; and
 - 3) Authorize the Purchasing Agent to increase the purchase contracts on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: General Fund and Non-General Fund.

This matter was Approved on the Consent Calendar.

9. **20-1194** Chief Administrative Office, Procurement and Contracts Division and Information Technologies Department, recommending the Board authorize the Purchasing Agent to increase FENIX purchase contract 2075 for the countywide purchase of laptops by \$400,000, bringing the purchase contract value to \$1,565,000. This increase is primarily related to the purchase of laptops to allow for teleworking options to enable compliance with COVID-19 public health precautions.

FUNDING: CARES Act funding and various General Fund and Non-General Fund.

This matter was Approved on the Consent Calendar.

10. **20-1135** Clerk of the Board, based upon the recommendation of Supervisors Parlin and Veerkamp, recommending the Board accept the following resignation and make the following appointment to the El Dorado Solid Waste Advisory Committee:
- 1) Accept the resignation of Catherine Dickson-Schwarzbach, Public Member, District 3;
 - 2) Appoint Tanner Gallagher, Public Member, District 3, Term Expiration 09/22/2025; and
 - 3) Appoint Catherine Dickson-Schwarzbach, Public Member, District 4, Term Expiration 09/22/2025.

This matter was Approved on the Consent Calendar.

- 11. **20-1143** Elections Department recommending the Board approve and authorize the attached budget amendment to increase revenue and appropriations for the Elections Department Fiscal Year 2020-21 Adopted Budget by \$369,296 to include grant 20G26109 from the State of California for prevention, preparation and response to coronavirus for the 2020 Federal election cycle.

FUNDING: Federal Grant.

This matter was Approved on the Consent Calendar.

- 12. **20-1146** Elections Department recommending the Board adopt and authorize the Chair to sign Resolution **139-2020** consolidating local jurisdiction elections with the upcoming November 3, 2020 election.

FUNDING: N/A

Resolution 139-2020 was Adopted upon Approval of the Consent Calendar.

- 13. **20-1197** Supervisor Veerkamp and Supervisor Parlin recommending the Board authorize the Chair to sign a letter to United States Senator Dianne Feinstein, with a copy sent to Congressman Tom McClintock, in support of the Emergency Wildfire and Public Safety Act of 2020 (S. 4431), that was introduced by Senator Feinstein (California) and Senator Steve Daines (Montana).

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 14. **20-1225** Supervisor Veerkamp recommending the Board authorize the Chair to sign a letter of support for the "Reducing Crime and Keeping California Safe Act," which will appear as Proposition 20 on the November 2020 General Election ballot.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

15. 20-1164

Health and Human Services Agency recommending the Board:

- 1) Authorize the submission of a grant application to the California Governor’s Office of Emergency Services for the County Victim Services Program for Fiscal Years 2020-21 and 2021-22, for an estimated grant amount of \$168,946;
- 2) Approve and authorize the Director of Health and Human Services Agency and Board Chair to sign the Certification of Assurance of Compliance, pertaining to the Request for Application, as required by the grant;
- 3) Delegate authority to the Director of Health and Human Services Agency to accept funding and execute any grant agreement, if awarded, with all match being met by the subcontractor, including any extension(s) or amendment(s) thereto, contingent upon County Counsel and Risk Management Approval; and
- 4) Authorize the Director of Health and Human Services Agency, or the Chief Fiscal Officer, to execute and administer any agreement or subsequent administrative documents relating to said award, including required fiscal and programmatic reports as well as a subaward agreement with CASA El Dorado, contingent upon approval by County Counsel and Risk Management.

FUNDING: \$84,473 in 2018 and \$84,473 in 2019 Victims of Crime Act funds, for a total estimated allocation of \$168,946; with a total required match in the amount of \$42,236, which will be provided by CASA El Dorado through in-kind volunteer hours.

This matter was Approved on the Consent Calendar.

16. 20-1161

Health and Human Services Agency recommending the Board:

- 1) Authorize the submission of a grant application to the California Governor's Office of Emergency Services for the Elder Abuse Program, for Fiscal Years 2020-21 and 2021-22, for an estimated grant amount of \$206,000;
- 2) Approve and authorize the Director of Health and Human Services Agency and Board Chair to Sign the Certification of Assurance of Compliance, pertaining to the Request for Application, as required by the grant;
- 3) Authorize the submission of a match waiver request to Cal OES to eliminate or reduce the match obligation required as a part of the grant funding;
- 4) Delegate authority to the Director of Health and Human Services Agency to accept funding and execute the grant agreement, if awarded, including any extensions or amendments that do not increase the total funding; and
- 5) Authorize the Director of Health and Human Services Agency, or the Chief Fiscal Officer, to execute and administer any agreement or subsequent administrative documents relating to said award, including required fiscal and programmatic reports.

FUNDING: Federal funding from the 2018 Victims of Crime Act, in the amount of \$103,000, requiring a match contribution of \$25,750, and the 2019 Victims of Crime Act, in the amount of \$103,000, requiring a match contribution of \$25,750, for an estimated total award amount of \$206,000 and a required match contribution of \$51,500. The match contribution will be met with a time commitment by Senior Legal services and/or additional volunteer hours, if Cal OES does not approve a waiver of the match requirement.

This matter was Approved on the Consent Calendar.

17. 20-1061

Health and Human Services Agency recommending the Board:

1) Make findings in accordance with County Ordinance 3.13.030 (b) that it is appropriate to contract with WestPac Labs, Inc. for services provided under Agreement 5075 because the provision of such services provided by Contractor 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;

2) Approve and authorize the Chair to sign Agreement for Services 5075 with WestPac, Inc. for the provision of COVID-19 testing, supplies and results in the amount of \$3,150,000, effective upon execution and shall expire December 30, 2020; and

3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 5075, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management. (Cont. 09/01/20, Item 13)

FUNDING: Federal and State: 25% Coronavirus Aid, Relief, and Economic Security Act and 75% Federal Emergency Management Agency.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 18. 20-1110** Department of Transportation recommending the Board consider the following for acquiring right of way for the Mosquito Bridge Replacement Project, CIP 77126/36105028 (Project):
- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting a Grant Deed, Slope and Drainage Easement, Aerial Easement, and Temporary Construction Easement with Benjamin D. Sher, Trustee of the Benjamin D. Sher Living Trust dated 10/28/1996 (Seller), for Assessor’s Parcel Number 084-030-014. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$50,000;
 - 2) Approve and authorize the Chair to sign the Certificates of Acceptance accepting the Easements from Seller;
 - 3) Authorize the Department of Transportation Director, or designee, to execute the escrow instructions and any other related escrow documents pertaining to the transaction, including payment of title and escrow fees, which are estimated to be \$2,500; and
 - 4) Authorize the Department of Transportation Director or designee to extend the date of closure of escrow upon mutual agreement of both parties, if necessary.

FUNDING: Highway Bridge Program Funds (100% Federal Funds).

This matter was Approved on the Consent calendar.

- 19. 20-1136** Department of Transportation recommending the Board:
- 1) Approve the addition of one (1) sander salt brine applicator to Department of Transportation, Zone of Benefit Fiscal Year 2020-21 Fixed Asset List totaling \$5,000; and
 - 2) Approve the \$5,000 price decrease on the Fixed Asset List for the salt brine applicator bringing the estimate from \$10,000 to \$5,000.

FUNDING: County Service Area 5.

This matter was Approved on the Consent Calendar.

20. 20-0843

Department of Transportation recommending the Board:

- 1) Find that the purchase of three (3) replacement loaders, one (1) backhoe and one (1) force feed loader are exempt from competitive bidding in accordance with Purchasing Ordinance 3.12.16, Section D;
- 2) Authorize the Purchasing Agent to utilize the Sourcewell competitively bid Contract 032119-JDC for the acquisition of three (3) loaders for the Department of Transportation, Maintenance and Operations Division;
- 3) Authorize the Purchasing Agent to sign a purchase order to the awarded Sourcewell vendor, Pape Machinery of West Sacramento, CA. in the amount of \$479,079 plus applicable delivery, fees and taxes (estimated at \$118,314.23) for a one time purchase for three (3) loaders following Board approval;
- 4) Authorize the Purchasing Agent to utilize the Sourcewell competitively bid Contract 032119-JDC for the acquisition of one (1) backhoe for the Department of Transportation, Maintenance and Operations Division;
- 5) Authorize the Purchasing Agent to sign a purchase order to the awarded Sourcewell vendor, Pape Machinery of West Sacramento, CA. in the amount of \$117,833 plus applicable delivery, fees and taxes (estimated at \$20,004.71) for a one time purchase for one (1) backhoe following Board approval;
- 6) Authorize the Purchasing Agent to utilize the Sourcewell competitively bid Contract 052417-VTL for the acquisition of one (1) force feed loader for the Department of Transportation, Maintenance and Operations Division; and
- 7) Authorize the Purchasing Agent to sign a purchase order to the awarded Sourcewell vendor, Nixon-Egli Equipment Co. of Tracy, CA. in the amount of \$258,524 plus applicable delivery, fees and taxes (estimated at \$40,872.83) for a one time purchase for one (1) force feed loader following Board approval.

FUNDING: Road Fund (Loaders and Backhoe) and Road Maintenance and Rehabilitation Act of 2017 (SB1)(State)(Force feed Loader).

This matter was Approved on the Consent Calendar.

21. 20-1132

Department of Transportation recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Steelhead Constructors, Inc., for the Henningsen Lotus Park & Latrobe Railroad Storm Damage Repairs Project, Contract 4025, CIP 99455/36209026 & 99454/36209025; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period.

FUNDING: HLP project : \$46,600 HLP Trust - Park Fees, \$263,507 FEMA/Cal OES. Latrobe project: \$25,000 SPTC JPA funds, \$29,745 Ponderosa Quimby Funds, ACO \$38,255, FEMA/Cal OES \$182,876.

This matter was Approved on the Consent Calendar.

22. 20-1051

Department of Transportation recommending the Board:

- 1) Approve and authorize the Director of Transportation to accept and execute Grant Agreement PS21036 in the amount of \$100,000 with the State of California - Office of Traffic Safety, Pedestrian and Bicycle Safety Program, to develop an educational/community outreach program focused on pedestrian and bicycle safety; and
- 2) Delegate authority to the Director of Transportation to execute any contract amendments or extensions that do not increase net county cost, contingent upon approval by County Counsel and Risk Management.

FUNDING: California Office of Traffic Safety Pedestrian and Bicycle Safety Program Grant.

This matter was Approved on the Consent Calendar.

23. 20-1050

Department of Transportation, in cooperation with the Planning and Building Department, recommending the Board adopt and authorize the Chair to sign Resolution **140-2020** to approve updates to the El Dorado County Drainage Manual.

FUNDING: Road Fund.

Resolution 140-2020 was Adopted upon Approval of the Consent Calendar.

24. 20-0973

Department of Transportation, Maintenance and Operations Division, recommending the Board:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Teichert Construction, for the 2020 Various West Slope Pavement Rehabilitation Projects, Contract 4674; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period.

FUNDING: Local Discretionary (43%) and Road Maintenance and Rehabilitation Act of 2017 (RMRA - SB1) (State) (57%).

This matter was Approved on the Consent Calendar.

25. 20-1005

Department of Transportation, Maintenance and Operations Division, recommending the Board consider the following for temporary housing of snow removal crews:

- 1) Approve and authorize the Chair to sign Rental Agreement 5062 with Lake Valley Properties for temporary housing located at 1160 Nottaway Drive in South Lake Tahoe, in the amount of \$13,500, to commence on November 1, 2020, and terminate on March 31, 2021; and
- 2) Approve and authorize the Chair to sign Rental Agreement 5056 with Tahoe Rental Company for temporary housing located at 7110 West Lake Boulevard in Tahoma, in the amount of \$12,500, to commence on December 1, 2012 and terminate on March 31, 2021.

FUNDING: Road Fund.

This matter was Approved on the Consent Calendar.

26. 20-1213

Surveyor's Office recommending the Board:

- 1) Consent to the Lot Line Adjustment (LLA) for County-owned property identified by Assessor's Parcel Number (APN) 006-011-051; and 006-370-017 owned by the Christopher R. Angi Trust.
- 2) Authorize the Chief Administrative Officer to sign the Agent Authorization form, authorizing David F. Waddell, PLS, Land Surveyor as agent and applicant on behalf of the County and the Christopher R. Angi Trust, for purposes of completing the LLA process.

FUNDING: Applicant Fees (General Fund).

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

27. 20-1104

District Attorney recommending the Board consider the following:

- 1) Approve and authorize the acceptance of a grant award in the amount of \$272,667 from the California's Governor's Office of Emergency Services for the Sexual Assault Law Enforcement Specialized Units Program for the period of October 1, 2020 - September 30, 2021;
- 2) Approve and authorize the Chair to sign the Certification of Assurance of Compliance Services*Training*Officers*Prosecutors Formula Grant Program as authorized by the Violence Against Women Act;
- 3) Authorize the District Attorney to execute the Grant Award Agreement and required documents, including any extensions or amendments thereof which would not increase net county cost; and
- 4) Approve and authorize the Chair to execute Amendment I to Agreement 4458 with The Center for Violence-Free Relationships in the not to exceed amount of \$114,982 extending the service period covering October 1, 2020 through September 30, 2021, to provide one full-time Sexual Assault Counselor to the grant program.

FUNDING: California Governor's Office of Emergency Services: Services*Training*Officers*Prosecutors (STOP) Formula Grant Program as authorized by the Violence Against Women Act.

This matter was Approved on the Consent Calendar.

28. 20-1131

District Attorney recommending the Board:

- 1) Approve and authorize the District Attorney to accept and execute Grant Agreement DI21023 in the amount of \$233,072 with the California Office of Traffic Safety, Alcohol and Drug Impaired Driver Vertical Prosecution Program, for the prosecution of alcohol and drug impaired driving cases for the period of October 1, 2020 through September 30, 2021; and
- 2) Delegate authority to the District Attorney to execute any agreement amendments or extensions which do not increase net county cost, contingent upon approval by County Counsel.

FUNDING: California Office of Traffic Safety Alcohol and Drug Impaired Driver Vertical Prosecution Program Grant Funding.

This matter was Approved on the Consent Calendar.

29. 20-1082

District Attorney recommending the Board:

- 1) Accept a grant from the California Governor's Office of Emergency Services for the Victim Witness Assistance Program with a total project cost of \$524,533 for the period of October 1, 2020 - September 30, 2021, based on the received Letter of Intent;
- 2) Approve and authorize the Chair to sign the Certification of Assurance of Compliance; and
- 3) Authorize the District Attorney to execute the Grant Award Agreement and required documents, including any extensions or amendments thereof which would not increase net county cost, contingent upon review and approval by County Counsel and Risk Management.

FUNDING: California Governor's Office of Emergency Services Victims of Crime Act Fund.

This matter was Approved on the Consent Calendar.

30. 20-1180

Sheriff's Office and District Attorney's Office recommending the Board approve and authorize Sheriff's Office and District Attorney's Office staff to electronically submit, on behalf of the Chair, the Fiscal Year 2019-2020 Equitable Sharing Agreement and Certification for Federal Asset Forfeiture with the United States Department of Justice and United States Department of the Treasury.

FUNDING: Equitable Sharing (Asset Forfeiture).

This matter was Approved on the Consent Calendar.

31. 20-1173

Sheriff's Office recommending the Board approve and authorize the Chair to sign the revenue generating El Dorado County Sheriff's Office Agreement for Supplemental Law Enforcement Services with El Dorado County Union High School District from date of execution through June 30, 2021.

FUNDING: Revenue generating agreement.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

32. 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. 9/1/2020, Item 25)

FUNDING: N/A

Public Comment: Mandi R., L. Green-Jones, K. Greenwood, J. Gainsborough, J. McGinnis, Mother Lode, K. Weiland, J. Yoder, C. Galley, S. Gordon, A. Burkstrom, R. Ferreria

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

33. 20-1181 Agriculture Department, in coordination with the Sheriff’s Office, recommending the Board provide direction on the scope of study for the Ad Hoc Hemp Committee.

FUNDING: N/A

Public Comment: R. Miller

A motion was made by Supervisor Frentzen, seconded by Supervisor Parlin to provide direction to staff on the scope of study for the Ad Hoc Hemp Committee to include the following:

- 1) Hold a meeting, or series of meetings, on whether to recommend to the Board a moratorium on all renewals or new registrations while the proposed Industrial Hemp Program Ordinance is developed using a similar model to the Cannabis Ad Hoc Committee with public outreach meetings but allow existing registrants to finish out this growing and harvest season;**
- 2) Develop recommendations regarding testing of industrial hemp;**
- 3) Develop recommendations on issues such as zoning, parcel size, setbacks, registration limits, crop size limits, maximum acreage within the County, signage, track and trace harvested crops, or other restrictions;**
- 4) Develop recommendations on new ordinances, or updating existing ordinances, addressing industrial hemp cultivation, industrial hemp plant breeders, industrial hemp nurseries and processing/manufacturing; and**
- 5) Develop recommendations to create an administrative process for industrial hemp and provide best practices for the program by obtaining other counties best management practices and ordinances.**

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

- 34. 20-1174** Clerk of the Board, 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 district-specific matters.

FUNDING: N/A

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to direct staff to revise the El Dorado County Board of Supervisors Governance Handbook to add a protocol regarding district-specific matters.

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

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

- 35. 20-1198** Chief Administrative Office recommending the Board:
- 1) Receive a presentation from representatives of Pioneer Community Energy regarding Community Choice Aggregation;
 - 2) Authorize the Chief Administrative Officer to execute the Memorandum of Understanding; and
 - 3) Approve the **Introduction** (First Reading) of Ordinance **5129**, authorizing the implementation of a Community Choice Aggregation Program in the unincorporated areas of El Dorado County that are serviced by PG&E and waive full reading of the Ordinance, read by title only and Continue to September 29, 2020 for **Final Passage** (Second Reading).

FUNDING: N/A

Public Comment: K. Payne

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to Approve this matter and Continue Ordinance 5129 to September 29, 2020 for Final Passage (Second Reading).

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

11:00AM TIME ALLOCATION (Items will not be called prior to time stated)

36. 20-1145

Clerk of the Board recommending the Board:

- 1) Recognize John Tibbals, Board of Supervisor's Videographer, on his retirement after 35 years of service; and
- 2) Approve and authorize the Chair to sign a Proclamation recognizing John Tibbals' dedication to public service and to congratulate him on his retirement.

FUNDING: N/A

Public Comment: K. Scharffenberg, T. Smith, K. Greenwood, K. Payne, J. Mitrisin

Supervisor Veerkamp read the Proclamation.

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

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

37. 20-1151

HEARING - Treasurer-Tax Collector Department recommending the Board:

- 1) Approve the Introduction (First Reading) of Ordinance **5128** amending Chapter 3.28, Transient Occupancy Tax, of Title 3 of the El Dorado County Ordinance Code to: add Section 3.28.091, Certificate of Tax Lien, giving the Tax Collector authority to record a Certificate of Delinquency of Transient Occupancy Tax Lien against an operator who fails to remit occupancy taxes; to require appeals of tax and/or penalty amounts charged to be heard by a Hearing Officer, consistent with other appeal processes in the County; and to make minor text corrections and updates for consistency with El Dorado County Ordinance Code and the State Revenue and Taxation Code; and
- 2) Waive full reading of the Ordinance, read by title only, and continue this matter to October 6, 2020, for Final Passage (Second Reading).

FUNDING: N/A

Public Comment: L. Brent-Bumb

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

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to Approve this matter and Continue Ordinance 5128 to October 6, 2020 for Final Passage (Second Reading).

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

1:00 PM TIME ALLOCATION (Items will not be heard prior to time stated)

38. 20-1059

Department of Transportation recommending the Board:

- 1) Receive the workshop information requested on implementation of Senate Bill 743 which was intended to ensure that the environmental impacts of traffic, such as noise, air pollution, and safety concerns, continue to be properly addressed and mitigated through the California Environmental Quality Act; and
- 2) Approve and authorize the Chair to sign Resolution **141-2020** that provides direction on the County's application of the methodology, significance thresholds, mitigation measures and exemptions for implementation of Senate Bill 743 for land use projects.

FUNDING: Road Fund.

Public Comment: J. Short, K. Payne

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to Continue this matter to October 6, 2020 and direct staff to return to the Board with a revised Resolution utilizing the County Average for all projects pertaining to the implementation of Senate Bill 743 for land use projects.

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

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

39. 20-1244

Supervisor Parlin recommending the Board receive an update on the Fork Fire and discuss a potential ban on open flame campfires in El Dorado County and provide direction to staff.

Public Comment: L. Kirkbride, K. Greenwood, Margrit P., M. Lane, K. Payne, H. Penn

The Board received an update on the Fork Fire and discussed a potential ban on open flame campfires in El Dorado County.

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

Supervisor Frentzen reported on the following:

- Water Agency Special Board meeting.
- Budget meeting.
- Park and Recreation Commissioner meeting.
- State Controller Treasurer-Tax Collector meeting.

Supervisor Novasel reported on the following:

- South Lake Tahoe Two by Two meeting.
- Placerville Two by Two meeting.
- Lake Tahoe School Superintendent meeting.
- Transportation District meeting.
- Tahoe Transportation Governance meeting.
- Tahoe Conservancy meeting.
- Tahoe Regional Planning Agency meeting.
- Closure at Echo Summit.

Supervisor Parlin reported on the following:

- Transportation Commission meeting.
- Agricultural Commission and Chief Administrative Officer meeting.
- Mosquito Bridge discussion.
- Vehicle Miles Traveled discussion.
- Constituent calls.
- Forest Management Task Force meeting.
- Rural County Representatives of California.
- Homeowner's Insurance Ad Hoc Committee meeting.
- SOFAR meeting.
- Foothill Interfaith collaborative meeting.
- Long Range Planning monthly meeting.
- Water Agency meeting.
- Budget Hearing.

Supervisor Hidahl reported on the following:

- COVID-19 cooperative meetings.
- CAL Office of Emergency Services coordination calls.
- Staff meetings.
- California State Association of Counties Board of Directors meeting.
- Transit/Transportation meeting.
- Insurance Commissioner's town hall meeting.
- Rural Caucus.
- National Day of Action.
- El Dorado Hills Area Planning Advisory Committee.
- 911 Victims and Public Protest.
- El Dorado Hills Community Council meeting.
- Upcoming stakeholders meeting.
- Memorial event.
- Foothill Interfaith collaborative meeting.
- Budget Hearing.

Supervisor Veerkamp reported on the following:

- COVID-19 cooperative meetings.
- Sacramento Area Council of Governments meeting.
- Grand Jury meet and greet.

Placerville Two by Two meeting.
Traffic Mitigation Fees meeting.
Water Agency meeting.
Budget Hearing.
Chief Administrative Officer meeting.
Environmental Management Director meeting.
Agenda Review.
School District report.
CCI working group.

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

Don Ashton, Chief Administrative Officer, reported on the following:
Broadband grant update.
Small Business Protection distributions.

ADJOURNED AT 6:49 P.M. In honor of Lt. Peter L. Bertelsen El Dorado Hills Fire Department

CLOSED SESSION

- 40. 20-1168** Pursuant to Government Code Section 54957- on threat to public services or facilities: Consultation with Sheriff John D'Agostini or designated deputies. (Est. Time: 20 Min.)
No Action Reported. All five Supervisors participated.
- 41. 20-1182** 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 representing employees in the Supervisory, Professional, and General Bargaining Units; and the Operating Engineers Local No. 3 representing employees in the Trades & Crafts Bargaining Unit. (Est. Time: 15 Min.)
Public Comment: F. Huerta
No Action Reported. All five Supervisors participated.
- 42. 20-1242** Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Title: Natural Resources Defense Council, Inc. v. El Dorado County (El Dorado County Superior Court Case No. PC20190271), Number of potential cases: (1). (Est. Time: 15 Min.)
On a 5-0 vote, the Board accepted a settlement offer signed by the Petitioner and authorized the Chair to execute the settlement agreement on behalf of the County. The basic terms of the settlement are as follows: the County will make a one-time contribution to the El Dorado County Water Agency in the amount of \$55,000 to be used by the Water Agency to assist with funding water conservation projects in the County, Natural Resources Defense Council and the County will each bear their own costs and attorney fees, and Natural Resources Defense Council will dismiss its action with prejudice.
- 43. 20-1253** Conference with Legal Counsel - Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 10 Min.)
On a 4-0 vote (Supervisor Parlin abstaining), the Board authorized the County Counsel's office to initiate litigation of one case. In accordance with Government Code 54957.1, when and if the action is formally commenced, the title and nature of the action, the defendants, and other particulars shall be disclosed to any person upon inquiry to the Clerk of the Board of Supervisors, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize the County's ability to conclude existing settlement negotiations to its advantage.

- 44. 20-1211** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Human Resources. (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

- 45. 20-1212** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Clerk of the Board of Supervisors (Est. Time: 15 Min.)
No Action Reported. All five Supervisors participated.

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

ADDENDUM

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

46. 20-1171

Health and Human Services Agency recommending the Board:

- 1) Make findings in accordance with County Ordinance 3.13.030 (c) that it is appropriate to contract with Covid Dx LLC for services provided under Agreement 5137 because the provision of such services provided by Contractor are in the public's best interest and that due to the limited timeframes, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant the addition of permanent staff in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(c), El Dorado County Charter, Section 210(b)(6), and/or Government Code Section 31000;
- 2) Approve and authorize the Chair to sign Agreement for Services 5137 with Covid Dx LLC, that contains non-standard indemnity language, for the provision of administering COVID-19 testing, supplies and results in the amount of \$500,000, effective upon execution and shall expire September 30, 2021; and
- 3) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 5137, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

FUNDING: Federal and State: 25% Coronavirus Aid, Relief, and Economic Security Act (CARES) and 75% Federal Emergency Management Agency (FEMA). If the activity is necessary after the COVID-19 PH emergency, the funding will be 25% Public Health (PH) Realignment and 75% FEMA.

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

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