



County of El Dorado

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

Minutes - Final Board of Supervisors

Brian K. Veerkamp, Chair, District III
John Hidahl, First Vice Chair, District I
Lori Parlin, Second Vice Chair, District IV
Shiva Frentzen, District II
Sue Novasel, District V

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

Tuesday, July 21, 2020

9:00 AM

VIRTUALLY - SEE BELOW

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 924 8388 3787.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/92483883787>.

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.

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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 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 Hidaahl and Supervisor Parlin

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: K. Greenwood

**A motion was made by Supervisor Frentzen, seconded by Supervisor Hidaahl to Adopt the Agenda and Approve the Consent Calendar with the following changes:
Continue items 11 and 12 to July 28, 2020.**

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidaahl 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: K. Greenwood

20-0997 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. **20-0952** Clerk of the Board recommending the Board Approve the Minutes from the Special Meeting of the Board on July 9, 2020 and the Regular Meeting of the Board on July 14, 2020.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

2. **20-0891** Chief Administrative Office, Emergency Medical Services and Emergency Preparedness & Response Division, recommending the Board:
- 1) Approve the use of the attached Advanced Life Support (ALS) Interfacility Transport (IFT) and Critical Care Transport (CCT) Permitting Application/Agreement boilerplate, to allow the Emergency Medical Services Agency to tender permits to private ambulance companies to provide non-exclusive IFT and CCT services to destinations outside of El Dorado County in accordance with County Ordinance 4991, Chapter 8.74.080 which requires contracts with the County to provide ALS Medical Transport services; and
 - 2) Adopt and authorize the Chair to sign Resolution **116-2020** replacing Resolution 032-2018 to delegate authority to execute said boilerplate agreements to the Chief Administrative Officer, or designee.

FUNDING: N/A

This matter was Approved and Resolution 116-2020 was Adopted upon Approval of the Consent Calendar.

3. **20-0882** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$351,851.85 to the El Dorado Hills Community Services District from its park and recreation development impact mitigation fee account for fee program administration and expenditures related to the Bass Lake Community Park, Kalitheia Park, Valley View Park, and Heritage Village Park.

FUNDING: Development Impact Fees.

This matter was Approved on the Consent Calendar.

4. **20-0959** Chief Administrative Office recommending the Board consider the final draft Board of Supervisors Response to the 2019-2020 Grand Jury Reports 19-03, County Credit Cards, and 19-04, Policing Those with Behavioral Health Issues, both issued May 8, 2020; recommending approval of the report as the Final Response and respective letter of transmittal to the Presiding Judge if no further changes are recommended.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

5. **20-0859** Chief Administrative Office, Parks Division, recommending the Board:
- 1) Approve and authorize the Chair to sign Agreement for Services 4325 with Helix Environmental Planning, Inc. for a two (2) year term beginning upon final execution of the contract, with a total not-to-exceed amount of \$126,818, for the purpose of a site assessment, public outreach, and feasibility study of the Chili Bar site;
 - 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 4325, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management; and
 - 3) Direct that the related budget changes be incorporated in the FY 2020-21 Final Budget.

FUNDING: SMUD Agreement.

This matter was Approved on the Consent Calendar.

6. **20-0941** Chief Administrative Office, Parks Division, recommending the Board:
- 1) Approve and authorize the Chair to sign the attached Fiscal Year 2020-21 budget amendment in the amount of \$15,500;
 - 2) Approve the addition of (1) Septic Pumper Tank to the approved fixed asset list for the FY 20-2021 budget, and authorize the Department to purchase the Fixed Asset prior to adoption of the Final Budget;
 - 3) Find that, in accordance with Section 3.12.160. of the El Dorado County Ordinance Code, due to the unique nature of the property or services required competitive bidding is precluded;
 - 4) Authorize the sole source acquisition of the fixed asset through Crescent Tank Mfg; and
 - 5) Authorize the Purchasing Agent to issue a purchase order up to \$15,500, plus applicable taxes and fees.

FUNDING: Donations.

This matter was Approved on the Consent Calendar.

7. **20-0827** Chief Administrative Office, Procurement and Contracts Division, Planning and Building Department, and Department of Transportation, recommending the Board consider the following:
- 1) Approve the continuation of eight (8) perpetual agreements as detailed in Attachment A 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 2020-21.

FUNDING: Road Fund, General Fund, and Public Utility Franchise Fees (Federal, State, and Local Funds).

This matter was Approved on the Consent Calendar.

8. **20-0879** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retired Undersheriff Randy Peshon.

FUNDING: Funding received from the sale will be deposited into the General Fund.

This matter was Approved on the Consent Calendar.

9. **20-0949** Human Resources recommending the Board take the following actions regarding Health Plan Program and Ancillary Employee Benefit Program benefit administration:
- 1) Approve the transition of the benefits third-party administrator (TPA) from Employee Benefit Specialists, Inc. (EBS) to Benefit Coordinators Corporation (BCC) and authorize Human Resources to terminate EBS services no later than January 1, 2021;
 - 2) Authorize the County to pay BCC for any TPA services received under the Master Agreement between PRISM and BCC;
 - 3) Authorize the Director of Human Resources, or designee, to execute health and benefit program TPA agreements and associated contract renewals subject to approval by County Counsel; and
 - 4) Grant Human Resources the authority to correct any minor clerical errors or adjustments to implementation time frames as needed.

FUNDING: Internal Service Fund.

This matter was Approved on the Consent Calendar.

10. 20-0966

Information Technologies Department recommending the Board adopt and authorize the Chair to sign Resolution **117-2020** to:

- 1) Delete 2.0 filled Full Time Equivalent (FTE) Deputy Director of Information Technologies (IT) allocations; and
- 2) 2) Authorize the Human Resources Department to initiate the reduction in force process.

FUNDING: Reduction in General Fund costs.

Resolution 117-2020 was Adopted upon Approval of the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

11. 20-0850

Department of Transportation recommending the Board takes the following actions pertaining to the Silva Valley Parkway Bike Path Drainage Improvement Project, CIP 72313, Contract 4750:

- 1) Authorize the use of \$12,710.50 from Tribe Funds to fund a shortfall in the construction phase budget, pending the receipt of additional Surface Transportation Block Grant Program (STBGP) funds;
- 2) Award the Construction Contract to Martin General Engineering, Inc. who was the lowest responsive, responsible bidder;
- 3) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval by County Counsel and Risk Management; and
- 4) 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.

FUNDING: Tribe agreement funds (4%), Local advance construction (AC) funds with federal reimbursement of STBGP funds (Federal Funds) (96%) initially; fully-funded by STBGP funds (100%) anticipated.

This matter was Continued to July 28, 2020 upon Approval of the Consent Calendar.

12. 20-0860

Department of Transportation recommending the Board:

- 1) Approve and adopt the Guardrail Upgrades - Tahoe Project (CIP 72198/36105063, Contract 4576) Plans and Contract Documents and authorize the Chair to sign the Plans; and
- 2) Authorize advertisement for construction bids.

FUNDING: Highway Safety Improvement Program (100% - Federal).

This matter was Continued to July 28, 2020 upon Approval of the Consent Calendar.

13. 20-0812

Department of Transportation recommending the Board approve and authorize the Chair to sign the following adjustments to the agreements for post fiscal year budgeted revenue between El Dorado County Transportation Commission and El Dorado County:

- 1) Third Amendment to Agreement X15-6157(054) for Fiscal Year 2014-15 Regional Surface Transportation Program Exchange Funds;
- 2) First Amendment to Agreement X16-6157(058) for Fiscal Year 2015-16 Regional Surface Transportation Program Exchange Funds;
- 3) First Amendment to Agreement X17-6157(061) for Fiscal Year 2016-17 Regional Surface Transportation Program Exchange Funds; and
- 4) First Amendment to Agreement X18-6157(064) for Fiscal Year 2017-18 Regional Surface Transportation Program Exchange Funds.

FUNDING: Regional Surface Transportation Program Exchange Funds (State Funds).

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

14. 20-0793

Probation Department recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment I to Agreement for Services 118-S1811/FENIX 243 with AutoMon LLC to increase the amount of the contract by \$9,922.50 for a total not to exceed amount of \$180,409.46 for the term of July 24, 2017 through July 23, 2020; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 118-S1811/FENIX 243, 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: General Fund 100%.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

15. 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. 7/14/2020, Item 22)

FUNDING: N/A

Public Comment: A. Nevis, K. Greenwood, J. Gainsborough, K. Payne, T. Doyle

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

16. 20-0956 Chief Administrative Office recommending the Board
- 1) Receive an update on efforts regarding a contract with NEO Connect for Broadband design and engineering work for high density and propriety areas of the County utilizing CAREs Act funding;
 - 2) Provide further direction to staff regarding this Broadband design and engineering work through the use of Coronavirus Relief Funds; and
 - 3) Receive an update on the status of the grant application to be submitted to Economic Development Administration.

FUNDING: N/A

Public Comment: A. Nevis, K. Payne, K. Greenwood

After the main motion was made, a substitute motion was made by Supervisor Frentzen, seconded by Supervisor Parlin to receive and file the updates and direct staff to:

- 1) **Not pursue the 4.4 million for design and engineering work for high density and propriety areas of the County utilizing CAREs Act funding; and**
- 2) **Pursue the Fair Play and Garden Valley areas at a cost of 4.8 million for design, engineering and construction for Broadband and return to the Board on July 28, 2020 with more information.**

Motion Failed.

Yes: 2 - Frentzen and Parlin

Noes: 3 - Veerkamp, Novasel and Hidahl

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to receive and file the updates and direct staff to:

- 1) **Not pursue the 4.4 million for design and engineering work for high density and propriety areas of the County utilizing CAREs Act funding; and**
- 2) **Not pursue the Fair Play and Garden Valley areas at a cost of 4.8 million for design, engineering and construction for Broadband.**

Yes: 3 - Veerkamp, Novasel and Hidahl

Noes: 2 - Frentzen and Parlin

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

- 17. 20-0873** HEARING - Environmental Management Department recommending the Board:
- 1) Conduct a hearing to consider the annual report of delinquent mandatory refuse collection fees; and
 - 2) Adopt and authorize the Chair to sign Resolution **115-2020** confirming the annual report of delinquent mandatory refuse collection fees for South Tahoe Refuse Co., establishing the delinquent amounts as special assessments for Fiscal Year 2020-21, and providing for the collection thereof in the same manner as the County’s ad valorem property taxes.

FUNDING: Non-General Fund / County Service Area No. 10 - Solid Waste funds.

Public Comment: K. Greenwood

Supervisor Veerkamp opened the public hearing and after input from staff and the public closed the public hearing.

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to Approve this matter and Adopt Resolution 115-2020.

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

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

- 18. 20-0885** Chief Administrative Office recommending the Board receive and file a presentation by Brandon Sanders of PG&E on wildfire safety and Public Safety Power Shutoffs events.

FUNDING: N/A

Public Comment: K. Payne

The Board received a presentation from PG&E on wildfire safety and Public Safety Power Shutoffs events.

1:00 P.M. TIME ALLOCATION (Items will not be heard prior to time stated)**19. 20-0921**

Chief Administrative Office recommending the Board:

- 1) Receive an update on funding for State funded programs within Child Support Services, Probation, and Health & Human Services;
- 2) Receive a presentation from the Facilities Division on building capital improvement projects and costs as requested at the June 9, 2020, Board of Supervisor meeting; and
- 3) Provide direction relative to revenue assumptions for Property Tax, General Sales Tax and Public Safety Sales Tax (Proposition 172).

See attachment "A" for Staff Report.

Public Comment: A. Nevis, J. Gainsbourge

A motion was made by Supervisor Veerkamp, seconded by Supervisor Novasel to Approve staff's recommendation (Attachment A) and direct staff to return to the Board if revisions are necessary.

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

20. 20-0971

Chief Administrative Office recommending the Board:

- 1) Receive an update on Transient Occupancy Tax (TOT) Revenues as a result of the COVID-19 pandemic;
- 2) Conceptually approve the Fiscal Year (FY) 2020-21 TOT revenues and spending plan, and direct staff to incorporate these recommendations in the adopted budget for FY 2020-21; and
- 3) Approve and authorize the Chief Administrative Officer to sign an Agreement with Greater Sacramento Economic Council for FY 2020-21 in an amount not to exceed \$63,252.

FUNDING: Transient Occupancy Tax.

Public Comment: A. Nevis, K. Payne

A motion was made by Supervisor Novasel, seconded by Supervisor Hidahl to receive and file the update and Approve this matter.

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

ITEMS TO/FROM SUPERVISORS

Supervisor Novasel reported on the following:
Tahoe Transportation.
Tahoe Conservancy.
50th Anniversary of Tahoe Regional Planning Agency.

Supervisor Parlin reported on the following:
Phone calls and emails connecting constituents regarding COVID-19.
Auburn State Recreation Area.
Cattlemen's Association phone meeting.
Bureau of Reclamation.
Health and Human Services Agency Director meeting.
Long Range Planning monthly meeting.
Taxpayer's Association meeting.

Supervisor Frentzen reported on the following:
Constituent phone calls and meetings.

Supervisor Hidahl reported on the following:
National Association of Counties virtual caucus.
California Office of Emergency Services meeting.
Taxpayer's Association meeting.
Environmental Management Director meeting.
National Association of Counties annual business meeting.

Supervisor Veerkmap reported on the following:
El Dorado County Fire Safe Council meeting.
CCI grant meeting.
COVID-19 call with Veteran's representative.
Harvest Season Growers Association meeting.
Planning Commission joint meeting.

CAO UPDATE

Don Ashton, Chief Administrative Officer, reported on the following:
Steps the County is taking to begin conducting Board meetings back in the Board Chambers with Board members and staff.

ADJOURNED AT 3:53 P.M. in honor of Raymond "Larry" Hyder.

CLOSED SESSION

21. 20-0916

Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1). Title: Rural Communities United (Bio) v. County of El Dorado, et al. (Case No. PC20170536), Number of potential cases: (1). (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

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