



County of El Dorado

Minutes - Final Board of Supervisors

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

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

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

Tuesday, August 31, 2021

9:00 AM

<https://us06web.zoom.us/j/99543716704>

330 Fair Lane, Placerville, CA or live-streamed

ADDENDUM

Move item 3 from the Consent Calendar to Department Matters

Move item 43 to a 1:30 P.M. - TIME ALLOCATION

Items 49 and 50 are hereby added to the Consent Calendar

PUBLIC PARTICIPATION INSTRUCTIONS: In accordance with new guidance from the California Department of Public Health, the meeting will be open to the public. The meeting will continue to be live-streamed via Zoom and YouTube.

Members of the public may address the Board in-person or via Zoom to make a public comment. Seating is limited and available on a first-come, first-served basis. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 995 4371 6704. Please note you will not be able to join the live-stream until the posted meeting start time.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/99543716704>.

To observe the Board of Supervisors meetings via YouTube, click <https://www.youtube.com/channel/UCUMjDk3NUItZJrpw2CL7Zkg>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes.

By participating in this meeting, you acknowledge that you are being recorded. If you choose not to observe the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 4:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at edc.cob@edcgov.us. Your comment will be placed into the record and forwarded to the Board of Supervisors.

The Clerk of the Board is here to assist you, please call 530-621-5390 if you need any assistance with the above directions to access the meeting or if you would like to participate in the meeting from a conference room at the Government Center in Bldg. A

Vision Statement

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and historical heritage**

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The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, edc.cob@edcgov.us, preferably no less than 24 hours in advance of the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on March 16, 2021, incorporated herein:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. During noticed public hearings, individuals authorized by organizations to speak to organizational positions may request additional time, up to five minutes.

Public comment on certain agenda items designated and approved by the Board may be treated differently within specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-jurisdictional matters have additional flexibility depending on the nature of the issue. It is the practice of the Board to allocate 20 minutes for public comment during Open Forum and for each agenda item to be discussed.

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

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

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

9:00 A.M. - CALLED TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Rabbi Evon Yakar from the Temple Bat Yam gave the Invocation.

Supervisor Thomas led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: R. Michelson, K. Payne, J. Gainsborough, K. Greenwood, M. Lane, J. Hire, M. Rodriguez, L. Cauchon, K. Davis

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

Pull items 14 and 32 for discussion.

Yes: 4 - Novasel, Hidahl, Thomas and Turnboo

Noes: 1 - 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. **21-1405** Clerk of the Board recommending the Board Approve the minutes from the special meeting on August 19, 2021 and the regular meeting on August 24, 2021.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **21-1399** Chief Administrative Officer recommending the Board adopt and authorize the Chair to sign Resolution **109-2021** amending the current Personnel Allocation Resolution to add 1.00 FTE Administrative Analyst Supervisor and 1.00 FTE Sr. Administrative Analyst in the Chief Administrative Office.

FUNDING: American Rescue Plan Act.

Resolution 109-2021 was Adopted upon Approval of the Consent Calendar.

- 3. **21-1373** Chief Administrative Office recommending the Board to consider the following:
 - 1) Adopt and authorize the Chair to sign Resolution **108-2021** to waive the 180 day waiting period for extra help employment of a CalPERS retired annuitant in order to fill a critically needed position within the Chief Administrative Office;
 - 2) Authorize appointment of Greg Stanton as an extra help Principal Management Analyst, effective September 11, 2021; and
 - 3) Authorize an exception to the Personnel Rule 604.3 to hire at Step 5 (\$61.88 hourly);

FUNDING: General Fund.

This matter was moved from the Consent Calendar to Department Matters.

- 4. 21-1247** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Authorize the Purchasing Agent to execute Agreement for Services 5914 with Pride Industries One, Inc. for \$275,000 and a five year term to provide on-call and routine elevator maintenance and repair services at various County-operated locations;
 - 2) Authorize the Purchasing Agent, or designee, to execute any necessary amendments relating to Agreement for Services 5914, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management; and
 - 3) Make findings that it is more economical and feasible to contract out the requested services in accordance with Chapter 3.13, Section 3.13.030, of the County Purchasing Ordinance.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 5. 21-1381** Chief Administrative Office, Facilities Division and Procurement and Contracts Division, recommending the Board consider the following pertaining to Job Order Contracting (JOC) for as-needed General Building Contractors, Bid Numbers: 21-968-052, 21-968-053, and 21-968-054:
- 1) Award JOC Construction Contracts to Mesa Energy Systems, Inc., PRIDE Industries One, Inc., and CNW Construction, Inc., the three lowest responsive, responsible bidders;
 - 2) Approve and authorize the Purchasing Agent, or designee, to sign Public Works Contract 5705 with Mesa Energy Systems, Inc., Contract 5706 with PRIDE Industries One, Inc., and Contract 5707 CNW Construction, Inc., with each Contract having a term of one year, commencing ninety (90) days after contract execution or upon first Notice to Proceed, whichever occurs first, and each having a not-to-exceed amount of \$2,500,000; and
 - 3) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Public Contract Code section 22300, to hold Contract retention funds.

FUNDING: Accumulative Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

- 6. 21-1002** Chief Administrative Office and Planning and Building Department, Economic Development Division, recommending the Board approve and authorize the Chair to sign the following one-time Funding Agreements for the issuance of Transient Occupancy Tax funding during Fiscal Year 2021-22 for the reimbursement of costs associated with tourism related responses, activities, and/or equipment:
- 1) Agreement 5839 with Lake Valley Fire Protection District, with a term of one year and a not-to-exceed amount of \$572,000;
 - 2) Agreement 5842 with Georgetown Fire Protection District, with a term of six months and a not-to-exceed amount of \$5,800; and
 - 3) Agreement 5843 with El Dorado County Fire Protection District, with a term of six months and a not-to-exceed amount of \$68,000.

FUNDING: Transient Occupancy Tax (General Fund).

This matter was Approved on the Consent Calendar.

- 7. 21-1379** Clerk of the Board, based upon the recommendation of the El Dorado County Early Care and Education Planning Council, recommending the Board make the following reappointments to the El Dorado County Early Care and Education Planning Council:
- Reappoint Juline Aguilar, Public Agency - Superintendent of Schools Appointment, Term Expiration 08/31/2025; and
 - Reappoint Noelle Mattock, Designee, Term Expiration 08/31/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 8. 21-1400** Director of Human Resources recommending the Board approve the Board of Supervisors Policy L-1, Protected Health Information (HIPAA): General, sunset date extension to June 30, 2022.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

9. 21-1071

Human Resources Department recommending the Board take the following actions regarding Health Plan Programs and Ancillary Employee Benefit Programs for the 2022 Plan Year:

- 1) Approve the proposed 2022 health plan rate cards (Attachment A) based on the cost sharing of health premiums in the current Memoranda of Understanding with all bargaining units, the Salary and Benefits Resolution for unrepresented employees, and in accordance with the Patient Protection and Affordable Care Act;
- 2) Authorize the Director of Human Resources, or designee, to execute administrative health and benefit program plan renewals for services that otherwise fall under existing executed master agreements; and
- 3) Grant Human Resources the authority to correct any minor clerical errors or adjustments, if necessary, to the approved health plan rate cards for the 2022 health benefits plan year, as needed.

FUNDING: Countywide cost, shared between the County Departments (General Fund and Non-General Fund) and employees.

This matter was Approved on the Consent Calendar.

10. 21-1280

Human Resources Department, Risk Management Division, recommending the Board:

- 1) Make a finding that Contract 5782 with the State of California, Office of Administrative Hearings for Administrative Law Judge Services is necessary to protect against a conflict of interest or to ensure independent and unbiased findings where there is a need for an outside perspective per County Contracting Out Ordinance 3.13.030;
- 2) Approve Contract 5782 with State of California, Office of Administrative Hearings for Administrative Law Judge Services in an amount of \$48,000 for a period beginning 09/25/2021 through 09/24/2026, and
- 3) Authorize the Purchasing Agent to Execute Contract 5782 with the State of California, Office of Administrative Hearings for Administrative Law Judge Services.

FUNDING: Risk Management Internal Service Fund.

This matter was Approved on the Consent Calendar.

- 11. 21-1284** Information Technologies recommending the Board:
1) Approve the continued use of Contract 83 with Dell through 07/31/22 for the purchase of hardware licensing, maintenance, and support, in accordance with National Association of State Procurement Officials Agreement NMWNC-108 Amendment III; and
2) Authorize the addition of \$70,000 to the current year's funds, increasing the not-to-exceed amount to \$252,316.37.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 12. 21-1410** Supervisor Hidahl recommending the Board authorize the Chair to sign a Proclamation recognizing September 2021 as Prostate Cancer Awareness month.

This matter was Approved on the Consent Calendar.

- 13. 21-1359** Supervisor Novasel, based upon the recommendation of the First 5 El Dorado Children and Families Commission, recommending the Board make the following reappointment to First 5 El Dorado Children and Families Commission:
Reappoint Janet Saitman, Community Representative, Term Expiration 08/31/2024.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 14. 21-1362** Health and Human Services Agency recommending the Board provide conceptual approval, pursuant to Board Policy A-3, of the development of a new County Ordinance to satisfy the requirements to join the Health Plan of San Joaquin Medi-Cal Managed Care plan.

FUNDING: N/A

Public Comment: B. Lierman

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

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

- 15. 21-1308** Health and Human Services Agency (HHSA) recommending the Board:
- 1) Award Request for Proposal 21-952-041, to the response identified as most appropriate by the evaluation panel, Compassion Pathway Behavioral Health LLC, to start-up and operate a licensed six(6)-bed Social Rehabilitation Facility (SRF) in El Dorado County (County);
 - 2) Approve the one-time use of Mental Health Services Act funding in the amount of \$122,673 for the start-up costs of a licensed six-(6) bed SRF in the County; and
 - 3) Authorize HHSA to negotiate a three (3) year Agreement for Services with Compassion Pathway Behavioral Health LLC, for an estimated budget of \$2,040,196, which includes the one-time start-up cost, for Fiscal Years 2021-22, 2022-23, and 2023-24.

FUNDING: 100% State and Federal funding consisting of a combination of Medi-Cal Reimbursement and Mental Health Services Act funding.

This matter was Approved on the Consent Calendar.

16. 21-1313

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

- 1) Approve and authorize the HHS Behavioral Health Director to sign and submit to State of California Department of Health Care Services (DHCS) the Initial Funding Request and Certification form for Behavioral Health Quality Improvement Program (BH-QIP) Start-Up Funds in the amount of \$250,000;
- 2) Delegate authority to the HHS Behavioral Health Director, or designee, to execute any additional documents, contingent upon approval by County Counsel and Risk Management, including any extension(s) or amendment(s) thereto, related to those specific allocations for the DHCS BH-QIP; and
- 3) Authorize the HHS Behavioral Health Director, or designee, or Agency Chief Fiscal Officer or designee, to execute any fiscal or programmatic reports for said funding allocations.

FUNDING: 100% State General Fund.

This matter was Approved on the Consent Calendar.

17. 21-1151

Health and Human Services Agency (HHS) recommending the Board rescind direction from 2007 directing the use of a standardized rate structure for therapeutic counseling and other associated or like services using the State-approved Drug Medi-Cal fee-for-service rate, and approve HHS to begin negotiating rates for the purchase of therapeutic counseling and other associated/or like services for clients of the Social Services and Behavioral Health divisions.

FUNDING: Various funding, including but may not be limited to Federal Medi-Cal, State General Fund, Federal Title IV-E TANF and IV-B Block Grants, Behavioral Health Realignment, Social Services Realignment, etc.

This matter was Approved on the Consent Calendar.

18. 21-1164

Health and Human Services Agency recommending the Board:

- 1) Make findings in accordance with County Ordinance 3.13.030 that it is appropriate to contract with LocumTenens.com, LLC for the provision of temporary medical practitioner services provided under Agreement 5783 “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 addition of permanent staff”;
- 2) Approve and authorize the Chair to sign Agreement for Services 5783 with LocumTenens.com, LLC, in the amount of \$1,250,000, for the term of 5 years from September 1, 2021 through August 31, 2026; and
- 3) Authorize the Health and Human Services Agency Director or their designee to execute further documents relating to Agreement for Services 5783, contingent upon approval by County Counsel and Risk Management, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: Federal Funding: Medi-Cal 63%; State Funding: Mental Health Services Act 33%, Realignment 4%.

This matter was Approved on the Consent Calendar.

19. 21-1106

Health and Human Services Agency recommending the Board:

- 1) Approve non-financial State Agreement 21-10079 (County Agreement 5819) and the accompanying Certification Form CCC 04/2017 with the California Department of Health Care Services that establishes terms and conditions for the provision of mental health services, with a retroactive effective date of July 1, 2021 through June 30, 2024; and
- 2) Authorize and delegate authority to the Health and Human Services Agency Director, or designee, to execute this Agreement and further documents relating to Standard Agreement 5819, if any, provided that amendments do not eliminate the funding streams, and contingent upon approval by County Counsel and Risk Management.

FUNDING: There is no funding included in this Agreement; however, it establishes the requirements to receive funding from various mental health funding sources.

This matter was Approved on the Consent Calendar.

- 20. 21-1322** Health and Human Services Agency and Human Resources Department recommending the Board adopt and authorize the Chair to sign Resolution **110-2021** to:
- 1) Approve the deletion of two (2.0) vacant full time equivalent (FTE) Social Service Aide allocations; and
 - 2) Approve the addition of two (2.0) FTE Social Worker I/II allocations in the Health and Human Services Agency.

FUNDING: 24% Federal Funds; 23% State Funds; 53% Social Services Realignment.

This matter was Approved and Resolution 110-2021 was Adopted upon Approval of the Consent Calendar.

- 21. 21-1223** Health and Human Services Agency and Human Resources Department recommending the Board:
- 1) Approve and adopt the revised Health and Human Services Agency department-specific class specification: Public Health Nursing Manager (title change from Community Public Health Nursing Division Manager); and
 - 2) Adopt and authorize the Chair to sign Resolution **105-2021** to:
 - a) Approve the abovementioned title change; and
 - b) Approve the addition of one (1.0) Full Time Equivalent (FTE) Public Health Nursing Manager allocation and one (1.0) FTE Administrative Assistant I/II allocation in the Health and Human Services Agency.

FUNDING: 100% Epidemiology and Laboratory Capacity round-2 funding through December 2024.

This matter was Approved and Resolution 105-2021 was Adopted upon Approval of the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

22. 21-0883

Department of Transportation recommending the Board consider the following for acquiring right of way for the Diamond Springs Parkway Phase 1B, Capital Improvement Program Project number 72334 / 36105011:

- 1) Approve and authorize the Chair to sign the Acquisition Agreement for Public Purposes and the Certificates of Acceptance accepting Grant Deeds, Slope and Drainage Easements, and Public Utility Easements with James E. Teter and Elizabeth Ann Teter, Trustees under The Teter 1991 Revocable Living Trust dated July 22, 1991, for Assessor's Parcel Numbers 327-270-043, 327-270-046, and 327-270-050. The Fee and Easement acquisitions provide right-of-way necessary to construct the Project, at a cost of \$224,000;
- 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: Master Circulation and Funding Plan.

This matter was Approved on the Consent Calendar.

- 23. 20-0182** Department of Transportation recommending the Board take the following actions pertaining to the Meyers Stream Environment Zone/Erosion Control Project, Capital Improvement Program (CIP) project number 95179/36107007:
- 1) Accept and approve the Intergovernmental Grant Administration Agreement between the County of El Dorado and the South Lake Tahoe Public Utility District, with a total of \$577,414 to be provided for the subject project;
 - 2) Authorize the Director of Transportation to sign the Intergovernmental Grant Administration Agreement on behalf of the County; and
 - 3) Authorize the Director of Transportation to sign any future modifications to the Intergovernmental Grant Administration Agreement that do not increase the total dollar amount of the Grant Agreement.

FUNDING: Tahoe Regional Planning Agency (11%), State Water Resource Control Board Proposition 1 Grant Program (46%), United States Forest Service (43%).

This matter was Approved on the Consent Calendar.

- 24. 21-0749** Department of Transportation recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance **5144** amending County Code Chapter 12.28, Traffic Impact Mitigation (TIM) Fee, which comprises Ordinances 5045 and 5142, to reflect changes approved as part of the 2020 Major Update to the Traffic Impact Fee (TIF) Program. (Cont. 8/10/2021, Item 25)

FUNDING: TIF Program.

Ordinance 5144 was Adopted upon Approval of the Consent Calendar.

- 25. 21-0887** Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **106-2021**, authorizing the Director of Transportation the delegated authority to approve Utility Agreements in the amount of \$200,000 or less with various utility agencies, for the relocation of utilities for public works, maintenance, and Capital Improvement Program projects.

FUNDING: N/A

Resolution 106-2021 was Adopted upon Approval of the Consent Calendar.

26. 21-1302

Department of Transportation recommending the Board:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Myers and Sons Construction, LLC. for the Clear Creek Road at Clear Creek PM 1.82 and PM 0.25 - Bridge Replacement Projects, Contract 4094, Capital Improvement Program project numbers 77138/36105005 & 77139/36105006; 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: Highway Bridge Program (100%) (Federal Funds).

This matter was Approved on the Consent Calendar.

27. 21-1350

Department of Transportation recommending the Board authorize the Chair to sign an updated Master Agreement: Administering Agency - State Agreement for State-Funded Projects, Agreement 03-5925S21, with the State of California, acting by and through its Department of Transportation.

FUNDING: State-Funded Transportation Funds.

This matter was Approved on the Consent Calendar.

28. 21-1303

Department of Transportation recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Granite Construction Company, for the Silver Springs Parkway Offsite (South Segment) Project, Capital Improvement Program project number 76108/36105039, Contract 4076; 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: Road Fund/Discretionary (0.4%), TIM Zone 1-7 (16.6%), Developer Advance TIM Zone 1-7 (21.7%), Developer Funded (61.3%).

This matter was Approved on the Consent Calendar.

29. 21-1285

Department of Transportation recommending the Board:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Dirt & Aggregate Interchange, Inc., for the Guardrail Upgrades - Tahoe Project, Capital Improvement Program 72198/36105063, Contract 4576; 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: Highway Safety Improvement Program (100% - Federal).

This matter was Approved on the Consent Calendar.

30. 21-1420

Department of Transportation recommending the Board take the following actions related to the Industrial Drive/ Missouri Flat Road Temporary Signal Project, Capital Improvement Program project number 73366/36105053, Contract 4455:

- 1) Retroactively approve and authorize the Chair to execute Contract Change Order 4 with Tim Paxin's Pacific Excavation, Inc. in the amount of \$80,000, for emergency repair work due to extensive damage to the temporary signal system caused by a vehicle collision; and
- 2) Find that an exception to the competitive bidding requirement exists for the work described and that a waiver of competitive bidding is appropriate for Contract Change Order 4.

FUNDING: Road Fund with possible reimbursement from Insurance Company.

This matter was Approved on the Consent Calendar.

31. 21-1083

Environmental Management Department recommending the Board consider the following:

- 1) Approve Amendment 2 to Agreement 3088 with Clean Harbors Environmental Services, Inc. for the provision of household hazardous waste collection, processing, transportation, and disposal services in order to increase the not-to-exceed amount from \$300,000 to \$390,000 and extend the term of the Agreement by one year to September 14, 2022;
- 2) Authorize the Purchasing Agent to sign Amendment 2, as well as any future amendments that do not include changes to the not-to-exceed amount or term of the Agreement that exceed purchasing agent's authority; and
- 3) Approve and authorize the Chair to sign a budget transfer adjusting the budget for Fiscal Year 2021-22 to accommodate the new contract (4/5 vote required).

FUNDING: Non-General Fund / County Service Area 10 - Household Hazardous Waste funds.

This matter was Approved on the Consent Calendar.

32. 21-1262

Planning and Building Department recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance **5146** amending Title 5 - County Business Taxes, Licenses and Regulations of the El Dorado County Ordinance Code, Chapter 5.56 - Vacation Home Rentals, adding Section 5.56.056 - Vacation Home Rental Clustering. (Cont. 8/24/2021, Item 22)

FUNDING: N/A

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Adopt Ordinance 5146.

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

33. 21-1268

Planning and Building Department, Airports Division, recommending the Board approve and authorize the Chair to sign County of El Dorado Airport Ground Leases for Portable Hangars, that require a rental fee to be paid at commencement of the lease and paid annually thereafter in accordance with fees established by Board Resolution 183-2019 by the Board on October 22, 2019 (Item 31, Legistar 19-0663), in effect at the time payment is due, and upon Board execution, a lease term of ten years as follows (4/5 vote required):

- 1) Lease 2026, between the County and Lessees, Brian and Sue Sanders, for a privately-owned Hangar located on Space TP-03 at the Placerville Airport, representing use of 1,086 square feet of Airport ground, with commencement rental fee due of \$1,068.00 (Attachment B);
- 2) Lease 2032, between the County and Lessee, Frank Ugie, for a privately-owned Hangar located on Space TP-23 at the Placerville Airport, representing use of 1,411 square feet of Airport ground, with commencement rental fee due of \$1,388.40 (Attachment C);
- 3) Lease 2033, between the County and Lessee, Algimantas Balciunas, for a privately-owned Hangar located on Space H-18 at the Placerville Airport, representing use of 1,512 square feet of Airport ground, with commencement rental fee due of \$1,487.76 (Attachment D); and
- 4) Lease 2035, between the County and Lessees, Diane Shariff and James Edison, for a privately-owned Hangar located on Space H-34 at the Placerville Airport, representing use of 1,548 square feet of Airport ground, with commencement rental fee due of \$1,523.28 (Attachment E).

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the Consent Calendar.

34. 21-1369

Planning and Building Department, Long Range Planning, recommending the Board:

- 1) Find that the use of Ecological Preserve Endowment Funds for any specialized cleanup and/or maintenance work needed for the approximately 30 acres of County-owned land near Palmer Drive and Loma Drive (Carriage Hills property) is consistent with the El Dorado County General Plan, pursuant to Government Code Section 65402 and Chapter 130.71 (Ecological Preserve Fee) of the County Ordinance Code; and
- 2) Approve and authorize the Chair to sign the budget amendment for FY 2021-22 allocating clean-up costs from each department to the Ecological Preserve Endowment Fund budget. (4/5 vote required)

FUNDING: Ecological Preserve Endowment Fund.

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 35. 21-1203** Probation Department recommending the Board:
- 1) Accept a grant award, in accordance with Board Policy A-6, in an amount of up to \$167,529 in Youth Programs and Facilities Grant Program funding;
 - 2) Adopt and authorize the Chair to sign Resolution **112-2021** delegating authority to Brian Richart, Chief Probation Officer, to execute the grant agreement and to accept funding contingent upon County Counsel approval; and
 - 3) Authorize the Chief Probation Officer to administer any subsequent administrative documents, including required fiscal and programmatic reports.
- FUNDING:** Board of State and Community Corrections Youth Programs and Facilities Grant (100%).
- This matter was Approved and Resolution 112-2021 was Adopted upon Approval of the Consent Calendar.**
- 36. 21-1353** Sheriff's Office recommending the Board approve and authorize Chair to sign the retroactive Memorandum of Understanding between the Sheriff's Office and the Sacramento County Office of Education (SCOE) for the provision of supplemental law enforcement services for the Sly Park Environmental Education Center in the amount of \$10,000 from July 1, 2021, to June 30, 2022.
- FUNDING:** Revenue from SCOE.
- This matter was Approved on the Consent Calendar.**
- 37. 21-1323** Sheriff's Office recommending the Board:
- 1) Approve and authorize the purchase of Cellebrite Premium Unlimited Package software license and hardware in the initial estimated amount of \$117,000;
 - 2) 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; and
 - 3) Authorize the Purchasing Agent to execute a perpetual purchase agreement contingent upon County Counsel and Risk approval.
- FUNDING:** CalMMET Special Revenue Funds.
- This matter was Approved on the Consent Calendar.**

38. 21-1143

Sheriff's Office and Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **111-2021**, increasing the fees on the Parking Penalty Fee Schedule to help deter unsafe parking in no-parking zones.

FUNDING: N/A

Resolution 111-2021 was Adopted upon Approval of the Consent Calendar.

END CONSENT CALENDAR

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

39. 21-1183

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 Interface Children and Family Services for the provision of 2-1-1 Information and Referral services provided under Agreement 5792, as 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 5792 with Interface Children and Family Services in the amount of \$216,715.50 for the term of 2 years from September 1, 2021 through August 31, 2023; and
- 3) Authorize the Health and Human Services Agency Director, or designee, to execute further documents relating to Agreement for Services 5792, contingent upon County Counsel and Risk Management approval, including amendments which do not increase the maximum dollar amount or term of the Agreement.

FUNDING: 100% General Fund.

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to Approve this matter and include the Enhanced Disaster Staffing option.

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

40. 21-1411

Supervisor Hidahl recommending the Board authorize the Chair to sign a Proclamation recognizing September 11, 2021 as "Lest We Forget Day" to remember the victims of September 11, 2001, and to honor and thank our local firefighters, law enforcement personnel, emergency rescue workers, military servicemen and women, and the volunteers in these fields who work diligently to ensure that we may live our lives in safety and freedom.

Public Comment: G. Willard, K. Greenwood

Supervisor Hidahl read the Proclamation.

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

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

41. 21-1412 Supervisor Hidahl recommending the Board authorize the Chair to sign a Proclamation recognizing September as National Preparedness month.

Public Comment: Recall Placerville, K. Greenwood

Supervisor Hidahl read the Proclamation.

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

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

42. 21-1406 Chief Administrative Office recommending the Board consider the Draft Board of Supervisors Response to the 2020-21 Grand Jury Final Report and take one of the following actions:

- 1) Direct staff to make changes and return to the board with final report by September 21, 2021; or
- 2) Approve as the Final Report and submit to the Presiding Judge.

FUNDING: N/A

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to Approve as the Final Report and submit to the Presiding Judge the Draft Board of Supervisors Response to the 2020-21 Grand Jury Final Report.

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

43. 21-1427 Supervisor Novasel recommending the Board remove Cheryl Ann Bly-Chester District 2 Planning Commission Member from the El Dorado County Planning Commission.

FUNDING: N/A

This matter was moved from Department Matters to a 1:30 P.M. - TIME ALLOCATION.

9:00 A.M. TIME ALLOCATION (Items will not be heard prior to time stated)**44. 21-1397**

HEARING - To consider the unanimous recommendation for approval from the Planning Commission on General Plan Amendment GPA21-0002/2021-2029 Housing Element Update; and recommending the Board of Supervisors (Board) take the following actions:

- 1) Adopt the California Environmental Quality Act (CEQA) Addendum to the El Dorado County's General Plan Environmental Impact Report (EIR), certified in July 2004 (State Clearinghouse Number 2001082030) demonstrating that the analysis in that EIR adequately addresses the potential physical impacts associated with implementation of the proposed project and the proposed project would not trigger any of the conditions described in the CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration based on the analysis prepared by staff;
- 2) Approve General Plan Amendment GPA21-0002 amending the General Plan to incorporate the 2021-2029 Housing Element Update based on Findings as presented by staff; and
- 3) Adopt and authorize the Chair to sign Resolution **107-2021** to amend the County General Plan to incorporate the 2021-2029 Housing Element Update.

FUNDING: General Fund and California Department of Housing and Community Development Local Government Planning Support Grants Program, Regional Early Action Planning Grants.

Public Comment: K. Payne, R. Michelson, J. McGinnis, J. Gainsborough, J. Hire, Jen, L. Cauchon, A. Nevis, J. Short, N. Yanish, J. Robinson

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

A motion was made by Supervisor Thomas, seconded by Supervisor Parlin to Approve this matter including staff's following recommendations:

- 1) Adopt the California Environmental Quality Act (CEQA) Addendum to the El Dorado County's General Plan Environmental Impact Report (EIR), certified in July 2004 (State Clearinghouse Number 2001082030) demonstrating that the analysis in that EIR adequately addresses the potential physical impacts associated with implementation of the proposed project and the proposed project would not trigger any of the conditions described in the CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration based on the analysis prepared by staff;**
- 2) Approve General Plan Amendment GPA21-0002 amending the General Plan to incorporate the 2021-2029 Housing Element Update based on Findings as presented by staff;**
- 3) Adopt Resolution 107-2021 to amend the County General Plan to incorporate the 2021-2029 Housing Element Update;**
- 4) Change HO-11 from secondary dwelling units to accessory dwelling units; and**
- 5) Include Public Hearing information to capture the Planning Commission and Board of Supervisors hearing actions.**

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

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

- 45. 21-1366** Health and Human Services Agency (HHSA) recommending the Board receive a presentation and update regarding the El Dorado Opportunity Knocks Homeless Continuum of Care Program (EDOK) and related HHSA homeless grants, program outcomes, and upcoming opportunities, including an update on the steps remaining to finalize the EDOK Homeless Strategic Plan.

FUNDING: N/A

Public Comment: P. Vandercar, J. McGinnis, M. Dion-Perry, R. Michelson, J. Gainsborough, T. Smith

The Board received a presentation and an update regarding the El Dorado Opportunity Knocks Homeless Continuum of Care Program (EDOK) and related HHSA homeless grants, program outcomes, and upcoming opportunities, including an update on the steps remaining to finalize the EDOK Homeless Strategic Plan.

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

OPEN FORUM

Public Comment: R. Michelson, M. Lane, J. McGinnis, J. Gainsborough, K. Greenwood, T. Doyle, K. Davis, L. Pearson, S. Taylor, M. Rodriguez, C. Bly-Chester

- 21-1458** OPEN FORUM (See Attachment)

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. The total amount of time reserved for Open Forum is 20 Minutes.

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

Supervisor Thomas reported on the following:
Visiting local assistance centers.

Supervisor Turnboo reported on the following:
Constituent meetings.
Visiting local assistance centers.
Ride along's with Assembly member Kevin Kiley and Congressman Tom McClintok.

Supervisor Parlin reported on the following:
House fire on Gold Hill.
Ride along with Supervisor Turnboo.

Supervisor Novasel reported on the following:
Update on fire in El Dorado County.

Supervisor Hidahl reported on the following:
Local Agency Formation Commission monthly meeting.
Southeast Connector Joint Powers Authority monthly meeting.
Human Rights Commission meeting.
Update on fire in El Dorado County.
Vegetation Management efforts.

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

Don Ashton, Chief Administrative Officer, reported on the following:
Provided an update on the fire in El Dorado County.
Special Board meeting on September 10, 2021.
Local Assistance Centers.
Board needs to Adopt the Final Budget.

ADJOURNED AT 5:33 P.M.

CLOSED SESSION

- 46. 21-1419** **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, representing employees in the Supervisory, Professional, and General Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts Bargaining Unit; 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; and El Dorado County Law Enforcement Management Association representing employees in the Law Enforcement Sworn Management Unit. (Est. Time: 15 Min.)

This matter was Continued to September 10, 2021.

- 47. 21-1395** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1). (Est. Time: 20 Min.)

This matter was Continued to September 10, 2021.

- 48. 21-1401** **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2) and **Initiation of Litigation** pursuant to Government Code section 54956.9(d)(4). Title: Number of potential cases: (4+). (Est. Time: 15 Min.)

This matter was Continued to September 10, 2021.

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

- 49. 21-1435** Health and Human Services Agency recommending the Board:
- 1) Accept, with gratitude, a donation of \$10,000 from RS Analysis, Inc., to the Pet Aid Fund, to support efforts by the Animal Services Program during the Caldor Fire; and
 - 2) Authorize the Health and Human Services Agency Director, or designee, to execute document(s) relating to the donation from RS Analysis, Inc., to the Animal Services Program.

FUNDING: RS Analysis, Inc.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 50. 21-1430** Department of Transportation recommending the Board:
- 1) Authorize the Chair to sign the retroactive Emergency Land Use Agreement 1291S82K4095, FENIX 5967, with the United States Forest Service accepting funds with a not-to-exceed amount of \$25,000 for the use of one acre of land at the Maintenance Yard located at 2441 Headington during the Caldor Fire; and
 - 2) Delegate signature authority to the Director of Department of Transportation to sign any additional Land Use Agreements or Facility Use Agreements for 2441 Headington Road with the United States Forest Service or CalFire during the Caldor Fire with a not-to-exceed amount of \$65,000.

FUNDING: Incoming Revenue, United States Forest Service.

This matter was Approved on the Consent Calendar.

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

Item 3 has been moved from the Consent Calendar to Department Matters

- 3. 21-1373** Chief Administrative Office recommending the Board to consider the following:
- 1) Adopt and authorize the Chair to sign Resolution **108-2021** to waive the 180 day waiting period for extra help employment of a CalPERS retired annuitant in order to fill a critically needed position within the Chief Administrative Office;
 - 2) Authorize appointment of Greg Stanton as an extra help Principal Management Analyst, effective September 11, 2021; and
 - 3) Authorize an exception to the Personnel Rule 604.3 to hire at Step 5 (\$61.88 hourly);

FUNDING: General Fund.

Public Comment: R. Primentel, R. Michelson, J. Gainsborough

This matter was moved from the Consent Calendar to Department Matters.

A motion was made by Supervisor Turnboo, seconded by Supervisor Parlin to Approve this matter and Adopt Resolution 108-2021.

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

1:30 P.M. TIME ALLOCATION (Items will not be heard prior to the time stated)

Item 43 has been moved from Department Matters to a 1:30 P.M. - TIME ALLOCATION

43. 21-1427 Supervisor Novasel recommending the Board remove Cheryl Ann Bly-Chester District 2 Planning Commission Member from the El Dorado County Planning Commission.

FUNDING: N/A

Public Comment: G. Bly, G. Willard, R. Michelson, No name given, J. Robinson, M. Lane, J. Vegna, J. Clerici, K. Payne, K. Dong, A. Nevis, T. Hamilton, K. Link, T. Doyle, M. Rodriguez, R. Briggs, K. Greenwood, K. Davis, L. Jones, S. Taylor, S. Telfer, J. Sandum, L. Alexander, R. Williams, C. Bly-Chester

This matter was moved from Department Matters to a 1:30 P.M. - TIME ALLOCATION.

After the main motion was made, a substitute motion was made by Supervisor Parlin, seconded by Supervisor Turnboo to Continue this matter for 60 days to allow the Chair and the Vice-Chair of the Board of Supervisors the opportunity to work with Commissioners Vegna and Bly-Chester on proper decorum during meetings.

Motion Failed.

Yes: 2 - Parlin and Turnboo

Noes: 3 - Novasel, Hidahl and Thomas

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

Yes: 3 - Novasel, Hidahl and Thomas

Noes: 2 - Parlin and Turnboo