



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

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, February 9, 2021

9:00 AM

<https://zoom.us/j/91607847564>

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

ADDENDUM

Item 34 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 916 0784 7564.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/91607847564>.

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.

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 or if you would like to participate in the meeting from a conference room at the Government Center in Bldg. A

Vision Statement

**Safe, healthy and vibrant communities, respecting our natural resources
and historical heritage**

This institution is an equal opportunity provider and employer.

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

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

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

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

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

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

PROTOCOLS FOR PUBLIC COMMENT

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

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

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

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on February 26, 2019, incorporated herein:

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. 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 Novasel, Supervisor Hidahl, Supervisor Parlin, Supervisor Thomas and Supervisor Turnboo

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

**Chaplain Betsy Vanderpool of the Sierra Chaplaincy gave the Invocation.
Supervisor Turnboo led the Pledge of Allegiance to the Flag.**

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: F. Porter, R. Michelson, L. Cauchon, K. Greenwood, G. Carpenter, R. Miller, M. Read, K. Payne, M. Lane, A. Crawford, M. Green, C. Cockrell, D. Wolfson, Kirsten, J. Robinson, J. Poimiroo, T. Doyle, T. Smith, J. Mouzis, M. Rodriguez, K. Link, R. Binford, J. Connelley, K. Smith, D. Hembd

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

Supervisor Thomas registered a No vote on item 14.

Continue item 20 off calendar.

Continue item 27 to February 23, 2021.

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

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and separate Board action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Board action.

CONSENT CALENDAR

- 1. **21-0180** Clerk of the Board recommending the Board Approve the Minutes from the regular meeting of January 26, 2021 and the special meeting of February 2, 2021.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **21-0022** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$176,959.97 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, Kalithea Park, Valley View Park, and Heritage Village Park.

FUNDING: Development Impact Fees.

This matter was Approved on the Consent Calendar.

- 3. **21-0113** Chief Administrative Office recommending the Board order the Auditor-Controller to disburse \$117,332.86 to the El Dorado Hills County Water District (El Dorado Hills Fire Department) from its Development Impact Mitigation Fee Account.

FUNDING: Development Impact Mitigation Fees.

This matter was Approved on the Consent Calendar.

- 4. **21-0154** Chief Administrative Office recommending the Board decline to authorize the issuance of Tax and Revenue Anticipation Notes ("TRANS") on behalf of various school districts, thus allowing those school districts to issue such TRANS in their own name.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

5. **21-0161** Chief Administrative Office, Emergency Medical Services and Emergency Preparedness and Response Division, recommending the Board:
- 1) Approve and authorize the Chair to sign a budget transfer increasing Fixed Assets by \$7,500 and decreasing Services and Supplies commensurately; and
 - 2) Approve the addition of one (1) freezer to the FY 2020-21 Fixed Asset list.

FUNDING: California Department of Public Health COVID-19 supplemental grant funding.

This matter was Approved on the Consent Calendar.

6. **21-0043** Chief Administrative Office, Facilities Division, recommending the Board:
- 1) Authorize the transfer of unspent funds in the Courthouse Construction Fund to the State Court Facilities Construction Fund; and
 - 2) Approve and authorize a budget transfer appropriating the current cash balance plus estimated interest earned in the amount of \$299,500 for payment to the State. (4/5 vote required)

FUNDING: Courthouse Construction Fund.

This matter was Approved on the Consent Calendar.

7. **21-0143** Chief Administrative Office, Facilities Division, recommending the Board find and declare that the County owned real properties located at 515 & 525 Main Street, Placerville are exempt surplus land.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

8. **21-0048** Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retiring Deputy Probation Officer Orion Davis.

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

This matter was Approved on the Consent Calendar.

9. **21-0085** 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.

10. **21-0136** Clerk of the Board, based upon the recommendation of the El Dorado County Airport Advisory Committee, recommending the Board reappoint Russ Sardina to the El Dorado County Airport Advisory Committee, Representing Placerville Airport, Term Expiration 02/09/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

11. **21-0096** Clerk of the Board, based upon the recommendation of the El Dorado County Child Abuse Prevention Council, recommending the Board make the following appointments and accept the following resignation to the El Dorado County Child Abuse Prevention Council:

- 1) Accept the resignation of Daniel Johnson, Criminal Justice Representative;
- 2) Appoint Jennifer Kalsbeek, Community Based Organization, Term Expiration 6/30/2022
- 3) Appoint Victor Antonio, Health and Mental Health Provider, Term Expiration 06/30/2022;
- 4) Appoint Alyssa Franzen, Parent/Primary Caregivers, Term Expiration 06/30/2022; and
- 5) Reappoint Michael Ungeheuer, Health and Mental Health Provider, Term Expiration 06/30/2022.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

12. **21-0152** Clerk of the Board, based upon the recommendation of Supervisor Novasel, recommending the Board make the following appointment to the Happy Homestead Cemetery District:
Appoint Kelly Tilson, Member (Vacant), Term Expiration 01/01/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

13. **21-0148** Supervisor Novasel and Supervisor Turnboo recommending the Board implement a requirement that Board appointed members to all Committees/Commissions/Boards participate in an Implicit Bias training.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

14. **21-0147** Clerk of the Board recommending the Board make the following **District specific** appointment to the Veterans Affairs Commission:
Appoint Chris Cockrell, Member - District 2, Term Expiration 01/01/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.
Supervisor Thomas registered a No vote on this matter.

15. **21-0151** Clerk of the Board recommending the Board approve the continuation of perpetual agreement 509-S1711 (FENIX 944) with Municipal Code Corporation for ongoing ordinance code codification services. The annual cost associated with this perpetual agreement is estimated at \$16,000 and is wholly dependent upon the volume and length of ordinances to be codified throughout the year.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

16. **21-0095** Human Resources Department recommending the Board:
- 1) Approve the bargaining unit designation change for one Applications Analyst I/II allocation (position 2588 - currently at the II level) in the Information Technologies Department from Professional (PL) to Confidential (CO);
 - 2) Approve the bargaining unit designation change for one vacant Applications Analyst III allocation (position 2589) in the Information Technologies Department from CO to PL; and
 - 3) Adopt and authorize the chair to sign Resolution **209-2021** to change the bargaining unit designations as noted above.

FUNDING: N/A

This matter was Approved and Resolution 209-2021 was Adopted upon Approval of the Consent Calendar.

17. 21-0158

Supervisor Parlin recommending the Board make the following appointment to the Coloma Lotus Advisory Committee:
Appoint Robert Bradshaw, Member at Large, Term Expiration 2/9/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 18. 21-0099** Health and Human Services Agency recommending the Board receive and file El Dorado County’s Data Notebook 2020 for California Behavioral Health Boards and Commissions.

FUNDING: N/A.

This matter was Approved on the Consent Calendar.

- 19. 21-0109** Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve the Children’s Medical Services Program Budgets and Work Plans for the County of El Dorado for Fiscal Year 2020-2021 for the provision of required preventive and specialized health care services to children from birth to 21 years of age who are afflicted with life-threatening and/or severe life-altering chronic medical conditions, with an estimated maximum reimbursement amount of \$1,120,526;
 - 2) Delegate authority to the HHS Director to execute the Certification Statements and any additional documents related to this funding, if any; and
 - 3) Authorize the HHS Director or the Agency Chief Fiscal Officer to execute any required fiscal and programmatic reports.

FUNDING: 58% Federal Children’s Medical Services Allocation, 32% State Children’s Medical Services Allocations, 7% Public Health Realignment Fund Match, 1% Social Services Realignment Fund Match, and 1% County General Fund Match.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

20. 21-0115 Department of Transportation, with the concurrence of the Chief Administrative Office, Community Development Finance & Administration Division, recommending the Board authorize the Chair to sign the Credit and Reimbursement Agreement for the construction and acquisition of improvements necessary for the development of the Bell Woods, Bell Ranch and Hawk View residential subdivisions within the Bass Lake Hills Specific Plan Area, funded under the Bass Lake Hills Specific Plan Public Facilities Financing Plan (PFFP), between the County and Lennar Winncrest, LLC., (AGMT 20-54961).

FUNDING: Developer Funded and Reimbursed PFFP Funds.

This matter was Continued off Calendar upon Approval of the Consent Calendar.

21. 20-1678 Department of Transportation recommending the Board:
1) Find that it is appropriate to contract with Department of California Highway Patrol for traffic control services in accordance with Section 3.13.030 (E) of the County Ordinance, because the work is with or among any other governmental entities or agencies; and
2) Retroactively approve and authorize the Chair to sign California Standard Agreement 20R245001 (Fenix 5383) with Department of California Highway Patrol to provide traffic control services on construction projects for a total not-to-exceed of \$324,800 and a term beginning January 1, 2021 and ending three years thereafter.

FUNDING: Various funding sources for Capital Improvement Program Projects, including Federal, State and Local funding at different amounts depending on the project.

This matter was Approved on the Consent Calendar.

22. 21-0102

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolutions authorizing the submittal of a Parks and Water Bond Act of 2018 (Prop 68) Statewide Park Development and Community Revitalization Grant Program applications to the State of California, Department of Parks and Recreation, for the following three projects:

- 1) Resolution **212-2021** for El Dorado Trail/Missouri Flat Road Pedestrian Overcrossing (Capital Improvement Program (CIP) 97015/36109002);
- 2) Resolution **213-2021** for El Dorado Trail Extension - Halcon Road to Pondorado Road (CIP 97017/36109007); and
- 3) Resolution **214-2021** for Depot Park Multigenerational Exercise Circuit and Parking Lot.

FUNDING: Prop 68 (for initial construction), General Fund (ongoing maintenance and repair/replacement).

This matter was Approved and Resolutions 212-2021, 213-2021 and 214-2021 were Adopted upon Approval of the Consent Calendar.

23. 21-0025

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

- 1) Accept the grant award, in accordance with Board Policy A-6, in the amount of \$500,000 in Local Government Planning Support Grants Program funding (hereinafter referred to by the California Department of Housing and Community Development [HCD or Department] as the Local Early Action Planning Grants program or LEAP);
- 2) Adopt and authorize the Chair to sign Resolution **210-2021** to authorize the Planning and Building Department Director, or designee, to execute the grant agreement 20-LEAP-14912 and subsequent amendments thereto that do not affect the dollar amount or the term and to sign other grant related documents, contingent upon approval by County Counsel and Risk Management; and
- 3) Approve and authorize the Chair to sign a Fiscal Year 2020-21 budget amendment to accommodate the grant fund and related expenses. (4/5 vote required)

FUNDING: State Local Government Planning Support Grants Program.

This matter was Approved and Resolution 210-2021 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

24. 21-0081

District Attorney recommending the Board:

- 1) Approve and authorize the closure of the following District Attorney Special Revenue Funds due to inactivity:
 - a) Org: 2270701 - Federal Equitable Sharing (Prior to 6/5/07)
 - b) Org: 2270750 - Multidisciplinary Center (MDIC)
 - c) Org: 2270760 - Vehicle Theft 9250.14; and
- 2) Approve and authorize the Chair to sign FY 2020-21 budget transfer allowing the remaining fund balances for each account to be transferred as outlined below. (4/5 vote required)

FUNDING: Federal Equitable Sharing (Prior to 6/5/07) Fund, Multidisciplinary Center (MDIC) Fund, & Vehicle Theft 9250.14 Fund.

This matter was Approved on the Consent Calendar.

25. 21-0052

Sheriff's Office recommending the Board:

- 1) Approve and authorize the Sheriff to sign the Domestic Cannabis Eradication and Suppression Program (DCESP) grant funding Letter of Agreement 2021-15, with the United States Department of Justice Drug Enforcement Administration - (US DOJ/DEA) in the amount of \$533,000 for the period October 1, 2020 to September 30, 2021 to defray costs relating to the eradication and suppression of illicit marijuana only;
- 2) Approve the addition of one (1) vehicle trailer to the FY 2020-21 Fixed Asset list; and
- 3) Authorize the Chief Administrative Officer to sign a budget transfer moving \$12,000 in appropriations from the services and supplies expenditure class (40 character expenditure object class) to the fixed asset expenditure class (60 character expenditure object class) in the Sheriff's Office FY 20/21 approved budget.

FUNDING: US DOJ/DEA - DCESP funds.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

26. 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. 1/26/2021, Item 15)

FUNDING: N/A

Public Comment: K. Link, R. Michelson, K. Payne, L. Cauchon, J. Gainsborough, M. Rodriguez

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

27. 20-0914 Department of Transportation recommending the Board consider the following:
1) Authorize the Director of Transportation, or designee, to approve and sign the High Cost Project Agreement with the California Department of Transportation for the Mosquito Road Bridge at South Fork American River Project, CIP 77126/36105028;
2) Authorize the Director of Transportation, or designee, to amend the High Cost Project Agreement for all minor modifications as necessary throughout the term of the agreement; and
3) Recommend the Auditor-Controller be authorized to make cash advances from the General Fund to the Road Fund to prevent negative cash balances

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

This matter was Continued to February 23, 2021 upon Approval of the Consent Calendar.

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

- 28. 21-0168** Planning and Building Department, Tahoe Stormwater and Planning Division, recommending the Board receive a presentation on options to address Vacation Home Rental clusters in the Tahoe Basin and provide direction to staff.

FUNDING: N/A

Public Comment: K. Greenwood, K. Payne, K. Rahbeck

The Board directed staff to return to the Board within 30-60 days with the following analysis including the estimated cost to implement the buffers and the economic development benefits of each:

- 1) 300 foot buffer around existing VHRs (no other VHRs allowed) with a 1000 foot buffer around large VHRs with 12 or more occupants (no other large VHRs allowed); and
- 2) 500 foot buffer around existing VHRs (no other VHRs allowed) with a 1000 foot buffer around large VHRs with 12 or more occupants (no other large VHRs allowed).

Supervisor Novasel recused herself from this matter.

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

- 29. 21-0150** Supervisor Hidahl and Supervisor Turnboo recommending the Board approve and authorize the Chair to sign a Proclamation recognizing The Food Bank of El Dorado County.

Public Comment: Food Bank of El Dorado County

Supervisor Turnboo read the Proclamation.

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

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

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

30. 21-0190 Human Resources Department recommending consideration of the request submitted by the appellant, Operating Engineers Local Union No. 3 (OELU3), appealing the Employee Relations Officer’s January 6, 2021 denial of the severance petition to decertify Local 1 from representing a total of fifty-two (52) employees allocated to four (4) classifications as noted herein, and to certify the creation of a new bargaining unit titled “Public Safety Support Unit”, which would be represented by OELU3.

FUNDING: N/A

Public Comment: R. Becht

A motion was made by Supervisor Parlin, seconded by Supervisor Thomas to have found the following: The Board has considered all of the documentary evidence and oral testimony provided today and, based thereon, finds the January 6, 2021, MMBA Representation Petition Response by the Director of Human Resources, to be well-reasoned, adequately supported by the record, and in accordance with applicable law. Accordingly, the Board adopts the aforementioned Response as the decision of the Board itself and hereby DENIES the appeal of Operating Engineers Local Union No. 3.

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

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

OPEN FORUM

Public Comment: C. Felton, R. Michelson, J. McGinnis, K. Greenwood, M. Lane, J. Gainsborough, J. Liggett, G. Wick, L. Cauchon

21-0247 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.

1:30 PM TIME ALLOCATION (Items will not be heard prior to time stated)

- 31. 20-1559** Planning and Building Department, Planning Division, recommending the Board:
- 1) Receive and file a presentation on the SB 35 Legislation and the County’s proposed SB 35 Processing Application Checklists and Procedures;
 - 2) Provide direction to staff on the preferred Approval Authority for SB 35 Streamlined Ministerial Projects where a discretionary review would otherwise be required by Title 130 of the County Code;
 - 3) Provide direction to staff on whether or not the Board wishes to provide an opportunity for appeal within the County’s streamlined ministerial process, and if so, who should be the approval authority for appeals of streamlined ministerial projects where a discretionary review would otherwise be required by Title 130 of the County Code;
 - 4) Provide direction to staff on whether or not the County should reduce the time to submit an appeal of a SB 35 Streamlined Ministerial Project from 10 days to 3 days; and
 - 5) Approve and authorize the Chair to sign Resolution **211-2021** identifying the Approval Authority and Appeal process for SB 35 Streamlined Ministerial Projects where a discretionary review would otherwise be required by Title 130 of the County Code.

FUNDING: There is no funding associated with this item. Future SB 35 Projects will be paid for by the Project Applicant.

Public Comment: K. Payne

The Board received and filed a presentation on the SB 35 legislation and the County's proposed SB 35 Processing Application Checklists and Procedures. The Board provided direction to staff as follows:

- 1) SB 35 applications will be decided by the Planning Commission;
- 2) No right to appeal decisions on SB 35 projects; and
- 3) Staff level-review of modifications with Planning Director approval for project modifications after approval of an SB 35 project and before issuance of the building permit.

A motion was made by Supervisor Thomas, seconded by Supervisor Novasel to Adopt Resolution 211-2021 (Attachment C) with the addition of the Planning Commission as the deciding body and Planning Director as the approving authority for project modifications.

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

3:00 PM TIME ALLOCATION (Items will not be heard prior to time stated)

32. 21-0178

Department of Transportation recommending the Board receive a presentation regarding the Diamond Springs Parkway Phase 1B Project, CIP 72334/36105011, and approve the current funding plan which relies on the use of approximately \$5.219 million in revenue received through the Memorandum of Understanding with the Shingle Springs Band of Miwok Indians, OR approve a revised funding plan which, in lieu of using funding from the Shingle Springs Band of Miwok Indians, advances approximately \$5.219 million in designated General Fund reserves to the Community Financing District (CFD) and direct staff to prepare the appropriate documentation to provide that the CFD and potential Traffic Impact Fee Program (TIF) reimburses the designated reserves.

FUNDING: Master Circulation and Funding Plan (41.8%), Road Fund (<1%), Traffic Impact Mitigation Fees - Zone 1-7 (20.5%), Tribe Funds (18.6%), and State-Local Partnership Program Grant (18.8%). (Local and State Funds).

Public Comment: A. Nevis, D. Murillo, K. Payne, L. Brent-Bumb, M. Lane, Edward

A motion was made by Supervisor Thomas, seconded by Supervisor Turnboo to:

- 1) Receive a presentation regarding the Diamond Springs Parkway Phase 1B Project;**
- 2) Approve a revised funding plan to advance \$3 million in funds currently designated to build a road for a new courthouse and \$2.219 million in funds currently designated for capital building replacement and deferred maintenance to replace the Tribe Funds, enter into a repayment agreement with the Community Financing District, and develop a plan to have the Traffic Impact Fee Program reimburse the remaining portion in order to pay back the funds advanced over a period of 5 - 10 years with repayment first being made to the capital building replacement and deferred maintenance reserves; and direct Transportation staff to continue pursuing additional state funding for the Project for potential cost increases; and**
- 3) Direct staff to return to the Board with a repayment schedule.**

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

33. 20-1460

HEARING - Department of Transportation recommending the Board consider the following:

1) Reconvene the Public Hearing that was held on January 26, 2021 (Item 20) and make findings pursuant to California Code of Civil Procedure Section 1245.230 that:

- a) The public interest and necessity require the proposed Project;
- b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) The property described in the Resolution of Necessity is necessary for the proposed project; and
- d) The offer required by Section 7267.2 of the Government Code has been made to the owner(s) of record, unless the owner(s) could not be located with reasonable diligence;

2) Adopt Resolution of Necessity **189-2020** related to the Diamond Springs Parkway Phase 1B Project, CIP 72334/36105011 (Project) authorizing the commencement of eminent domain proceedings to acquire the parcel identified as Assessor Parcel Number 051-250-011, owned by Martin Murillo and Diane S. Murillo, Trustees of the MDM Trust under Declaration of Trust Dated December 18, 2007 (4/5 vote required); and

3) Authorize outside Counsel, Meyers-Nave, with cooperation as needed from County Counsel, to proceed with the necessary steps to acquire the required property. (Reconvene from 1/26/2021, Item 20)

FUNDING: Traffic Impact Mitigation Fees (20.4%), Master Circulation and Funding Plan (41.8%), Tribe Funds (18.6%), Road Fund (<1%), and to be determined anticipated grant funds (18.8%). (Local and State Funds)

Public Comment: D. Murillo, K. Payne

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

A motion was made by Supervisor Thomas, seconded by Supervisor Turnboo to:

1) Reconvene the Public Hearing that was held on January 26, 2021 (Item 20) and make findings pursuant to California Code of Civil Procedure Section 1245.230 that:

- a) **The public interest and necessity require the proposed Project;**
- b) **The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;**
- c) **The property described in the Resolution of Necessity is necessary for the proposed project; and**
- d) **The offer required by Section 7267.2 of the Government Code has been made to the owner(s) of record, unless the owner(s) could not be located with reasonable diligence;**

2) Adopt Resolution of Necessity 189-2020 related to the Diamond Springs Parkway Phase 1B Project, CIP 72334/36105011 (Project) authorizing the commencement of eminent domain proceedings to acquire the parcel identified

as Assessor Parcel Number 051-250-011, owned by Martin Murillo and Diane S. Murillo, Trustees of the MDM Trust under Declaration of Trust Dated December 18, 2007 (4/5 vote required); and
3) Authorize outside Counsel, Meyers-Nave, with cooperation as needed from County Counsel, to proceed with the necessary steps to acquire the required property.

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

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

Supervisor Turnboo reported on the following:
Jonathon Gainsborough and homelessness.
Meeting with the Director of Transportation.

Supervisor Thomas reported on the following:
Staff meetings.

Supervisor Parlin reported on the following:
Staff meetings.
Ad Hoc meetings.
Rural County Representative of California meeting.

Supervisor Novasel reported on the following:
California State Association of Counties Rural Caucus meeting.
California State Association of Counties webinar.
Tahoe Living Working Group meeting - affordable housing.

Supervisor Hidahl reported on the following:
El Dorado Hills Chambers Economic Forecast.
Hemp Ad Hoc public meeting.
National Association of Counties call.
Transit/Transportation meetings.
Special Board meeting.

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

Don Ashton, Chief Administrative Officer, reported on the following:
County Budget speaking engagements.
No meeting next week.
Special meeting on February 22, 2021 with the City of South Lake Tahoe.
Regular meeting on February 23, 2021.

ADJOURNED AT 5:48 P.M.

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

GENERAL GOVERNMENT - CONSENT ITEMS

- 34. 21-0210** Human Resources Department recommending the Board approve and authorize the Chair to sign Resolution **215-2021** adopting a new salary scale for the Deputy Probation Officer I - Institution, Deputy Probation Officer II - Institution, Sr. Deputy Probation Officer - Institution, Supervising Deputy Probation Officer - Institution, Assistant Superintendent - Institution, Superintendent, and Deputy Chief Probation Officer retroactive to January 16, 2021, to comply with the Memorandum of Understanding (MOU) between the County of El Dorado and the El Dorado County Probation Officer Association and the MOU between the County of El Dorado and the El Dorado County Law Enforcement Management Association.

FUNDING: General Fund.

Resolution 215-2021 was Adopted upon Approval of the Consent Calendar.