



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 - Draft Board of Supervisors

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

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

Tuesday, October 22, 2024

8:00 AM

<https://edcgov-us.zoom.us/j/84251919992>

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

ADDENDUM

Teleconference Location added:
District 5 - South Lake Tahoe Office
3368 Lake Tahoe Blvd., Suite 102
South Lake Tahoe, CA 96150

Item 34 is hereby add to the Consent Calendar

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

PUBLIC PARTICIPATION INSTRUCTIONS: The Board of Supervisors meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom and YouTube.

Members of the public may address the Board in-person or via Zoom to make a public comment. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 842 5191 9992. Please note you will be able to join the live-stream 15 minutes prior to the posted meeting start time. To observe the live stream of the Board of Supervisors meeting go to <https://us06web.zoom.us/j/84251919992>.

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

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

If you choose not to observe the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment in writing. You are encouraged to submit your comment in writing by 4:00 PM on the Monday before the meeting to ensure the Board of Supervisors has adequate time to review. Please submit your comment to the Clerk of the Board at edc.cob@edcgov.us. Your comment will be placed into the record and forwarded to the Board of Supervisors.

Vision Statement

Exceptional quality of life with a strong sense of community, rural character, managed growth, and opportunity for all.

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 August 24, 2021, incorporated herein:

The Board wants all members of the public to feel welcome to speak, especially regarding controversial items. Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. If the three minutes are exceeded the speaker's microphone will be muted. Applause or other outbursts are not allowed in the Board Chambers.

During noticed public hearings only, individuals authorized by organizations to speak to organizational positions may request additional time, up to five minutes.

Public comment on certain agenda items designated and approved by the Board may be treated differently within specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending on the nature of the issue. The Board Chair may limit public comment during Open Forum.

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

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

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

8:01 A.M. - CALL TO ORDER AND RECESS TO CLOSED SESSION

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

9:08 A.M. - RECONVENED TO OPEN SESSION AND CLOSED SESSION REPORTS

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Hidahl led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: Stu, K. Payne, V. Kulchytsky, H. Hoffman

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to Adopt the Agenda and Approve the Consent Calendar with no changes.

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

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

CONSENT CALENDAR

- 1. **24-1857** Clerk of the Board recommending the Board Approve the Minutes from the regular meeting on October 15, 2024.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **24-1618** Assessor's Office recommending the Board approve and authorize the Chair to sign the attached perpetual revenue and exchange agreement with ParcelQuest, for a twenty percent (20%) revenue share on the gross annual revenue generated from the sale of El Dorado County Assessor's Office property data and Assessor's Maps.

FUNDING: Revenue Generating Agreement.

This matter was Approved on the Consent Calendar.

- 3. **24-1720** Procurement and Contracts, a division of the Chief Administrative Office, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retiring Sheriff's Sergeant Jeffrey Tucker.

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

This matter was Approved on the Consent Calendar.

- 4. **24-1774** Clerk of the Board, based upon the recommendation of the El Dorado County Early Care and Education Planning Council, recommending the Board:

- 1) Accept the resignation of Rebecca Lew; and
- 2) Appoint Brian Quintanilla, Public Agency Representative, with a term expiration on October 22, 2028.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 5. **24-1776** Human Resources Department recommending the Board approve and adopt the revised classification specifications of Assistant in Right of Way, Associate Right of Way Agent, and Right of Way Supervisor.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

6. 24-1769

Information Technologies Department recommending the Board:

- 1) Authorize the continuation of the following perpetual hardware maintenance and software license/support agreements:
 - a) Avaya, Inc. (Agreement 1012) for telecom infrastructure maintenance in the estimated annual amount of \$180,000;
 - b) ESRI (Agreement 1033) for software maintenance for Geographic Information System in the estimated annual amount of \$75,000;
 - c) Granicus, Inc. (Agreement 529) for Legistar Hosted Agenda Workflow System in the estimated annual amount of \$41,000;
 - d) Granicus, Inc. (Agreement 3091) for automated email subscription services in the estimated annual amount of \$33,000;
 - e) Consensus Cloud Solutions Inc (Agreement 390) for eFax services in the estimated annual amount of \$45,000;
 - f) Megabyte Systems, Inc. (Agreement 467) for services and support of property tax software maintenance and support in the estimated annual amount of \$385,000;
 - g) County of Sacramento OCIT (Agreement 1019) for access to a criminal justice database in the estimated annual amount of \$106,000;
 - h) UKG Kronos Systems LLC (Agreement 8922) for UKG Workforce and Telestaff licenses in the estimated annual amount of \$210,000; and
 - i) Tyler Technologies, Inc (Agreement 968) for MUNIS ERP System support and update licensing in the annual amount of \$270,000; and
- 2) Authorize the Director of IT to sign the necessary documents, excluding amendments, for the continuation of the agreements for the remainder of Fiscal Year (FY) 2024-25 and FY 2025-26, in accordance with the terms of each agreement; and
- 3) Authorize the Purchasing Agent to execute any necessary administrative amendments relating to these perpetual agreements, that do not alter compensation, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund, with partial cost recovery in future years through the Countywide Cost Allocation Plan.

This matter was Approved on the Consent Calendar.

7. 24-1703

Treasurer-Tax Collector recommending the Board adopt Resolution **180-2024** approving the revised Treasurer-Tax Collector Office Records Retention/Disposition Schedule and rescind any and all previous schedules, including, but not limited to Resolution 85-90 for Treasurer-Tax Collector's Office and Resolution 163-2011 for Revenue Recovery Division.

FUNDING: N/A

Resolution 180-2024 was Adopted upon Approval of the Consent Calendar.

HEALTH AND COMMUNITY - CONSENT ITEMS

- 8. 24-1446** Health and Human Services Agency (HHS) recommending the Board:
- 1) Make findings pursuant to Section 3.13.030 (B) of the El Dorado County Ordinance Chapter 3.13, Contracting Out, that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of Agreement for Services 8983 with Green Valley Mortuary, LTD.;
 - 2) Approve and authorize the Chair to sign, competitively procured, Agreement for Services 8983 with Green Valley Mortuary, LTD., in the amount of \$250,000 and for the term of January 1, 2025, through December 31, 2028;
 - 3) Authorize the Purchasing Agent to execute amendments relating to Agreement 8983, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and
 - 4) Authorize the HHS Director, or the Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 8983.

FUNDING: 100% County General Fund.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 9. 24-1682** Environmental Management Department recommending the Board approve and authorize the Chair to sign a budget transfer adjusting the budget for Fiscal Year 2024-25 in the following Orgs:
- 1) Increase budget for staff labor and interfund transfers in the South Lake Tahoe Solid Waste Org by \$22,000 due to increased activity with AB 939 and SB 1383 regulations which impacted staff time and subsequently labor and benefits, which is offset by a \$22,000 decrease in contingency within the same Org;
 - 2) Increase budget for operating transfers out in the South Lake Tahoe Solid Waste Org and operating transfers in for the Solid Waste Org in the amount of \$23,000 for the Local Enforcement Agency site inspections of landfills in the South Lake Tahoe area, which is offset by a \$23,000 decrease to contingency in the South Lake Tahoe Solid Waste Org; and
 - 3) Increase to interfund transfers in of \$22,000 from South Lake Tahoe Waste Org, contingency fund transfer out to Admin Org to fund maintenance: computer software in the Administration Org by \$22,000 to support the purchase of Board approved software, Hedgerow Software US, Inc. (4/5 vote required).

FUNDING: 100% County Service Area 10, Parcel Assessment Fees.

This matter was Approved on the Consent Calendar.

- 10. 24-1715** Department of Transportation recommending the Board:
- 1) Award Bid 24-0054 for the purchase of Plant Mix Asphalt Concrete for the East Slope of El Dorado County to the sole qualified bidder, Tahoe Asphalt, Inc. of South Lake Tahoe, CA;
 - 2) Authorize the Purchasing Agent to issue a purchase contract in the amount of \$900,000 (\$300,000/year) for a thirty-six (36-month) month term following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the purchase contract on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: Road Fund.

This matter was Approved on the Consent Calendar.

11. 24-1712

Department of Transportation recommending the Board consider the following:

- 1) Accept the road improvements for the Green Valley Road Frontage Project, CG330261, as complete;
- 2) Reduce Performance Bond 070218627 from \$522,000 to \$52,200, which is ten percent of the total cost of the road improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
- 3) Hold Laborers & Materialmens Bond 070218627 in the amount of \$522,000 for six months to guarantee payments to persons furnishing labor, materials, or equipment; and
- 4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods upon written request by Transportation. (District 1)

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

12. 24-1665

Department of Transportation recommending the Board:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Doug Veerkamp General Engineering Inc., for the 2024 Countywide DOT Maintenance Pavement Rehabilitation Projects, Contract 8357 on Sly Park Road, Snows Road, Mount Aukum Road, El Dorado Road, Echo Lane, Runnymede Road, Francisco Drive at Green Valley Road, Salmon Falls Road, Merrian Lane, Merrian Court, Olson Lane, Pecheco Court, Stanford Lane, and Warren Lane throughout the County for surface treatments in the 2024 construction season; 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 Repair and Rehabilitation Act of 2017 (SB1-RMRA) (89%), Discretionary Transient Occupancy Tax (11%).

This matter was Approved on the Consent Calendar.

13. 24-1718

Department of Transportation recommending the Board:

- 1) Approve the continuation of perpetual agreement 427-M0810 between El Dorado County and Capital Southeast Connector Joint Powers Authority for the planning, design, and construction of the Capital Southeast Connector from Elk Grove to El Dorado Hills;
- 2) Approve payment of \$55,000 as El Dorado County's contribution to the Joint Powers Authority operating costs for Fiscal Year 2024-2025; and
- 3) Authorize the Purchasing Agent to establish a change order to add funds to the agreement to process payment of the Joint Powers Authority operating costs for Fiscal Year 2024-2025.

FUNDING: Road Fund.

This matter was Approved on the Consent Calendar.

14. 24-1788

Planning and Building Department, with concurrence from the Chief Administrative Office and pursuant to Board of Supervisors Policy B-2, Section II, B(3), recommending the Board approve a waiver of applicable fees for a Temporary Use Permit in the amount of \$1,927 requested by the Sierra Educational Foundation for hosting the 2024 Ullr Fest, with proceeds for educating and supporting the Sierra at Tahoe youth ski and snowboard athletes by providing an opportunity to pursue their passion and achieve their full potential, regardless of their economic or social circumstances with a key benefit to the local community.

(District 5)

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 15. 24-1721** Planning and Building Department, Planning Division, submitting for approval of a Final Map for the Malcolm Dixon Road Estates Subdivision (TM05-1401) for Malcolm Dixon Road Estates Unit 2 (TM-F24-0003), creating seven (7) residential lots on property identified as Assessor’s Parcel Number 126-490-002 (Attachment E, Exhibit A) located on the east and west side of Via Veritas, approximately 890 feet north of the intersection with Malcolm Dixon Road, in the El Dorado Hills area (Attachment E, Exhibit B), and recommending the Board:
- 1) Approve the Final Map (TM-F24-0003) for Malcolm Dixon Road Estates Unit 2 (Attachment E, Exhibit C); and
 - 2) Approve and authorize the Chair to sign the Agreement to Make Subdivision Improvements (Attachment B) (District 4).

Funding: Developer-Funded.
This matter was Approved on the Consent Calendar.

- 16. 24-1555** Planning and Building Department, Tahoe Planning and Building Division, recommending the Board approve the Final Passage (Second Reading) of Ordinance **5209** amending Title 5 - County Business Taxes, Licenses and Regulations of the El Dorado County Ordinance Code, amending Chapter 5.56 - Vacation Home Rentals, to add the recommendations of the Vacation Home Rental Advisory Committee and Board of Supervisors. (Cont. 10/15/2024, Item 19)

FUNDING: N/A
Ordinance 5209 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

17. 24-1377

District Attorney's Office recommending the Board:

- 1) Authorize the District Attorney to accept a grant from the California Governor's Office of Emergency Services (CalOES) for the Child Abuse Treatment Program with a total project cost of \$293,038 for the period of January 1, 2025 - December 31, 2025, based on the received Letter of Intent;
- 2) Adopt and authorize the Chair to sign Resolution **183-2024** designating the District Attorney, or his designee, as the Authorized Agent for the purposes of submitting, accepting, and executing award documents via the CalOES Grants Central System;
- 3) Approve and authorize the District Attorney, and/or his designee, to electronically agree to and accept the associated grant Certification(s) of Assurance of Compliance;
- 4) Authorize the District Attorney, and/or his designee, to electronically submit the grant application and execute the Grant Award Agreement and required documents, including any extensions or amendments thereof which would not increase net county cost, contingent upon review and approval by County Counsel;
- 5) Adopt and authorize the Chair to sign Resolution **184-2024**, extending the expiration date of 1.0 FTE Victim/Witness Program Specialist I/II - Limited Term position one year, through December 31, 2025;
- 6) Make a finding in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(b) that there are specialty skills, qualifications, and equipment not involved in County classifications involved in the performance of the work;
- 7) Make a finding in accordance with Procurement Policy C-17, Sections 3.4.2, 3.4.3, and 3.4.5, in which competitive bidding would produce no benefit to the County for the requested Psychotherapy Services under Agreement 8197;
- 8) Approve and authorize the Chair to execute Amendment II to Agreement 8197 with H.O.P.E.: Healthy Outcomes for Personal Enrichment Counseling Center, increasing the amount to \$320,880 and extending the agreement term one year, through December 31, 2025 for as-needed psychotherapy clinician mental health services to child abuse victims and their families; and
- 9) Approve and authorize the Purchasing Agent to execute any future amendments to agreement 8197, which do not increase the amount or the term of the agreement, contingent upon County Counsel and Risk Management approval.

FUNDING: California Governor's Office of Emergency Services Victims of Crime Act (49%), State Victims of Crime General Fund (39%), and County General Fund (12%).

This matter was Approved and Resolutions 183-2024 and 184-2023 were Adopted upon Approval of the Consent Calendar.

18. 24-1707

District Attorney's Office recommending the Board:

- 1) Authorize the District Attorney to accept a grant from the California Governor's Office of Emergency Services (CalOES) for the Unserved/Underserved Victim Advocacy and Outreach Program with a total project cost of \$224,128 for the period of January 1, 2025 - December 31, 2025, based on the received Letter of Intent;
- 2) Adopt and authorize the Chair to sign Resolution **185-2024** designating the District Attorney, or his designee, as the Authorized Agent for the purposes of submitting, accepting, and executing award documents via the CalOES Grants Central System;
- 3) Approve and authorize the District Attorney, and/or his designee, to electronically agree to and accept the associated grant Certification(s) of Assurance of Compliance;
- 4) Authorize the District Attorney, and/or his designee, to electronically submit the grant application and execute the Grant Award Agreement and required documents, including any extensions or amendments thereof which would not increase net county cost, contingent upon review and approval by County Counsel; and
- 5) Adopt and authorize the Chair to sign Resolution **186-2024**, extending the expiration date of 2.0 FTE Victim/Witness Program Specialist I/II - Limited Term positions one year, through December 31, 2025.

FUNDING: California Governor's Office of Emergency Services Victims of Crime Act (49%), State Victims of Crime General Funds (39%), and County General Fund (12%).

This matter was Approved and Resolutions 185-2024 and 186-2024 were Adopted upon Approval of the Consent Calendar.

19. 24-1604

District Attorney's Office recommending the Board approve and authorize the County Purchasing Agent to approve retroactive Purchase Contracts for the following annual Law Enforcement software maintenance renewals:

- a) Purchase Contract 9049 with Magnet Forensics, USA Inc. for Axiom Software, with a total 3-year estimated cost of \$8,130, effective September 1, 2024;
- b) Purchase Contract 9046 with LeadsOnline Parent LLC for Cellhawk Software, with a total 3-year estimated cost of \$7,941, effective September 1, 2024;
- c) Purchase Contract 9053 with Vigilant Solutions LLC for License Plate Reader Software, with a total 3-year estimated cost of \$13,785, effective September 1, 2024;
- d) Purchase Contract 9064 with Four Inc. for the i2 Analyst Notebook Software, with a total 3-year estimated cost of \$14,388.44, effective July 1, 2024;
- e) Purchase Contract 9081 with ES Chat for Advanced Mobile Messaging Software, with a total 3-year estimated cost of \$5,923.44, effective September 1, 2024; and
- f) Purchase Contract 9106 with NinjaOne LLC for Remote Monitoring Software, with a total 3-year estimated cost of \$12,456, effective September 1, 2024.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

20. 24-0105

Probation Department recommending the Board consider the following:

- 1) Make findings in accordance with El Dorado County Ordinance Code, Chapter 3.13.030 (B) that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;
- 2) Make findings in accordance with Procurement Policy C-17 3.4.2. (f), exempting the competitive bidding process, with Purchasing Agent concurrence, because “the procurement is for goods where the continuity of providers will provide efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiencies or critical knowledge”;
- 3) Approve and authorize the Chair to sign Agreement 8967 with Noble Software Group, LLC to provide training, access and use license of a proprietary cloud-based assessment service for a three year term covering the period of November 1, 2024, through October 31, 2027, for an amount not to exceed \$330,000; and
- 4) Authorize the Purchasing Agent to execute further documents relating to Agreement for Services 8967, 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.

21. 24-1768

Sheriff's Office and District Attorney's Office recommending the Board approve and authorize Sheriff's Office and District Attorney's Office staff to electronically submit, on behalf of the Chair, the Fiscal Year 2023-24 Equitable Sharing Agreement and Certification for Federal Asset Forfeiture with the United States Department of Justice and United States Department of the Treasury.

FUNDING: Equitable Sharing (Asset Forfeiture).

This matter was Approved on the Consent Calendar.

22. 24-1791

Sheriff's Office recommending the Board:

- 1) Make findings, in accordance with County Ordinance 3.13.030(B), that specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work;
- 2) Make findings, in accordance with Procurement Policy, Section 3.4.2(b), that competition is precluded because of the existence of patent rights, copyrights, secret processes, control of the basis raw material(s) or similar circumstances, and no equivalent good is available;
- 3) Approve and authorize the continuation of perpetual Software as a Service (SaaS) Agreement 8071 with Perimeter, Inc., for the use of evacuation zone mapping and training and live incident coordination software;
- 4) Approve and authorize the Purchasing Agent to execute a Contract Change Order for Agreement 8071 with Perimeter, Inc. in the amount of \$50,000 for a term of October 24, 2024, to October 23, 2025; and
- 5) Authorize the Purchasing Agent to increase the Agreement 8071 on an "as-needed" basis during the Agreement term as long as funding is available within the requesting department's budget.

FUNDING: Homeland Security Grant 2021.

This matter was Approved on the Consent Calendar.

23. 24-1793

Sheriff's Office recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **182-2024** approving the acceptance of grant funds from the California State Parks, Off Highway Vehicle (OHV) Division Grant Program in the amount of \$146,293 for law enforcement services on the Rubicon Trail and OHV areas within El Dorado County; and
- 2) Approve and authorize the Sheriff to sign the OHV Grant Project Agreement G25-03-07-L01 in the amount of \$146,293 with the California Department of Parks and Recreation for the term October 5, 2024, through October 4, 2025.

FUNDING: OHV Grant Funds of \$146,293 and a 25% required match of \$48,859 from the Sacramento Municipal Utility District Cooperation Agreement Special Revenue funds for a total of \$195,152.

This matter was Approved and Resolution 182-2024 was Adopted upon Approval of the Consent Calendar.

24. 24-1794

Sheriff's Office recommending the Board:

- 1) Make findings that the provision of cardiovascular and metabolic screening services to the Sheriff's Office sworn staff by licensed healthcare professionals are in the public's best interest and that there are specialty skills, qualifications, and equipment not expressly identified in County classifications involved in the performance of the work in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(B), El Dorado County Charter, Section 210(b)(6), and/or Government Code Section 31000;
- 2) Make findings in accordance with Procurement Policy C-17 Section 3.4.2(b) exempting the competitive bidding process, with Purchasing Agent concurrence, because "competition is precluded because of the existence of patent rights, copyrights, secret processes, control of the basis raw materials(s) or similar circumstances, and no equivalent good is available"; and
- 3) Approve and authorize the Chair to sign Amendment II to Agreement for Services 7565 with Sigma Wellness LLC for cardiovascular and metabolic screening services to change the name of the company to Jonathan Sheinberg, doing business as JS MD SIGMA, and update ARTICLE XIV Notice to Parties with no change to the amount or term, contingent upon County Counsel and Risk approval.

FUNDING: Officer Wellness and Mental Health Grant Program, established in the 2022 Budget Act.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

25. 24-1848

Supervisor Thomas recommending the Board:

- 1) Approve and authorize the Chair to sign a Proclamation recognizing October 23, 2024, as Deputy Brian "Ish" Ishmael Day; and
- 2) Authorize an exception to Board of Supervisors Policy F-4-Lowering of Flags, to honor the ultimate sacrifice given of Deputy Brian Ishmael by lowering our County Flag each year on October 23rd.

FUNDING: N/A

Public Comment: K. Payne

Supervisor Thomas read the Proclamation.

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

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

26. 24-1457

Department of Transportation recommending the Board consider the following pertaining to the Major Update of the Traffic Impact Fee (TIF) Program and the Capital Improvement Program (CIP) and consider the following:

- 1) Direct staff to reduce the residential and non-residential offset percentages to the proposed Traffic Impact Fees using the proposed Scenario 2 to account for the reduction in assumed grant funding; and
- 2) Direct staff to return on December 3, 2024, with the appropriate resolution for adoption of the Major Update to the TIF Program, and to incorporate the changes to the CIP with the 2025 Annual Update.

FUNDING: Traffic Impact Fee Program.

Public Comment: V. Girada, S. Taylor, K. Beal, W. Deloria, K. Payne

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

- 1) Direct staff to reduce the residential and non-residential offset percentages to the proposed Traffic Impact Fees using the proposed Scenario 2 to account for the reduction in assumed grant funding;
- 2) Direct staff to amend Scenario 2 to eliminate the 5% offset to residential Zone C and to apply the 5% offset to non-residential Zone C; and
- 2) Direct staff to return on December 3, 2024, with the appropriate resolution for adoption of the Major Update to the Traffic Impact Fee Program, and to incorporate the changes to the Capital Improvement Program with the 2025 Annual Update.

Yes: 4 - Hidahl, Thomas, Turnboo and Laine

Noes: 1 - Parlin

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

27. 24-1371

HEARING - Health and Human Services Agency, Public Health Division, Tobacco Use Prevention Program, Planning and Building Department (Planning), and Environmental Management Department (Environmental Management) recommending the Board:

- 1) Receive a presentation summarizing the process and development of the local tobacco retail ordinances;
- 2) Adopt and authorize the Chair to sign Resolution **177-2024** finding the well-established negative health impacts of tobacco use, particularly relating to El Dorado County's (EDC) youth and the recent expansion of tobacco retailers in EDC;
- 3) Adopt and authorize the Chair to sign Ordinance **5210** adding Chapter 130.40.340 of Title 130 of the El Dorado County Ordinance Code, establishing tobacco retailer land use regulations, and amending Section 130.22.020, "Matrix of Allowed Uses," in Title 130 of the El Dorado County Ordinance Code by including Tobacco Retail, including the redline recommendation of the Planning Commission, to be read in title only, and waive the full reading of the Ordinance;
- 4) Approve the **Introduction** (First Reading) of Ordinance **5211** adopting a new Chapter 8.68 of Title 8 of the El Dorado County Ordinance Code to regulate tobacco retailers for all purposes within the unincorporated areas of the County of El Dorado and establish a Tobacco Retail License (TRL) and repeal Urgency Ordinances 5192 and 5197, waive reading of the full Ordinance, read by title only, and continue this matter to November 5, 2024 for **Final Passage** (Second Reading);
- 5) Find that the proposed ordinances are not a "project" within the meaning of Public Resources Code Section 21065 and California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and 15378 because the regulations of tobacco retailers does not have the potential of resulting in a direct or reasonably foreseeable indirect physical change in the environment; and, even if the adoption of the ordinances were a project, find that the ordinances are categorically exempt from CEQA under CEQA Guidelines Section 15308 because the ordinances adopt a regulatory process for the protection of the environment and there are no unusual circumstances under CEQA Guidelines Section 15300.2, and under the "common sense" exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that adoption of the ordinances would have a significant effect on the environment; and
- 6) Adopt and authorize the Chair to sign Resolution **178-2024** adopting the EDC TRL Fee Structure.

FUNDING: 100% EDC TRL Fees.

Public Comment: Rayleen, W. Rowbo, M. Hall, K. Gray, K. Payne

Supervisor Hidahl opened the public hearing and upon hearing from staff and

the public closed the hearing.

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

- 1) Receive a presentation summarizing the process and development of the local tobacco retail ordinances;
- 2) Adopt and authorize the Chair to sign Resolution 177-2024 finding the well-established negative health impacts of tobacco use, particularly relating to El Dorado County’s (EDC) youth and the recent expansion of tobacco retailers in EDC;
- 3) Adopt and authorize the Chair to sign Ordinance 5210 adding Chapter 130.40.340 of Title 130 of the El Dorado County Ordinance Code, establishing tobacco retailer land use regulations, and amending Section 130.22.020, “Matrix of Allowed Uses,” in Title 130 of the El Dorado County Ordinance Code by including Tobacco Retail, including the redline recommendation of the Planning Commission, to be read in title only, and waive the full reading of the Ordinance;
- 4) Approve the Introduction (First Reading) of Ordinance 5211 adopting a new Chapter 8.68 of Title 8 of the El Dorado County Ordinance Code to regulate tobacco retailers for all purposes within the unincorporated areas of the County of El Dorado and establish a Tobacco Retail License (TRL) and repeal Urgency Ordinances 5192 and 5197, waive reading of the full Ordinance, read by title only, and continue this matter to November 5, 2024 for Final Passage (Second Reading);
- 5) Find that the proposed ordinances are not a “project” within the meaning of Public Resources Code Section 21065 and California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and 15378 because the regulations of tobacco retailers does not have the potential of resulting in a direct or reasonably foreseeable indirect physical change in the environment; and, even if the adoption of the ordinances were a project, find that the ordinances are categorically exempt from CEQA under CEQA Guidelines Section 15308 because the ordinances adopt a regulatory process for the protection of the environment and there are no unusual circumstances under CEQA Guidelines Section 15300.2, and under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that adoption of the ordinances would have a significant effect on the environment;
- 6) Adopt and authorize the Chair to sign Resolution 178-2024 adopting the EDC TRL Fee Structure; and
- 7) Direct staff to double the fine structure as referenced in County Ordinance Code Sections 8.68.180(B) and 130.40.340(E)(1).

Yes: 4 - Hidahl, Turnboo, Laine and Parlin

Recused: 1 - Thomas

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

28. 24-1786

Sheriff's Office recommending the Board:

- 1) Receive a presentation of the Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) from the Sheriff's Office of Emergency Services Staff; and
- 2) Adopt and authorize the Chair to sign Resolution **187-2024** adopting the 2024 MJHMP update which is incorporated in the El Dorado County General Plan Public Health, Safety, and Noise Element by reference.

FUNDING: N/A

Public Comment: T. Meyer, K. Payne, L. Campbell

A motion was made by Supervisor Hidahl, seconded by Supervisor Turnboo to Approve this matter and Adopt Resolution 187-2024.

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

29. 24-1581

HEARING - Planning and Building Department, Economic Development and Administration, Affordable Housing Unit, recommending the Board:

- 1) Conduct a public hearing under the requirements of the Tax and Equity Fiscal Responsibility Act (“TEFRA”) in connection with the proposed issuance of one (1) or more series of tax-exempt and/or taxable revenue bonds by the California Municipal Finance Authority (“CMFA”), a joint exercise of powers authority and public entity of the State of California, in an amount not-to-exceed \$35,000,000, to refinance the acquisition, construction, improvement and equipping of El Dorado Senior Village Apartments I, a senior multifamily rental housing project to be located at 6464 Koki Lane, within the County of El Dorado;
 - 2) Adopt and authorize the Chair to sign Resolution **179-2024** approving the issuance of the Bonds by the CMFA for the benefit of Kingdom Development, Inc. (“Developer”), to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following); and
 - 3) Direct the funds received from the CMFA, related to the issuance of the bonds, be deposited in the Affordable Housing Trust Fund special revenue fund.
- (District 3)

FUNDING: California Municipal Finance Authority.

Public Comment: S. Taylor, K. Payne, L. Campbell

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

A motion was made by Supervisor Thomas, seconded by Supervisor Hidahl to Approve this matter and Adopt Resolution 179-2024.

Yes: 3 - Hidahl, Thomas and Laine

Noes: 2 - Turnboo and Parlin

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

30. 24-1775

HEARING - Department of Transportation recommending the Board take the following actions related to the Bucks Bar Road at the North Fork Cosumnes River - Bridge Replacement Project, Capital Improvement Program project number 36105003:

- 1) Approve Resolution **181-2024** certifying the Final Environmental Impact Report pursuant to the California Environmental Quality Act, comprised of the Draft Environmental Impact Report dated July 2024 and the Final Environmental Impact Report dated October 2024; adopting the Findings of Fact and Statement of Overriding Considerations that includes the Mitigation Monitoring and Reporting Plan; concluding Assembly Bill 52 consultation with Native American tribes; and approving the Project as described in the Final Environmental Impact Report;
- 2) Authorize Department of Transportation staff to proceed with filing the Notice of Determination, final design, rights-of-way acquisition, permitting, and other activities for Project construction; and
- 3) Conduct a hearing on the feasibility of providing public access to North Fork Cosumnes River at Bucks Bar Road for recreational purposes; and
- 4) Based on the hearing and the report and study prepared by the Department of Transportation, determine that public access to North Fork Cosumnes River at Bucks Bar Road is not feasible and shall not be provided.

(District 2)

FUNDING: Highway Bridge Program (86% - Federal), Traffic Impact Fees (12% - Local), and Regional Surface Transportation Program (2% - State).

Public Comment: J. Ford, J. Almer

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

A motion was made by Supervisor Turnboo, seconded by Supervisor Hida hl to Approve this matter and Adopt Resolution 181-2024.

Yes: 5 - Hida hl, Thomas, Turnboo, Laine and Parlin

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

Public Comment: M. Mohannan, J. Pane, R. Ladage, J. Leikauf, M. Lane, L. Thornhill, S. Taylor, K. Greenwood, J. Murphy

24-1906 OPEN FORUM (See Attachment)

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. The Board Chair may limit public comment during Open Forum.

1:15 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**31. 24-1732**

HEARING - To consider appeals received from Judy Husak (CCUP-A24-0003) and Leslie Schoenfeld (CCUP-A24-0004) appealing the Planning Commission's September 12, 2024 approval of Archon Commercial Cannabis Use Permit CCUP21-0008 for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis, on property identified by Assessor's Parcel Number 095-030-036, consisting of 114.69 acres, in the Somerset area, submitted by Kevin McCarty; and staff recommending the Board of Supervisors take the following actions:

- 1) Deny both appeals, CCUP-A24-0003 and CCUP-A24-0004, and uphold the Planning Commission's approval of Archon Commercial Cannabis Use Permit CCUP21-0008 based on the Findings (Attachment K) and subject to the Conditions of Approval (Attachment L) as presented; and
- 2) Adopt and Authorize the Chair to sign Resolution **176-2024** (Attachment E), denying appeals CCUP-A24-0003 and CCUP-A24-0004 with Findings of Fact. (District 2)

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

Public Comment: L. Tannebaum, S. Taylor, M. Lane, D. Harde, J. Kepperman, K. Payne, M. Penetti

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

A motion was made by Supervisor Hidahl, seconded by Supervisor Laine to:

- 1) **Deny both appeals, CCUP-A24-0003 and CCUP-A24-0004, and uphold the Planning Commission's approval of Archon Commercial Cannabis Use Permit CCUP21-0008 based on the Findings (Attachment K) and subject to the Conditions of Approval (Attachment L) as presented; and**
- 2) **Adopt and Authorize the Chair to sign Resolution 176-2024 (Attachment E), denying appeals CCUP-A24-0003 and CCUP-A24-0004 with Findings of Fact.**

Yes: 4 - Hidahl, Thomas, Laine and Parlin

Recused: 1 - Turnboo

BOARD MEMBER UPDATES: This is an opportunity for Board Members to provide short informational updates on matters of countywide concern and brief reports on meetings attended at the expense of the County, in accordance with Government Code § 53232.3. No action will be taken. (May be called at any time during the meeting)

No reports.

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

Tiffany Schmid, Chief Administrative Officer, reported on the following:
No Board meeting next week.
Georgetown night time operations have been reauthorized from CalTrans.

ADJOURNED AT 4:55 P.M.

CLOSED SESSION

32. 24-1822 **Conference with Legal Counsel - Significant Exposure to Litigation** pursuant to Government Code Section 54956.9(d)(2). Title: Bucks Bar Bridge Replacement Project CEQA Challenge. Number of potential cases: (1).

No Action Reported.

33. 24-1770 **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organizations: El Dorado County Employees' Association, Local 1, AFSCME Council 57 representing employees in the Supervisory, Professional, and General Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; El Dorado County Criminal Attorneys' Association representing employees in the Criminal Attorney Unit; El Dorado County Managers' Association representing employees in the Management Unit; Deputy Sheriff's Association representing employees in the Law Enforcement Unit; El Dorado County Probation Officers Association representing employees in the Probation Bargaining Unit; El Dorado County Law Enforcement Management Association representing employees in the Law Enforcement Sworn Management Unit; and unrepresented employees in the Department Head, Unrepresented Management, and Confidential units.

No Action Reported.

ADDENDUM

**Teleconference Location added:
District 5 - South Lake Tahoe Office
3368 Lake Tahoe Blvd., Suite 102
South Lake Tahoe, CA 96150**

GENERAL GOVERNMENT - CONSENT ITEMS

- 34. 24-1886** Airports, a division of the Chief Administrative Office, recommending the Board provide conceptual approval to amend Ordinance 5185 entitled "Planning and Building Department Fee Schedule" to remove Airport Division Fees.

FUNDING: N/A

This matter was Approved on the Consent Calendar.