



County of El Dorado

MEETING AGENDA

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

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, Acting Chief Administrative Officer
David Livingston, County Counsel

Tuesday, March 21, 2023

10:00 AM

<https://edcgov-us.zoom.us/j/82766202864>

330 Fair Lane, Building A Placerville, CA

OR

Live Streamed - [Click here to view](#)

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 827 6620 2864. 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/j82766202864/>.

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

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

This institution is an equal opportunity provider and employer.

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<http://eldorado.legistar.com/Calendar.aspx>

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

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

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

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

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

PROTOCOLS FOR PUBLIC COMMENT

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

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

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

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on 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-jurisdictional 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.

10:00 A.M. - CALL TO ORDER**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG****ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR**

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. [23-0598](#) Clerk of the Board recommending the Board approve the Minutes from the regular meeting on March 14, 2023.

GENERAL GOVERNMENT - CONSENT ITEMS

2. [23-0605](#) Chief Administrative Office recommending the Board approve and authorize the Chair to sign a letter to the California Department of Forestry and Fire Protection in support of the Black Oak Mine Unified School District's Workforce Development grant application.

FUNDING: N/A

3. [23-0516](#) Chief Administrative Office, Facilities Division, recommending the Board:
1) Direct and authorize staff to determine that the contingencies are satisfied and authorize the close of escrow, on or before May 26, 2023 with the owners Carlton Commercial Properties LLC concerning the acquisition of property identified as Assessor's Parcel 070-270-031 (commonly known as 3883 Ponderosa Road in Shingle Springs);
2) Authorize the Chair to sign the Certificate of Acceptance for the property; and
3) Authorize the Chair to sign the Assignment of Lease and Amendment III to the Commercial Lease Agreement (Fenix 7564) between County and Carlton Commercial Properties LLC transferring to the County the existing commercial lease between seller and the existing tenant GHD, Inc.

FUNDING: Capital Reserve.

4. [23-0547](#) Chief Administrative Office, Facilities Division, returning to the Board with cost estimates for the new signage and plaque related to the Sheriff John D'Agostini Public Safety Facility and asking for approval to move forward with the installation when funding has been received.

FUNDING: Private donations.

5. [23-0566](#) Chief Administrative Office, Office of Wildfire Preparedness and Resilience (OWPR), recommending the Board of Supervisors adopt and authorize the Chair to sign Resolution **051-2023** officially designating the Chief Administrative Officer as the "Applicant's Agent for Non-State Agencies" for the purposes of receiving funds through the Federal Hazard Mitigation Grant Program.

FUNDING: Federal Emergency Management Agency (FEMA) Grant Funds.

6. [23-0438](#) Chief Administrative Office, Procurement and Contracts Division on behalf of the Department of Transportation, recommending the Board approve the following:
- 1) Award Bid No. 23-630-041 for the purchase of Waterborne Traffic Line Paint to the low qualified bidder, LBS Enterprises, LLC. dba All State Coatings Company of Gladewater, TX;
 - 2) Authorize the Purchasing Agent to issue a purchase contract in the amount of \$525,000 (\$175,000 per year) for a three (3) year period 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 Discretionary.

7. [23-0349](#) Clerk of the Board, based upon the recommendation of the In-Home Supportive Services (IHSS) Advisory Committee, recommending the Board make the following appointment to the IHSS Advisory Committee: Reappoint Jody Bailey, Consumer Representative, Term Expiration 03/21/2025.

FUNDING: N/A

8. [23-0479](#) Clerk of the Board recommending the Board approve the revisions to the El Dorado County Board, Committee and Commission Handbook to make mandatory Implicit Bias training for Members on the Assessment Appeals Board, Agriculture Commission, Civil Service Commission, Child Abuse Prevention Council and Planning Commission. All other board, committee and commission Members are strongly encouraged to participate in the training.

FUNDING: N/A

9. [23-0283](#) Clerk of the Board, based on direction provided the Board of Supervisors, recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance **5175** amending Title 2, Article XIV, Section 2.20.110 (et.seq.), dissolving the El Dorado County Human Rights Commission. (Cont. 3/14/2023, Item 17)

FUNDING: N/A

10. [23-0589](#) Human Resources Department recommending the Board:
- 1) Approve and adopt revisions and a title change to Board of Supervisors Policy L-1: Protected Health Information (HIPAA): General to Privacy and Projected Information Policy; and
 - 2) Grant the Director of Human Resources the authority to make changes to the Policy that are either non-substantive or necessary to accord with changes to relevant statutes or regulations.

FUNDING: N/A

11. [23-0487](#) Human Resources Department recommending the Board:
- 1) Approve the new department specific class specification of Sheriff's Security Officer I/II; and
 - 2) Adopt and authorize the Chair to sign Resolution **047-2023** to approve the following:
 - a) The job class number, bargaining unit, and salary range for the Sheriff's Security Officer I/II;
 - b) Due to lateral reclassifications, the deletion of 14.0 full-time equivalent (FTE) Sheriff's Security Officer positions and the addition of 14.0 FTE Sheriff's Security Officer I/II positions where the competitive recruitment and selection process is being waived by the Director of Human Resources at the request of the appointing authority in accordance with Personnel Rule 507.1.1; and
 - c) Abolish the Sheriff's Security Officer classification.

FUNDING: General Fund.

12. [23-0445](#) Information Technologies Department recommending the Board:
- 1) Make findings in accordance with Procurement Policy C-17, Section 3.4 (4), Exemptions from Competitive Bidding due to a competitively bid agreement being utilized;
 - 2) Authorize the use of Agreement US-NCPA 01-86 between Carahsoft Technology Corp. and Region 14 Education Service Center as the lead public agency for the competitively bid services;
 - 3) Approve and authorize the Purchasing Agent to issue a Purchase Order to ePlus Technology Inc. in the amount of \$109,430.90 for the purchase of Mimecast Security Software and support services for a three-year period from March 31, 2023, through March 30, 2026; and
 - 4) Approve and authorize the Director of Information Technologies or Assistant Director of Information Technologies to sign Quote 22918704 and subsequent purchase documents that do not extend the term of the services or exceed the amount of the purchase order.

FUNDING: General Fund.

13. [23-0543](#)

Supervisor Parlin, based upon the recommendation of the Kelsey Cemetery Advisory Committee, recommending the Board make the following reappointments to the Kelsey Cemetery District:

- 1) Reappoint Raymond LeVitt, Member - Term Expiration 4/9/2025; and
- 2) Reappoint Robert Villalobos, Member - Term Expiration 4/9/2025.

FUNDING: N/A

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

14. [23-0455](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and delegate authority to the Behavioral Health Director to execute the non-financial Data Exchange Framework-Single Data Sharing Agreement 7490 with California Health and Human Services Agency (CalHHS) for a retroactive term beginning January 31, 2023, with no set termination date; and
 - 2) Authorize the Behavioral Health Director or HHS Director to execute further documents or amendments that do not add compensation to the Data Exchange Agreement 7490, contingent upon approval by County Counsel, Information Technology, if applicable, and Risk Management.

FUNDING: N/A

15. [23-0493](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Make findings that the provision of Mental Health Student Services Act Partnership Grant Program services provided by Contractor are in the public's best interest and due to "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" in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(C);
 - 2) Approve and authorize the Chair to sign Funding Out Agreement 6514 with the El Dorado County Office of Education with a not-to-exceed amount of \$5,044,655, and for a term effective upon final execution through December 31, 2026; and
 - 3) Authorize the HHS Director, or Director of Behavioral Health, to execute further documents relating to Funding Out Agreement 6514, 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: 100% State Mental Health Services Act funds. No matching funds are required.

16. [22-1289](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and authorize the Chair to sign revenue-generating Memorandum of Understanding (MOU) 6156 with County of Alpine Health and Human Services Agency, for the provision of limited programmatic and administrative support services, for various activities and programs operated by HHS, on an as-needed basis, and subject to availability of staff and approval by El Dorado County, with no maximum obligation for the term of 3 years from execution with two one-year options to extend; and
 - 2) Authorize the HHS Director to execute further documents relating to MOU 6156, including amendments, contingent upon approval by County Counsel and Risk Management, which do not increase Net County Cost or change the term of the Agreement.

FUNDING: Fee for service revenue from the County of Alpine.

17. [23-0454](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Find that, in accordance with Policy C-17, Section 3.4.2, Exemption from Competitive Bidding, that due to the unique nature of the property or services required that there is only one vendor that can provide the items and service;
 - 2) Approve a sole source purchase with TriVan Truck Body authorizing the Purchasing Agent to execute a Purchase Agreement, contingent upon approval by County Counsel and Risk Management, for the customization of the County of El Dorado Public Health Division's 2023 Ford Transit EL T-350 HD XL AWD into a mobile laboratory and nursing services vehicle in the amount of \$162,442.

FUNDING: 100% Enhancing Laboratory Capacity (ELC) Enhancing Detection Expansion Funding. (COVID-19ELC68)

LAND USE AND DEVELOPMENT - CONSENT ITEMS

18. [23-0276](#) Agriculture Department recommending the Board adopt and authorize the Chair to sign Resolution **049-2023** to enact Hemp Best Management Practices for cultivation of Industrial Hemp Pilot Program per Ordinance 5168 adopted by the Board on 11/1/2022.

FUNDING: Hemp Producer Application Fees.

19. [23-0449](#) Department of Transportation recommending the Board consider the following pertaining to the 2023 DOT Maintenance Pavement Rehabilitation Projects, Contract 7495:
- 1) Approve and adopt the Contract Documents; and
 - 2) Authorize advertisement for bids.

FUNDING: Road Repair and Rehabilitation Act 2017 (SB1-RMRA) (30%), General Fund Local Discretionary Funds (50%), Measure S Transient Occupancy Tax Funds (20%). (No Federal Funds)

20. [23-0464](#) Department of Transportation recommending the Board:
- 1) Approve and authorize the Chair to sign a Budget Transfer adjusting Transportation's budget for Fiscal Year 2022-23 to accommodate nine (9) Gridsmart Camera Systems to be used at the intersections along Green Valley Road; (4/5 vote) and
 - 2) Approve the addition of nine (9) Gridsmart Camera Systems to the Department of Transportation's Fiscal Year 2022-23 Fixed Asset List at \$32,000 each for a total of \$288,000.

FUNDING: Road Maintenance and Rehabilitation Act of 2017. (SB1-RMRA 100%)

21. [22-1966](#) Department of Transportation recommending the Board take the following actions related to the Fire Hazard Mitigation Project, Capital Improvement Program project number 36106003:
- 1) Accept \$2,055,321.75 in grant funds from the Federal Emergency Management Agency's Hazard Mitigation Grant Program;
 - 2) Adopt the project into the 2022 Capital Improvement Program; and
 - 3) Approve a budget transfer of \$320,636 to cover the anticipated work on the Project in Fiscal Year 22/23 (4/5 vote required).

FUNDING: Federal Emergency Management Agency's Hazard Mitigation Grant Program Funds (68.7% Federal) and El Dorado County General Fund/Designated Reserves (22.9%), and Regional Surface Transportation Program (8.3%).

22. [23-0160](#) Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **048-2023** approving the revised Traffic Impact Fee (TIF) Administrative Manual.
- FUNDING:** Traffic Impact Fee Program.
23. [23-0468](#) Department of Transportation recommending the Board:
- 1) Approve the retroactive addition of one (1) partial engine to the Fiscal Year (FY) 2022-23 Fixed Asset List totaling \$15,000; and
 - 2) Decrease two (2) roll-off chipper boxes currently on the FY 2022-23 Fixed Asset List from \$45,000 to \$37,500 each for a total of \$15,000.
- FUNDING:** Road Fund. (100%)
24. [22-2252](#) Department of Transportation recommending the Board Adopt the Addendum to the Final Supplemental Environmental Impact Report, certified by the Board on June 28, 2011, related to the Silva Valley Parkway Interchange Project (Project), Capital Improvement Project number 66104/36104002/36104003.
- FUNDING:** The Silva Valley Interchange Project is included in the Adopted 2022 Capital Improvement Program (CIP) and is funded by 2004 General Plan Silva Valley Interchange Set Aside Traffic Impact Fee (TIF) Program fees.
25. [23-0476](#) Department of Transportation, Maintenance and Operations Division, Fleet Services Unit, recommending the Board:
- 1) Remove one (1) 1/2 ton pickup totaling \$43,000 from the Fiscal Year 2022-23 Fixed Asset list;
 - 2) Decrease the cost of one (1) 1/2 ton 4x4 pickup on the Fiscal Year 2022-23 Fixed Asset list from \$56,000 to \$49,000; and
 - 3) Add one (1) full-size SUV to the Fiscal Year 2022-23 Fixed Asset list totaling \$50,000.
- FUNDING:** Fleet Internal Service Fund.
26. [23-0609](#) Director of the Department of Transportation, serving as the Road Commissioner, recommending the Board receive and file the attached report as required under Resolution 016-2023, providing a status update on the emergency road repair work related to the 2022 storms.
- FUNDING:** Undetermined. Options include General Fund, Road Fund, Tribe Fund Balance or Road Maintenance General Fund Designation. The Department will also be seeking FEMA and CalOES reimbursement through the California Severe Winter Storms, Flooding, Landslides and Mudslides FEMA declaration for incident period December 27, 2022 - January 31, 2023.

27. [23-0397](#) Environmental Management Department recommending the Board adopt and authorize the Chair to sign Resolution **050-2023** confirming the corrected annual report of delinquent mandatory refuse collection fees for South Tahoe Refuse Co., establishing the delinquent amounts as special assessments for Fiscal Year 2022-23, and authorizing for the correction of the assessed liens and refunds as required, processed through the Auditor's Office in the same manner as the County's ad valorem property taxes.

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

28. [23-0306](#) Planning and Building Department, Code Enforcement Division, recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance 5174 to amend Chapter 9.02., of the El Dorado County Code of Ordinances, related to Code Enforcement activities.

FUNDING: N/A

29. [23-0411](#) Planning and Building Department, Planning Division, recommending the Board approve and authorize the Chair to sign the Lead Agency Agreement made between the County of El Dorado and the El Dorado Hills Community Services District to confirm that the Community Services District shall serve as the lead agency pursuant to the California Environmental Quality Act for the Community Services District's Bass Lake Regional Park Project (Supervisory District 1).

FUNDING: General Fund.

30. [23-0590](#) Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board receive and file the 2022 Housing Element Annual Progress Report following public comment for submittal to the California Department of Housing and Community Development.

FUNDING: General Fund.

LAW AND JUSTICE - CONSENT ITEMS**31. [23-0423](#)**

District Attorney's Office recommending the Board:

- 1) Make findings in accordance with Procurement Policy C-17, Section 3.4.2 (a), single source procurement due to a technological, specialized, unique character of the good, as well as Section 3.4.3, competitive bidding would produce no economic benefit to the County;
- 2) Approve and authorize the Board Chair to sign Agreement 7455 with West Publishing Corporation, dba Thomson Reuters West, to provide public and commercial database searches and on-line jury instructions for a term of April 1, 2023 through March 31, 2026, in the amount of \$138,581 for the three-year period; and
- 3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement 7455, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund.

32. [23-0152](#)

Probation Department recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Memorandum of Understanding (MOU) (FENIX Contracts 7398 and 7399) between Placerville Police Department, South Lake Tahoe Police Department, and El Dorado County Probation Department for "Managing the Effects of Public Safety Realignment Enforcement Operations Program." This agreement is for a term beginning upon full execution of the MOU and expiring on June 30, 2023, for a not to exceed amount of \$20,000; and
- 2) Authorize the Chief Probation Officer and Deputy Chief Probation Officer to execute further documents relating to Memorandum of Understanding 7398 and 7399, including amendments which do not increase the maximum dollar amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: Community Corrections Funding (Public Safety Realignment - AB109) - 100%.

END CONSENT CALENDAR

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

OPEN FORUM

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.

TO AND FROMS: Board members may make a brief report on commission or committee meetings, or make a brief announcement on matters of countywide concern (May be called at any time during the meeting)

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

ADJOURNMENT

CLOSED SESSION

33. [23-0584](#) **Conference with Legal Counsel - Existing Litigation** pursuant to Government Code Section 54956.9(d)(1). Title: County of El Dorado v. Amerisourcebergen Drug Corporation, et al., United States District Court for the Eastern District of California, Case No. 2:18-at-679;. (Est. Time: 15 Min.)
34. [23-0585](#) **Pursuant to Government Code Section 54957- Public Employment.** Title: Director of Library Services. (Est. Time: 1 Hr.)