



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

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
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

Tuesday, January 10, 2023

9:00 AM

<https://edcgov-us.zoom.us/j/87307245522>

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

ADDENDUM

Items 36 through 38 are hereby added to the Consent Calendar

Item 39 is hereby added to Closed Session

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 873 0724 5522. 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/87307245522>.

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.

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-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.

9:00 A.M. - CALLED TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

Supervisor Laine led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: R. Carter, S. Taylor, M. Rodriguez

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

Pull items 16 and 37 for discussion.

Supervisor Parlin registered a No vote on item 38.

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. **23-0091** Clerk of the Board recommending the Board Approve the Minutes for the regular meeting on January 3, 2023.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **21-1415** Chief Administrative Office recommending the Board of Supervisors find that a Local Health Emergency continues to exist in El Dorado County as a result of the Caldor Fire. (Cont. 12/13/2022, Item 5)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 3. **23-0056** Chief Administrative Office, Facilities Division, recommending the Board:
 - 1) Authorize the Purchasing Agent to sign Amendment I to Agreement for Services 4592 with National Analytical Laboratories, Inc. to increase compensation by \$70,000 for an amended not-to-exceed amount of \$140,000 and to increase the term an additional two years, expiring March 17, 2025, to provide on-call environmental testing at various County operated locations;
 - 2) Make findings pursuant to Article II, Section 210b(6) of the El Dorado County Charter and 3.13.030 Section C of County Ordinance 5116 the ongoing aggregate of the work performed under this Agreement is temporary or occasional in nature and the work to be performed is not sufficient to warrant the addition of permanent staff; and
 - 3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement for Services 4592, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: Accumulative Capital Outlay Fund, General Fund.

This matter was Approved on the Consent Calendar.

4. **23-0034** Chief Administrative Office, Facilities Division, and Procurement and Contracts Division, recommending the Board consider the following pertaining to Job Order Contracting (JOC) for as-needed General Building Contractors, Bid Numbers: 23-968-017, 23-968-018, and 23-968-019:
- 1) Award JOC Construction Contracts to Mesa Energy Systems, Inc. and Spectrum Services Group, Inc., the two lowest responsive, responsible bidders;
 - 2) Approve and authorize the Purchasing Agent, or designee, to sign Public Works Contract 7364 with Mesa Energy Systems, Inc., and Contract 7365 with Spectrum Services Group, Inc., with each Contract having a term of one year, commencing ninety (90) days after contract execution or upon first Notice to Proceed, whichever occurs first, and each having a not-to-exceed amount of \$2,500,000; and
 - 3) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Public Contract Code section 22300, to hold Contract retention funds.

FUNDING: Accumulative Capital Outlay Fund.

This matter was Approved on the Consent Calendar.

5. **23-0017** Chief Administrative Office, Procurement and Contracts Division, recommending the Board of Supervisors:
- 1) Declare one (1) 2008 Ford Ranger (Vin no. 1FTYR11E58PA05108, County Tag no. 514339) as surplus in accordance with the procedures outlined in the County's Purchasing Policy C-17, Section 6.0 Surplus Property;
 - 2) Authorize the Purchasing Agent to execute Agreement 7073 for the sale of the above vehicle to the Cameron Park Community Services District with the procedures outlined in the County's Purchasing Policy C-17, Section 6.3 Surplus Property Sale or Transfer.

FUNDING: Funds received from the sale will be deposited into the Department of Transportations Fleet Fund.

This matter was Approved on the Consent Calendar.

6. **21-1728** Clerk of the Board recommending the Board of Supervisors, as a result of ongoing concerns related to COVID-19, approve findings pursuant to Government Code subsection 54953(e)(3) in order to allow for the continued use of virtual or hybrid Board of Supervisors meetings as authorized under Assembly Bill 361. (Cont. 12/13/2022, Item 12)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 7. **23-0085** Clerk of the Board recommending the Board approve a revised 2023 regular meeting calendar of the Board of Supervisors cancelling the regular meeting of February 28, 2023 and adding a meeting on February 21, 2023.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 8. **23-0119** Supervisor Hidahl recommending the Board make the following appointment to the El Dorado County Veteran Affairs Commission: Appoint Robert Fischer, Member - District 1, Term Expiration 01/01/2025.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 9. **23-0093** Supervisor Parlin recommending the Board make the following appointment to the Library Commission: Appoint Janie Johnston, Member District IV, Term Expiration January 11, 2027

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 10. **23-0075** Supervisor Parlin recommending the Board make the following appointment to the Civil Service Commission: Appoint Liz Drummond Member District IV, Term Expiration January 11, 2027.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 11. 22-2295** Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and authorize the Chair to sign four (4) financial operational Memorandum of Understandings (MOU) for CalFresh mutual aid plan protocol for post-disaster services accommodation to mutually support partnering County Human Services Agencies and their ability to maintain services in times of disaster or other emergencies, for the retroactive term of November 1, 2022 through October 31, 2025:
 - a) MOU 6936 with the Alpine County;
 - b) MOU 6937 with Mendocino County;
 - c) MOU 6938 with Calaveras County; and
 - d) MOU 6939 with Tuolumne County; and
 - 2) Authorize the HHS Director, or the Assistant Director of Human Services, to execute further documents relating to MOUs 6936, 6937, 6938, and 6939, including amendments that do not increase the maximum dollar amount or term of the MOUs, contingent upon approval by County Counsel and Risk Management.

FUNDING: 50% Federal United States Department of Agriculture, 40% State General Fund, and 10% 1991 Realignment funding.

This matter was Approved on the Consent Calendar.

- 12. 22-2089** Health and Human Services Agency (HHS) recommending the Board authorize the Purchasing Agent to execute a Purchase Order, contingent upon approval from Risk Management and County Counsel, for the purchase of sixty (60) each of the following: Precision 3570 laptop computers, three (3) year anti-theft insurance, recycling fee, thunderbolt docking stations, and laptop bags in the total amount of \$103,380.92.

FUNDING: 50% Federal Temporary Assistance for Needy Families, 26% State General Fund, and 24% 1991 Realignment.

This matter was Approved on the Consent Calendar.

- 13. 22-1683** Health and Human Services Agency recommending the Board of Supervisors find that a Local Health Emergency continues to exist in El Dorado County as a result of the Mosquito Fire (Cont. 12/13/22, Item 25)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 14. 23-0010** Health and Human Services Agency (HHSA) recommending the Board approve and authorize the HHSA Director to sign a notice exercising the option to extend Caldor Disaster Case Management Agreement 6250 with The Salvation Army through April 30, 2023, with no change to the total compensation amount of \$139,960.15, for the personnel and equipment necessary to provide Disaster Case Management for approximately 49 households displaced by the Caldor Fire.

FUNDING: General Fund-Caldor Fire Relief Designation.

This matter was Approved on the Consent Calendar.

- 15. 22-2280** Health and Human Services Agency (HHSA) recommending the Board:
- 1) Make findings that the provision of meal services to shelter clients provided by Contractor 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) Approve and authorize the Chair to sign Agreement for Services 6783 with Upper Room Dining Hall, Inc., with a not to exceed amount of \$565,380, and for the term of 18 months from January 10, 2023, through July 9, 2024; and
 - 3) Authorize the HHSA Director, or HHSA Deputy Director of Community Services, to execute further documents relating to Agreement 6783, 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 and federal grant funding awarded under the Health and Human Services Agency Housing and Homelessness Services Program.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

16. 22-2242 Department of Transportation recommending the Board approve the Board of Supervisors Policy G-3, Dead Animal Disposal with a new sunset review date of January 10, 2026.

FUNDING: N/A

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

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

17. 22-2294 Department of Transportation recommending the Board approve and authorize the Chair to sign a budget transfer establishing revenue and appropriations in the amount of \$22,270 for a new special revenue fund to collect deposits for road permits for wide loads. (4/5 vote required)

FUNDING: Road permit fees.

This matter was Approved on the Consent Calendar.

18. 22-2274 Department of Transportation recommending the Board consider the following:

- 1) Accept the road improvements for North Silver Dove Way East and Sienna Ridge Road, TM 14-1522, as complete;
- 2) Reduce Performance Bond SU1175010 from \$1,906,229 to \$190,622.90, which is ten percent of the total cost of the road improvements, an amount which 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 SU1175010 in the amount of \$1,906,229 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.

- 19. 22-2305** Planning and Building Department, Airports Division, recommending the Board approve and authorize the Chair to sign County of El Dorado Airport Ground Lease 2048, between the County and Lessee, BDQ Properties, LLC, for a privately-owned hangar located on Space TP-24 at the Placerville Airport, representing use of 2,959 square feet plus 328 square feet for a storage shed which equals 3,287 square feet of Airport ground, with commencement rental fee due of \$3,234.41 that requires a rental fee to be paid at commencement of the lease and paid annually thereafter, and upon Board execution, a lease term of ten years. (4/5 vote required)

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

This matter was Approved on the Consent Calendar.

- 20. 22-2272** Planning and Building Department, Planning Division, recommending the Board approve a budget transfer reallocating \$25,837 from contingency to operating transfers out in the special revenue fund 3720201 Environmental Impact Report Development Costs. (4/5 vote required)

FUNDING: Developer/Applicant Funds.

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 21. 22-1963** Probation Department recommending the Board:
- 1) Make findings in accordance with County ordinance 3.13.030(E) that the provision of services provided by Contractor is with or among any other governmental entity or agency;
 - 2) Approve and authorize the Chair to sign Agreement 7047 with El Dorado County Office of Education; in an amount not to exceed \$180,000 for a three-year term commencing upon full execution; and
 - 3) Authorize the Chief Probation Officer and Deputy Chief Probation Officer to execute further documents relating to Agreement for Services 7047, including future amendments that do not increase the maximum dollar amount or term of the agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: Juvenile Justice Crime Prevention Act (JJCPA) 27%, Post Release Community Supervision (PRCS) 53%, Juvenile Probation Funding (JPF) 20%.

This matter was Approved on the Consent Calendar.

- 22. 21-1396** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the extreme wildland fire known as the Caldor Fire. (Cont. 12/13/2022, Item 45)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 23. 22-1675** El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County due to conditions of extreme peril from an imminent and proximate threat from the Mosquito Fire that began on September 6, 2022. (Cont. 12/13/2022, item 46)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

24. 22-2290

Sheriff's Office recommending the Board:

- 1) Find that, in accordance with Section 3.4.2 of the El Dorado County Procurement Policy, due to the unique nature of the property or services required competitive bidding is precluded;
- 2) Authorize the Purchasing Agent to execute a purchase agreement in the amount of \$1,000,000 with Odin Systems Inc. for purchase, maintenance, and services for Motorola Solutions' Vigilant Solutions License Plate Recognition contingent upon County Counsel and Risk approval; and
- 3) Authorize the Purchasing Agent to increase the purchase agreement on an "as-needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: Special Revenue Funds.

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

25. 22-1653 **HEARING** - Department of Transportation recommending the Board:
 1) Approve the Introduction (First Reading) of Ordinance **5173** amending County Code Chapter 12.28, Traffic Impact Fee (TIF) Program, Ordinance 5144, to revise the cost index used to calculate annual updates to the TIF Program Fee Schedule;
 2) Make findings that the adoption of the ordinance is exempt under California Environmental Quality Act (CEQA) based on CEQA Guidelines 15060(c)(2) and 15061(b)(3); and
 3) Waive full reading of the Ordinance, read by title only, and continue this matter to February 14, 2023, for Final Passage (Second Reading). (Cont. 11/15/2022, Item 30)

FUNDING: TIF Program.

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

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Approve this matter and Continue Ordinance 5173 to February 14, 2023 for Final Passage (Second Reading).

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

9:30 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

26. 23-0078 Chief Administrative Office recommending the Board receive and file an update from the Office of Wildfire Preparedness and Resilience.

FUNDING: N/A

Public Comment: K. Payne, S. Taylor

The Board received and filed an update from the Office of Wildfire Preparedness and Resilience.

27. 23-0013 Chief Administrative Office recommending the Board review the membership of the Fire and Emergency Medical Services ad hoc committee and appoint Supervisors Parlin and Thomas to serve on the committee for 2023.

FUNDING: N/A

Public Comment: K. Payne, S. Taylor

A motion was made by Supervisor Hidahl, seconded by Supervisor Laine to appoint Supervisors Parlin and Thomas to the Fire and Emergency Medical Services ad hoc committee.

Yes: 5 - Hidahl, 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: D. Moreland, No name given, C. Stiles, D. Defeckto, M. Pickon, D. Lee, J. Connelly, R. Center, T. McCann, L. Cauchon, J. Gainsborough, 073, M. Rodriguez, R. Sharpnack, R. Michelson, S. Taylor

23-0179 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.

2:00 P.M. - TIME ALLOCATION (Items will not be heard prior to time stated)

28. 23-0026

HEARING - To consider an appeal received from David Cramer appealing the Planning Commission’s November 10, 2022 approval of Uso Expansion of a Non-conforming Use (Conditional Use Permit CUP20-0014) to allow the existing, unfinished, unpermitted Accessory Dwelling Unit and five (5) additional existing unpermitted residential accessory structures in the Open Space zone district, on property identified as Assessor’s Parcel Number 072-030-014, consisting of 10.54-acre, in the Cool area, submitted by Londres Uso; and staff recommending the Board of Supervisors take the following actions: 1) Find Conditional Use Permit CUP20-0014 Categorically Exempt from the California Environmental Quality Act pursuant to Section 15303 (New Construction or Conversion of Small Structures); and 2) Deny appeal CUP-A22-0001 and uphold the Planning Commission's Approval for Conditional Use Permit CUP20-0014/ Uso Non-conforming Use based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented. (Supervisory District 4)

FUNDING: Privately-funded appeal for applicant-funded project

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

A motion was made by Supervisor Parlin, seconded by Supervisor Turnboo to grant the appeal and deny the Conditional Use Permit based on the following findings:

Finding 130.61.050(D)(2): The change or expansion of the nonconforming use will have a negative impact on the surrounding conforming uses and area overall as the existing, unfinished, unpermitted Accessory Dwelling Unit and five accessory buildings are out of character with the definition, intent, and vision for Open Space as discussed in the Board appeal hearing and written testimony before the Planning Commission. Granting the expansion of the nonconforming use would encourage improper development without following the appropriate County land use processes. Lastly, the proposed expansion and accessory buildings related to wine processing are out of character with the surrounding neighborhood and uses.

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

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)

Don Ashton, Chief Administrative Officer, reported on the following: President signed emergency declaration.

23-0141 CAO Update (See Attachments)

ADJOURNED AT 5:27 P.M.

CLOSED SESSION

Public Comment: L. Cauchon

- 29. 23-0027** **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; and El Dorado County Law Enforcement Management Association representing employees in the Law Enforcement Sworn Management Unit. (Est. Time: 1 Hr.)
- The Board Continued this item to January 24, 2023.**
- 30. 23-0052** **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of Debbie Grzeczka v. County of El Dorado, Sedgwick Claims Management Services, Inc., Worker's Compensation Claim, Claim No. ELAH-548840. (Est. Time: 5 Min.)
- No Action Reported.**
- 31. 23-0053** **Pursuant to Government Code Section 54956.9(d)(1)- Existing Litigation.** Title: Claim of David Hawkins v. County of El Dorado, Sedgwick Claims Management Services, Inc., Worker's Compensation Claim, Claim No. ELAG-548624. (Est. Time: 5 Min.)
- No Action Reported.**
- 32. 23-0065** **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Director of Transportation. (Est. Time: 15 Min.)
- No Action Reported.**
- 33. 23-0072** **Conference with Legal Counsel - Initiation of Litigation** pursuant to Government Code Section 54956.9(d)(4). Number of potential cases: (1). (Est. Time: 15 Min.)
- By a 5-0 vote, the Board authorized the initiation of litigation in accordance with Government Code Section 54957.1(a)(2) the title of the action, the defendants and the other particulars, shall once the action is formally commenced, be disclosed to any person would conclude.**

- 34. 23-0073** **Pursuant to Government Code Section 54957-Public Employment.**
Title: Chief Administrative Officer (Est. Time: 45 Min.)
No Action Reported.

- 35. 23-0079** **Pursuant to Government Code Section 54957-Public Employee**
Discipline/Dismissal/Release. (Est. Time: 30 Min.)
No Action Reported.

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**LAND USE AND DEVELOPMENT - CONSENT ITEMS****36. 23-0136**

Department of Transportation recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **016-2023**, finding an emergency exists due to the 2022/2023 storm series resulting in widespread damage to County maintained roads and authorize the Director of Transportation, acting as the Road Commissioner, to take all necessary actions to approve, authorize and award emergency repair projects (4/5 vote required);
- 2) Direct staff to return to the Board as soon as the storm series is over and emergency repairs are completed with an update on completed repairs and final costs; and
- 3) Find that the adoption of this Resolution and the later necessary repair projects are exempt from the California Environmental Quality Act under Public Resources Code Section 21080 and CEQA Guidelines Sections 15269 and 15301.

FUNDING: Undetermined. Options include Road Fund, Tribe Fund Balance or Road Maintenance General Fund Designation.

This matter was Approved and Resolution 016-2023 was Adopted upon Approval of the Consent Calendar.

37. 23-0139

Department of Transportation recommending the Board approve and authorize the Chair to sign Resolution **017-2023** approving the retroactive closure of the Rubicon Trail from the Airport Flats Campground to the County Line beginning Friday, December 30, 2022, for sixty (60) days or until weather conditions improve and any necessary repairs are completed, and to authorize the Director of Transportation to close additional roads as needed during the 2022 Storms local emergency as declared by the Board.

FUNDING: Road Fund.

Public Comment: J. Arnez, K. Payne, R. Kline, T. Larson., K. Hower, S. Taylor, A. Granat, T. Alquire

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

- 1) Approve this matter and Adopt Resolution 017-2023; and
- 2) Direct staff to return to the Board by May 30, 2023 with a Resolution that delegates to the Department of Transportation Director authority to order temporary closure of public roads including the Rubicon Trail and address in a collaborative process the protocols to be utilized by the Department of Transportation for temporary closure of the Rubicon Trail.

Yes: 4 - Hidahl, Thomas, Laine and Parlin

Noes: 1 - Turnboo

38. 23-0076

Planning and Building Department, Long Range Planning Division, Housing, Community and Economic Development Program, recommending the Board:

- 1) Retroactively approve Amendment I to Agreement 21-CDBG-HK-00098 with the Department of Housing and Community Development, extending the term of the Agreement by nine (9) months for a revised expiration date of September 29, 2023, with no changes to the Community Development Block Grant funding amount for the property acquisition required for affordable multifamily residential development in support of the Diamond Village 81-unit affordable multifamily workforce housing project located in the community of Diamond Springs;
- 2) Ratify the Planning and Building Department Director's signature on Amendment I to Agreement 21-CDBG-HK-00098, and authorize the Planning and Building Department Director, or designee, to execute any subsequent amendments thereto that do not affect the dollar amount or the term, and any other grant-related documents determined necessary, contingent upon approval by County Counsel and Risk Management; and
- 3) Authorize the Planning and Building Department Director, or designee, contingent upon approval by County Counsel and Risk Management, to execute any further Loan Agreements, Development Agreements, Promissory Notes, Regulatory Agreements, Deeds of Trust With Assignment of Rents, or any amendments thereto, and all other documents determined necessary to proceed with issuing the grant funds up to \$1,498,000 from Community Development Block Grant funding in the form of a loan, to service the loan to, and collect loan repayments from Diamond Village Apartments, LP, a California Limited Partnership, for the development of the Diamond Village Apartments in Diamond Springs.

FUNDING: Federal Community Development Block Grant Funds.

This matter was Approved on the Consent Calendar.

Supervisor Parlin registered a No vote on this matter.

CLOSED SESSION

39. 23-0149

Pursuant to Government Code Section 54957-Public Employee Appointment. Title: Interim Chief Administrative Officer. (Est. Time: 30 Min.)

No Action Reported.