



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

Brian K. Veerkamp, Chair, District III
John Hidahl, First Vice Chair, District I
Lori Parlin, Second Vice Chair, District IV
Shiva Frentzen, District II
Sue Novasel, District V

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

Tuesday, October 6, 2020

9:00 AM

<https://zoom.us/j/93783435298>

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

ADDENDUM

There has been a change in the title for item 5

Item 20 is hereby added to the Consent Calendar

PUBLIC PARTICIPATION INSTRUCTIONS: To comply with physical distancing requirements and the stay at home order from the Governor, the Board Chambers will be closed to members of the public and all public participation will be handled remotely.

The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 937 8343 5298.

To observe the live stream of the Board of Supervisors meeting go to <https://zoom.us/j/93783435298>.

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. The clerk will call you by the last three digits of your phone number when it is your turn to speak. Speakers will be limited to 3 minutes.

To view Board of Supervisors meetings via Facebook Live, go to <https://www.facebook.com/EIDoradoCountyNews>. Please note the Board will not be using this function and therefore will not see any comments posted during the livestream.

By participating in this meeting, you acknowledge that you are being recorded.

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

The Clerk of the Board is here to assist you, please call 530-621-5390 if you need any assistance with the above directions to access the meeting.

Vision Statement

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

This institution is an equal opportunity provider and employer.

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

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

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

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

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

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

PROTOCOLS FOR PUBLIC COMMENT

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

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

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

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

Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Board, time to speak by any individual may be extended.

Public comment on certain agenda items designated and approved by the Board may be treated differently with specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending upon the nature of the issue. It is the practice of the Board to allocate 20 minutes for public comment during Open Forum and for each agenda item to be discussed. (Note: Unless designated on the agenda, there is no Open Forum period during Special Meetings.)

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

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

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

9:01 A.M. - CALLED TO ORDER

Present: 5 - Supervisor Veerkamp, Supervisor Frentzen, Supervisor Novasel, Supervisor Hidahl and Supervisor Parlin

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Supervisor Novasel gave the Invocation.
Supervisor Veerkamp led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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

Pull items 1 and 20 for discussion.

Supervisor Parlin would like the record to reflect regarding item 10 her thanks to the Department of Transportation and County Counsel for their help with providing access to the Georgetown Divide.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl 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.

OPEN FORUM

Public Comment: B. Knox, C. Felton

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. The total amount of time reserved for Open Forum is 20 Minutes.

CONSENT CALENDAR

- 1. **20-1306** Clerk of the Board recommending the Board approve the Minutes from the regular meeting of September 29, 2020.

A motion was made by Supervisor Parlin, seconded by Supervisor Novasel to Approve the Minutes from the regular meeting of September 29, 2020 adding clarification to item 22 that the funding agreement for training for the Human Rights Commission was not Approved but could be brought back on a future date.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. **20-1318** Chief Administrative Office, Facilities Division, recommending the Board:
1) Provide conceptual approval of a portable generator installation at the Health and Human Service Agency’s leased facility located at 3057 Briw Road in Placerville as related to the Pacific Gas & Electric Company Public Safety Power Shutoff events; and
2) Authorize the Purchasing Agent, pursuant to County Counsel and Risk Management approval, to execute Amendment I to Lease Agreement 325-L1411 with Briw Office Investors to accomplish said project.

FUNDING: State Public Safety Power Shutoff Resiliency Allocation.

This matter was Approved on the Consent Calendar.

- 3. **20-1260** Information Technologies (IT) recommending the Board:
1) Approve continuation of the perpetual hardware maintenance and software license/support agreements for the dates and approximate annual payment amounts indicated in Attachment A;
2) Authorize the Director of IT, or designee, to sign necessary documents to continue the agreements in accordance with the terms of each agreement;
3) Authorize the Purchasing Agent to encumber funds for the Fiscal Year 2020-21 and Fiscal Year 2021-22 hardware and software maintenance payments required for each perpetual agreement; and
4) Authorize the Board Chair to sign Amendment I to Contract 3301 for the County's Microsoft Volume Licensing Agreement, recognizing the vendor change from PCMG, Inc. to Insight Public Sector, Inc., as a result of an acquisition and merger transaction.

FUNDING: General Fund, with partial cost recovery in future years through the A-87 Cost Plan.

This matter was Approved on the Consent Calendar.

4. **20-1151** Treasurer-Tax Collector Department recommending the Board approve the Final Passage (Second Reading) of Ordinance **5128** amending Chapter 3.28, Transient Occupancy Tax, of Title 3 of the El Dorado County Ordinance Code to: add Section 3.28.091, Certificate of Tax Lien, giving the Tax Collector authority to record a Certificate of Delinquency of Transient Occupancy Tax Lien against an operator who fails to remit occupancy taxes; to require appeals of tax and/or penalty amounts charged to be heard by a Hearing Officer, consistent with other appeal processes in the County; and to make minor text corrections and updates for consistency with El Dorado County Ordinance Code and the State Revenue and Taxation Code. (Cont. 9/22/20, Item 37)

FUNDING: N/A

Ordinance 5128 was Adopted upon Approval of the Consent Calendar.

5. **20-1321** Supervisor Veerkamp and the El Dorado County Office of Education recommending the Board consider the following:
- 1) Make appointments and reappointments to the 2020/2021 El Dorado County Youth Commission as follows:
 - a) District 1: Rithvik Murali/Oakridge High School (Returning) and Anavi Deshmukh/Oakridge High School (Returning)
 - b) District 2: Grace Salvestrin/Union Mine High School (Returning) and Grace Lawson/Ponderosa High School (New)
 - c) District 3: Abegale Jones/Union Mine High School (Returning), Amanda Kendler/El Dorado High School (Returning) and Emma Lopez/El Dorado High School (New)
 - d) District 4: Dane Sheridan/Charter University Prep (Returning) and Jordan Freer/El Dorado High School (New); and
 - e) District 5: Emilia Delmolino/El Dorado High School (New) and Avery Sheridan/Charter University Prep (New).
 - 2) Announce the Youth Commission's Annual Job Shadow Day at the Board of Supervisor's to be held on November 17, 2020. Due to the ongoing pandemic mitigations, they will remote in via Zoom as panelists.

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

6. 20-1070

Health and Human Services Agency recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **150-2020** authorizing the Director of the Health and Human Services Agency to apply for and accept the California Department of Housing and Community Development's Traditional Housing Program Allocation Award, in the amount of \$32,000, to assist young adults 18 to 25 years of age secure and maintain housing;
- 2) Authorize the Director of the Health and Human Agency to act on behalf of the County in connection with the Traditional Housing Program Allocation Award, and to execute and deliver all required documents; and
- 3) Approve and authorize the Director of the Health and Human Services Agency or Chief Fiscal Officer to execute any required fiscal and programmatic reports.

FUNDING: State Funding: 100% California Department of Housing and Community Development.

This matter was Approved and Resolution 150-2020 was Adopted upon Approval of the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

- 7. 20-1023** Department of Transportation recommending the Board consider the following:
- 1) Accept the subdivision improvements for West Valley Village Unit 7B, TM 99-1359-7B, as complete;
 - 2) Hold Performance Bond 94-89-07 with Bond Rider 2, in the amount of \$570,003.21, which is ten percent of the total 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 94-89-07 in the amount of \$2,850,016.06 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 the Department.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

- 8. 20-1125** Department of Transportation recommending the Board approve and authorize the Chair to sign First Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, Lennar Homes of California, Inc., for Carson Creek Unit 3, Phase 1, TM 14-1519-F, extending the performance period to December 6, 2021.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

- 9. 20-1126** Department of Transportation recommending the Board approve and authorize the Chair to sign First Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, Lennar Homes of California, Inc., for Carson Creek Unit 3, Phase 2, TM 14-1519-F-2, extending the performance period to December 19, 2021.

FUNDING: Developer Funded.

This matter was Approved on the Consent Calendar.

- 10. 20-1170** Department of Transportation recommending the Board approve and authorize the Chair to sign a License Agreement for Public Purposes between the County of El Dorado and the Georgetown Divide Recreation District to allow temporary access to the Greenwood School House.

FUNDING: NA

This matter was Approved on the Consent Calendar.

- 11. 20-1178** Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **154-2020**, thereby amending the FY 2020-21 Authorized Personnel Allocation Resolution for the Department of Transportation to:
- 1) Add 1.0 FTE Administrative Technician;
 - 2) Delete 1.0 FTE Services Operations Coordinator; and
 - 3) Delete 1.0 FTE Associate Civil Engineer.

FUNDING: Road Fund and Developer Funded.

Resolution 154-2020 was Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

12. 20-1265

District Attorney recommending the Board:

- 1) Disband the El Dorado County Indian Gaming Local Community Benefit Committee;
- 2) Authorize the return of remaining unspent grant funds, plus any accrued interest, to the California Gambling Control Commission in the total estimated amount of \$65,658; and
- 3) Approve and authorize the Chair to sign FY 2020-21 budget transfer to increase appropriations by \$65,658 under the Indian Gaming Special Revenue Fund for the payment of the unspent grant funds, plus any accrued interest. (4/5 vote required)

FUNDING: Indian Gaming Special Revenue Fund

This matter was Approved on the Consent Calendar.

13. 20-1204

Probation Department recommending the Board:

- 1) Approve and authorize the Chair to sign Amendment I to Agreement for Services 4026 with Justice Benefits, Inc, to increase the not-to-exceed amount by \$35,000 for a total not-to-exceed amount of \$100,775 to cover the remainder of quarterly invoices through the end of the term of the agreement on August 13, 2021, for the provision of providing the Probation Department professional assistance specific to Federal Title IV-E Administrative Claims; and
- 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Contract 4026, including future amendments which do not increase the maximum dollar amount or term of the Contract, and contingent upon approval by County Counsel and Risk Management.

FUNDING: 100% Title IV-E (Federal Payments for Foster Care, Prevention, and Permanency).

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 14. 20-0526** Chief Administrative Office recommending the Board receive an update from County Departments on the operational impacts of COVID-19 and provide direction to staff if necessary. (Cont. 9/29/2020, Item 20)

FUNDING: N/A

Public Comment: R. Luzada

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

- 15. 20-1162** Department of Transportation, Maintenance and Operations Division, recommending the Board adopt and authorize the Chair to sign Resolution **151-2020** sanctioning right turn restrictions from Sawmill Road and North Upper Truckee Road onto Highway 50 on a temporary basis from May through October 2021.

FUNDING: Road Fund.

Public Comment: J. McDougall, M. Sennings, A. Ross, T. Rizzo, P. Schwartz

A motion was made by Supervisor Novasel, seconded by Supervisor Veerkamp to Adopt Resolution 151-2020.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

- 16. 20-1059** Department of Transportation recommending the Board approve and authorize the Chair to sign Resolution **141-2020** that provides direction on the County's application of the methodology, significance thresholds, mitigation measures and exemptions for implementation of Senate Bill 743 for land use projects. (Cont. 9/22/20, Item 38)

FUNDING: Road Fund.

A motion was made by Supervisor Hidahl, seconded by Supervisor Parlin to Adopt Resolution 141-2020.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

17. 20-1156 Planning and Building Department recommending the Board review and revise Board Policy J-6 - General Plan Amendment Initiation Process.

FUNDING: N/A

Public Comment: J. Davies, B. Allen

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to Approve staff's recommendations with regards to revising Board Policy J-6 - General Plan Amendment Initiation Process with the following changes (See Attachment A - Policy J-6 - Revised - As Modified by the BOS 10-06-2020):

- 1) Item III. Procedure Section B. add the following language "Notice shall be provided in accordance with and as outlined in County of El Dorado Zoning Ordinance Section 130.51.050 Public Notice Requirements and Procedures. Public Notice range to be determined by Department Director with a minimum range of a half (1/2) mile. Notice of the hearing shall be provided in the manner required by Government Code section 65091 or as otherwise required by County Ordinance or Resolution."; and
- 2) Item III. Procedure Section D. 7. add the following language "Special consideration to be given to projects within high fire zone areas."

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

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

18. 20-1245 Supervisor Veerkamp recommending the Board authorize the Chair to sign a proclamation recognizing the month of October as All Colors, All Cancers Awareness Month in the County of El Dorado.

Supervisor Veerkamp read the Proclamation.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter.

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin

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

Supervisor Hidahl reported on the following:

- Situational Awareness Simulator.
- Wayfinder Expedition Learning.
- Transit/Transportation meetings.
- Opportunity Knocks Continuum of Care.
- Board of Supervisors 2021 calendar meeting.
- El Dorado Hills Community Council meeting.

Supervisor Frentzen reported on the following:

- Situational Awareness Simulator.
- Emergency Evacuation and Training.
- California Urban Summit.
- California Broadband webinar.
- Transit/Transportation meetings.
- CAL Local Agency Formation Commission meeting.
- Parks and Recreation Commissioner.
- Treasurer-Tax Collector meeting.
- Chief Administrative Officer meeting.

Supervisor Parlin reported on the following:

- IBC Writ of Mandate.
- Transit/Transportation meetings.
- Coloma Lotus Advisory Committee meeting.
- Mira Loma Apartments project.
- Board of Supervisors 2021 calendar meeting.
- Hemp Farm visit.
- National Night Out.

Supervisor Novasel reported on the following:

- Tahoe Regional Planning Agency.
- California Broadband webinar.

Supervisor Veerkamp reported on the following:

- Joint Powers Authority meeting.
- Situational Awareness Simulator.
- Emergency Evacuation and Training.
- Cemetery Advisory Commissioner meeting.
- Sacramento Area Council of Governments Transit/Transportation meeting.
- Chief Administrative Officer meeting.
- Treasurer-Tax Collector meeting.
- Echo Summit update.
- Agenda Review.
- Water Agency meeting.
- Boys and Girls Club fundraiser.
- Brian Ishmael Shooting Range Dedication.

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

Don Ashton, Chief Administrative Officer, reported on the following:

- Broadband grant update.

ADJOURNED AT 1:32 P.M. in honor of Tom Simpson

CLOSED SESSION

- 19. 20-1326** Pursuant to Government Code Section 54957- Public Employee Performance Evaluation. Title: Chief Administrative Officer. (Est. Time: 15 Min.)

No Action Reported. All five Supervisors participated.

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

There has been a change in the title for item 5.

GENERAL GOVERNMENT - CONSENT

20. 20-1277

Chief Administrative Office, Facilities Division recommending the Board:

- 1) Authorize and approve the Chief Administrative Officer to sign and execute Facility Use Agreement 5195 with the El Dorado County Office of Education (EDCOE) for the use of the Senior Center located at 990 Lassen Lane, El Dorado Hills to provide an extended day care and learning facility for the children of the El Dorado Union High School District employees effective upon execution through December 31, 2020;
- 2) Authorize the Purchasing Agent, to execute further documents relating to Facility Use agreement 5195 including amendments thereto, which do not increase the term of the Agreement, contingent upon approval by County Counsel and Risk Management approval;
- 3) Authorize the Purchasing Agent, or Designee to exercise the options to extend the Facility Use Agreement contingent on when the director or designee of El Dorado County's Health and Human Service Agency decides that they need the premises for department use and or the resumption of the senior programs at the premises;
- 4) Make a determination that use of the County's property as described provides a public benefit; and
- 5) Approve and authorize the Chair to sign Amendment II to Joint Use Agreement 303-01511 with El Dorado Hills Community Services District (CSD) suspending the requirement of the CSD to pay for their portion of utilities and maintenance cost for the use of the Senior Center premises during the period of time that EDCOE is occupying the space.

FUNDING: EDCOE has agreed to pay for cost of all utilities at the site during their term of use.

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

Yes: 5 - Veerkamp, Frentzen, Novasel, Hidahl and Parlin