



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, November 7, 2023

9:00 AM

<https://edcgov-us.zoom.us/j/84870531327>

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

ADDENDUM

Staff requesting item 20 be Continued off Calendar.

Item 21 is hereby added to Closed Session.

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 848 7053 1327. 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/84870531327>.

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-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.

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

Chaplain Betsy Vanderpool of the Sierra Chaplaincy gave the Invocation.

Sophia Sumimoto, Member of the El Dorado County Youth Commission, Oak Ridge High School, led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Public Comment: C. Lewis, K. Nalewaja

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

Continue items 6 and 20 off calendar.

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. [23-1999](#) Clerk of the Board recommending the Board Approve the Minutes from the regular meeting of October 24, 2023.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. [23-1893](#) Chief Administrative Office recommending the Board:
1) Adopt Policy B-6, titled "Community Funding," to establish guidelines for Community Funding contributions, which are one-time contributions of discretionary funds to a non-profit organization, public organization, or community organization (informal non-profit) for an event or effort that will benefit the residents of El Dorado County and, if needed, provide direction to staff on this process; and
2) Receive and file the updated Community Funding Request application that includes the California Levine Act Statement per California Government Code §84308.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

- 3. [23-1916](#) Chief Administrative Office, Procurement and Contracts Division, presenting a list of County surplus property and recommending the Board so declare and authorize disposal of same in accordance with the County's Procurement Policy C-17, Section 6.0 Surplus Property, thereof.

FUNDING: Various.

This matter was Approved on the Consent Calendar.

- 4. [23-1896](#) Chief Administrative Office, Procurement and Contracts Division, recommending the Board declare a service weapon as surplus and approve the sale of the weapon to retiring Sheriff's Detective Sean Fitzgerald.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

5. [23-1923](#) Clerk of the Board and Chief Administrative Office recommending the Board:
- 1) Adopt and authorize the Chair to sign Resolution **165-2023** establishing the 2024 regular meeting calendar of the Board of Supervisors; and
 - 2) Receive and file the Fiscal Year 2024-25 Master Budget Calendar.

FUNDING: N/A

This matter was Approved and Resolution 165-2023 was Adopted upon Approval of the Consent Calendar.

6. [23-1621](#) Supervisor Laine recommending the Board make the following appointment to the Cemetery Advisory Committee:
Appoint Leo Bennett-Cauchon, District Nominee - District 5, Cemetery Advisory Committee, Term Expiration 11/07/2025.

FUNDING: N/A

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

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

7. [23-1634](#) Health and Human Services Agency (HHS) recommending the Board:
- 1) Make findings that the provision of AbacusLaw Software as a Service (SaaS) 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);
 - 2) Approve and authorize the Chair to sign Purchase Contract 7741 with Abacus Data Systems, Inc., for the AbacusLaw SaaS, effective for the retroactive term date of June 29, 2023, to ensure continuity of software access to HHS staff, in the amount of \$19,284.48 for the initial three year term of the perpetual agreement which shall then automatically renew at the then current rate;
 - 3) Authorize the Purchasing Agent to execute amendments relating to Purchase Contract 7741, contingent upon approval by County Counsel and Risk Management, which do not increase the amount of the Agreement beyond the Purchasing Agent authority; and
 - 4) Authorize the HHS Director, or the HHS Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Purchase Contract 7741.

FUNDING: 10% Federal, 11% Donations and 79% General Fund.

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS

8. [23-1956](#) Surveyor's Office recommending the Board adopt and authorize the Chair to sign the following Resolutions for Abandonment of Easements, as requested by property owners Kayvan Haddadan and Sara Niyati, Trustees of The Kayvan Haddadan and Sara Niyati Family Trust at property identified as Assessor's Parcel Number 110-312-030 located at 1036 Columbia Circle within the community of El Dorado Hills, Supervisorial District 1:
- 1) Resolution 166-2023 for Abandonment of Easement No. 2022-0010 to abandon portions of a strip of land, 10 feet in width, within Parcel 1 of Parcel Map recorded in Book 46 of Parcel Maps, at Page 44, El Dorado County Records, said Easement described on said map as "Public Utility Easement"; and
 - 2) Resolution 167-2023 for Abandonment of Easement 22-0010, to abandon portions of Public Utility easements on Lots 158 and 157 of The Summit Unit No. 2, recorded in Book H of Subdivisions at Page 26.

FUNDING: Application Fees. (General Fund)

This matter was Approved and Resolutions 166-2023 and 167-2023 were Adopted upon Approval of the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS

- 9. [23-1393](#) Probation Department recommending the Board authorize the Chair to sign Revenue Agreement 7917 with the County of Inyo to place youth of said county in the County of El Dorado Probation Department's Juvenile Treatment Center on a reserved-space basis, commencing upon final execution and expiring three years thereafter.

FUNDING: Revenue from Inter-County agreements.

This matter was Approved on the Consent Calendar.

- 10. **23-0523** 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 February and March 2023 Storms. (Cont. 10/10/2023, Item 24)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

- 11. **23-0090** 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 December 2022 Storms. (Cont. 10/10/2023, Item 23)

FUNDING: N/A

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)

Welcome El Dorado County Youth Commission

- 12. [23-1919](#) Supervisor Thomas requesting the Board join her in welcoming this year's El Dorado County Youth Commissioners who will be participating in the annual Shadow Day.

FUNDING: N/A

Public Comment: K. Potter, L. Cauchon, K. Nalewaja

The Board welcomed this year's El Dorado County Youth Commissioners who will be participating in the annual Shadow Day.

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

- 13. [23-1993](#) Supervisor Thomas recommending the Board:
 - 1) Approve and authorize the Chair's signature on the Proclamation to recognize Veterans Day and to honor our Veterans. The Proclamation will be presented by Supervisor Thomas during the Annual Veterans Day ceremony at the El Dorado County Veterans Monument on Saturday, November 11, 2023, at 11:00 a.m. The public is invited and encouraged to attend; and
 - 2) Acknowledge "Operation Green Light for Veterans" supporting green lights at our Veterans Monument from November 6-12, 2023.

FUNDING: N/A

Public Comment: K. Nalewaja, L. Cauchon

Supervisor Thomas read the Proclamation.

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

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

14. [23-1755](#) Chief Administrative Office recommending the Board adopt Board Policy A-16, Proclamation Policy, establishing a uniform administrative policy related to the issuance of proclamations by the Board of Supervisors.

FUNDING: N/A

Public Comment: K. Payne, K. Nalewaja, L. Cauchon, K. Greenwood, R. Michelson

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to adopt Board Policy A-16, Proclamation Policy, with the following changes:

- 1) In Section II. A. all six listed would be heard as Department Matters;**
- 2) In Section II. B. add the language "or matters related thereto", and**
- 3) In Section II. in the last sentence of the last paragraph include perpetual in front of proclamations and change the language from rescinded to discontinued.**

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

15. [23-2009](#)

Chief Administrative Office and Health and Human Services Agency (HHSA) recommending the Board:

1) Approve and authorize the Chair to sign a letter to the California Public Utilities Commission (CPUC) rescinding El Dorado County's authority for 211 dialing effective December 15, 2023;

2) Consider the following regarding Agreement for Services 5792 with Interface Children and Family Services, Inc. (ICFS), for the provision of County 211 information and referral services:

a) Make findings that the provision of 211 information and referral services provided (ICFS) 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);

b) Approve and authorize the HHSA Director or Chief Administrative Officer to negotiate and sign an amendment to Agreement 5792 to extend the term by 16 days, for a new term of September 1, 2021, through December 15, 2023, adding up to \$10,000 in compensation, for a new total compensation amount up to \$250,019.32;

3) Direct staff to cancel Agreement 3245 with Charity Logic for 211 call logs and resource database, Agreement 3440 with AT&T and Agreement 3496 with Cellco Partnership, doing business as Verizon Wireless, for 211 routing, and Agreement 3076 with web.com for the 211eldorado.org domain name so that services terminate as soon as contractually allowable after December 15, 2023; and

4) Direct staff to implement a County resource and department information line by April 2024, and provide other direction on 211 services.

FUNDING: 100% General Fund.

Public Comment: K. Payne, L. Cauchon

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

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

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

16. [23-1844](#) Clerk of the Board, on behalf of the Diamond Springs and El Dorado Community Advisory Committee, recommending the Board:
- 1) Receive and file an annual report from the Diamond Springs and El Dorado Community Advisory Committee; and
 - 2) Provide direction as needed to the Diamond Springs and El Dorado Community Advisory Committee concerning a work plan, issues to study or other areas pertaining to the committee. (Cont. 10/24/2023, Item 26)

FUNDING: N/A

Public Comment: K. Payne, B. Zellar, K. Greenwood

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

- 1) Receive and file an annual report from the Diamond Springs and El Dorado Community Advisory Committee; and
- 2) Direct the Diamond Springs and El Dorado Community Advisory Committee to work with staff to draft bylaws and amend their governing Resolution and return to the Board within 60 days with those draft documents.

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

17. [23-1884](#) Treasurer-Tax Collector Department recommending the Board of Supervisors:
- 1) Conceptually approve a proposed Ordinance, amending certain exemptions in the County Business License Ordinance, Title 5, to: (a) provide eligible Veterans a 100 percent fee waiver of business licensing fees by amending Code Section 5.16.140 Exemptions and; (b) exempt certified massage therapists from the provisions of Chapter 5.34 - Adult-related Establishments by including this profession in Section 5.34.030 Exemptions; and
 - 2) Direct staff to return to the Board on November 14, 2023, for the introduction (First Reading) of the new ordinance.

FUNDING: General Fund.

Public Comment: K. Nalewaja

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

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

18. [23-1832](#) **HEARING** - Health and Human Services Agency (HHSA) recommending the Board adopt and authorize the Chair to sign Resolution **168-2023**, to implement an updated Behavioral Health Fee Schedule (Exhibit A) for Medi-Cal eligible services, effective on November 7, 2023, in accordance with the required California Advancing and Innovating Medi-Cal (CalAIM) Act implementation date, thereby replacing Board adopted Resolution 145-2016.

FUNDING: Combination of Federal Medi-Cal, State, and local realignment, including State Mental Health Services Act (MHSA) funds, reimbursed to HHSA from the California Department of Health Care Services (DHCS) for claims for client services, with the funding percentages dependent upon the beneficiary aide code.

Public Comment: K. Payne, L. Cauchon

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 Adopt Resolution 168-2023.

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: M. Kuehn, K. Nalewaja, L. Cauchon, K. Greenwood

[23-2093](#) 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 time stated)

19. [23-1823](#) **HEARING** - To consider two (2) appeals received appealing the Planning Commission’s August 24, 2023 approval of Green Gables Growers Commercial Cannabis Use Permit CCUP20-0004 and Variance V23-0002 to request a Commercial Cannabis Use Permit for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis and a Variance for reduction of the 1,500 foot setback from two (2) school bus stops, on the property identified as Assessor’s Parcel Number 087-021-057, consisting of 105.9-acres in the Latrobe area, submitted by Robert Sandie; and staff recommending the Board of Supervisors take one of the following actions: 1) Deny the appeals and uphold the approval of CCUP20-0004 and V23-0002 Green Gables Growers, based on the Findings and subject to the Conditions of Approval as approved by the Planning Commission; or 2) Approve the appeals and deny the approval of CCUP20-0004 and V23-0002 Green Gables Growers based on the attached Findings for Denial. (Supervisorial District 2) (Cont. 10/10/2023, Item 32)

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

Public Comment: L. Tannenbaum, S. Osbourn, S. O’Connell, E. O’Wickey, K. Nalewaja, K. McCarty, C. Morrissey, L. Looha, L. Cauchon, A. Baker

Supervisor Thomas 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 Thomas to Approve the appeals and deny, without prejudice, the approval of CCUP20-0004 and V23-0002 Green Gables Growers based on the attached Findings for Denial.

Yes: 3 - Thomas, Turnboo and Parlin

Noes: 2 - Hidahl and Laine

TO AND FROMS: This is an opportunity for Board Members to provide informational updates on matters of countywide concern. No action will be taken. (May be called at any time during the meeting)

Supervisor Parlin reported on the following:
Rural County Representatives of California Ad Hoc meeting on insurance.
Tax Payer's Association meeting.
Department of Transportation update.
Transportation Commission meeting.

Supervisor Turnboo reported on the following:
Food Bank tour.
South County Alliance meeting.
New Post Office in Grizzly Flats.

Supervisor Hidahl reported on the following:
Training Facility tour.

Supervisor Laine reported on the following:
Pollock Pines meeting.
Rally in Tahoe - United Against Hate.

Supervisor Thomas reported on the following:
No report.

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

Tiffany Schmid, Chief Administrative Officer, reported on the following:
Strategic Plan development of final document.
Only three Board meetings left in the 2023 year.
County offices closed on Friday in honor of Veterans Day.

The Board recessed to Closed Session at 3:51 P.M.

ADJOURNED AT 4:25 P.M.

CLOSED SESSION20. [23-1860](#)

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.

Staff requesting this matter be Continued off Calendar.

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

ADDENDUM

CLOSED SESSION

Staff requesting item 20 be Continued off Calendar.

21. [23-2053](#)

Conference with Legal Counsel - Significant Exposure to Litigation
pursuant to Government Code Section 54956.9(d)(2). Number of potential cases: (1).

No Action Reported.