



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, December 5, 2023

9:00 AM

<https://edcgov-us.zoom.us/j/81513158130>

330 Fair Lane, Building A Placerville, CA

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

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 815 1315 8130. 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/81513158130>.

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.

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

Pastor Craig Klatt of the Camino Adventist Church gave the Invocation.

Supervisor Laine led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

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 item 4 for discussion.

Continue item 8 off Calendar.

Move item 19 to a Department Matter and hear the matter after the 1:30 P.M. Time Allocation.

Comments from Supervisor Laine on item 25.

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. [23-2140](#) Clerk of the Board recommending the Board Approve the Minutes from the regular meeting of November 14, 2023.

This matter was Approved on the Consent Calendar.

GENERAL GOVERNMENT - CONSENT ITEMS

- 2. [23-2023](#) Auditor-Controller recommending the Board receive and file:
 - 1) The attached Report of Special Tax Delinquencies for Community Facilities District No. 1992-1 (CFD 1992-1 Serrano);
 - 2) The attached Report of Special Tax Delinquencies for Community Facilities District No. 2001-1 (CFD 2001-1 Promontory);
 - 3) The attached Report of Special Tax Delinquencies for Community Facilities District No. 2005-1 (CFD 2005-1 Blackstone);
 - 4) The attached Report of Special Tax Delinquencies for Community Facilities District No. 2014-1 (CFD 2014-1 Carson Creek);
 - 5) The attached Report of Special Tax Delinquencies for Community Facilities District No. 2018-1 (CFD 2018-1 Bass Lake Hills); and
 - 6) Adopt and authorize the Chair to sign the attached Resolutions **181-2023** (Serrano), **182-2023** (Promontory) and **183-2023** (Blackstone) authorizing judicial foreclosure of delinquent special tax installments pursuant to the CFD 1992-1, CFD 2001-1, and CFD 2005-1 Bond Indentures.

FUNDING: N/A

This matter was Approved and Resolutions 181-2023, 182-2023 and 183-2023 were Adopted upon Approval of the Consent Calendar.

3. [23-1940](#)

Chief Administrative Office recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **174-2023** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the El Dorado Hills Community Services District;
- 2) Adopt and authorize the Chair to sign Resolution **175 -2023** making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et seq.) related to the development impact mitigation fees collected by the County on behalf of the Georgetown Divide Recreation District; and
- 3) Review, receive, and file the annual financial report required under the Mitigation Fee Act for the period of July 1, 2022, through June 30, 2023.

FUNDING: There is no fiscal impact to the County related to this action.

This matter was Approved and Resolutions 174-2023 and 175-2023 were Adopted upon Approval of the Consent Calendar.

4. [23-2150](#)

Chief Administrative Office recommending the Board:

- 1) Review the two Notices of Application seeking acceptance of title to real property "in trust" by the United States of America for the Shingle Springs Rancheria Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California;
- 2) Direct staff in cooperation with County Counsel to coordinate, and prepare to submit within the 30-day comment period, a comprehensive response on behalf of the County that incorporates the assessed impacts of the Federal Government accepting the specified parcels "in trust" that includes, but is not limited to, confirmation of the Legal Land Descriptions/Site Locations as provided within the Notices, assessment of the impact from the removal of the specified parcels from the tax roll, impact to surrounding land use and infrastructure, and impact to the delivery of County services; and
- 3) Authorize the Chair to sign a letter to the U. S. Department of the Interior, Bureau of Indian Affairs to formally request an extension on the comment period for the two Notices by an additional 30 days.

FUNDING: General Fund.

Public Comment: K. Payne, L. Cauchon

A motion was made by Supervisor Parlin, seconded by Supervisor Hidahl to Approve this matter and direct staff going forward to include enhanced background information with similar items.

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

5. [23-2112](#) 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.

6. [23-2019](#) Chief Administrative Office, Procurement and Contracts Division on behalf of Sheriff's Office, Probation Department, District Attorney's Office, and Animal Services, recommending the Board approve the following:
- 1) Award Bid 24-680-016 for the purchase of Ammunition to the low qualified bidders, San Diego Police Equipment Company, Inc. of San Diego, CA, Dooley Enterprises, Inc. of Anaheim, CA. and Miwall Corporation of Grass Valley, CA.;
 - 2) Authorize the Purchasing Agent to issue purchase contracts to San Diego Police Equipment Company, in the amount of \$200,000 and to Dooley Enterprises in the amount of \$56,000 and Miwall Corporation in the amount of \$75,000 for a twelve-month (12-month) term following Board approval; and
 - 3) Authorize the Purchasing Agent to increase the purchase contracts on an "as needed" basis during the awarded period as long as funding is available within the requesting department's budget.

FUNDING: General Fund.

This matter was Approved on the Consent Calendar.

7. [23-2125](#) Clerk of the Board, based upon the recommendation of the El Dorado County Airport Advisory Committee, recommending the Board make the following appointment to the El Dorado County Airport Advisory Committee:
Appoint Charles Mellor, Member, Term Expiration December 5, 2027.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

8. [23-2130](#) Clerk of the Board, based upon the recommendation of the Fish and Wildlife Commission, recommending the Board approve bylaws for the Fish and Wildlife Commission.

FUNDING: N/A

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

9. [23-1247](#) Human Resources recommending the Board consider the following:
- 1) Make findings in accordance with Ordinance 3.13.030 that a contract for professional personnel investigations and mediation is necessary to protect against a conflict of interest or to ensure independent and unbiased findings where there is a need for an outside perspective;
 - 2) Approve and authorize the Chair to sign Amendment I to Agreement 5532 with Municipal Resource Group, LLC (MRG) to increase compensation by \$65,000, for a new maximum compensation amount of \$275,000, and update the billing rates; and
 - 3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement 5532, excluding term extensions and increases to compensation, contingent upon approval by County Counsel and Risk Management.

FUNDING: Countywide, General Fund and non-general fund.

This matter was Approved on the Consent Calendar.

10. [23-1884](#) Treasurer-Tax Collector Department recommending the Board approve the Final Passage (Second Reading) of Ordinance **5187**, 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. (Continued 11/14/2023, Item 26)

FUNDING: General Fund.

Ordinance 5187 was Adopted upon Approval of the Consent Calendar

11. [23-2161](#) Supervisor Laine recommending the Board approve and authorize the Chair to sign a letter to Eldorado National Forest District Ranger, Dionne Uzes in support of their efforts to sustain and replenish the existence of Recreation Residence Tracts on National Forest Service lands.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

HEALTH AND HUMAN SERVICES - CONSENT ITEMS

- 12. [23-2126](#)** Child Support Services recommending the Board adopt and authorize the Chair to sign Resolution **178-2023** amending the Authorized Personnel Allocation Resolution to:
- 1) Delete one full-time equivalent (FTE) vacant Child Support Specialist III allocation; and
 - 2) Add one FTE Administrative Technician allocation in Child Support Services.

FUNDING: State and Federal Child Support funds.

This matter was Approved and Resolution 178-2023 was Adopted upon Approval of the Consent Calendar.

- 13. [23-1735](#)** Health and Human Services Agency (HHS) recommending the Board:
- 1) Approve and authorize the Chair to sign the California Department of Veterans Affairs (CalVet) “Annual Subvention Certificate of Compliance” and the “Annual Medi-Cal Cost Avoidance Program Certificate of Compliance” forms, which appoints and authorizes the County Veterans Services Officer (CVSO) to participate in these programs, and delegates authority to the CVSO, and their Veteran Services designees, to sign CalVet semi-annual reports, administrative documents, and fee waivers that are required to receive reimbursement funding from these programs for Fiscal Year 2023-24;
 - 2) Authorize the CVSO to actively participate in the promotion of the California Veterans License Plate program authorized under California Military and Veterans Code Section 972.1; and
 - 3) Authorize the use of special interest license plate fees, in accordance with California Military and Veterans Code Section 972.2, which are deposited in a special revenue fund for a General Trainee extra help staff position in the Veterans Services Program.

FUNDING: 6.6% State subvention funding, 0.5% Federal Medi-Cal matching funds, 3.5% Special Revenue Funds, 2.9% Discretionary Transient Occupancy Tax Funds, 1.7% Mental Health Services Act Funds, and 84.8% County General Fund.

This matter was Approved on the Consent Calendar.

14. [23-1915](#) Health and Human Services Agency (HHSA) recommending the Board approve and authorize the Chair to sign the Extended Letter of Agreement (LOA) with the Health Plan of San Joaquin (HPSJ), which sets forth the terms and rates of reimbursement for authorized medically necessary services to HPSJ members, for the temporary period of January 1, 2024, through June 30, 2024, until a final master agreement is developed, to ensure HHSA and HPSJ can meet implementation deadlines required by the California Department of Health Care Services (DHCS).

FUNDING: N/A

This matter was Approved on the Consent Calendar.

15. [23-1757](#) Health and Human Services Agency (HHSA) recommending the Board:
- 1) Make findings that the provision of as-needed nursing staffing services provided by Maxim Healthcare Services Holdings, Inc. 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) Make findings in accordance with Procurement Policy C-17 Section 3.4(2f) exempting the competitive bidding process, with Purchasing Agent concurrence, because "the procurement is for services where the continuity of providers will provide efficiency or critical knowledge, and other providers of the services cannot provide similar efficiencies or critical knowledge";
 - 3) Approve and authorize the Chair to sign Agreement for Services 7954 with Maxim Healthcare Services Holdings, Inc. doing business as Maxim Healthcare Staffing Services, Inc., in the amount of \$200,000, and for the term upon execution through December 31, 2025;
 - 4) Authorize the Purchasing Agent to execute amendments relating to Agreement 7954, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and
 - 5) Authorize the HHSA Director, or the HHSA Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 7954.

FUNDING: 50% Federal ELC Enhancing Detection Expansion awarded through the 2021 Coronavirus Response and Relief Supplemental Appropriations Act of 2021, 50% Federal American Rescue Plan Act (ARPA).

This matter was Approved on the Consent Calendar.

16. [23-1852](#)

Health and Human Services Agency (HHS) recommending the Board:

- 1) Make findings that the provision of State Hospital Beds provided by Contractor are in the public's best interest and that the work is with or among other governmental agencies in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(E), El Dorado County Charter, Section 210(b)(6), and/or Government Code Section 31000;
- 2) Approve and authorize the Chair to sign Participation Agreement 8132 with California Mental Health Services Authority (CalMHSA) to participate in the CalMHSA State Hospital Bed Program, for a retroactive term of July 1, 2023, through June 30, 2025, with a maximum obligation of \$2,804, thereby authorizing CalMHSA to negotiate and contract with California Department of State Hospitals (DSH) for State Hospital Beds on behalf of the County;
- 3) Approve and authorize the Chair to sign Memorandum of Understanding (MOU) 8134 with CalMHSA and DSH, for the provision of State Hospital Beds on an "as requested" basis, for a retroactive term of October 1, 2023, through June 30, 2025, with a variable maximum obligation dependent on County's usage of State Hospital Beds;
- 4) Authorize the Purchasing Agent to execute amendments relating to Participation Agreement 8132 and MOU 8134, contingent upon approval by County Counsel and Risk Management, that do not increase the maximum dollar amount or extend the term of the agreements beyond three (3) years; and
- 5) Authorize the HHS Director, or Behavioral Health Director, to execute future programmatic, administrative, and fiscal documents relating to the Participation Agreement 8132 and MOU 8134.

FUNDING: State 1991 Mental Health Realignment.

This matter was Approved on the Consent Calendar.

17. [23-1485](#)

Health and Human Services Agency (HHS) recommending the Board adopt and authorize the Chair to sign Resolution **173-2023**, authorizing the addition of a 0.80 Full Time Equivalent (FTE) Limited Term Health Educator Personnel Allocation in HHS.

FUNDING: 100% State California Home Visiting Program Funding.

Resolution 173-2023 was Adopted upon Approval of the Consent Calendar.

18. [23-1952](#) Health and Human Services Agency (HHSA) recommending the Board approve the addition of one Replacement Vaccine Freezer to the Public Health Fiscal Year (FY) 2023-24 Fixed Asset List, for a total quantity of two freezers, with no change to the budgeted amount of \$22,500.

FUNDING: 100% Federal COVID-19 ELC Enhancing Detection II.

This matter was Approved on the Consent Calendar.

19. [23-1980](#) Health and Human Services Agency (HHSA) recommending the Board adopt and authorize the Chair to sign Resolution **176-2023**, to defer implementation of Senate Bill (SB) 43, Statutes 2023, Chapter 637, which expands the definition of “gravely disabled person,” under the Lanterman-Petris-Short Act, to include persons with substance abuse as well as currently included mental health disorders, from January 1, 2024, until January 1, 2026 to provide HHSA adequate time to identify the treatment expansions, funding impacts, and staffing needs required to implement this bill.

FUNDING: N/A

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

Move item 19 to a Department Matter and hear the matter after the 1:30 P.M. Time Allocation.

A motion was made by Supervisor Thomas, seconded by Supervisor Parlin to adopt Resolution 176-2023 and defer the implementation date of Senate Bill 43, Statutes 2023, Chapter 637 to January 1, 2026 or as soon as possible and direct staff to return to the Board to provide an update in December 2024.

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

20. [23-1754](#)

Health and Human Services Agency (HHS) recommending the Board:

- 1) Award the successful proposal received in response to Request for Proposal (RFP) 23-918-082 to Social Entrepreneurs, Inc., to conduct the El Dorado Opportunity Knocks (EDOK) Continuum of Care (CoC) annual sheltered and biannual unsheltered Point-in-Time (PIT) Counts, surveys, and analysis of homeless individuals in El Dorado County, and report preparation required by the United States Department of Housing and Urban Development (HUD);
- 2) Make findings that the provision of services 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);
- 3) Approve and authorize the Chair to sign, competitively bid, Agreement for Services 8113 with Social Entrepreneurs, Inc., for the PIT Count services in the amount of \$129,994.95, for the term of December 5, 2023, through September 30, 2026;
- 4) Authorize the Purchasing Agent to execute amendments relating to Agreement 8113, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and
- 5) Authorize the HHS Director, or the Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 8113.

FUNDING: 100% State funding allocated to the Department of Health Care Services (DHCS) for the Medi-Cal Housing and Homelessness Incentive Program (HHIP).

This matter was Approved on the Consent Calendar.

LAND USE AND DEVELOPMENT - CONSENT ITEMS**21. [23-1819](#)**

Department of Transportation recommending the Board:

- 1) Make findings in accordance with Section 3.13.030 (C) of the County Ordinance that due to limited time frames and the temporary or occasional nature of the work, there is a need to engage an independent contractor for as-needed structural engineering support services;
- 2) Award Request for Proposal 23-918-079 to Dewberry Engineers, Inc. and Dokken Engineering;
- 3) Approve and authorize the Chair to sign Agreement for Services 8148 with Dewberry Engineers, Inc. in the not-to-exceed amount of \$450,000, for a term to become effective upon execution by both parties and expiring three years thereafter, to provide as-needed structural engineering support services; and
- 4) Approve and authorize the Chair to sign Agreement for Services 8159 with Dokken Engineering in the not-to-exceed amount of \$450,000, for a term to become effective upon execution by both parties and expiring three years thereafter, to provide as-needed structural engineering support services. (All Districts)

FUNDING: For various Capital Improvement Program, Environmental Improvement Program, and other projects as needed, funding will be provided by associated Federal, State, and Local funding sources. Local funding sources may include any combination of the following: Traffic Impact Fee Program, Missouri Flat Area Master Circulation and Financing Plan, Road Fund, Tribe Funds, Accumulative Capital Outlay, Developer Advanced Funds, Sacramento Municipal Utility District, and/or General Fund.

This matter was Approved on the Consent Calendar.

22. [23-2060](#)

Department of Transportation recommending the Board:

1) Authorize the Department of Transportation to proceed with ordering title reports and certified appraisals, enter into negotiations with the owners, or their designated representatives, and commence with the acquisition process for the US 50 / Latrobe Road / El Dorado Hills Boulevard Interchange Improvements Phase 2B, Capital Improvement Program No. 71323/36104001, affecting the portions of the following subject parcels:

a) APN 121-280-006, El Dorado Hills Town Center East Owners Association;

b) APN 121-280-007, Town Center East LP;

c) APN 121-280-009, Marketplace at Town Center CA LP;

d) APN 121-280-010, Marketplace at Town Center CA LP;

e) APN 121-280-018, Marketplace at Town Center CA LP;

f) APN121-180-008, Micnan LLC;

g) APN 121-180-016, Bhullar Sukhbir S & Paramjit;

h) APN 121-280-025, Von Housens Motors;

i) APN 121-300-004, Marketplace at Town Center CA LP; and

j) APN 121-300-007, El Dorado Hills Town Center East Owners Association; and

2) Appoint Transportation's real estate consultant as the negotiator on behalf of the County for said parcels. (District 1)

FUNDING: Traffic Impact Fees - Zone C Local Roads (47%), Coronavirus Response and Relief (8%), and To Be Determined (45% - see "Financial Impact" section of the staff report) (Local and State Funds).

This matter was Approved on the Consent Calendar.

23. [23-2018](#)

Department of Transportation recommending the Board approve and authorize the Chair to sign the Notice of Deed Restriction and Covenant to indemnify the County of El Dorado against liability for any damage from snow removal operations to structures allowed within the front yard setback at APN 034-552-004-000 as part of Subdivision Map Amendment TM-C23-0001. (District V)

FUNDING: Fees paid by applicant.

This matter was Approved on the Consent Calendar.

24. [23-1909](#) Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **177-2023** to accept the Irrevocable Offer of Dedication from Smith and Gabbert, Inc., a California corporation, for road right-of-way in fee pertaining to a portion of the property identified as Assessor's Parcel Number 083-500-02-100 in relation to the Cameron Park Drive Widening - Phase 1 (Palmer Drive to Toronto Road) Project, Capital Improvement Program Project 72143/36105004.

FUNDING: N/A

Resolution 177-2023 was Adopted upon Approval of the Consent Calendar.

25. [23-1995](#) Department of Transportation, Maintenance and Operations Division, recommending the Board:
- 1) Approve the addition of one (1) rotary blower to the Fiscal Year 2023-24 Fixed Asset List totaling \$830,000;
 - 2) Approve and authorize the Chair to sign the budget amendment adjusting the budget for Fiscal Year 2023-2024 to allocate \$830,000 for the purchase of one (1) rotary blower for snow removal;
 - 3) Find the purchase of one (1) rotary blower is exempt from competitive bidding in accordance with Purchasing Ordinance 3.12.160, Sections D, due to the use of Sourcewell competitively-bid Contract 062222-JAL; and
 - 4) Authorize the Purchasing Agent to sign a purchase order to SnoQuip, Inc. in the amount of \$747,935 plus applicable delivery, fees, and taxes (estimated at \$77,820.29), for a one time purchase following Board approval (4/5 vote required).

FUNDING: Transient Occupancy Tax - Measure S.

This matter was Approved on the Consent Calendar.

26. [23-2041](#)

Department of Transportation, Maintenance and Operations Division, Fleet Services Unit, (Transportation) recommending the Board:

- 1) Find the purchase of five replacement vehicles are exempt from competitive bidding in accordance with Purchasing Ordinance 3.12.160, Section D, due to use of State of California competitively-bid Contract 1-22-23-23;
- 2) Authorize the Purchasing Agent to utilize the State of California Contract 1-22-23-23 for the acquisition of five fleet replacement mid-size SUVs for the Department of Transportation - Fleet Services Unit;
- 3) Authorize the Purchasing Agent to sign a purchase order to the awarded State vendor, Winner Chevrolet of Elk Grove, CA. in the amount of \$111,180 plus applicable delivery, fees and taxes (estimated at \$8,810.28) for a one time purchase following Board approval; and
- 4) Authorize the Purchasing Agent to sign a purchase order to the awarded State vendor, Elk Grove Auto of Elk Grove, CA. in the amount of \$86,015 plus applicable delivery, fees and taxes (estimated at \$6,735.92) for a one time purchase following Board approval.

FUNDING: Fleet Internal Service Fund (100%).

This matter was Approved on the Consent Calendar.

27. [23-1613](#)

Department of Transportation and the Planning and Building Department recommending the Board receive and file the Annual Report of Special Taxes for County Service Areas 3 and 9 Zones of Benefit for Fiscal Year 2022-23, pursuant to Section 50075.3 of the California Government Code.

FUNDING: County Service Areas 3 and 9 Zones of Benefit Special Taxes. (100%)

This matter was Approved on the Consent Calendar.

LAW AND JUSTICE - CONSENT ITEMS**28. [23-1425](#)**

District Attorney recommending the Board:

- 1) Approve the use of Department of Justice Asset Forfeiture Funds for the Fausel House (772 Pacific Street) facility lease;
- 2) Approve and authorize the Purchasing Agent to execute lease Agreement 3486, Amendment I, extending the term of the facility lease (772 Pacific Street) 5 years and increasing the amount of the lease agreement by \$180,900, for a total revised amount of \$344,880; and
- 3) Delegate authority to the Purchasing Agency to execute any future amendments, as needed, that do not increase the maximum dollar amount or change the term of Agreement 3486, contingent upon approval by County Counsel.

FUNDING: Department of Justice Asset Forfeiture Funds.

This matter was Approved on the Consent Calendar.

29. [23-1752](#)

Probation Department recommending the Board:

- 1) Accept a grant award, in accordance with Board Policy A-6, in the amount of \$100,000 with California Health and Human Services Agency, Office of Youth and Community Restoration;
- 2) Authorize the Chief Probation Officer, on behalf of El Dorado County, to execute retroactive grant Agreement 2023-330-OYCR, FENIX Agreement 8243, for the term of October 19, 2023, through September 30, 2025; and
- 3) Authorize the Chief Probation Officer, or Deputy Chief Probation Officer, to execute any subsequent administrative documents, including required fiscal and programmatic reports, and any extensions or amendments thereof which would not increase net county cost contingent upon County Counsel approval.

FUNDING: California Health and Human Services Agency, Office of Youth and Community Restoration, Secure Youth Treatment Facility placement to Less Restrictive Programs Grant (100%).

This matter was Approved on the Consent calendar.

30. [23-1847](#)

Probation Department recommending the Board:

- 1) Accept grant funding per Award Letter dated September 26, 2023, in accordance with Board Policy A-6, in an amount of \$106,770 from the US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP);
- 2) Delegate authority to the Chief Probation Officer, on behalf of El Dorado County, to execute retroactive grant Agreement #15PJDP-23-GG-04329-EPJX, FENIX Agreement 8274 for a term of October 1, 2023, through September 30, 2025;
- 3) Delegate authority to the Chief Probation Officer, or Chief Fiscal Officer, to execute any assurances or certifications, and any modified assurances or certifications pertaining to the Agreement, contingent upon County Counsel approval;
- 4) Authorize the Chief Probation Officer, or Deputy Chief Probation Officer, to administer any subsequent administrative documents, including required fiscal and programmatic reports, and any extensions or amendments thereof which would not increase net county cost, upon County Counsel approval;
- 5) Approve the addition of one (1) vehicle with upfit to Probation's Fiscal Year 2023-24 Fixed Asset list at \$79,634; and
- 6) Approve the attached Budget Transfer in the amount of \$213,540 to increase revenues and expenditures. (4/5 vote required)

FUNDING: 100% grant funded through the 2023 OJJDP FY2023 Juvenile Justice Emergency Planning Demonstration Program for Juvenile Justice Residential Facilities.

This matter was Approved on the Consent Calendar.

31. [23-2029](#)

Sheriff's Office recommending the Board approve and authorize Chair to sign the Memorandum of Understanding between the Sheriff's Office and the Sacramento County Office of Education for the provision of supplemental law enforcement services for the Sly Park Environmental Education Center in the amount of \$20,000 until June 30, 2025.

FUNDING: Revenue from Inter-County Agreement.

This matter was Approved on the Consent Calendar.

32. [23-2066](#) Sheriff's Office recommending the Board approve and authorize the Chair to sign a budget transfer increasing the Sheriff's Office expenditures to reimburse agencies who provided law enforcement mutual aid during the Caldor Fire in the amount of \$4,750,000 with offsetting Federal and State revenue in the amount of \$4,275,000 and \$475,000 respectively (4/5 vote required).

FUNDING: FEMA and CalOES Disaster Funding.

This matter was Approved on the Consent Calendar.

33. [23-2049](#) Sheriff's Office recommending the Board adopt and authorize the Board Chair to sign Resolution **180-2023**, terminating the January 3, 2023, Board of Supervisors Resolution 015-2023 that ratified the December 2022 Storms local emergency Proclamation of a Local Emergency by the Director of the Office of Emergency Services (Sheriff).

FUNDING: N/A

Resolution 180-2023 was Adopted upon Approval of the Consent Calendar.

34. **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. 11/7/2023, Item 10)

FUNDING: N/A

This matter was Approved on the Consent Calendar.

END CONSENT CALENDAR

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

- 35. [23-1997](#)** Planning and Building Department, Economic Development Division, recommending the Board consider the following:
- 1) Approve and authorize the Chair to sign Agreement 8279 with Growth Factory for the provision of accelerator services, with a not-to-exceed amount of \$100,000 and a term of two (2) years effective upon execution;
 - 2) Authorize the Planning and Building Director to execute any further documents determined necessary related to Agreement 8279, including amendments which do not increase the not-to-exceed amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management; and
 - 3) Approve and authorize the Chair to sign a budget transfer amending the Fiscal Year 2023-24 Adopted Budget increasing revenue and appropriations by \$500,000 in the Economic Development budget and increase in Transient Occupancy Tax budget with \$500,000 in transfers out. (4/5 vote required)

FUNDING: Transient Occupancy Tax Funds.

Public Comment: K. Payne, L. Brent-Bumb, L. Cauchon

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

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

- 36. [23-2000](#)** Clerk of the Board and Chief Administrative Office recommending the Board adopt Board Policy H-3, Consent Calendar Policy, establishing a uniform administrative policy related to items placed on the Board's Agenda under the Consent Calendar.

FUNDING: N/A

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

A motion was made by Supervisor Parlin, seconded by Supervisor Turnboo to adopt Board Policy H-3, Consent Calendar Policy, incorporating the Board's recommended changes (Attachment B).

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

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

37. [23-2051](#)

Department of Transportation recommending the Board:

- 1) Receive the El Dorado Countywide Housing and Employment Projections, 2018 - 2045 Memorandum and Presentation pertaining to the 2024 Major Update of the Traffic Impact Fee (TIF) Program; and
- 2) Provide direction, if desired, on additional analysis and/or considerations for Staff to include in the 2024 Major Update.

FUNDING: Traffic Impact Fee Program.

Public Comment: L. Cauchon

The Board received the El Dorado Countywide Housing and Employment Projections, 2018 - 2045 Memorandum and Presentation pertaining to the 2024 Major Update of the Traffic Impact Fee (TIF) Program and provided direction on additional analysis and/or considerations for Staff to include in the 2024 Major Update.

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

- 38.** [23-1992](#) Health and Human Services Agency, Public Health Division, Tobacco Use Prevention Program and the Planning and Building Department recommending the Board:
- 1) Receive a presentation on Tobacco Retail Density and Zoning Education; and
 - 2) Provide direction to staff on the development of a Tobacco Retail Zoning Regulation and if the Board wants to pursue a Tobacco Retail Zoning Regulation, adopt and authorize the Chair to sign Resolution of Intention **179-2023** to amend Title 130 of the County Zoning Ordinance.

FUNDING: N/A

Public Comment: K. Mouse, S. Andre, T. Poppadraken, K. Payne, M. Strouse, A. Frejtas, D. Cisneros, C. Wilson, N. Maze, A. Shiftord, L. Cauchon, K. Nalewaja

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

- 1) Receive a presentation on Tobacco Retail Density and Zoning Education;**
- 2) Adopt and authorize the Chair to sign Resolution of Intention 179-2023 to amend Title 130 of the County Zoning Ordinance; and**
- 3) Direct staff to return to the Board with the following:**
 - a) Explore licensing and zoning opportunities;**
 - b) Utilize funding from the Tobacco Use Prevention Program/California Department of Public Health to assist with offsetting staff time; and**
 - c) Within 90 days, an Urgency Ordinance to prohibit the approval of additional Tobacco Retail applications pending study of a more permanent Ordinance.**

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

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.

1:30 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

39. 23-2122

Supervisors Thomas and Parlin, in concert with Sheriff Leikauf and District Attorney Pierson, recommending the Board:

- 1) Approve Urgency Ordinance **5188** prohibiting the establishment, operation, use, and/or participation in a syringe exchange program within the unincorporated areas of the County to protect the public health, safety, and general welfare of its residents, pursuant to California Government Code section 25131 and 25123. (4/5 vote required)
- 2) Approve the Introduction (First Reading) of Ordinance **5189** prohibiting the establishment, operation, use, and/or participation in a syringe exchange program within the unincorporated areas of the County, waive full reading of the Ordinance, read by title only, and continue this matter to December 12, 2023 for Final Passage (Second Reading).

FUNDING: N/A

Public Comment: M. Rodriguez, K. Nalewaja, L. Cauchon

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

- 1) Approve Urgency Ordinance 5188 prohibiting the establishment, operation, use, and/or participation in a syringe exchange program within the unincorporated areas of the County to protect the public health, safety, and general welfare of its residents, pursuant to California Government Code section 25131 and 25123 (4/5 vote required); and**
- 2) Continue Ordinance 5189 prohibiting the establishment, operation, use, and/or participation in a syringe exchange program within the unincorporated areas of the County, to December 12, 2023 for Final Passage (Second Reading).**

Yes: 4 - Hidahl, Thomas, Turnboo and Parlin

Abstained: 1 - 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 Laine reported on the following:
Acknowledged County staff (Planning and Building Department and Facilities).

Supervisor Parlin reported on the following:
Highway 49 restriped.
Cemetery Advisory Committee Ad Hoc meetings.
El Dorado Opportunity Knocks meeting.
Rural Counties Representatives of California Ad Hoc Committee meeting.
Sierra Nevada Conservancy sub region meeting.
Sheriff's helicopter kickoff.

Supervisor Turnboo reported on the following:
New Employee Orientation.
Cemetery Advisory Committee Ad Hoc meetings.
Biomass working group meeting.
Transit Authority/Transportation meeting.
Sheriff's helicopter kickoff.
Saturday parade.
Grizzly Flats tour.
Fire Department Training Facility in El Dorado Hills.
El Dorado County Food Bank event.

Supervisor Hidahl reported on the following:
Greater Sacramento Economic Council event.
El Dorado Hills Community Council monthly meeting.
Chili Bar update.

Supervisor Thomas reported on the following:
New Employee Orientation.
Saturday parade.
Joint Police and Fire Facility update.
Bell Tower Introduction.

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

Tiffany Schmid, Chief Administrative Officer, reported on the following:
One Board meeting left in 2023.

The Board recessed to Closed Session at 3:29 P.M.

ADJOURNED AT 5:20 P.M.

CLOSED SESSION

- 40. [23-2131](#)** Pursuant to Government Code Section 54957- Public Employee Performance Evaluation. Title: County Counsel.
No Action Reported.

- 41. [23-1986](#)** 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.
No Action Reported.

- 42. [23-2171](#)** 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.