

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, May 9, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT - Rosemary Frieborn, Friends of Placer County Animal Shelter, thanked the Board for its efforts in obtaining the recent spay and neuter grant. Anita Wright spoke about the conditions at the Auburn Animal Shelter. Brenda Dabovich and Paddy Lawton requested the Robbers Roost building in Foresthill be converted into a library. Peggy Wilson and Barbara McMann spoke in opposition to the proposed library site.

SUPERVISOR'S COMMITTEE REPORTS - Supervisor Kranz reported on his recent Washington D.C. Cap-to-Cap trip. Supervisor Gaines advised he attended the ribbon cutting for the new Ronald L. Feist Park in Granite Bay and also provided an update on the Golden Sierra Job Training Agency. Chairman Santucci advised he attended the new Sheriff Officer's oath of office ceremony.

CONSENT AGENDA - Items 3b and 13b were removed from the agenda; Item 9c was moved for discussion. Consent agenda approved as amended with action as indicated.

MOTION Holmes/Gaines/Unanimous

1. **ORDINANCES** - Second reading:
 - a. Community Development Resource Agency/Administration - Ordinance 5413-B adopted amending Chapter 3, Section 3.12.010, Appendix 1, allocating 14 additional positions in the Community Development Resource Agency (CDRA), 1 additional allocation in the County Executive Office, transfer 2 allocations from Facility Services/Special Districts and 1 allocation from the Public Works Department to CDRA.
 - b. Personnel/Civil Service Commission - Ordinance 5414-B adopted amending Chapter 3, Section 3.12.010, Allocation of Positions to Departments, and Section 3.12.020, Schedule of Classification and Salary Grades Classified Service, relating to departments of Community Development Resource Agency and Health & Human Services, as provided in the side letter of agreement with the Placer Public Employee Organization.
2. **WARRANTS** - Weeks ending April 7, 14, 21 and 28, 2006.
3. **AGRICULTURE COMMISSIONER:**
 - a. Resolution 2006-89 adopted authorizing the Agricultural Commissioner/Sealer to sign State Contract #06-0033 for FY 2006/07 Petroleum Product Inspections and Weighmaster Enforcement Programs reimbursed by the State.
 - b. ~~REMOVED/Approve contract with Nancyje Riecke as a Contract Employee providing services as Agricultural Marketing Director from May 16, 2006 to June 30, 2007, in the amount of \$69,230.76, and benefits of \$36,928, for a total of \$106,158.76.~~
4. **ASSESSOR** - Approved budget revision transferring \$6,901 in existing funds; approved the purchase of one folding machine (\$12,732) with maintenance contract (\$1,104) and training (\$165); added the folding machine to the Master Fixed Asset List; and deleted one scanner (\$7,100) from the FY 2005/06 Master Fixed Asset List.
5. **AUDITOR/CONTROLLER** - Resolution 2006-90 adopted granting discharge from accountability for collection of one uncollectible Public Work's account, totaling \$10,230.
6. **CLAIMS AGAINST THE COUNTY** - Rejected the following claims, as recommended by County Counsel:
 - a. 06-005, Murphy Family Trust, Not Stated (Property Damage).
 - b. 06-041, Brekke, Robert, \$1,500,000 (Property Damage).
 - c. 06-042, Brekke, Terie, \$1,500,000 (Property Damage).
7. **CLAIMS AGAINST THE COUNTY** - Rejected the timely portion of the following claim, as recommended by County Counsel:
 - a. 06-016, Porter, Susan, \$2,500,000 (Harassment).
8. **COMMITTEES & COMMISSIONS:**
 - a. Kings Beach Area Design Review Committee - Approved appointment of Chris Oberle to Seat 3 and Andrew T. Ryan to Seat 4, as requested by Supervisor Kranz.

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9. COMMUNITY DEVELOPMENT RESOURCE AGENCY:

- a. Engineering & Surveying/Cherokee Estates Subdivision - Approved the Final Map, Subdivision Improvement Agreement and authorized the recording.
- b. Engineering & Surveying/Vista Cielo Subdivision, Tract #915 - Approved the Final Map, Subdivision Improvement Agreement and authorized the recording.
- c. **MOVED FOR DISCUSSION/Planning/Sierra Nevada-Cascade Conservation Grant Program** - Resolution approving the application for grant funds for the State Sierra Nevada-Cascade Conservation Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) to secure an easement for the Kirk Ranch and authorize staff to apply for grant funds available through the Program to conclude the sale of a conservation easement for the 290-acre Kirk Ranch along the Bear River.

10. COUNTY EXECUTIVE:

- a. Approved a merit increase for James Durfee, Director of Facility Services, from Step 3 to Step 4, retroactive to April 29, 2006.
- b. Approved a merit increase for Pamela McManis, Director of Child Support Services, from Step 3 to Step 4, retroactive to April 01, 2006.
- c. Ordinance introduced, first reading waived, amending Chapter 3, relating to position allocations in the Sheriff's Office.

11. COUNTY EXECUTIVE/EMERGENCY SERVICES:

- a. Declaration of Local Emergency - Resolution 2006-92 adopted terminating the declaration made by the Board on April 18, 2006.
- b. Loomis Fire Protection District Capital Improvement Plan & Fee Nexus Study/2006/07 - Resolution 2006-93 adopted approving the Plan and Study reflecting a 4.63% increase in development fees.

12. FACILITY SERVICES:

- a. Loomis Sheriff Parking Lot - Authorized Facility Services to complete an amendment to the Lease Agreement with Helen L. Stiles for a parking lot in Loomis, and authorized the Facility Services Director to execute the amendment following review and approval by County Counsel.
- b. Placer County Water Agency & SunCal Property - The Board took the following actions associated with County owned real property at the antenna site in Penryn, transferring property between the County of Placer and the Placer County Water Agency (PCWA), and affecting the sale of surplus County property to SunCal Bickford Ranch LLC (SunCal):
 1. Delegated authority to the Facility Services Director to execute the agreement for transfer of real property between the County and PCWA based upon the Material Terms for the exchange of approximately 1.81 acres of County property within a portion of APN 031-190-012 for approximately 1.78 acres of PCWA property within a portion of APN 031-190-011;
 2. Authorized the Facility Services Director to execute the Agreement of Purchase and Sale between the County and SunCal based upon the Material Terms for the sale of approximately 1.86 acres of surplus County property within a portion of APN 031-190-012 for \$5,285;
 3. Resolution 2006-94 adopted authorizing the Facility Services Director, or his designee, to execute all necessary documents and take all actions to complete the sale of surplus County property located off Clark Tunnel Road, Penryn, to SunCal Bickford Ranch LLC and Resolution 2006-95 adopted authorizing the Facility Services Director, or his designee, to execute all necessary documents and take all actions to complete the property exchange between Placer County Water Agency and the County of Placer, for property in Placer County located off Clark Tunnel road, Penryn, and to record the deed for said property.
 4. Added property received from PCWA to the Master Fixed Asset List.
- c. Ronald L. Feist Park Project - Ratified the purchase of concrete for the project and approved payment to the Kiwanis Club of Granite Bay, in the amount of \$5,000.

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- d. Senate Bill 928 (Perata) - Authorized the Chairman to sign a letter opposing Senate Bill 928 that proposes to raise the State mandated solid waste diversion rate to an "unspecified amount."
13. HEALTH & HUMAN SERVICES/ADMINISTRATIVE SERVICES:
- a. Approved agreement with Marin County, from July 1, 2005 through June 30, 2007, in the amount of \$10,018, for their services as the host entity for the MAA/TCM Local Government Agency Consortium, and authorized the Health & Human Services Director to sign the agreement and amendments.
- b. ~~REMOVED/Resolution authorizing the Health & Human Services Director, with concurrence of County Executive Office, County Counsel and Risk Management, to sign and execute the a list of thirty seven specific contractual agreements and subsequent amendments, providing the expenditure agreements remain with 10% of the prior period's amount. The estimated total funding received for the 13 revenue agreements, based on current year funding levels, is \$528,888. The current value of the listed 24 expenditure agreements is \$1,097,722. The County General Fund contribution for the expenditure agreements will be approximately \$33,000.~~
- c. Approved the purchase of a Dell Network Attached Storage, backup devices and associated software, in the amount of \$79,323; approved a budget revision to the Health and Human Services Administration Budget, for a total of \$79,323; added the hardware to the Master Fixed Asset List, and authorized the Purchasing Manager to sign all related procurement documents.
14. HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE - Approved agreement with Kings Beach Family Resource Center, from July 1, 2005 through June 30, 2007, in the amount of \$60,000, for Differential Response Early Intervention Services through the Child Welfare System Improvement Plan.
15. HEALTH & HUMAN SERVICES/COMMUNITY HEALTH:
- a. Approved the purchase of computer software by the Public Health Laboratory from MMGMT Systems, Inc., and computer hardware from the Dell Corp., for a total system cost of \$62,000; approved the addition of software and hardware to the Master Fixed Asset List, in the amount of \$62,000; and approved a budget revision to appropriately budget these funds, and authorized the Purchasing Manager to sign the necessary purchasing documents.
- b. Approved Revenue Agreement #7275-06/07-706, from March 1, 2006 through February 28, 2007, with the County of Sacramento, the fiscal agent for Titles I/II of the Ryan White Comprehensive AIDS Resources Emergency Act, in the amount of \$66,903, and authorized the Health & Human Services Director to sign the contract and amendments.
- c. Approved submission of a Disease Prevention and Health Promotion Grant Application to Area 4 Agency on Aging and authorized the Health & Human Services Director to sign the contract and amendments.
- d. Approved revenue agreement with Sutter Health Sacramento Sierra Region, dba Sutter Roseville Medical Center and Sutter Auburn Faith Hospital, from July 1, 2005 through June 30, 2006, in the amount of \$19,400, to provide nursing services under the Family Support Project.
16. PERSONNEL - Ordinance introduced, first reading waived, amending Chapter 3, Section 3.12.010, Appendix 1, relating to reclassification of one position from Administrative Technician to Information Technology Technician I/II, for the Health and Human Services Department.
17. PROBATION:
- a. Juvenile Accountability Incentive Block Grant Award Agreement - Resolution 2006-96 adopted authorizing the Chief Probation Officer to sign and approve the Agreement with the California Corrections Standard Authority and to enter into contractual obligations to execute award of the agreement. The Grant became available several years ago through the California Corrections Standard Authority providing funding (\$11,881) for programs as funded under this grant.
- b. Placer County Juvenile Justice Coordinating Council - Resolution 2006-97 adopted appointing the Chief Probation Officer as the Chairman of the Council and authorizing said Chief Probation Officer to submit and/or sign Placer County's Application for Approval for the County's Comprehensive Multiagency Juvenile Justice Plan Modification and related contracts, amendments, or extensions with the State of California.

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- c. Fouts Springs Youth Facility - Approved contract with Solano County for the placement of juvenile wards at the Youth Facility. It is the intent of the Department to continue an annual contractual relationship with Solano County that permits Placer County to use the Youth Facility on a space available basis, at a rate of \$3,600 per bed per month. The signing of the contact does not obligate Placer County to place minors with Solano County.
18. **PROCUREMENT SERVICES** - Authorized the Purchasing Manager to sign the following:
- a. Agreement, Building Materials/Facility Services - Renewed with Diamond Pacific, in the maximum amount of \$80,000.
 - b. Bid #9550, Elections Drayage Services/Elections - Awarded to Valley Relocation and Storage, in the maximum amount of \$65,000.
 - c. Bid #9557, Convection Ovens & Racks/Probation - Awarded to Cooks Correctional Equipment, in the amount of \$53,794.91.
 - d. Bid #9563, Hewlett Packard Printers/Health & Human Services - Awarded to Gov Connection, Inc., in the amount of \$67,243.56.
 - e. Change Order, Credit Card Fuel Purchases/Public Works - Approved Change Order #1 to Blanket Purchase Order #12926 with Voyager Fleet Services, in the amount of \$68,000.
 - f. Change Order, Telecommunications Equipment/Telecommunications - Approved Change Order #1 to Blanket Purchase Order #13016 with Graybar Electric, in the amount of \$50,000.
 - g. Purchase Order, Plumbing Supplies/Facility Services - Renewed blanket purchase order, with Anderson's Sierra Pipe, in the maximum amount of \$59,000.
19. **PUBLIC WORKS:**
- a. Lake Tahoe Park Erosion Control Project #73215 - Resolution 2006-98 adopted authorizing the Chairman to sign Amendment #1 with Kleinfelder, Inc., in the amount of \$40,000, for extra construction inspection due to extreme weather.
 - b. Land Development Manual - Resolution 2006-99 adopted amending Section 4.07, Roadbed Design, to include reference to the use of alternative construction materials.
 - c. Maintained Mileage Records - Resolution 2006-100 adopted certifying the records for submittal to the Department of Transportation.
 - d. Tahoe Estates Erosion Control Project - Resolution 2006-101 adopted approving submission of application for grant funds from the Sierra Nevada Cascade Conservation Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50). The total amount of the grant acquisition request is \$1,770,000.
20. **REVENUE SHARING:**
- a. Approved appropriation of \$250 in Revenue Sharing monies to the Auburn Chamber of Commerce, Auburn State of the Community Dinner, as requested by Supervisor Holmes.
 - b. Approved appropriation of \$500 in Revenue Sharing monies to the Lincoln Volunteer Center for the 5th Annual Tour de Lincoln fundraising event, as requested by Supervisor Weygandt.
 - c. Approved appropriation of \$250 in Revenue Sharing monies to the Placer Lady Hillmen Booster Club, as requested by Supervisor Holmes.
 - d. Approved appropriation of \$2,750 in Revenue Sharing monies to Placer Land Trust Conservator Award Dinner, as requested by Supervisor Santucci (\$250), Supervisor Weygandt (\$1,000), Supervisor Holmes (\$1,000) and Supervisor Gaines (\$500).
 - e. Approved appropriation of \$1,500 in Revenue Sharing monies to Placer County Sheriff, Search & Rescue Organization, as requested by Supervisor Santucci (\$250), Supervisor Weygandt (\$250), Supervisor Holmes (\$500) and Supervisor Gaines (\$500).
 - f. Approved appropriation of \$150 in Revenue Sharing monies to Roseville High School, 2006 Sober Grad Night, as requested by Supervisor Santucci.
21. **SHERIFF** - Modified the Master Fixed Assets List and approved a budget revision to purchase two snowmobiles for the Search & Rescue operations, in the amount of \$17,000, and authorized the Sheriff to execute any documents required to purchase the equipment.

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22. TREASURER/TAX COLLECTOR - Authorized the Chairman to sign an acknowledgement that the Board will not take action to authorize Sierra Joint Community College District 2006 Tax and Revenue Anticipation Notes.

End of Consent Agenda

The following item was moved from the Consent Agenda for discussion:

9c. COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/SIERRA NEVADA-CASCADE CONSERVATION GRANT PROGRAM - Resolution 2006-91 adopted approving the application for grant funds for the State Sierra Nevada-Cascade Conservation Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) to secure an easement for the Kirk Ranch and authorized staff to apply for grant funds available through the Program to conclude the sale of a conservation easement for the 290-acre Kirk Ranch along the Bear River. MOTION Weygandt/Holmes VOTE 4:1 (Kranz no)

Supervisor Kranz inquired about the current zoning of Kirk Ranch. Staff replied it allows for one resident for every 20 acres of land and there are approximately 290 acres on the Kirk property. Michael Johnson informed there could be up to 14 units or one unit on the 20 acres. It was Supervisor Kranz's opinion that the current zoning of a 20 acre minimum protects the property without the use of a conservation easement. He did not see the need to ask for a grant using State taxpayer's money. Mr. Kranz inquired if the property was in danger of development; staff replied not at this time. He asked staff if any general funding from the County would be required.

Loren Clark, Planning Department, spoke about prior direction from the Board to find as many funding sources as possible. There is a potential need for County general fund money. Mr. Kranz stated he was opposed to this project.

Supervisor Weygandt advised this property is in his district. In his opinion, there is a willing seller and the project is consistent with the goals of Placer Legacy and the Board of Supervisors. The cost of the transactions is \$600,000 and the United Auburn Indian Community is matching funds.

Supervisor Gaines restated the information saying the owner is offering up the easement voluntarily which would preclude any homes being built on the property. Mr. Clark stated this is correct and pointed out there are a total of three building sites that may be reserved by the family. The sale of the easement would be reducing the balance of the development potential of the property. Mr. Clark stated this site comprises one-third of the potential for blue oak woodland conservation in the Camp Far West Reservoir area. Mr. Gaines expressed wanting to see a balance between conservation and private land owners to own property.

Anthony La Bouff, County Counsel, said that the item before the Board is a grant application and involves the discussion of money that might be contributed to an overall potential purchase of property owned by the Kirk Family. Until a public action takes place to purchase the easement, there is no decision by the Board of Supervisors to make. A decision to make a purchase is in the future. Today, the direction is only to pursue negotiations.

Supervisor Holmes pointed out that the Planning Department is seeking authorization to apply for the grant. The action requested comes under Proposition 50, which the taxpayers of California passed for this type of activity.

Chairman Santucci added that the acquisition of the easement secures the property will remain as it is.

BOARD OF SUPERVISORS - Presentation of a commendation to Phillip Barquero of Roseville, Boy Scout Troop 331, for his acts of heroism that saved the life of a fellow Boy Scout.

COUNTY EXECUTIVE/REDEVELOPMENT - Public hearing closed and adopted Resolution 2006-102 to conduct the hearing under the Tax Equity and Financial Responsibility Act for the Northstar Community Housing Corporation's request for tax exempt bonds to finance the Sawmill Heights Employee Housing Development, located in the Northstar Area of Placer County.
MOTION Kranz/Holmes/Unanimous

Rich Colwell, Chief Assistant County Executive, explained the action before the Board is the issuance of tax exempt bonds to finance a \$27 million workforce housing project at Northstar. Placer County has contributed \$350,000. The bond will be paid back through revenue from the project. There will be no liability to Placer County or the Town of Truckee. This is a cooperative agreement that has already been approved by the Town of Truckee.

Mark Wasley, East West Partners, the builder of the project, thanked the Board, Rich Colwell and the Town of Truckee for their support.

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PUBLIC WORKS/TRAFFIC MITIGATION FEES ANNUAL ADJUSTMENT - Public hearing closed and resolution 2006-103 adopted increasing the Countywide Traffic Mitigation Fees to reflect changes in construction costs since April 2005. MOTION Holmes/Weygandt/Unanimous

Stephanie Holloway, Public Works, stated the action today was for the Board to consider increasing the Capital Improvement costs and corresponding Traffic Mitigation Fee Program. The Fee Program requires the Department to annually review the program and to adjust the construction costs if necessary. A 5.2% increase is proposed.

ADMINISTRATIVE SERVICES/PROCUREMENT - Authorized the Purchasing Manager to sign the following:

- a. **Bid #9549, Safety Supplies/Emergency Services** - Awarded to Empire Safety and Supply, in the maximum amount of \$230,000. MOTION Gaines/Kranz/Unanimous
- b. **Bid #9560, Asphalt Concrete/Public Works** - Awarded to various vendors, in the aggregate amount of \$907,000. MOTION Gaines/Kranz/Unanimous
- c. **Bid #9564 & 9565, Aggregate Materials/Public Works** - Awarded to various vendors for aggregate materials and hauling, in the total amount of \$724,000. MOTION Gaines/Kranz/Unanimous
- d. **Change Order, Bulk Unleaded & Diesel Fuel/Public Works** - Approved Change Order #1 to Blanket Purchase Order #12922, with Hunt and Sons, in the amount of \$300,000. MOTION Gaines/Kranz/Unanimous
- e. **Purchase Order, Traffic Paint/Public Works** - Approved blanket purchase order with James David Lawrence, in the maximum amount of \$100,000. MOTION Gaines/Kranz/Unanimous
- f. **Purchase Orders, Various Furnishings/Facility Services** - Awarded to Keller Group, in the total amount of \$160,618.88, for the Community Development Resource Center. MOTION Gaines/Kranz/Unanimous

FACILITY SERVICES/AUBURN JUSTICE CENTER, PROJECT #4674 - Approved Amendment #2 to the agreement with Beverly Prior Architects, increasing the contract by \$200,000, for a total contract cost not-to-exceed \$2,268,500, for architectural and engineering services. MOTION Holmes/Weygandt/Unanimous

Jim Durfee, Facility Services Director, explained that there have been changes in the time schedule for the project. The original contract provided for a 15-month construction period. The contract that was awarded for the construction of the building was a 20-month contract. The action requested is due to the cost difference between the two contracts.

FACILITY SERVICES/COUNTY SERVICE AREA #28, ZONE #6 (Sheridan) - Resolution 2006-104 adopted authorizing a loan, in the amount of \$220,000, from the County Service Area (CSA) Revolving Fund to CSA #28, Zone #6 and approved a budget revision appropriating the loan proceeds in FY 05/06. MOTION Weygandt/Holmes/Unanimous

Jim Durfee, Facility Services Director, stated this loan is to assist with the continuation of a construction project to keep the County in compliance with Regional Board requirements. The treatment plant was allowed to discharge treated effluent in wet weather months. The current permit will disallow that practice after this winter. Staff is working on a project to build an extra storage pond at the treatment plant and will be returning to the Board this summer with construction costs and a financing plan.

FACILITY SERVICES/COUNTY SERVICE AREA 28, ZONE #24 (Applegate) - Resolution 2006-105 adopted authorizing a loan, in the amount of \$250,000, from the County Service Area (CSA) Revolving Fund to CSA #28, Zone #24 and approved a budget revision appropriating the loan proceeds to CSA Zone #24 as follows: FY 05/06, \$125,000 and FY 06/07, \$125,000. MOTION Kranz/Holmes/Unanimous

Jim Durfee, Facility Services Director, advised that the Applegate Sewer System handles the wastewater from 28 residences. The County is under a cease and desist order not to discharge from this treatment system. Over the past five years, during winter months, the County has been trucking wastewater out of the system to Sewer Maintenance District #1 Treatment Plant in Auburn. This past winter, 1.8 million gallons of water were hauled out of the system to avoid discharges. Unfortunately, there was water discharge during the month of March and part of April. The loan will cover the cost of trucking discharge this winter and includes projected costs for next year. This action is part of their Regional Wastewater Project, to build a pipeline from Applegate to the Winchester Development.

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FACILITY SERVICES/GRANITE BAY PARKS, TRAILS & OPEN SPACE ASSESSMENT DISTRICT – Resolution of Intention 2006-106 adopted to levy assessments for FY2006/07, approving the preliminary Engineer's Report and setting the time, date and location for a public hearing for the Assessment District. MOTION Gaines/Weygandt/Unanimous

Albert Richie, Facility Services, explained the Board takes this action on an annual basis. In 2001, the Granite Bay area voted to assess themselves for park maintenance. On March 7, 2006, the Board adopted a resolution directing the preparation of the Engineer's Report and initiating the assessment process for the upcoming fiscal year. The preliminary Engineer's Report is complete.

FACILITY SERVICES/SOUTH PLACER SHERIFF SUBSTATION (LOOMIS) – Authorized the Facility Services Director to complete negotiations for an amendment to the lease agreement with Richard and Michelle Ruff for the Sheriff's Substation, located at 6140 Horseshoe Bar Road, Loomis; authorized the Facility Services Director to execute the agreement amendment, following its approval by County Counsel; and approved a Budget Revision to transfer funds for this project from within the Sheriff's Department budget. The total project cost is estimated at approximately \$489,000.

MOTION Holmes/Weygandt/Unanimous

Jim Durfee, Facility Services Director, stated this lease has been amended several times to add additional suites of space. Due to security and safety situations, it is necessary to negotiate a new lease, for a 12 year term, including two five-year extensions and a provision for remodeling. The majority of the funding would be paid for out of the Public Safety Fund through lease payments.

Thomas Miller, County Executive Officer, advised that the terms of the lease will take the Department into the transition of moving into the new facility at the South Placer Justice Center. He extended his appreciation to the Sheriff Department for the use of fund balance monies, which will not affect the ability of the Sheriff to provide law enforcement services. Supervisor Holmes said he toured the Substation and it definitely needs improvement.

PUBLIC WORKS/COUNTY SERVICE AREA #28, ZONE #187 (NORTHSTAR AT TAHOE/RETREAT SUBDIVISION) – Public hearing closed to consider all protests, tabulate ballots, and Resolution 2006-107 adopted creating Zone of Benefit #187 and setting charges to provide road rehabilitation, storm drain maintenance and snow removal services for the Northstar at Tahoe Retreat Subdivision. MOTION Kranz/Gaines/Unanimous

Ken Grehm, Public Works Director, spoke about zones of benefit created throughout the County to provide basic road services to special road services. In this case, the applicant has requested a higher level of service and has agreed to pay an annual charge of \$2,885 per parcel and/or dwelling unit for the existing parcel and each new parcel and/or dwelling unit created as final maps are recorded.

Supervisor Gaines inquired about snow removal and if government or private service was responsible for the service. Mr. Grehm replied that the County is responsible for all snow removal services on County maintained roads. He added that the Northstar Community Service District performs the service for Northstar. The County contributes the base cost and Northstar supplements the difference.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/COUNTY SERVICE AREA #28, ZONE #187 (NORTHSTAR AT TAHOE/RETREAT SUBDIVISION) – Approved the Final Map, Subdivision Improvement Agreement and authorized the recording. MOTION Kranz/Gaines/Unanimous

Was Zicker, Community Development Resource Agency, advised that the County Service Area was the final condition for approval of the subdivision.

HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE - Approved contract with Richard Malek, M.D., from May 15, 2006 through May 14, 2007, in the amount of \$197,375, for a total compensation of \$300,332, for psychiatric services. MOTION Gaines/Weygandt/Unanimous

Maureen Bauman, Health & Human Services, reminded the Board that the County has six psychiatrists in the Adult System of Care, three psychiatrists in the Children's System of Care and one in Tahoe to perform specific mental health services. These positions are mainly contract employee positions with contracts that are 12 months in duration. Dr. Malek's hourly rate is \$95/hour and includes the potential for reimbursement in the amount of \$29,000, for additional costs for license renewal, tuition reimbursement, disability insurance, stand-by coverage and two retention bonuses.

Chairman Santucci inquired how many times the County has approved the contract with Dr. Malek. Ms. Bauman replied this is the fourth contract.

Supervisor Gaines commented on how costly this contract is and asked if it is compatible with the market value. Ms. Bauman replied the contract amount is mid-range of market value.

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PUBLIC WORKS/EMERGENCY EXPENDITURE RATIFICATION – Resolution 2006-108 adopted ratifying emergency expenditures associated with landslides and other weather related events that have damaged and/or closed Ophir Road and Foresthill Road. MOTION Kranz/Holmes/Unanimous

Ken Grehm, Public Works Director, explained the request is for emergency expenditures associated with landslides effecting Ophir Road and Foresthill Road. He requested authorization for the Public Works Director to sign a professional services agreement with Blackburn Consulting, in an amount not to exceed \$140,000. In accordance with the County Procedure Manual, the Board has to ratify the actions taken after emergency expenditures are used. The temporary repair work performed on Ophir Road amounts to \$7,900. The subsurface drainage work and the construction of additional lanes totaled \$120,000 for Foresthill Road. These costs are currently coming out of the Road Fund; however, staff is working with Federal Emergency Management Agency (FEMA) and other organizations to obtain reimbursement. Blackburn Consulting is assisting the County on an emergency consulting basis regarding Foresthill Road.

Supervisor Kranz asked if Foresthill Road was now stable. Mr. Grehm indicated there is still movement occurring. There is lots of water and the ground is still saturated. The situation will have to be continually watched until the final repair takes place in the fall. Supervisor Kranz thanked staff for their quick action.

PUBLIC WORKS/GLADDING ROAD & LOZANOS ROAD BRIDGE REPLACEMENT PROJECT, CONTRACT #73232 - Resolution 2006-109 adopted authorizing Chairman to execute Contract Amendment #1 to agreement with Harris and Associates, in the amount of \$142,275, increasing the total contract amount to \$369,710, for construction management, inspection and materials testing services, and authorized the Public Works Director to approve and sign contract amendments, in an amount not to exceed \$55,000. MOTION Weygandt/Holmes/Unanimous VOTE 4:0 (Kranz absent)

Kevin Ordway, Public Works, stated this action will add Lozanos Road Bridge to the current contract. Combining the two bridge projects together will save the County \$130,000.

PUBLIC WORKS/KINGS BEACH COMMERCIAL CORE IMPROVEMENT PROJECT – Resolution 2006-110 adopted authorizing the Chairman to sign Amendment #4 to Contract #73146, with MACTEC Engineering & Consulting, Inc., in the amount of \$277,872; and authorized the Public Works Director to approve and sign future amendments up to \$28,000. MOTION Kranz/Holmes/Unanimous

Dan LaPlante, Public Works, advised this amendment supports the preliminary engineering and environmental documentation preparation for the project. This augmentation brings the total contract amount to \$1,089,118. The amendment is jointly funded by the North Lake Tahoe Resort Association, the U.S. Forest Service, the State Transportation Improvement Funds and the Southern Nevada Public Lands Management Act.

There was discussion about the approximately \$5 million in funding coming from the Southern Nevada Public Lands Management Act paying for the design, environmental documentation and construction. Supervisor Kranz spoke about Tahoe Regional Planning Agency and how influential they were with the Southern Nevada Public Lands Management Act funding.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/REZONE/CONDITIONAL USE PERMIT "FLOWER FARM INN" (PREAT20040723) MITIGATED NEGATIVE DECLARATION – Public hearing closed to consider a request from A.R. Associates, on behalf of John and Ann Bowler. Ordinance 5415-B adopted approving a Rezone from RA-B-43 and RA-B-100 (Residential-Agricultural, Combining Building Site of 2.3 acres and Residential-Agricultural, Combining Building Site of 1-acre) to F-B-43 (Farm, minimum 1-acre) and F-B-100 (Farm, minimum 2.3 acres) to allow for the expansion of an existing bed-and-breakfast facility and a retail nursery. The 10.2-acre project (APN: 036-083-011) is located at 4150 Auburn-Folsom Road, on the southwest corner of Auburn Folsom Road and Horseshoe Bar Road, in the Loomis area. The Board approved adoption of a Mitigated Negative Declaration and Findings. MOTION Holmes/Weygandt/Unanimous

Michael Johnson, Planning Director, stated the purpose of the rezone is to allow for the development of a retail nursery site in conjunction with an existing Bed & Breakfast. The proposed rezone is consistent with the existing General Plan. In November 2005, the project was reviewed by the Horseshoe Bar Municipal Advisory Council who unanimously recommended approval of the project. The proposal was also considered by the Planning Commission on February 9, 2006. The Commission recommended the rezone to the Board of Supervisors and unanimously approved the Conditional Use Permit. The Mitigated Negative Declaration has been prepared for the Board's approval. Staff is recommending approval of the rezoning. Supervisor Gaines inquired if the land-use was changing. Mr. Johnson advised the use is being expanded to allow for a retail nursery.

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COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/ZONING TEXT AMENDMENTS (PZTA 2005 0609) REVISION OF DENSITY BONUS PROVISIONS/PERMITTING OF KENNELS & BANKS IN NEW ZONE DISTRICTS/NEGATIVE DECLARATION – Public hearing closed. Ordinance 5416-B adopted approving changes to Chapter 17 of the County Code (Zoning Ordinance): (1) to conform the provisions of Section 17.54.120 (Residential Density Bonuses and Incentives) to be consistent with changes in State law; and (2) to allow two uses (kennels and animal boarding and banks and financial services) with a Minor Use Permit in certain Commercial and Industrial Zones. The Board approved adoption of a Negative Declaration and Findings.
MOTION Holmes/Weygandt/Unanimous

Michael Johnson, Planning Director, advised that the action requested is for three zoning text amendments to address needed changes in the Placer County Code. The first amendment pertains to revisions to the density bonus ordinance to implement new State regulations. In 2004, Senate Bill 1818 was enacted and mandated that local jurisdictions change their rules and regulations to reflect the new requirements of State law. The second Zoning Text Amendment allows kennels in an industrial park zoning district with the approval of a minor use permit. Staff received a request from a dog daycare facility to establish a facility in an industrial park zoning district. During the Planning Commission hearing, the Commission expressed concern with the compatibility of land uses. After public comment, the Commission concluded that with the approval of a Minor Use Permit, that would allow the opportunity for the Commission to consider the compatibility of the land use with any other existing uses in the area. The third Zoning Text Amendment is to allow banks in industrial, industrial park and heavy commercial zoning districts, with the approval of a Minor Use Permit. The Zoning Text Amendments were considered by the Planning Commission at the February 9, 2006 meeting. The Commission unanimously recommended them to the Board of Supervisors. The Negative Declaration has been prepared. Staff recommends approval of the Zoning Text Amendments.

Supervisor Gaines asked if the rezoning could include financial institutions. Mr. Johnson advised that it does fall within the industrial classification.

TREASURER/TAX COLLECTOR – Approved the following actions in connection with refunding of the 1997 Certificates of Participation (COP), Administration and Emergency Services Building:

1. Resolution 2006-111 adopted approving Forms of Property Lease, Lease Agreement, Trust Agreement, Assignment Agreement, Notice of Sale and Continuing Disclosure Certificate; authorizing modifications to each of the foregoing and execution and delivery thereof as modified; approving form and distribution of preliminary official statement and preparation, execution, and distribution of final official statement to be derived from the preliminary official statement and preparation; authorizing execution and delivery to initial purchaser of Certificates of Participation (2006 Administrative and Emergency Services Building Refinancing Project); and authorizing and directing County Officers to take all necessary actions to implement the Refinancing Project.
2. Resolution 2006-112 adopted authorizing the Chairman to execute and deliver the Joint Exercise of Powers Agreement for the Placer County Public Financing Authority.
3. Authorized the County Executive Officer to execute a contract with Capitol Public Finance Group, LLC, in an amount not to exceed \$49,500.00 for financial advisory services related to the refunding of the 1997 COP.
4. Authorized the County Executive Officer to execute a contract with Orrick, Herrington and Sutcliffe, LLP, in an amount not to exceed \$60,000, for bond counsel services related to the refunding of the 1997 COP.
5. Authorized the County Executive Officer to execute a contract with Quint and Thimmig, LLP, in an amount not to exceed \$25,000, for disclosure counsel services related to the refunding of the 1997 COP.

MOTION Holmes/Weygandt/Unanimous

Jenine Windeshausen, Treasurer-Tax Collector, introduced Samuel Sperry, Attorney of Counsel of Orrick, Herrington, and Sutcliffe, LLP. She advised this is a refinancing of the 1997 Certificates of Participation, for the purpose of lowering costs due to a lower interest rate. In 1997, Placer County issued Certificates of Participation, in the amount of \$15 million, to finance the construction of the Finance and Administrative Building (Larry Oddo Building). The current amount outstanding on those Certificates of Participation is \$12.6 million.

Ms. Windeshausen stated that when the County began to work on this she thought that the County could save more than \$700,000 but the market has been moving against us and the savings have diminished to approximately \$400,000. There is an industry standard that unless you can get approximately 3% net present value savings of your outstanding balance, that it is not feasible. Board actions today will give parameters on the refinancing, so there is a possibility that this refinancing will

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not take place or the County will have to judge entry into the market. The structure of a Certificate of Participation requires a third party leaser and the County needs to form that third party. Historically, the County has used the North Lake Tahoe Public Finance Authority but she would like to transition away from the North Lake Tahoe Public Finance Authority to avoid a special meeting of that JPA where the County would have to travel to Tahoe.

Ms. Windeshausen recommend a Joint Powers Authority be set up between the Board of Supervisors and the Redevelopment Agency for efficiency. She requested approval of actions in connection with refunding of the 1997 Certificates of Participation. Thomas Miller, County Executive, assured the Board that the Treasurer-Tax Collector has involved County Executive staff in this refinancing and this refinancing has been properly vetted to make sure it is being handled in the right way. The requested action is fully supported. No public testimony was received.

ADJOURNED AS THE PLACER COUNTY BOARD OF SUPERVISORS AND CONVENED AS THE PLACER COUNTY REDEVELOPMENT AGENCY BOARD

TREASURER/TAX COLLECTOR - Approved a Joint Powers Agreement by the Redevelopment Agency Board to form the Placer County Public Financing Authority and Resolution 2006-113 adopted authorizing execution and delivery of the Joint Exercise of Powers Agreement.

MOTION Holmes/Gaines/Unanimous

Jenine Windeshausen, Treasurer-Tax Collector, explained that as the Redevelopment Agency Board it is necessary to approve the Joint Powers Agreement, to allow the County to utilize this Joint Powers Authority, not just for this financing but for other financing.

ADJOURNED AS THE PLACER COUNTY REDEVELOPMENT AGENCY BOARD AND CONVENED AS THE PLACER COUNTY PUBLIC FINANCE AUTHORITY

TREASURER/TAX COLLECTOR:

1. Resolution 2006-114 adopted adopting By-Laws of the Public Finance Authority, confirming the officers, establishing the time and place of regular meetings and making certain findings and directing certain actions to be taken regarding a conflict of interest code and retaining counsel for the Authority. MOTION Weygandt/Gaines/Unanimous
2. Resolution 2006-115 adopted approving forms of Property Lease, Lease Agreement, Trust Agreement and Assignment Agreement and authorizing modifications to the foregoing and execution and delivery thereof as modified; approving execution and delivery of Certificates of Participation (2006 Administrative and Emergency Services Building Refinancing Project); and authorizing and directing Public Finance Authority officers to take all necessary actions to implement the Refinancing Project. MOTION Holmes/Weygandt/Unanimous

Jenine Windeshausen, Treasurer-Tax Collector, stated that now that the Board has newly formed the new Public Finance Authority, it is necessary to adopt bylaws.

ADJOURNED AS THE PLACER COUNTY PUBLIC FINANCE AUTHORITY AND RECONVENED AS THE PLACER COUNTY BOARD OF SUPERVISORS

TREASURER/TAX COLLECTOR/2006 TOBACCO SECURITIZATION - Conducted and closed a public hearing pursuant to Government Code Section 6586.6, and determined the use of joint powers authority (the California County Tobacco Securitization Agency) bond proceeds to finance public capital improvements provides significant benefits to the citizens of the County. No public comment was received. MOTION Gaines/Weygandt/Unanimous

- a. Resolution 2006-116 adopted to approve and authorize the amendment and restatement of the Sale Agreement entered into as of June 1, 2002, between the County and the Gold Country Settlement Funding Corporation, and authorizing the execution of the Amended and Restated Sale Agreement.
- b. Authorized the County Treasurer to invest the sale proceeds in a manner consistent with the bond documents.
- c. Approved professional services contracts with Sidley Austin, LLP as bond and disclosure counsel to the County and the California County Tobacco Securitization Agency, and with Capitol Public Finance Group, LLC for financial advisory services to the County in connection with the securitization transactions, and to appoint Lehman Brothers as lead managing underwriter for the Series 2006 Bonds,

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- d. Authorized and directed the Clerk of the Board to attest the signatories of the Amended and Restated Sale Agreement and other related documents as necessary, Authorized and directed, the Authorized County Officers to do any and all things to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate, carry out, give effect to and comply with the terms and intent of the resolution and the consummation of the securitization transactions including, but not limited to, the execution of contracts with bond rating agencies, econometric and consulting firms and the execution of any certifications which are consistent, upon the advice of County Counsel and bond counsel, with the requirements of the Amended and Restated Sale Agreement, the Amended and Restated Loan Agreement, the Amended and Restated Indenture and the Contract of Purchase. Ratified, confirmed and approved any actions taken by such officers in furtherance of any of the transactions authorized in the resolution, which have been taken to date.

MOTION Gaines/Weygandt/Unanimous

Jenine Windeshausen, Treasurer-Tax Collector, said in June of 2002, the County securitized its Tobacco Settlement Revenues for the period from 2002 to 2036, receiving approximately \$35.5 million in proceeds from a \$41.5 million debt issue. Prior to 2002, the State litigated with the largest tobacco manufacturers regarding costs to states for health related costs resulting from tobacco consumption. That litigation resulted in a settlement to the State into perpetuity. In the State of California, the State shares their settlement with the counties and some cities. In 2002, the County sold that revenue stream in exchange for a lump sum. Today's action is associated with refinancing the outstanding amount and further securitizing the revenue stream out to 2056 (20 additional years). She advised the proceeds from further securitization are estimated to be \$10 million. That \$10 million will be put towards facilities. The facilities are the completion of the Auburn Justice Center, Construction of the South Placer Justice Center (including the Court House and Adult Detention Center), construction of the Children's Emergency Shelter and site acquisition and construction of the Animal Shelter. The County has approximately 3 years to spend this money. The County wants to make sure the list is broad enough to make sure the money is spent but the County is not required to spend this money on all of the facilities listed. The money could all be spent on one facility.

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

- (a) Sierra Watch; League to Save Lake Tahoe; Mountain Area Preservation Foundation vs. Placer County, et al. (Martis Valley), Placer County Superior Court Case No.: SCV-16652. *The Board received a status report from Counsel and gave direction.*
- (b) Deborah Doerfler-Casner vs. County of Placer, U.S.D.C. Eastern District Case No.: CIV.S-03-1864 WBS KJM. *The Board received a status report from Counsel and gave direction.*

(B) §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - The Board met with its negotiator and gave direction.

(1) Property: APN Nos.: 094-090-041, 094-090-040 and 094-090-018.

Negotiating Parties: Placer County Redevelopment Agency and Douglas and Kathleen Dale, Raymond E. O'Neal and Michael and Stephanie Schwartz.

Under Negotiation: Price, terms of payment and conditions of acquisition.

(2) Property: APN No.: 090-182-024

Negotiating Parties: Placer County Redevelopment Agency and Tami Noyd.

Under Negotiation: Price, terms of payment and conditions of acquisition.

(C) §54957 - PUBLIC EMPLOYEE APPOINTMENT - The Board approved the appointment of Richard Buckman, as the new Veteran Services Officer.

Title: Veteran Services Officer

(D) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - The Board received a brief update from its Labor Negotiator with regards to both PPEO and DSA labor negotiations.

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

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LUNCH - With the Roseville Rotary Club at the Sierra View Country Club, 105 Alta Vista Avenue, Roseville.

ITEMS FOR INFORMATION:

TREASURER/TAX COLLECTOR - Treasurer's statement for the month of March 2006.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, May 23, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Kathy Zick
Supervising Board Clerk

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The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, May 23, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Kathy Zick, Supervising Board Clerk. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT - Rosemary Frieborn, Friends of Placer County Animal Shelter and Mechelle Buhan, Friends of the Animals, provided an update on animal services.

SUPERVISOR'S COMMITTEE REPORTS - None given.

CONSENT AGENDA - Item 3a was moved for discussion. Consent agenda approved as amended with action as indicated. MOTION Weygandt/Holmes/Unanimous

1. ORDINANCES - Second reading:

- a. County Executive - Ordinance 5417-B adopted amending Chapter 3, relating to position allocations in the Sheriff's Office.
- b. Personnel/Civil Service Commission - Ordinance 5418-B adopted amending Chapter 3, Section 3.12.010, Appendix 1, relating to reclassification of one position from Administrative Technician to Information Technology Technician I/II, for the Health and Human Services Department.

2. AGRICULTURE:

- a. Resolution 2006-119 adopted authorizing the Agricultural Commissioner/Sealer to sign the FY 2006/07 State Contract #06-0117 for enforcement of the California Organic Foods Act, allowing for reimbursement from the State for up to \$1,400.
- b. Purchase - Approved a budget revision to increase revenue, in the amount of \$30,000, to appropriate funding for the purchase of two fixed assets (Weights and Measure Crane & ATV for Predatory Animal Control), and add them to the Master Fixed Asset List.

3. BOARD OF SUPERVISORS:

- a. **MOVED FOR DISCUSSION/Commendation** for Dr. Kelvin Lee upon his retirement as the Superintendent of the Dry Creek Joint Elementary School District in Roseville, since 1977.
- b. Resolution 2006-117 adopted congratulating Ellen Ketsdever, Accounting Technician, Health and Human Services Department, upon her retirement after 37 years of service.
- c. Resolution 2006-118 adopted for the City of Lincoln, in support of being one of 34 finalist cities chosen in the All-America City Award competition, as requested by Supervisor Weygandt.
- d. Resolution 2006-120 adopted supporting the "Reno Tahoe Odyssey Relay Run Adventure", to be held on July 7th and 8th, 2006 around Lake Tahoe and passing through Placer County on July 7th.
- e. Approved minutes of March 21, 28 and April 3, 4, 18, 2006.

4. CLAIMS AGAINST THE COUNTY - Rejected the following claims, as recommended by County Counsel:

- a. 06-039, Mathot, Michele, \$500,000 (Personal Injury).
- b. 06-040, Wood, Susan, \$491.26 (Personal Injury).
- c. 06-048, Tischler, Chris, \$6,397.80 (Property Damage)

5. COMMITTEES & COMMISSION:

- a. Assessment Appeals Board - Approved appointment of Darrell E. Burruss to Seat 1 (District 1), as requested by Supervisor Santucci.
- b. Meadow Vista Municipal Advisory Council - Approved appointment of Maureen O'Connell to Seat 1, as requested by Supervisor Kranz.
- c. Placer County Independent Solid Waste Hearing Panel - Approved appointment of Terry M. Bosik to Seat 2 (Technical Experts).

6. COUNTY CLERK/ELECTIONS - Resolution 2006-121 adopted approving the appointment of nominees to terms, in lieu of election, to the Democratic Central Committee, Republican Central Committee and Green Party County Council.

7. COUNTY EXECUTIVE:

- a. Approved merit increase for Lisa Buescher, Administrative Aide II, from Step 1 to Step 2, retroactive September 13, 2005.

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- b. Approved merit increase for Dr. Lea Della Abia, Dentist, from Step 3 to Step 4, retroactive to October 29, 2005.
 - c. Approved merit increase for Ann Holman, Clerk of the Board, from Step 4 to Step 5, retroactive to March 7, 2006.
 - d. Approved merit increase for Jennifer Merchant, Principal Management Analyst, from Step 2 to Step 3, retroactive to April 1, 2006.
8. FACILITY SERVICES:
- a. Building 430 Fire Sprinkler System, Project #4701 – Resolution 2006-122 adopted accepting the project, located in the Placer County Government Center, Auburn, as complete and authorized the Facility Services Director to execute and record the Notice of Completion.
 - b. Children's Emergency Shelter, Project #4677 – Resolution 2006-123 adopted authorizing the Facility Services Director to execute and record necessary documents to file the Notice of Federal Interest; approved the plans and specifications for Phase 1 of the project and authorized staff to solicit bids.
 - c. Main Jail Suicide Prevention Bars, Project #4748 – Resolution 2006-124 adopted accepting the project, located in the Placer County Government Center, Auburn, as complete and authorized Facility Services Director to execute and record the Notice of Completion.
 - d. Sewer Maintenance District #1 - Resolution of Intention 2006-125 adopted setting the time and date to hold a public hearing to consider the annexation of property owned by Hugh T. and M. Jean Dickinson, APN 051-010-022, into the district. Subject property is located on Bell Road in Auburn.
9. HEALTH & HUMAN SERVICES:
- a. Resolution 2006-126 adopted proclaiming May 2006 Mental Health Awareness Month.
 - b. Administrative Services – Resolution 2006-127 adopted authorizing the Health & Human Services Director, with concurrence of the County Executive Officer, County Counsel and Risk Management, to sign and execute a list of 37 specific contractual agreements and subsequent amendments, providing the expenditure agreements remain within 10% of the prior period amount. The estimated total funding received for the 13 revenue agreements, based on current year funding levels is \$528,888. The current value of the listed 24 expenditure agreements is \$1,097,722. The County General Fund contribution for the expenditure agreements will be approximately \$336,000.
 - c. Adult System of Care – Amended multi-year revenue agreement with the State Department of Alcohol & Drug Programs, Negotiated Net Amount & Drug Medi-Cal for FY 2005/06, increasing the funding by \$31,988, for a revised total of \$2,724,531, and authorized the Chairman to sign the amendment and future amendments.
10. PUBLIC WORKS - Resolution 2006-128 adopted abandoning a pedestrian easement, in Tahoe City, in exchange for the dedication of a relocated pedestrian easement.
11. PUBLIC WORKS/TRANSIT SERVICE:
- a. Approved a Memorandum of Understanding to provide transit service to the City of Lincoln.
 - b. Approved a Memorandum of Understanding to provide transit service to the Town of Loomis.
 - c. Approved one-year extension of the contract with Amador Stage Lines to operate the Placer Commuter Express service. Amador Stage Lines cost is \$363,924 for FY 2006/07.
12. REVENUE SHARING:
- a. Approved appropriation of \$250 in Revenue Sharing monies to the Auburn Mermaids Synchronized Swimming Team, as requested by Supervisor Holmes.
 - b. Approved appropriation of \$1,650 in Revenue Sharing monies to the Boys & Girls Club of Auburn, as requested by Supervisor Santucci (\$150), Supervisor Weygandt (\$250), Supervisor Holmes (\$1,000), and Supervisor Gaines (\$250).
 - c. Approved appropriation of \$500 in Revenue Sharing monies to the City of Lincoln, in support of being one of 34 finalist cities chosen in the All-America City Award competition, as requested by Supervisor Weygandt.

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- d. Approved appropriation of \$350 in Revenue Sharing monies to the Roseville Community Crime Stoppers Foundation, Inc., as requested by Supervisor Santucci (\$250) and Supervisor Gaines (\$100).
 - e. Approved appropriation of \$500 in Revenue Sharing monies to the Sutter Roseville Medical Center, as requested by Supervisor Santucci and Supervisor Gaines (\$250 each).
13. SHERIFF - Approved carry over of excess compensatory time off hours, to the next fiscal year, for employees, consistent with County Code, Chapter 3, Section 3.04.240.

*****End of Consent Agenda*****

The following item was moved for discussion:

3. BOARD OF SUPERVISORS:

- a. Commendation for Dr. Kelvin Lee upon his retirement as the Superintendent of the Dry Creek Joint Elementary School District in Roseville, since 1977.

MOTION Weygant/Holmes/Unanimous

BOARD OF SUPERVISORS/COMMENDATIONS: Presentation of Resolution 2006-118 to the City of Lincoln, in support of being one of 34 finalist cities chosen in the All-America City Award competition.

BOARD OF SUPERVISORS/COMMENDATIONS: Presentation of a commendation congratulating Tony Clarabut, CDF Unit Chief, upon his retirement.

ADMINISTRATIVE SERVICES/PROCUREMENT - Authorized the Purchasing Manager to sign the following:

- b. **Purchase Order, Liquid Coagulant Polymer/Facility Service** - Renewed Blanket Purchase Order #12930 with JenChem, Inc., in the maximum amount of \$141,000.
MOTION Gaines/Weygant/Unanimous

- a. **Bid #9570, Road Paving Services/Public Works** - Awarded to Baldoni Construction Services, Inc., in the maximum amount of \$125,000. MOTION Gaines/Weygant/Unanimous

Dave Seward, Procurement, said this was for the annual road and parking lot paving.

Supervisor Gaines asked about cost effects of petroleum based products. Kevin Taber, Public Works, explained this contract increased 8% even though asphalt concrete prices have increased about 50% over the last 3 years.

PUBLIC WORKS/ASPHALT CONCRETE OVERLAY/VARIOUS ROADS, CONTRACT #73235, SUMMER 2006 - Resolution 2006-129 adopted awarding contract to Teichert Construction, in the amount of \$2,210,474.10; for various surface treatments on maintained public roadways, authorizing the Chairman to execute the contract and authorizing Public Works Director to approve contract change orders up to 20% of the total contract amount upon review and approval by the County Executive Office and County Counsel. MOTION Holmes/Weygant/Unanimous

Kevin Taber, Public Works, spoke about the increased costs for products and transportation.

Supervisor Gaines asked about the standard amount of road surface treatments performed yearly. Ken Grehm, Public Works, said the average was 100 miles of surface treatments per year which is funding dependent. With the higher prices, less will be done. Supervisor Gaines said the budget should be reviewed to try and maintain the previous standards. Ken Grehm said they had other budget savings and would be reevaluating the budget in August and mid-year.

PUBLIC WORKS/LAKE TAHOE PARK EROSION CONTROL PROJECT, CONTRACT #73092 - Resolution 2006-130 adopted ratifying all existing contract change orders with Burdick Excavating Co., Inc., and authorizing the Public Works Director to approve change orders up to a total of \$250,000, due to damage caused by the flood of January 2006 and unforeseen construction costs for the project.
MOTION Kranz/Holmes/Unanimous

Peter Kraatz, Public Works, explained the change orders represent costs incurred due to floods and unforeseen construction repair. Funding has been secured through Tahoe Regional Planning Agency (TRPA) mitigation funds. The County expects to receive funding from Federal Emergency Management Agency (FEMA) for reimbursement of costs.

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PUBLIC WORKS/PATCHING VARIOUS ROADS/CONTRACT #73237, SUMMER 2006 – Resolution 2006-131 adopted awarding contract to AC General Engineering, Inc., in the amount of \$440,320, for patching and paving various County roads, authorizing the Chairman to execute the contract and authorizing the Director of Public Works to approve contract change orders up to 10% of the total contract amount. MOTION Weygandt/Holmes/Unanimous

Kevin Taber, Public Works, said Proposition 42 funds would be used for this contract to help augment patching efforts this year. Approximately 128,000 square feet of pavement will be repaired on 14 roads. Supervisor Gaines requested staff to review a few other roads.

PUBLIC WORKS/SQUAW VALLEY ROAD BRIDGE REHABILITATION PROJECT, CONTRACT #73241 - Resolution 2006-132 adopted authorizing the Chairman to sign a contract with Harris and Associates, in the amount of \$247,440, for construction management, inspection, and materials testing service and authorizing the Public Works Director to approve and sign contract amendments for additional professional services not to exceed \$37,000. MOTION Kranz/Holmes/Unanimous

PUBLIC WORKS/TAHOE PARKS HEIGHTS DRIVE CULVERT REPAIR PROJECT CONTRACT #73240 - Resolution 2006-133 adopted awarding construction contract to White Rock Construction, Inc., in the amount of \$125,000, for construction repairs on Tahoe Park Heights Drive and authorizing Public Works Director to execute the contract and to approve and sign future contract amendments up to \$150,000.

MOTION Kranz/Holmes/Unanimous to award contract in the amount of \$125,000 and authorized the Public Works Director to execute the contract and to approve and sign future contract amendments up to \$25,000.

Peter Kraatz, Public Works, explained the bids received were 50% over the engineer's estimate. Federal Emergency Management Agency (FEMA) is estimated to fund \$110,000 for this project.

PUBLIC WORKS/SOUTH PLACER REGIONAL TRANSPORTATION AUTHORITY – Authorized the Chairman to select any Board Member to service as alternate. MOTION Kranz/Gaines/Unanimous

Rick Dondro, Public Works, explained the South Placer Regional Transportation Authority is a Joint Powers Authority comprised of Placer County and the Cities of Roseville, Rocklin and Lincoln. When Supervisor Santucci was appointed to represent the County, an alternate was not selected. He recommended any Board Member be allowed to serve as alternate.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/DRY CREEK WATERSHED DRAINAGE IMPROVEMENT FEES – Public hearing closed. Resolution 2006-134 adopted modifying an inflationary adjustment to certain fees charged pursuant to County Code, Section 15.32.100, the Dry Creek Watershed Drainage Improvement Fees. The action will apply a 3.7% inflationary increase to the "one time fee for new development" in the subject fee program, effective July 1, 2006.

MOTION Gaines/Weygandt/Unanimous

Wes Zicker, Community Development Resource Agency, said these funds would be placed in a trust fund for regional drainage projects. The increase is in accordance with California Department of Industrial Relations Consumer Price Index and the annual maintenance fee is not being changed.

TREASURER/TAX COLLECTOR – Presentation regarding credit rating upgrades that the County has recently received from credit rating agencies Standard & Poor's from AA-/A+ to AA/AA- and from Moody's from Aa2/A1 to Aa2/Aa3 and received a briefing on other County financings including the recent Certificate of Participation and Tobacco Bond sales.

FACILITY SERVICES/SOLID WASTE/GARBAGE FRANCHISE AREA 1 & 4 – Public hearing closed. Received input on the proposed adjustments to garbage collection/transfer station rates for Franchise Areas 1 and 4 (includes all parts of unincorporated Placer County west of Colfax, including Foresthill and Iowa Hill Divides, for FY 2006/2007, Resolution 2006-135 adopted authorizing the Chairman to sign an amendment to Agreement #11846 that incorporates the recommended rate adjustments, and made a finding pursuant to Section 21080(b)(8) of the Public Resources Code that the adjusted rates are derived directly from the cost of providing service and are necessary to meet operating expenses required for maintenance of service, and are therefore exempt from environmental review.

MOTION Weygandt/Gaines/Unanimous

Bill Zimmerman, Facility Services, explained our contract with Auburn Placer Disposal Service allows annual cost-of-living and disposal fee adjustments, limited to 4% per year. The costs for labor,

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equipment and overhead increased by 5.1%. Construction and demolition (C&D) waste costs decreased and are reflected in the new fee. Staff proposed there be no charge to accept computer monitors and television sets at the Meadow Vista and Foresthill Transfer Stations and there be a new fee category for commercial debris boxes. This category would provide commercial customers a wider variety of service options while maintaining the lower disposal rate for C&D debris boxes.

Supervisor Gaines asked about the rate fee structure and how it relates to landfill costs. Bill Zimmerman replied the Western Placer Waste Management Authority has maintained its rates for the past several years.

PUBLIC WORKS/SUNSET BOULEVARD/STATE ROUTE 65 INTERCHANGE - Public hearing closed. Resolution 2006-136 adopted approving a Mitigated Negative Declaration (EIAQ-3814) for the project and the accompanying Mitigation and Monitoring Plan with associated findings.
MOTION Weygandt/Gaines/Unanimous

Phil Vassion, Public Works, presented a PowerPoint and explained the proposal to replace an existing at-grade signalized intersection with a partial cloverleaf interchange, thus removing the last signalized intersection on State Route 65 between Interstate 80 and Lincoln. Caltrans is reviewing all phases of project planning and preliminary design. This project is planned to be done in two phases but could be built in one phase if funding becomes available. Construction should start late 2008 or mid 2009.

Supervisor Weygandt and Chairman Santucci supported starting construction as soon as possible and having it completed in one phase. The supervisors discussed proposed development and Placer Parkway.

Chairman Santucci confirmed there is \$14.2 million available and \$22 million is still needed. Phil Vassion is anticipating receiving, prior to construction, \$3-4 million from the Joint Powers Agreement (JPA) and possibly pre-paid development fees to cover the remaining amount.

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT #3 - Public hearing closed. Resolution 2006-137 adopted annexing the Brian and Tanya Issertell property, APN 036-100-005, into the boundaries of the district. Subject property is located on Minors Drive in Loomis.
MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Gaines temporarily absent)

Bill Zimmerman, Facility Services, said the annexation fee for this ½ acre parcel is \$2,048.59 and will be used to fund future capital improvements.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/ZONING TEXT AMENDMENT (PZTA20060057) CREATION OF NEW ZONING DISTRICT/SPECIFIC PLAN DISTRICT (SPL) EXEMPT FROM CEQA - Public hearing closed. Ordinance 5419-B adopted amending Chapter 17, adding Article 17.51 establishing a new zoning district (Specific Plan, SPL). The Board found the project to be exempt from review under the California Environmental Quality Act.
MOTION Weygandt/Holmes/Unanimous VOTE 4:0 (Gaines temporarily absent)

Paul Thompson, Planning, provided a PowerPoint and explained this request is to more clearly identify the locations where specific plans have been approved on Planning Department Zoning Maps. The Planning Commission and staff support this request. As each Specific Plan development agreement is submitted, a rezone request would need to be done to reflect the Specific Plan.

Anthony La Bouff, County Counsel, clarified the Motion to include the California Environment Quality Act (CEQA) Findings on Page 203 of the Board's agenda.

SHERIFF - Overview, objectives and operational information regarding the Placer County Sheriff Department's K-9 Unit.

**PLACER COUNTY BOARD OF SUPERVISORS
MINUTES**

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

(a) Sierra Watch; League to Save Lake Tahoe; Mountain Area Preservation Foundation vs. Placer County, et al. (Maris Valley). Placer County Superior Court Case No.: SCV-16652. *The Board received a status report from Counsel.*

(2) Anticipated Litigation:

(a) Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: one potential case. *The Board received a status report from Counsel.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – *The Board had a brief discussion with the Labor Negotiators on behalf of the DSA matters and a more extensive conversation with PPEO, and a small discussion regarding Management.*

Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

ITEMS FOR INFORMATION:

CHILD SUPPORT SERVICES – Plan of Cooperation for Federal FY 2006 and 2007, between the State Department of Child Support Services and Placer County Child Support Services.

NORTHERN CALIFORNIA WATER ASSOCIATION – Quarterly Conveyance.

TREASURER/TAX COLLECTOR – Treasurer's Statement for the month of April 2006.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, June 13, 2006.

ATTEST:

Kathy Zick
Supervising Board Clerk

Bill Santucci, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk