

# PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 8:30 a.m., Tuesday, February 10, 2009, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, Uhler and Montgomery present. Chairman Rockholm presiding. Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

**PUBLIC COMMENT** – Arlene Keeley, Granite Bay resident, requested the Board reevaluate support of updating the Granite Bay Community Plan during the economic crisis. Gerry Haas, Placer County employee, given the problems with the national economy presented a petition signed by employees requesting the Board consider an evaluation of suggestions made prior to any action and provide to the public anticipated budget shortfall for the current fiscal year and any future budget year where shortfall is expected. Melanie Jackson-Couch, Planning employee, given the national financial crisis, requested the Board consider alternative cost saving measures to preserve county employment and protect the budget, such as mandatory time off, salary reductions, voluntary time off, reduced work schedules and forgoing upcoming cost of living increases. Chuck Thiel, Business Representative for the Placer Public Employees Organization and Stationary Engineers Local 39, requested the Board consider options to minimize effects if layoffs are inevitable such as, voluntary work furloughs, holiday closure, job sharing and part time, buyouts or early retirement incentives, and, more notice to employees. Nick Trifiro, Planning employee, urged the Board to consider alternatives such as mandatory time off and reducing staff hours as a practical and cost effective measure. Jennifer Dzakowic, Planning employee, requested the Board work with the union and employees for what is best for the employees and the community.

**SUPERVISOR'S COMMITTEE REPORTS** – Supervisor Uhler advised the Golden Sierra Workforce Investment Board met and directed staff to send updated versions of the Joint Powers Agreement back to the County Counsel of respective counties to come up language to the on-going financial obligations. Supervisor Montgomery said she and Supervisor Holmes attended the Biomass Energy Committee meeting advising they are moving forward with the intent to come up with a biomass facility located somewhere in the Placer County area of the Tahoe basin. The County will be taking the issue to Washington, D.C., in March and our lobbyists at the Federal and State level are helping us move forward.

**CONSENT AGENDA** (Items 13 thru 23) – Consent Agenda approved with action as indicated  
MOTION Holmes/Uhler/Unanimous

**13. ORDINANCE – Second Reading:**

- a. County Executive - Ordinance 5541-B adopted amending the FY 2008-09 personnel allocations of various departments to reflect a reduction of 76 vacant, unfunded positions.
- b. County Executive/Emergency Services - Ordinance 5542-B adopted amending Chapter 9 Public Peace, Safety and Welfare; Article 9.32 Fire Prevention; Part 4 Hazardous Vegetation Abatement On Unimproved Parcels; Section 9.32.250 to extend the term of the ordinance to April 30, 2010.

**14. AUDITOR/CONTROLLER** – Resolution 2009-23 adopted authorizing the Auditor Controller to maintain a single "warrant" register pursuant to California Government Code 29747.

**15. CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by Counsel:

- a. 08-160, Morrison, Curtis, Unstated, (Property Damage).
- b. 09-006, St. Jacques, \$430, (Property Loss).
- c. 09-008, Newfarmer, Urdene, Unstated, (Bodily Injury).
- d. 09-009, Farinha, Teresa, et al., Unstated, (Personal Injury).
- e. 09-010, Carson, Franco, Unstated, (Bodily Injury).

**16. COMMITTEES & COMMISSIONS:**

- a. Municipal Advisory Council (Foresthill Forum) – Approved reappointment of Keith Drone to Seat 5, as requested by Supervisor Montgomery.
- b. Municipal Advisory Council (Meadow Vista) – Approved appointment of Alex Constantino to Seat 1, Jeff Evans to Seat 2, Shelia Steinberg to Seat 3, Christine Polley to Seat 4, Louis Sigmund to Seat 5 and Michael Sinor to Seat 6, as requested by Supervisor Montgomery.
- c. Municipal Advisory Council (North Tahoe Regional) – Approved appointment of Zachary Hymanson to Seat 2, as requested by Supervisor Montgomery.

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- e. Municipal Advisory Council (Squaw Valley) – Accepted letter of resignation from Ed Heneveld Seat 5 representing the public-at-large, effective February 10, 2009
  - f. Tahoe City Design Review Committee – Approved reappointment of Gary McKelvey to Seat 4, as requested by Supervisor Montgomery.
17. COUNTY EXECUTIVE - Authorized Supervisors Rockholm, Holmes, Montgomery, and Weygant to travel to Washington, DC March 2-5, 2009, to meet with elected or appointed officials from the United States to discuss legislative and regulatory issues affecting the county, and over which the federal officials have jurisdiction.
18. FACILITY SERVICES:
- a. Sierra Nevada Conservancy Proposition 84 Grant/Overland Emigrant Trail - Resolution 2009-24 adopted authorizing the Department of Facility Services to submit an application for grant funds in the amount of \$200,000 to the Sierra Nevada Conservancy (SNC) Proposition 84 Grants Program funded by the Safe Drinking Water and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 and if successful, designated the Director of Facility Services as agent of the County to execute necessary documents to study re-establishing the Overland Emigrant Trail.
  - b. 2008/09 Manhole Lining Rehabilitation, Project 40233 - Approved Plans and Specifications and authorized staff to solicit bids; Resolution 2009-25 adopted authorizing the Director of Facility Services to execute the resulting contract, in an amount not to exceed \$100,000, upon Risk Management's and County Counsel's review and approval, and approved any required change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code.
  - c. Landfill Gas System Operation & Maintenance Services - Approved an agreement with SCS Field Services (SCS-FS) for the operation and maintenance (O&M) of the landfill gas (LFG) systems at the Meadow Vista, Loomis, and Eastern Regional Landfills for an amount not to exceed \$126,373 and authorized the Chairman to execute.
  - d. Water Quality Monitoring Services - Authorized the Chairman to sign an agreement with SCS Engineers for water quality monitoring services at the Meadow Vista, Loomis, Foresthill and Eastern Regional Landfills for an amount not to exceed \$163,457.
19. HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE – Based on the recommendations of the State of California Department of Community Services and Development, Health and Human Services, approved amendments to the Placer County Community Services Commission Bylaws to correct deficiencies in the democratic selection process for low-income sector requirements as set forth in regulations for Community Services Block Grant programs. There are no County General Funds in this action.
20. PERSONNEL - Ordinance introduced, first reading waived, implementing the required salaries for the classifications covered by Measure F and other associated law enforcement classifications, to be effective February 13, 2009, at 5:01 p.m. Percentage increases by classification are as follows: Undersheriff 7.33%; Assistant Sheriff 7.33%; Captain 5.58%; Lieutenant 5.73%; Sergeant 6.30%; Chief Deputy Coroner 6.30%, Deputy Sheriff I 6.33%, Deputy Sheriff II 6.31%, Investigator 6.29%; Supervising Investigator Welfare Fraud 6.29%, Investigator Welfare Fraud 6.29%
21. PROCUREMENT SERVICES - In accordance with County Policy, non-contested competitively awarded bids under \$250,000 are placed on the Consent Agenda. Authorized the Purchasing Manager to sign the following:
- a. Competitive Request for Qualifications #9420, Community Development Resource Agency/Engineering & Surveying - Extended Qualified List for Geotechnical and Materials Testing Services.
  - b. Blanket Purchase Order #15501, Natural Gas for Compression as a Motor Fuel, Public Works/Fleet Services - Renewed Sole Source Blanket Purchase Order with Pacific Gas and Electric for Natural Gas, in the maximum amount of \$185,000
  - c. Blanket Purchase Orders 15538 and 15539/Auto Body Repair and Painting/Public Works/Fleet Services - Renewed competitively awarded blanket purchase order with Meadow Vista Autocraft and Winner Chevrolet Body Shop, in the maximum aggregate amount of \$180,000.

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## 22. PUBLIC WORKS.

- a. Professional Services Agreement #73244, Amendment #4/Kings Beach Commercial Core Improvement Project – Resolution 2009-26 adopted authorizing the Director of Public Works to sign and approve, with County Counsel and Risk Management's review and approval of necessary bonds and insurance, PSA 73244 Amendment 4 with Jones and Stokes Associates, Inc., in the amount of \$71,000 and authorizing the Director of Public Works to approve and sign future amendments up to \$7,100.
- b. State Transit Assistance Funds/Fiscal Year 2008/09 – Resolution 2009-27 adopted authorizing the Chairman to execute the 2008/09 State Transit Assistance Claim for Placer County Transit in the amount of \$469,242.
- c. State Transit Assistance Funds Claim/Tahoe Area Regional Transit Fiscal Year 2008/09 – Resolution 2009-28 adopted authorizing the Chairman to execute the 2008/09 State Transit Assistance Claim for the Tahoe Area Regional Transit in the amount of \$137,619.24.

## 23 REVENUE SHARING – In approving the following appropriations, the Placer County Board of Supervisors makes the finding that each and every approved contribution serves a public purpose by promoting the general welfare of the County and its inhabitants; therefore, the County benefits

- a. Approved appropriation of \$250 in Revenue Sharing monies to the Auburn Education Foundation Grant Program as requested by Supervisor Holmes.
- b. Approved appropriation of \$500 in Revenue Sharing monies to the Roseville Police Officers Association Honor Guard Unit as requested by Supervisor Rockholm.
- c. Approved appropriation of \$1,000 in Revenue Sharing monies to the Sierra College Foundation A Taste of Excellence Event as requested by Supervisor Rockholm (\$500) and Supervisor Uhler (\$500).

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

## ADMINISTRATIVE SERVICES/PROCUREMENT – Authorized the Purchasing Manager to sign:

- a. **Competitive Bid 9856, Annual Vehicle Purchases/Public Works, Fleet Services** – Awarded to replace twenty-seven existing County vehicles, to Albany Ford, Future Ford Roseville, and Theodore Robins Ford of Costa Mesa, CA, for a total aggregate amount of \$719,207 and authorized the Purchasing Manager to sign the resulting Purchase Orders. Vehicles include ten replacement patrol police interceptors, eight replacement patrol vehicles; one mid-size SUV; five compact pick-ups and three full size pick ups for various departments including Sheriff, Facility Services, and Animal Control; and is consistent with a post-bid needs assessment resulting in a reduction in the number of vehicles to be purchased and a savings of \$77,638.  
MOTION Holmes/Uhler/Unanimous

## BOARD OF SUPERVISORS – Approved a letter to the Governor and State Legislative Representatives in opposition to the proposed elimination of subventions to local governments for Property Tax losses from land enrolled in Williamson Act contracts.

MOTION Montgomery/Holmes/Unanimous

## BOARD OF SUPERVISORS – Presentation of a Commendation honoring Richard Roccucci, PE, for 36 years of community service including 16 years of service on the Roseville City Council.

## COUNTY EXECUTIVE/COMMUNITY DEVELOPMENT GRANTS AND LOANS – Resolution 2009-29 adopted authorizing the submittal of a \$1,000,000 grant application to the State Department of Housing and Community Development for the local Housing Trust Fund Program, and committing \$1,000,000 of local matching funds from the Placer County Housing Trust Fund to the grant.

MOTION Holmes/Uhler/Unanimous

## HEALTH & HUMAN SERVICES/COMMUNITY HEALTH/ANIMAL SERVICES:

- a. Approved the award of four 2009 Animal Trust Fund Grants to Friends of Auburn/Tahoe Vista Placer County Animal Shelter, Inc., FieldHaven Feline Rescue, A New Hope Animal Foundation, and Angels Rescuing Kritters totaling \$60,000, and authorized the Director of Health and Human Services to sign the resulting grant agreements.
- b. Approved a Budget Revision in the amount of \$60,000 to move funds from the Placer County Trust Fund.

MOTION Uhler/Weygandt/Unanimous

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**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/REZONING/NORTHSTAR HIGHLANDS, PHASE II (PSUB 20060609) USE OF CERTIFIED NORTHSTAR HIGHLANDS MASTER PLAN EIR (SCH# 2003012086, FEBRUARY, 2005)** - Public hearing closed to consider a request from Northstar Mountain Properties, LLC., CNL Income Northstar, LLC., and Trimont Land Company, for the approval of a Rezoning as recommended by the Planning Commission on January 8, 2009, from TPZ and FOR (Timberland Production Zone and Forest) to RM-Ds-PD-15.0 (Residential Multi-Family, combining Design Sierra, combining Planned Residential Development 15 units per acre density) affecting 4.4 acres allowing for the 32 unit Employee Housing component of the recent approved Highlands II. The Board of Supervisors will consider adopting a finding for use of the Certified Northstar Highlands Master Plan Environmental Impact Report as the applicable environmental document for this project. The project site is zoned RES-Ds-PD-5.8(Resort combining districts Design Sierra and Planned Development with a 5.8 units per acre density), RM-Ds-PD-5.8 (Residential-Multiple Family combining districts Design Sierra and Planned Development with a 5.8 unit per acre density), RM-Ds-PD-15.0 (Residential-Multiple Family combining districts Design Sierra and Planned Development with a 15 unit per acre density) and TPZ (Timberland Production).

**MOTION Montgomery/Weygandt/Unanimous to approve the rezone (Ordinance 5543-B) and use of the certified Northstar environmental document from the Master Plan Environmental Impact Report.**

**PUBLIC WORKS/CALIFORNIA CONSENSUS PRINCIPLES ON FEDERAL TRANSPORTATION AUTHORIZATION FOR 2009** - Resolution 2009-30 adopted in support of the California Consensus Principles on Federal Transportation Authorization for 2009 and authorize the Chairman to submit letters of support. **MOTION Holmes/Weygandt/Unanimous**

**PUBLIC WORKS/INTERSECTION IMPROVEMENTS/STATE Route 49 and Nevada STREET AND MARGUERITE MINE ROAD PROJECT, AWARD OF CONSTRUCTION CONTRACT #1066** - Resolution 2009-31 adopted authorizing the Chairman to award and execute the contract, after County Counsel review and approval of necessary bonds and insurance, for the project to Tim Faxin's Pacific Excavation, Inc., for \$199,937 and to authorized the Director of Public Works to approve contract change orders up to \$30,000 of the contract amount. **MOTION Holmes/Montgomery/Unanimous**

**PUBLIC WORKS/SR49/HULBERT WAY IMPROVEMENT PROJECT (The Plaza), CONTRACT #1016** - Resolution 2009-32 adopted accepting SR 49 Improvements at Hulbert Way from North of Luther Road to Kemper/New Airport Road Contract #1016 as complete at a cost of \$3,986,981.53 and approving and authorizing the Director of Public Works to execute the Notice of Completion. **MOTION Holmes/Uhler/Unanimous**

**PLACER COUNTY OFFICE OF EDUCATION** - Presentation on the status of public schools in Placer County presented by Gayle Garbolino-Mojica, County Superintendent of Schools.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/REZONING/THIRD PARTY APPEAL/VARIOUS CONDITIONS APPROVED BY THE PLANNING COMMISSION/EDEN ROC II (PSUB 20070829) MITIGATED NEGATIVE DECLARATION (SCH # 2008092106)** - Public hearing closed to consider a request from Rancho Cortina Properties on behalf of Otto J. Miller, for the approval of Rezoning to add PD 0.44 (Planned Residential Development designation of 0.44) to the existing RA-B-X-4.6 acre minimum (Residential Agricultural, combining a minimum Building Site of 4.6 acres) zone district. On December 11, 2008, the Planning Commission approved a Major Subdivision and Conditional Use Permit for a six-lot Planned Residential Development. The Board of Supervisors will also consider the Mitigated Negative Declaration prepared for the project. The Placer County Board of Supervisors will also consider a third party appeal from the Eden Roc I Homeowners Association pertaining to the conditions of approval for the Vesting Tentative Subdivision Map, a Conditional Use Permit, and Variance. The conditions in question are as follows, Condition 22 (to require a mandatory road maintenance agreement); Conditions 14 and 62 (to clarify weed control and fire prevention requirements) and Condition 67 (to clarify the permanent fencing requirements as to whether it will prevent trespassing into adjacent open space areas).

**MOTION Uhler/Weygandt/Unanimous to accept withdrawal of the appeal and approve the rezone (Ordinance 5544-B), including findings on page 96 & 97 of the staff report.**

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**COUNTY COUNSEL/CLOSED SESSION REPORT:**

**(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL**

1. Existing Litigation:
  - a. Michael William Ostrander vs. Fremont Investment & Loan, et al., Placer County Superior Court Case No.: 24100 – *The Board authorized the County Counsel's Office to defend the Clerk Recorder and the Sheriff in those actions.*

**(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – *There was discussion with Labor Negotiators and direction was given to Labor Negotiators.***

- a. Agency designated representatives: Tom Miller, Nancy Nittler, Mike Boyle, Gerald O Carden, Anthony J. La Bouff - Employee organization: PPEO. DSA.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/CANCELLATION OF AGRICULTURAL PRESERVE CONTRACT #241 (PAGP T20080494/PEIR T20050185/SCH NO.2005092041) FRISVOLD** - Public hearing to consider a request from James and Marianne Frisvold to cancel Agricultural Preserve Contract #241. The property is designated Low Density Residential Development Reserve 1-2 du/acre and Commercial by the Dry Creek/West Placer Community Plan and is currently zoned RS-AG-B-20-DR PD (Residential Single Family, Combining Agriculture, Combining Minimum Building Site of 20,000 square feet, Combining Development Reserve, Combining Planned Residential Development of 2 units per acre) and C1-UP-Dc (Neighborhood Commercial, Combining Conditional Use Permit Required, Combining Design Scenic Corridor). **Withdrawn as requested by the applicants Counsel, Brigit S. Barns.** It was noted that should the applicant want to reinstate the application they would need to reapply.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/RIOLO VINEYARDS SPECIFIC PLAN (PSPA 20050186) DEVELOPMENT STANDARDS AND DESIGN GUIDELINES AMENDMENTS TO THE PLACER COUNTY GENERAL PLAN AMENDMENTS TO THE DRY CREEK-WEST PLACER COMMUNITY PLAN/REZONING DEVELOPMENT AGREEMENT/LARGE-LOT VESTING TENTATIVE SUBDIVISION MAP/SMALL-LOT VESTING TENTATIVE SUBDIVISION MAP (PSUB20040397)FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2005092041)** - Public hearing to consider a request from PFE Investors, LLC, for the approval of: the Riolo Vineyards Specific Plan, Development Standards, Design Guidelines, amendments to the Placer County General Plan and to the Dry Creek West Placer Community Plan, Rezoning, and Development Agreement. The Board of Supervisors will also consider the certification of the Final Environmental Impact Report as well as the Large-Lot Vesting Tentative Subdivision Map and the Small-Lot Vesting Tentative Subdivision Map, the Urban Services Plan and the Public Facilities Financing Plan. The Plan Area is zoned RS-AG-B-20-DR PD 2 (Single Family Residential, combining Agricultural, combining minimum Building Site of 20,000 square feet, combining Development Reserve, combining Planned Residential Development of 2 acres per unit), O PD2 (Open Space, Planned Development-2), O (Open Space), C1-UP-Dc (Neighborhood Commercial, Combining Use Permit, combining Design Scenic Corridor) and CPD-Dc (Commercial Planned Development, combining Design Scenic Corridor).

**MOTION Uhler/Holmes/Unanimous to continue the hearing to March 10, 2009 at 11:00 a.m.**

**ITEMS FOR INFORMATION:**

**24. AUDITOR-CONTROLLER:**

- a. Auditor-Controller's Independent Accountant's Report on the Treasurer's Statement of Assets This statement is for the quarter ended September 30, 2008.
- b. Continuing Disclosure Certificate for Certificates of Participation for the Juvenile Detention Facility and Jail Kitchen Refunding.
- c. Continuing Disclosure Certificate for Certificates of Participation for the Administrative and Emergency Services Building.
- d. Continuing Disclosure Certificate for Certificates of Participation for the South Placer Justice Center Courthouse.

**ADJOURNMENT** - There being no further business, the Board adjourned. Next regular meeting is Tuesday, February 24, 2009.

**ATTEST:**

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Ann Holman  
Clerk of the Board

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F.C. Rockholm, Chairman  
Placer County Board of Supervisors

