

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, July 13, 2010, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, and Uhler present. Supervisor Montgomery absent. Chairman Uhler presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and Chief Deputy County Counsel Gerald Carden.

PUBLIC COMMENT – 1) Linda Farley, Gloria Stallman, and Wanda Adams spoke about retiree health benefits. Chairman Uhler advised that retirees in 2002 were contributing approximately 40% of the cost of health care advising that in 2003 employees that retired prior to 2003 received a windfall of 100% of the cost of health care. Chairman Uhler said he would be happy to meet with each retiree at the meeting today individually or collectively. 2) Jenine Windeshausen, Treasurer-Tax Collector, provided an update on the MPower Placer Program, given recent developments with the Federal Housing Authorities. Processing of applications was suspended May 5, 2010 as processing could incur costs to the county or to the applicant pending further resolution. Ms. Windeshausen said she will come back to the Board at the next meeting with a more complete report and any related action items with regard to disposition. Chairman Uhler suggested this item be set as a timed item and requested the County Executive Office contact Congressman McClintock and neighboring Congress members to let them know that we are going to have a conversation about this item and would like to have someone from their offices present at the meeting to hear the Board's discussion on the item and the investment that we have made. Holly Heinzen, County Executive Office, advised Holland & Knight, federal advocates for Placer County, have secured agreement from Senator Shaheen of New Hampshire to carry an amendment to the small business lending bill that would provide PACE Programs to be treated as special assessments or other government tax assessments at the local level including having to conform to PACE underwriting guidelines. Ms. Windeshausen said there are a number of congressional legislative alternatives being explored.

SUPERVISOR'S COMMITTEE REPORTS – None.

CONSENT AGENDA – Moved Item 15a for discussion. Consent Agenda approved as amended with action as indicated. Adjourned as the Redevelopment Agency for Item #25ab&c.
MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Montgomery absent)

12. **ORDINANCE** – Second Reading:
 - a. **AGRICULTURE** – Ordinance 5596-B adopted adding Section 2.72.050 to the Placer County Code relating to the powers and duties of the Placer County Fish and Game Commission.
 - b. **COUNTY EXECUTIVE/PERSONNEL:**
 - a. Ordinance 5597-B adopted amending the Placer County Code, Chapter 3, 3.12.020 relating to the Classified Service-Salary and Benefits notations.
 - b. Ordinance 5598-B adopted amending the un-codified Classified Service-Schedule of Classifications, Salary Plan and Grade Ordinance for the classification of Public Safety Dispatchers I, Public Safety Dispatcher II, Public Safety Dispatcher Senior and Sheriff's Communication Supervisor.
13. **BOARD OF SUPERVISORS** – Approved minutes of June 22, 2010.
14. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by the offices of County Counsel and Risk Management:
 - a. 10-055, Longhofer, Sandra, \$366.75, (Property Damage)
15. **COMMITTEES & COMMISSIONS:**
 - a. **MOVED FOR DISCUSSION** Colfax Public Cemetery District – Approve the appointments of Otis Wollan to Seat 1, Nancy Hagman to Seat 2 and the reappointment of John Dugan to Seat 3, as requested by Supervisor Montgomery.
 - b. Mental Health Alcohol and Drug Advisory Board - Approved the appointment of Janet O'Meara as a Family Member for District 4, Seat 11 as recommended by the Mental Health Alcohol and Drug Advisory Board.
16. **COUNTY EXECUTIVE** - Authorized the County Executive Officer to execute a contract with Hausrath Economics Group in an amount not to exceed \$100,000 to provide fiscal, economic, and finance consulting services, primarily as pertains to annexations.
17. **COUNTY EXECUTIVE/EMERGENCY SERVICES** - Resolution 2010-164 adopted approving the Northstar Fire Department Capital Facilities Plan Fiscal Year 2010-2011 update with no increase in mitigation fees.

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18. COUNTY EXECUTIVE/PERSONNEL - Authorized the Chairman to execute the Placer Public Employee Organization (PPEO) Layoff Impacts Side Letter of Agreement and uncodified ordinance introduced, first reading waived implementing the Agreement.
19. FACILITY SERVICES:
- a. Impound Yard Expansion, Project #4788 - Approved Plans and Specifications and authorized staff to solicit bids for the Impound Yard Expansion, Project #4788 located at the existing Impound Yard on B Avenue at the Placer County Government Center, in North Auburn.
 - b. Work Experience Production Center Relocation/Health & Human Services – Resolution 2010-165 adopted authorizing the Director of Facility Services, or his designee, to take the following actions associated with relocation of Health and Human Services Department's (HHS) Work Experience Production Center (WEX Center) to 1000 Sunset Boulevard, in Rocklin, CA:
 - 1) Complete negotiations for a Lease Agreement (Agreement), based on the Material Terms attached hereto, between the County of Placer and Sunset Commercial Center, Inc., c/o Oates Investments, Inc. (SCC).
 - 2) Execute the resultant Agreement on behalf of the Board, following approval by County Counsel and Risk Management.
 - 3) Carry out those provisions and responsibilities as specified within the Agreement on behalf of the County, including but not limited to the Future Tenant Improvements provision as summarized in the attached Material Terms.
20. HEALTH & HUMAN SERVICES:
- a. Children's System of Care - Approved the following contracts and amendment relating to an array of services for underserved Latino and Youth populations, and authorized the Director of Health and Human Services to sign the resulting documents and subsequent amendments up to 10 percent of the total contract amounts.
 - a. Contract with Latino Leadership Council, Inc. to provide culturally specific educational and family support services to Latino families from July 1, 2010 through September 30, 2011 in an amount not to exceed \$110,963; and acknowledge legally required disclosure requirements within the Board memo.
 - b. Contract with Whole Person Learning, Inc. to provide leadership mentoring and support to youth as they transition into college from July 1, 2010 through September 30, 2011 in an amount not to exceed \$50,555.24.
 - c. Amendment CN005168-A with Whole Person Learning, Inc. to expand existing support services for Placer County youth, increasing the contract amount by \$41,900 for a revised total of \$90,500 and extending the term through December 31, 2011.These services total \$203,418 and are fully funded with Federal and State funds. Combined Federal and State funding for these services has been reduced three percent from the prior year. \$150,165 of these costs are included in the Department's FY 2010-11 Proposed Budget. The balance will be included in the Department's FY 2011-12 Budget. No County General Fund match is required.
 - b. Human Services - Approved contract amendment CN012828-A with Golden Sierra Job Training Agency to provide full-time job readiness services to welfare-to-work participants from July 1, 2010 through June 30, 2011 in the amount of \$92,285, for a revised total contract amount of \$1,422,285, and authorized the Director of Health and Human Services to sign any subsequent amendments up to \$49,999. This amendment is funded with 100 percent Federal and State funds. These funds will be included in the Department's FY 2010-11 Final Budget. No County General Fund match is required.
21. PERSONNEL:
- a. Delta Dental Contract Renewal - Authorized the Personnel Director to sign the dental program renewal through the County Supervisors Association of California Excess Insurance Authority Program (CSAC-EIA) Memorandum of Understanding with our existing administrators, Delta Dental and Preferred Benefit Administrators, for Fiscal Year July 1, 2010 through June 30, 2011.
 - b. Vision Service Plan Contract Renewal – Authorized the Personnel Director to sign the renewal agreement with Vision Service Plan for administration of the County's vision insurance program from July 1, 2010, through June 30, 2012.
22. PROBATION:
- a. Contract/Maxine Singer Youth Guidance Center - Approved a contract for the purpose of obtaining bed space with the County of Yuba for court ordered placement of juvenile wards at the Maxine Singer Youth Guidance Center on a space available basis from July 1, 2010 through June 30, 2013, in an amount not to exceed \$3,500 per bed per month.

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- b. Contract/Fouts Spring Juvenile Facility - Approved an agreement for the period of July 1, 2010 through June 30, 2011, for the purpose of obtaining bed space with the County of Solano for court ordered placement of juvenile wards at the Fouts Spring juvenile facility at the rate of \$4,200.00 per month, on a space available basis.
23. 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. Surplus Vehicles & Equipment/Public Works, Fleet - Declared Vehicles and Miscellaneous Equipment as Surplus and authorized disposal by Public Sale.
- b. Purchase Order/Probation - Approved the Renewal of a Competitively awarded Blanket Purchase Order with Pro Pacific Fresh for Fresh Produce for Probation's Central Kitchen in the maximum amount of \$100,000.
24. PUBLIC WORKS:
- a. Easement Abandonment/Chelshire Downs North/Granite Bay – Resolution 2010-166 adopted to abandon an Offer of Dedication for a drainage easement on Lots 1 and 8 of Chelshire Downs North on Eureka Road in Granite Bay, in exchange for Offers of Dedication for relocated drainage easements.
- b. Bus Shelters/Lake Forest & Tahoe Vista, Contract #1094 – Approved the project plans and specifications for use in bidding and construction of two bus shelters; authorized the Department of Public Works to advertise for bids; Resolution 2010-167 adopted authorizing the Director of Public Works, with County Counsel and Risk Management review and approval, to execute the Bus Shelters – Lake Forest and Tahoe Vista Construction Contract #1094 to the lowest responsible and responsive bidder up to a maximum amount of \$88,000; and authorized the Director of Public Works to approve and sign contract change orders up to an amount not to exceed 10 percent of the lowest responsible bidder's proposed cost.
- c. North Tahoe Public Utility District/Bus Shelter/Tahoe Vista Recreation Area – Resolution 2010-168 adopted authorizing the Director of Public Works to execute a Cooperative Agreement with North Tahoe Public Utility District, with County Counsel and Risk Management review and approval, to construct a bus shelter at the Tahoe Vista Recreation Area along eastbound Highway 28 and just east of National Avenue, and authorized the Director of Public Works or his designee to execute the Cooperative Agreement and all related documents.
- d. Placer East Traffic Impact Fee District – Resolution 2010-169 adopted modifying the Capital Improvement Program for the Placer East Traffic Impact Fee District to include various traffic safety projects.
- e. Cape Horn Emergency Access – Resolution 2010-170 adopted authorizing the Director of Public Works to execute a Maintenance Agreement between Placer County and the State of California Department of Transportation (Caltrans) for the breakaway fence at Cape Horn and authorized the use of up to \$20,000 of Placer East Traffic Impact Fees for construction.
- f. City of Lincoln Transit Service – Authorized the Chairman to execute two agreements with the City of Lincoln to 1) pay Placer County \$39,204 for the period of July 2009 through September 2009; and 2) \$75,424 for the period of October 2009 through June 2010, with automatic renewal on July 1 of each year.
- g. State Water Resources Construction General Permit Designation - Resolution 2010-171 adopted designating the Public Works Director as the Legally Responsible Person (LRP) for permitting under the State Water Board's Construction General Permit.
25. REDEVELOPMENT AGENCY:
- a. North Auburn Redevelopment Project Area - Resolution 2010-172 adopted approving the Streetscape Master Plan for the Highway 49 Corridor within the North Auburn Redevelopment Project Area, approving Phase I of the Master Plan, and certifying state and federal environmental review documents for Phase I.
- b. California Water Board - Resolution 2010-173 adopted designating the Redevelopment Agency Deputy Director as the Legally Responsible Person for the Placer County Redevelopment Agency under the California Water Board's Construction General Permit.

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- c. Contract/Legal Services - Approved the renewal of a negotiated contract with Meyers Nave Riback Silver & Wilson of Oakland, California for Legal Services for the Redevelopment Agency in the maximum amount of \$185,000, for the period of July 1, 2010 through June 30, 2011, and authorized the Purchasing Manager to sign the resulting contract.
26. 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 \$500 in Revenue Sharing monies to the Cowpoke Foundation 2010 Cowpoke Fall Gathering Event to benefit the Blue Goose Fruit Shed Renovation Project, as requested by Supervisor Holmes (\$500).
- b. Approved appropriation of \$1,000 in Revenue Sharing monies to the Loomis Basin Chamber of Commerce 23rd Annual Loomis Eggplant Festival to help defray the cost of the event, as requested by Supervisor Holmes (\$1,000).
- c. Approved appropriation of \$250 in Revenue Sharing monies to PEACE for Families to benefit victims of sexual assault in Placer County, as requested by Supervisor Holmes (\$250).
- d. Approved appropriation of \$500 in Revenue Sharing monies to the Performing Arts of Roseville Music in the Park to benefit their 20th anniversary summer concert series, as requested by Supervisor Rockholm (\$500).
- e. Approved appropriation of \$500 in Revenue Sharing monies to SARSAS (Save Auburn Ravine Salmon and Steelhead) Calling Back the Salmon Celebration to benefit their effort to return salmon and steelhead runs to the Auburn Ravine, as requested by Supervisor Weygandt (\$250) and Supervisor Holmes (\$250).
- f. Approved appropriation of \$250 in Revenue Sharing monies to the Rotary Club of Auburn 28th Annual "Spirit of Auburn" Community Barbeque to benefit the Rotary's local community projects, as requested by Supervisor Holmes (\$250).
- g. Approved appropriation of \$500 in Revenue Sharing monies to PARC (Protect American River Canyons) 19th Annual American River Confluence Festival to help defray the cost of the event, as requested by Supervisor Holmes (\$500).
27. TREASURER-TAX COLLECTOR - Adopted seven resolutions 2010-174 through 2010-180 providing for the temporary borrowing of funds through the issuance of 2010-11 Tax and Revenue Anticipation Notes (TRAN) in the names of the following school districts: Auburn Union (\$5,000,000); Dry Creek Joint Elementary (\$7,000,000); Loomis Union (\$5,000,000); Rocklin Unified (\$15,000,000); Roseville City (\$20,000,000); Roseville Joint Union High (\$18,000,000); and Colfax Elementary (\$100,000).

End of Consent Agenda

CONSENT ITEM MOVED FOR DISCUSSION

15. COMMITTEES & COMMISSIONS:

- a. Colfax Public Cemetery District – Continued the appointments of Otis Wollan to Seat 1, Nancy Hagman to Seat 2 and the re-appointment of John Dugan to Seat 3, as requested by Supervisor Montgomery to the July 27, 2010 meeting.
MOTION Rockholm/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

COUNTY EXECUTIVE EMERGENCY SERVICES - Received an update on discussions with western slope fire protection districts (FPD's) on the possible expansion of the Hazardous Vegetation Abatement (HVA) pilot program to willing fire protection district areas in Western Placer County.

HEALTH & HUMAN SERVICES/OLDER ADULT ADVISORY COMMISSION - The Board accepted and approved the Older Adult Advisory Commission 2009 Annual Report as requested by the Older Adult Advisory Commission.
MOTION Holmes/Weygandt/Unanimous VOTE 3:0 (Rockholm, Montgomery absent)

COMMUNITY DEVELOPMENT RESOURCE AGENCY/ENGINEERING & SURVEYING/PLAN CHECK AND INSPECTION FEE SPREADSHEET/INFLATIONARY INCREASE - Conduct a Public Hearing and adopt a Resolution to adjust the Plan Check and Inspection Fee Spreadsheet to reflect an inflationary increase of 1.6%, to become effective August 1, 2010. Staff recommended the item be continued.
Public hearing continued to September 28, 2010 at 10:30 a.m.

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COUNTY EXECUTIVE/EMERGENCY SERVICES – Resolution 2010-181 adopted adopting the 2010 Update to the Placer County Local Hazard Mitigation Plan.
MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Montgomery absent)

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

- a. Blanket Purchase Order/Probation - Approved the renewal of competitively awarded Blanket Purchase Orders with three vendors for food and correctional food services in the maximum aggregate amount of \$600,000.
MOTION Weygandt/Rockholm/Unanimous VOTE 4:0 (Montgomery absent)

FACILITY SERVICES/DELINQUENT GARBAGE COLLECTION BILLS/FRANCHISE AREA 3 (Tahoe)
- Resolution 2010-182 adopted authorizing and directing the County Auditor to place for collection the delinquent garbage collection bills identified in Exhibit A of the Resolution for Franchise Area 3 plus a \$40.00 administrative fee per account on the 2010/11 tax rolls unless otherwise paid in full by July 20, 2010. MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Montgomery absent)

FACILITY SERVICES/DELINQUENT GARBAGE COLLECTION BILLS/FORESTHILL DIVIDE – Resolution 2010-183 adopted authorizing and directing the County Auditor to place for collection on the 2010/11 tax rolls the delinquent garbage collection bills for the Foresthill Divide properties identified in Exhibit A, unless otherwise paid in full by July 20, 2010.
MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Montgomery absent)

PROBATION – Approved a fourth of four year option contract with Koinonia Foster Homes, Inc., in the amount of \$550,000.00 for Fiscal Year 2010 - 2011 to provide comprehensive services to at-risk minors and their families in support of the Juvenile Justice Crime Prevention Act (JJCPA), as required by the Comprehensive Multiagency Juvenile Justice Plan funding allocation.
MOTION Holmes/Rockholm/Unanimous VOTE 4:0 (Montgomery absent)

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

REDEVELOPMENT AGENCY/KINGS BEACH HOUSING ASSOCIATES, LP, DOMUS DEVELOPMENT, LLC AND NEWPORT PARTNERS, LLC - Resolution 2010-184 adopted authorizing the Redevelopment Director or his designee to execute an amended and restated predevelopment loan agreement with Kings Beach Housing Associates, LP, Domus Development, LLC and Newport Partners, LLC and to sign agreements and loan documents to implement the Infill Infrastructure Grant for the Kings Beach Scattered Sites Housing Project.
MOTION Rockholm/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

REDEVELOPMENT AGENCY/KINGS BEACH HOUSING ASSOCIATES, LP/QUARTZ RIDGE FAMILY APARTMENTS, LP - Resolution 2010-185 adopted authorizing the Redevelopment Director or his designee to execute a Predevelopment Loan Agreement with Quartz Ridge Family Apartments, LP in an amount not to exceed \$100,000 for the Redevelopment Agency-owned property at 360 Silver Bend Way, in the Bowman area.
MOTION Rockholm/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

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

SHERIFF/AGREEMENT - Approved the amended maintenance agreement between the Placer County Sheriff Coroner-Marshall (PCSO) and Tiburon Incorporated and authorized the Purchasing Agent to execute any related documents. The maintenance period begins July 1, 2010 and ends June 30, 2011 with an annual cost of \$315,955, an increase of \$5,621 from FY 09/10. This amount is included in the FY 2010/2011 budget. There is no additional impact to the General Fund.
MOTION Rockholm/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

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SHERIFF/JAIL SERVICES - Approved amendment #4 to the agreement between the Placer County Sheriff-Coroner-Marshal (PCSO) and the Nevada County Sheriff's Office (NCSO) for jail services. The amendment is to extend the term of the agreement for two years beginning July 1, 2010 in the amount of \$361,654 for FY 10/11 and \$376,120 for FY 11/12, totaling \$737,774 for both years. This is an increase of \$29,036 for the two year term of this contract; the increase reflects additional costs associated with salaries and benefits for Nevada County Sheriff's personnel. There is no additional impact to the General fund.

MOTION Rockholm/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/APPLICANT APPEAL/PLANNING COMMISSION APPROVAL OF A VARIANCE (PVAA 20090261) "QUARRY PONDS SIGN VARIANCE"

- Consider an appeal from Lisa Powers, the owner of the Quarry Ponds Center, of the Planning Commission's approval of a Variance for Quarry Ponds Center in Granite Bay. Staff recommended the Board uphold the Planning Commission decision and deny the appeal.

MOTION Holmes/Rockholm/Unanimous VOTE 4:0 (Montgomery absent) to approve the appeal as modified by the request of the appellant at the hearing, and grant the variance to allow up to 4 business names be on each west-facing sign, with names that could be rotated, based upon the findings and subject to the conditions in the staff report.

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) \$54956.9 - CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:

- (a) Sierra Club, et al. v. Placer County Board of Supervisors, et al., Placer County Superior Court Case No.: SCV-24201 – **The Board approved extension of a tolling agreement with the other parties.**
- (b) Advocates for Safe Neighborhoods v. County of Placer, et al., Placer County Superior Court Case No.: SCV-17270 – **The Board received a report from Counsel and gave direction.**
- (c) Brigit Barnes, et al. v. County of Placer, et al., U.S.D.C. Eastern District Case No.: cv-01678-LEW-JFM – **The Board heard a report regarding the recent success in the 9th Circuit Court of Appeals.**
- (d) Bob Evans vs. County of Placer, et al., Placer County Superior Court Case No.: SCV-26563 – **The Board received a report and gave direction to Counsel.**

(B) \$54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – The Board received reports on both PPEO and DSA negotiations and gave direction to its negotiators.

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

Adjourned as the Placer County Board of Supervisors and convened as the Placer County Redevelopment Agency Board

(C) \$54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – The Board discussed the real estate negotiation.

- (a) Property: APNS: 090-133-003, 005, 006, 007, 008, 009, 010, 011, 012, 015, 016, and 018; 090-126-021, 022, 024, 039, and 040
Agency Negotiator(s): Tom Miller, James Lobue, Karin Schwab
Negotiating Parties: Placer County Redevelopment Agency and B. B., LLC
Under Negotiation: Price, terms of payment, or both.

Adjourned as the Placer County Redevelopment Agency Board and reconvened as the Placer County Board of Supervisors

ITEMS FOR INFORMATION:

Treasurer-Tax Collector - Treasurer's Statement for the month of May 2010.

ADJOURNMENT - Next regular meeting is Tuesday, July 27, 2010.

ATTEST:

Ann Holman
Clerk of the Board

Kirk Uhler, Chairman
Placer County Board of Supervisors

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