

# PLACER COUNTY BOARD OF SUPERVISORS

## MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, October 11, 2011, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Chairman Weygandt presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

**PUBLIC COMMENT** – Robert Califate, Antioch resident, spoke about a woman involved in domestic violence stating Placer County Child Protective Services disregarded records of domestic violence creating a liability for Placer County.

**SUPERVISOR'S COMMITTEE REPORTS** – Supervisor Holmes attended a ceremony for the 100<sup>th</sup> Anniversary of Woman's Right to Vote in California at the State Capitol. Supervisor Montgomery reported on the 56<sup>th</sup> running of the Tevis Cup.

**CONSENT AGENDA** – Item 18a and 20b moved for discussion. Consent Agenda approved as amended with action as indicated. MOTION Montgomery/Duran/Unanimous

10. **ORDINANCE** – Second Reading:

- a. County Executive/FY 2011-12 Final Budget – Ordinance 5654-B adopted amending the personnel allocations of various departments to reflect position changes approved for FY 2011-12 Final Budget.

11. **AGRICULTURE** - Resolution 2011-274 adopted authorizing the Chairman to sign a one-year agreement for the lease of Weight Truck, Weight Standards, and Weight Cart by the Amador County Agriculture/Weights and Measures Department in the amount of \$2,300 per year.

12. **BOARD OF SUPERVISORS:**

- a. Authorized Special Meeting on Monday, October 24, 2011.
- b. Approved minutes of September 13, 2011.

13. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by the offices of County Counsel and Risk Management:

- a. 11-136, Huffman, Michael, Not Stated, (Personal Injury)
- b. 11-138, Huffman, Leslie, Not Stated, (Personal Injury)
- c. 11-141, Jacobs, Stefonia, Not Stated, (Bodily Injury)
- d. 11-144, Hawk, Kyle, \$148.00, (Property Damage/Loss)

14. **CLAIMS AGAINST THE COUNTY** – Rejected the Application for Leave to Present a Late Claim and its underlying claim, as recommended by the offices of County Counsel and Risk Management:

- a. 11-127, Lee, Steven, \$10,000, (Property Loss)

15. **COMMITTEES & COMMISSIONS:**

- a. Loomis Veterans Memorial Hall Board - Reappointed Thomas Seth representing American Legion Post 775, Russ Kelley representing American Legion Post 775, Ron Jarnagin representing American Legion Post 775, Earl Chinnock representing VFW Post 904, and Tim Cheney representing VFW Post 904 and appointed David Hund representing Alternate VFW Post 904, as recommended by Supervisor Holmes.

16. **COMMUNITY DEVELOPMENT RESOURCE AGENCY:**

- a. Water Resources Development Act of 2000 Position for Placer and Butte Counties - The Board:
  - 1) Authorized the Community Development/Resources Agency Director to sign a Memorandum of Agreement (MOA) with the United States Army Corps of Engineers (Corps) to provide funding for a half-time Water Resources Development Act (WRDA) staff position, and
  - 2) Approved Budget Revisions to first, appropriate funds in the open space trust fund and secondly, transfer the appropriation to the Community Development/Resource Agency - Planning Services Division for the Water Resources Development Act (WRDA) staff.
- b. Gondola North Subdivision, Tract # 997 - Approved recording of the Final Map for Gondola North Subdivision:
  1. Approved recording and authorize the Chairman to sign the Final Map.
  2. Authorized the Chairman to sign the Subdivision Improvement Agreement.
  3. Instructed the Clerk of the Board to prepare the Final Map the Subdivision Improvement Agreement for recording.

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17. COUNTY CLERK/ELECTIONS - Resolution 2011-275 adopted appointing Directors in Lieu of Election to the McKinney Water District (Suzanne Hirabayashi, Klaus Eichstadt, Thomas Waters) and the Camp Far West Irrigation District (Francisco Paredes, Julia Beaman, A. Viceyard).
18. COUNTY EXECUTIVE:
  - a. **MOVED FOR DISCUSSION** North Lake Tahoe Resort Association's proposed expenditure of budgeted infrastructure funds toward the advancement visitor-serving capital projects.
  - b. Resolution 2011-276 adopted accepting the Placer County Capital Facilities Impact Fee Annual Report for fiscal year 2010-2011.
19. COUNTY EXECUTIVE/EMERGENCY SERVICES - Resolution 2011-277 adopted authorizing designated staff to execute for and on behalf of Placer County for all actions necessary to obtain funds in the 2011 Emergency Management Performance Grant (EMPG).
20. FACILITY SERVICES:
  - a. 2010/11 Sewer Line Video Inspection, Project 08239 - Resolution 2011-278 adopted accepting 2010/11 Sewer Line Video Inspection, Project 08239, as complete and authorized the Director of Facility Services, or his designee, to execute and record the Notice of Completion.
  - b. **MOVED FOR DISCUSSION** Tahoe Admin Roof, Project #4789, Tahoe Administration Center - Approve a Budget Revision shifting \$20,000 in appropriations from the Miscellaneous Projects 4907 to the Tahoe Admin Roof, Project #4789 in the Capital Projects Fund.
  - c. Residential Lease/Public Works - Resolution 2011-279 adopted authorizing the Director of Facility Services, or his designee, to complete negotiations and execute the resultant Lease Agreement for the residence located at 104 Tahoma Avenue in Tahoe City, between the County of Placer and Ernest Y. Murata and Marilyn M. Murata Trustees of the Murata Family 2004 Living Trust under Declaration dated August 6, 2004, based on the Material Terms; and, carry out those provisions and responsibilities as specified within the Agreement on behalf of the County.
  - d. Treelake Park Playground Replacement Project #4876 - Approved a Budget Revision to create a capital project for the Treelake Park Playground Replacement Project and approved addition of the playground equipment to the County's Master Fixed Asset.
21. HEALTH & HUMAN SERVICES:
  - a. Adult System of Care - Approved an amendment to the maximum payment authorization ("umbrella contract") with Gail Schulze, David J. Bills, and Donald T. Thommen to provide certification and capacity hearing services at the Cirby Hills Psychiatric Health Facility (PHF), increasing the total not-to-exceed amount by \$8,710 for a revised aggregate total of \$36,210 for the period of July 1, 2010 through June 30, 2012.
  - b. Adult System of Care/Mental Health, Alcohol, and Drug Advisory Board - Approved the reappointment of Rick Buckman, Public Interest Member, District 2, Seat 14 as requested by the Mental Health, Alcohol, and Drug Advisory Board.
  - c. Adult System of Care/Mental Health, Alcohol, and Drug Advisory Board - Approved the appointments of Donna Pieper, Public Interest Member, District 1, Seat 8; Steve Schauer, Public Interest Member, District 3, Seat 1; and Jessica Williams, Family Member, District 5, Seat 13 as requested by the Mental Health, Alcohol, and Drug Advisory Board.
22. 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. Blanket Purchase Order/Facility Services/Environmental Engineering/Utilities - Approved the renewal of a Competitively Awarded Blanket Purchase Order with All Electric Motors, Inc. for electric motor parts, maintenance, and repair services in the maximum amount of \$80,000.
  - b. Blanket Purchase Order/Administrative Services/Central Services - Approved the award of a Blanket Purchase Order using a State of California Competitively Awarded Contract with Stay Safe Supply, Inc. for white recycled bond paper in the maximum amount of \$155,000.
  - c. Declare Vehicles as Surplus/Public Works/Fleet Operations - Declared Vehicles as Surplus and authorized Disposal by Public Sale.

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### 23. PUBLIC WORKS:

- a. Abandonment/Offer of Dedication/Via Milano Court, Granite Bay – Resolution 2011-280 adopted to abandon an Irrevocable Offer of Dedication for a Road (Via Milano Court) on Parcel Maps 20040380 and 20040381, in Granite Bay.
- b. Agreement/Northstar Community Services District - Resolution 2011-281 adopted authorizing the Director of Public Works to sign an agreement with Northstar Community Services District in an amount of \$90,000 to construct improvements to the Northstar roundabout.
- c. Agreements/Brewer Road Bridge Replacement at King Slough - Resolutions 2011-282 and Resolution 2011-283 adopted authorizing the Director of Public Works to enter into utility relocation agreements, with County Counsel and Risk Management review and approval, one agreement with Pacific Gas & Electric Company (PG&E) to relocate existing overhead electrical lines, not to exceed \$15,000; the other agreement with AT&T to relocate an underground communication line, not to exceed \$45,000. Both utilities are in conflict with the proposed construction of the Brewer Road Bridge Replacement at King Slough.
- d. Notice of Completion/Dollar Point Bus Shelter, Contract #1106 – Resolution 2011-284 adopted accepting the Dollar Point Bus Shelter as complete and approving and authorizing the Director of Public Works to execute the Notice of Completion.
- e. Master Fixed Asset Clarification/Road Maintenance FY 2011/2012 – Approved a revision to the Road Maintenance Master Fixed Asset List for the FY2011/2012 Budget resulting in a clarification of the Sander Box item with no change in funding.

### 24. TREASURER-TAX COLLECTOR:

- a. Eureka Union School District Dry Period Financing - Approved the temporary borrowing of Treasury funds, in the estimated amount of \$2,000,000 for fiscal year 2011/2012, by the Eureka Union School District, Fund 400 sub-fund 9 as prescribed by the California State Constitution.
- b. North Tahoe Fire Protection District Dry Period Financing - Approved the temporary borrowing of Treasury funds, in the estimated amount of \$1,000,000 for fiscal year 2011/2012, by the North Tahoe Fire Protection District, Fund 531 sub-fund 450 as prescribed by the California State Constitution.

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

### Consent Items Moved for discussion:

#### 18. COUNTY EXECUTIVE:

- a. Approved the North Lake Tahoe Resort Association's proposed expenditure of budgeted infrastructure funds toward the advancement visitor-serving capital projects.  
MOTION Montgomery/Holmes/Unanimous

#### 20. FACILITY SERVICES:

- b. Tahoe Admin Roof, Project #4789, Tahoe Administration Center - Approved a Budget Revision shifting \$20,000 in appropriations from the Miscellaneous Projects 4907 to the Tahoe Admin Roof, Project #4789 in the Capital Projects Fund. MOTION Montgomery/Holmes/Unanimous

**BOARD OF SUPERVISORS** - Present a Commendation congratulating Mark Fowler on his retirement with appreciation for his many years of dedication to the students and community of Lincoln.

**BOARD OF SUPERVISORS** – Present a Commendation thanking Daniel "Dan" Ray McBride and his wife Eileen for their contributions towards the development of the Paige Fire Station in Lincoln.

**PUBLIC WORKS/DISSOLUTION OF ZONE OF BENEFIT #152/COUNTY SERVICE AREA 28 (CHELSHIRE DOWNS NORTH) – DISSOLUTION OF ZONE OF BENEFITS NO. 152 IN COUNTY SERVICE AREA 28 (CHELSHIRE DOWNS NORTH)** – The Board is requested to continue this item to the November 8, 2011 Board of Supervisors meeting, at 9:30 a.m.  
MOTION Holmes/Montgomery/Unanimous to continued the public hearing to 11-8-2011 at 9:30 a.m.

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**COMMUNITY DEVELOPMENT RESOURCE AGENCY/EASTERN PLACER COUNTY BIOMASS PROJECT** - The Board directed staff to proceed with the preparation of an environmental document and submittal of a Conditional Use Permit application to allow for the development of a proposed biomass power generation facility to be located at the Eastern Regional Material Recovery Facility and Landfill. In addition, the Board authorized the Board Chairman to sign a contract with Ascent Environmental, Inc. in an amount not to exceed \$198,935 to prepare the Environmental Impact Report/Environmental Assessment for this project. MOTION Montgomery/Holmes/Unanimous

**COUNTY EXECUTIVE/NORTH LAKE TAHOE RESORT ASSOCIATION** - Approved an agreement with the North Lake Tahoe Resort Association in the amount of \$5,430,703 for Fiscal Year-2011-2012 to promote tourism and provide guidance to the Board on infrastructure project expenditures. MOTION Montgomery/Duran/Unanimous

**COUNTY EXECUTIVE/REVENUE SHARING** - The Board considered options for allocation of Placer County Revenue Sharing funds.

**MOTION Uhler/Holmes VOTE 3:2 (Duran, Montgomery No) approving staff's recommendation identified as Alternative 3. Staff to return to address the issues and process.**

**Supervisor Duran and Supervisor Montgomery requested portions of Revenue Share for District 1 and District 5 be allocated to Placer County Health & Human Services.**

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/2010 CENSUS REDISTRICTING/FINAL BOARD OF SUPERVISORS HEARING** - The Board is being asked to consider an Ordinance and Resolution which will amend the district boundaries consistent with the population shifts that resulted from the 2010 Census. This hearing will be the second public hearing at which the Board will adopt the implementing Ordinance which repeals and replaces Placer County Code Sections 1.08.010 (Supervisory District Boundaries), and Sections 1.08.020, 1.08.030, 1.08.040, 1.08.050, and 1.08.060 (Metes and Bounds Description of Each District Boundary). This will be the final action of the Board to modify the Supervisory District Boundaries.

**MOTION Montgomery/Uhler/Unanimous adopting Resolution 2011-285 Modification of Supervisory District Boundaries - Findings of Fact.**

**MOTION Montgomery/Uhler/Unanimous adopting Ordinance 5655-B which repeals and replaces Placer County Code Sections 1.08.010 (Supervisory District Boundaries), and Sections 1.08.020, 1.08.030, 1.08.040, 1.08.050, and 1.08.060 (Metes and Bounds Description of Each District Boundary).**

**FACILITY SERVICES/TERMINATION OF FACILITY FEE AND ADJUSTMENT OF SEWER CONNECTION, ANNEXATION AND IN-LIEU FEES** - Conducted a Public Hearing to receive public comment concerning proposed adjustments to Connection Fees, Annexation Fees and In-Lieu Fees, including a 6.4% inflationary adjustment since 2009 and a termination of the \$200 Facility Fee:

- a. Ordinance 5656-B adopted deleting reference to the facility fee and adjusting the above-referenced fees.
- b. Made a finding pursuant to Section 21080(b)(8), of the Public Resource Code, that the fees 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 Holmes/Montgomery/Unanimous

#### **HEALTH & HUMAN SERVICES:**

- a. **Community Health/Public Health Preparedness** - The Board took the following actions:
  1. Approved the agreement with the California Department of Public Health for the Public Health Preparedness Comprehensive Agreement for the period from July 1, 2011 through August 9, 2012 in an amount not to exceed \$891,008 (a decrease of \$133,422 from prior year).
  2. Signed the required *Non-Supplantation Certification Form*; and
  3. Authorized the Director of Health and Human Services to sign subsequent contract amendments and periodic certifications of the County's compliance with the non-supplantation requirements.

MOTION Holmes/Montgomery/Unanimous

- b. **Community Health/Women, Infants, and Children Program** - Approved a funding application with the California Department of Public Health for operation of the Women, Infants, and Children (WIC) Program in Placer County from October 1, 2011 through September 30, 2012 in the maximum amount of \$1,247,000 (a decrease of \$80,750 from prior year), sign all required application documents and the resulting contract, and authorized the Director of Health & Human Services to sign any subsequent amendments.

MOTION Montgomery/Duran/Unanimous

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## COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL – *The Board extended the contract for Special Counsel in the PCCP Resource Law Group adding an additional \$125,000 to that contract.*

1. Anticipated Litigation:

(a) Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: one potential case.

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – *No discussion.*

(a) Agency designated representatives: Tom Miller, Nancy Nittler, Therese Leonard, Anthony J. La Bouff  
Employee organization: PPEO

**ADJOURNMENT** – Next meeting is Monday, October 24, 2011. Next regular meeting is Tuesday, October 25, 2011.

ATTEST:

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Ann Holman  
Clerk of the Board

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Robert M. Weygandt, Chairman  
Placer County Board of Supervisors

