

# PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, April 9, 2013, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Chairman Holmes presiding; Ann Holman, Clerk of the Board. Also present were County Executive David Boesch and County Counsel Gerald O. Carden.

**PUBLIC COMMENT** – Andre Chapman, CEO and President of Unity Care Group, Inc., and supporters requested the Board reconsider the decision to cancel Unity Care's Independent Living Program stating that there was no bidding process and the kids did not have a voice in the process. Mr. Chapman provided packets for the record. Supervisor Uhler stated he was interested in having a discussion on concerns raised and delivery and cost of service and requested this be placed on a Board agenda for a broader conversation. Ellie Waller, North Tahoe West Area Plan Team member, talked about the visioning plan.

**SUPERVISOR'S COMMITTEE REPORTS** – Supervisor Montgomery advised that the Placer County Grand Jury's final report regarding the new Tahoe Justice Center acknowledges the need to move forward with replacing the facility and understands the challenges the county and the courts have faced in the Tahoe Basin. Chairman Holmes advised he would be adjourning the meeting in memory of the longest serving county sheriff Bill Scott.

**CONSENT AGENDA** – Consent Agenda approved with action as indicated. The Board convened as the In-Home Supportive Services Public Authority for Item 20a.

MOTION Montgomery/Duran/Unanimous

15. AUDITOR-CONTROLLER

- a. Petty Cash Fund/Sheriff's Department/Marijuana Suppression Program (MSP)
  - 1. Resolution 2013-56 adopted to establish a \$5,333 "buy money" petty cash fund for the Sheriff's Special Operations Investigations for Marijuana Suppression Program (MSP).

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

- a. 13-018, Bates, Jeremy, \$130, (Property Loss)
- b. 13-026, Shelton, Steven, \$1,000, (Property Loss)

17. COMMITTEES & COMMISSIONS

- a. Placer County Parks Commission
  - 1. Approved the appointment of Clark Smith to Seat #2 (Representing District 2), as requested by Supervisor Weygandt.
- b. Placer County Older Adult Advisory Commission
  - 1. Approved the appointment of Eldon Luce to Seat #17 (representing Senior Service Organization), as requested by Supervisor Montgomery.
- c. Weimar/Applegate/Colfax Municipal Advisory Council
  - 1. Approved the appointment of Dave Johnson to Seat # 1, and the reappointment of Alan Shuttleworth to Seat #3, Marilyn Tausch to Seat #5 and David Wiltsee to Seat #6, as requested by Supervisor Montgomery.
- d. Newcastle/Ophir Municipal Advisory Council
  - 1. Approved appointment of Karen Green to Seat # 7, as requested by Supervisor Holmes.

18. COMMUNITY DEVELOPMENT/RESOURCE AGENCY/ENGINEERING & SURVEYING

- a. Olive Ranch, Tract 972
  - 1. Approved the recordation of the Final Map for Olive Ranch.
  - 2. Approved the recordation of the associated Subdivision Improvement Agreement. There is no net County cost associated with this action.

19. COUNTY EXECUTIVE

- a. Merit Increases
  - 1. Approved a 5% merit increase for Josh Huntsinger, Agricultural Commissioner/Sealer from Grade 640 Step 2 @ \$52.64 to Grade 640 Step 3 at \$55.28 per hour, effective December 15, 2012.
  - 2. Approved a 5% merit increase for Brett Wood, Purchasing Manager from Grade 434 Step 2 @ \$39.86 to Grade 434 Step 3 @ \$41.85, effective April 6, 2013.
  - 3. Approved a 5% merit increase for David Tellman, Deputy District Attorney – Supervising from Grade 481 Step 4 @ \$70.15 to Grade 481 Step 5 @ \$73.66 per hour, effective September 11, 2012.

- b. North Lake Tahoe Resort Association
  - 1. Approved a proposed North Lake Tahoe Resort Association infrastructure account expenditure for preparation of two resource studies to provide data for updating the North Lake Tahoe Tourism and Community Investment Master Plan in the amount of \$6,200.

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## 20. HEALTH & HUMAN SERVICES

- a. Adult System of Care/In-Home Supportive Services Public Authority Advisory Committee
  - 1. Approved appointment of two new members to the In-Home Supportive Services (IHSS) Public Authority (PA) Advisory Committee: Eldon Luce to Seat #1, representing IHSS service recipients and Timothy Cooper to Seat #10, representing IHSS service recipients, as respectfully requested by the IHSS Advisory Committee.
- b. Medical Clinics/Change Order to Blanket Purchase Order - Jackson and Coker Locum Tenens, LLC, and Contract Amendment - Tahoe Forest Hospital
  - 1. Approved a change order to Blanket Purchase Order BP020097 with Jackson and Coker Locum Tenens LLC, increasing the maximum amount by \$200,000 (\$92,000 net County cost) for a new total of \$249,000 for the period of August 22, 2012 through December 31, 2013, and authorized the Purchasing Manager to sign the resulting change order.
  - 2. Approved an amendment CN005000-A with Tahoe Forest Hospital, increasing the maximum amount by \$17,500 (\$8,050 net County cost) for a new total of \$30,000 for the period of July 1, 2012 through June 30, 2013, and authorized the Director of Health and Human Services to sign the amendment.

## 21. PROBATION

- a. Contract, El Dorado County
  - 1. Approved a renewal contract for the placement of juvenile wards in El Dorado County's juvenile institutions through the remainder of the current fiscal year and authorize the Chairperson to sign the contract and any subsequent amendments. The bed space contract shall not exceed \$120 per bed per day, on a space available basis and is used primarily to maintain proximity to family members in the Tahoe area.

## 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. Renew Blanket Purchase Order, Facility Services
  - 1. Approved the annual renewal of a Blanket Purchase Order (BPO) with Granite Electrical Supply of Auburn, CA, for the purchase of electrical parts and supplies in the maximum amount of \$75,000 funded in the Building Maintenance budget with no new net county cost, for the period of April 1, 2013 to March 31, 2014.
- b. Renew Blanket Purchase Order, Public Works & Road Maintenance
  - 1. Approved the renewal of a competitively awarded blanket purchase order (BPO) with Baldoni Construction Service Inc. of Newcastle, CA for paving services in the maximum amount of \$150,000, funded by Highway User Tax Account revenue with no net County cost, for the period of April 9, 2013 through March 31, 2014.
- c. Renew Blanket Purchase Order, Public Works/Placer County Fire
  - 1. Approved the renewal of competitively awarded blanket purchase orders (BPOs) with Hunt & Sons Inc. of Sacramento, CA for automotive oil and lube products for the Department of Public Works and Placer County Fire in the total aggregate amount of \$105,000, funded by Fleet rate customer revenue and Placer County Fire revenues with no net County cost, for the period of April 1, 2013 through March 31, 2014.

## 23. PUBLIC WORKS

- a. Roadway Surface Treatment
  - 1. Approved project specifications for the Roadway Surface Treatment project estimated to cost \$2,700,000 and authorized the Department of Public Works to advertise for bids. There is no net County cost.

## 24. 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 \$2,000 in Revenue Sharing monies to the Leadership Auburn Class of 2013, as requested by Supervisor Weygandt (\$500), Supervisor Holmes (\$1,000), and Supervisor Uhler (\$500).

## 25. SHERIFF

- a. U.S. Forest Service Contract to Provide Law Enforcement
  - 1. Approved the annual contract updates between the Sheriff's Office and the U.S. Forest Service and authorized the Chairman to sign and the Sheriff to execute the contract. The services include Visitor Protection Cooperative Patrol and Controlled Substances on Federal lands for a total reimbursement of \$35,000. The term of the contract is from October 1, 2012 through September 30, 2013.

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

# PLACER COUNTY BOARD OF SUPERVISORS MINUTES

## **PUBLIC WORKS/ENGINEERING & TRAFFIC SURVEY/SPEED LIMITS**

1. Conducted a Public Hearing approving an Engineering and Traffic Survey on various County roadways. There is no net County cost.
2. Ordinance 5703-B adopted modifying Chapter 10, Article 10.04 of the Placer County Code pertaining to speed limits.

MOTION Montgomery/Weygandt/Unanimous

## **FACILITY SERVICES/PLACER COUNTY FAIRGROUNDS AND THE ALL AMERICAN SPEEDWAY**

1. Received an update and annual report on the Placer County Fairgrounds and All American Speedway from the Department of Facility Services and the Placer County Fair Association.
2. Approved the Placer County Fair Association Budget.

MOTION Duran/Uhler/Unanimous VOTE 4:0 (Montgomery absent)

## **BOARD OF SUPERVISORS/PRESENTATION**

1. Received an update from Michael Emmert, representing Leadership Auburn Class of 2013 on their Gold Country Fairgrounds entrance improvement project.

## **HEALTH & HUMAN SERVICES/ENVIRONMENTAL HEALTH, STATE-MANDATED COTTAGE FOOD OPERATIONS PROGRAM - ESTABLISH FEES**

1. Conducted a Public Hearing, and
2. Resolution 2013-57 adopted pursuant to Placer County Code Section 2.116.100 that sets the amount of the fees that the Environmental Health Division can charge for the new State-mandated Cottage Food Operations program.

MOTION Montgomery/Duran/Unanimous

## **COUNTY EXECUTIVE/EMERGENCY SERVICES/ PLACER COUNTY FIRE FACILITIES IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN**

1. Conducted a Public Hearing and Resolution 2013-58 adopted approving the 2013 Placer County Fire Facilities Impact Fee Study and Capital Improvement Plan.

MOTION Duran/Montgomery/Unanimous

## **COUNTY EXECUTIVE/INFRASTRUCTURE INVESTMENT COMMITTEE, PRIORITY PROJECT RECOMMENDATIONS**

1. Provided direction to staff on recommended infrastructure project priorities;
2. Directed staff to develop an infrastructure funding plan consistent with the County's multi-year budget framework and in collaboration with the Infrastructure Investment Committee and County Finance Committee.
3. Provided other direction as may be appropriate.

## **COMMUNITY DEVELOPMENT RESOURCE AGENCY/INTERIM ORDINANCE ESTABLISHING MORATORIUM ON APPLICATIONS FOR COMMUNITY CENTERS**

1. Interim Ordinance 5704-B adopted establishing a moratorium on applications for "Community Centers" pursuant to sections 17.04.030 (Definitions of Land uses, specialized terms and phrases) and 17.06.050.D (Land use and Permit Tables) of the Placer County Zoning Ordinance.

MOTION Weygandt/Montgomery/Unanimous

## **COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/GOLD HILL GARDENS (PMUP 20110228) FINAL ACTION ON MINOR USE PERMIT FOR COMMUNITY CENTER AND VARIANCE FOR SETBACK**

1. Adopted the Mitigated Negative Declaration, including the Mitigation Monitoring Program, for the Gold Hill Gardens Community Center Project.
2. Approved the Minor Use Permit and Variance, subject to the Conditions of Approval, for the Gold Hill Gardens Community Center Project.

Added Condition for review of compliance to the Conditions of Approval within two years

MOTION Uhler/Duran VOTE 3:1:0 (Weygandt No, Montgomery absent)

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## **ADMINISTRATIVE SERVICES/PROCUREMENT/ BLANKET PURCHASE ORDER, PUBLIC WORKS FLEET & PLACER COUNTY FIRE**

1. Approved the award of multiple Blanket Purchase Orders (BPOs) awarded from a competitively bid public agency cooperative agreement to Auburn Tire Service of Auburn and Schultz Tire Factory of Auburn for passenger car, truck, and heavy equipment tires on behalf of the Department of Public Works Fleet Services Division and the Placer County Fire Department in the aggregate amount of \$275,000, funded by revenues collected from Fleet rate and direct charge customers and Fire revenues with no net County cost, for the period of April 9, 2013 through January 31, 2014, and authorized the Purchasing Manager to sign the resulting BPOs and to transfer funds between BPOs as needed. MOTION Duran/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

## **ADMINISTRATIVE SERVICES/PROCUREMENT/ RENEW BLANKET PURCHASE ORDERS, PUBLIC WORKS/ROAD MAINTENANCE**

1. Approved the renewal of competitively awarded blanket purchase orders (BPOs) with Vulcan Materials of Roseville and Grass Valley, CA as well as the renewal of a negotiated BPO with Teichert Aggregates for the purchase of asphalt concrete products used for road maintenance projects in the total aggregate amount of \$897,000, funded by Highway User Tax Account revenue with no net County cost, for the period of April 1, 2013 through March 31, 2014, and authorized the Purchasing Manager to sign the resulting BPOs and to transfer funds between BPOs as necessary to meet the County's needs. MOTION Duran/Uhler/Unanimous VOTE 4:0 (Montgomery absent)

## **COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/PLACER COUNTY HOUSING ELEMENT UPDATE**

1. Authorized submittal of the Draft Background Report and Policy Document to the California Department of Housing and Community Development for review and certification with amendment to Policy B-14, Page 364 of the staff report, to state "shall consider requiring" and Program C-3, Page 374 of the staff report, to change title of "Legislative Platform" to "Legislative Initiatives" and the language would be simplified to read "the County shall consider on an annual basis adding items relating to affordable housing to its annual legislative platform, such items may include but may not be limited to approval of streamlining, housing affordability, construction financing, building codes, TRPA and other regulations that restrict affordable housing. A budgeted net County cost of \$41,770 is anticipated to complete this Housing Element Update including preparation of responses to comments the County might receive from the California Department of Housing and Community Development. MOTION Uhler/Weygandt/Unanimous VOTE 4:0 (Montgomery absent)

## **FACILITY SERVICES/TREASURER TAX COLLECTOR**

### **a. Facility Services/Sewer Maintenance District 3 Regional Sewer Project, State Revolving Fund Assistance Application**

1. Resolution 2013-59 adopted dedicating net revenues received by Sewer Maintenance District 3 for payment of any and all Clean Water State Revolving Fund financing assistance for the Sewer Maintenance District 3 Regional Sewer Project;
2. Resolution of Intention 2013-60 adopted to comply with Treasury Regulation Section 1.150-2 and Clean Water State Revolving Fund Program requirements regarding reimbursement of capital expenditures incurred prior to execution of a Clean Water State Revolving Fund financing assistance agreement for the Sewer Maintenance District 3 Regional Sewer Project.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

### **b. Treasurer Tax Collector/Approve Form of Lease Purchase Agreement and Related Actions for Sewer Maintenance District #3**

1. Resolution 2013-61 adopted authorizing and directing the preparation and execution of certain lease financing documents as to form in an amount not to exceed \$2,800,000 and maturing in 2043 at a rate of 3% with respect to the lease financing agreements for the financing of the Sewer Maintenance District #3 (SMD#3) Regional Pipeline, Pump Station and Treatment Plant Decommissioning (the "Project") and authorizing and directing the Chairman, the County Executive Officer, the Director of Facility Services and the Treasurer to execute the agreements and related documents and to take any and all actions necessary to complete the Project financing.
2. Resolution 2013-62 adopted giving express permission to the Treasurer to purchase an investment (the Lease Purchase Certificates) in excess of five years to maturity pursuant to Government Code Section 53601.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

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## **FACILITY SERVICES/SEWER MAINTENANCE DISTRICT 3 REGIONAL SEWER PROJECT, CONSTRUCTION CONTRACT**

1. Awarded the bid for construction of the Sewer Maintenance District 3 Regional Sewer Project, Project 40131, to Vinciguerra Construction, from Jackson, California, in the amount of \$4,404,793, funded through existing funding in the Sewer Maintenance District 3 Regional Sewer Capital Project Budget augmented by financing through the Placer County Treasury and/or the Clean Water State Revolving Fund, with no net County cost;
2. Resolution 2013-63 adopted authorizing the Director of Facility Services, or his designee, to execute a contract with Vinciguerra Construction and any required change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code in an amount not to exceed \$4,802,000, which includes a 9% contingency, upon the approval of County Counsel and Risk Management.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

## **FACILITY SERVICES/SEWER MAINTENANCE DISTRICT 3 REGIONAL SEWER PROJECT, CONSTRUCTION MANAGEMENT SERVICES AGREEMENT**

1. Approved an Agreement with Brown and Caldwell for construction management services for the Sewer Maintenance District 3 Regional Sewer Project located in the Horseshoe Bar and Granite Bay Areas, in an amount not to exceed \$249,950, funded through the Sewer Maintenance District 3 Regional Sewer Capital Project Budget.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

## **FACILITY SERVICES/AGREEMENT, SOLID WASTE HANDLING SERVICES IN FRANCHISE AREAS 1 AND 4 (UNINCORPORATED PLACER COUNTY WEST OF COLFAX AND INCLUDING THE FORESTHILL DIVIDE): 7 YEAR TERM EXTENSION THROUGH 2023**

1. Approved the amended and restated Agreement with Recology-Auburn Placer to provide a 7-year extension beginning in 2016 and running through 2023 for solid waste handling services in Franchise Areas 1 and 4, which include unincorporated Placer County west of Colfax and including the Foresthill Divide. Recology-Auburn Placer is paid through garbage collection fees charged to the customer which includes a 7% surcharge that provides funding to the County's Solid Waste Management Enterprise Fund.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

## **FACILITY SERVICES/PROFESSIONAL SERVICES, MAINTENANCE AND OPERATION OF THE SOUTH PLACER ADULT CORRECTIONAL FACILITY**

1. Approved an Agreement with CGL/Kitchell Facility Management, LLC (CGL/K) for professional services for the maintenance and operation of the South Placer Adult Correctional Facility (SPACF) in a budgeted net county cost of \$555,250 for a fourteen month period of service commencing May 1, 2013.
2. Resolution 2013-64 adopted authorizing the Director of Facility Services, or his designee, to execute the agreement, upon the review and approval of County Counsel and Risk Management, and any associated documents or change orders.

MOTION Duran/Uhler/Unanimous VOTE 4:0 (Montgomery absent)

## **FACILITY SERVICES/HANSEN SEWER SOFTWARE UPGRADE AGREEMENT**

1. Approved a Consultant Services Agreement and Software Licensing Agreement with Infor Public Sector, Inc., for data migration services and software modules purchase of \$169,882 and \$69,100, in the total amount of \$238,982, plus applicable sales tax funded by user fees, through the Hansen Sewer Software Upgrade Capital Project, with no net County cost.
2. Resolution 2013-65 adopted authorizing the Director of Facility Services, or his designee, to take all actions necessary to execute the annual Software Maintenance Agreements for Hansen 8 with Infor Public Sector, Inc., in an amount not to exceed \$45,000 per year funded by user fees in the Environmental Utilities Budget, with no net County cost.
3. Approved a Budget Revision of \$11,000 to increase the Hansen Sewer Software Capital Project with user fee funding from the Environmental Utilities FY 2012-13 budget.

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

## **SHERIFF/MAINTENANCE AGREEMENT, PLACER COUNTY SHERIFF CORONER-MARSHAL AND TIBURON INCORPORATED**

1. Approved Amendment No. 5 to the agreement between the Placer County Sheriff's Office and Tiburon Incorporated to provide maintenance and system support to the criminal justice software systems and authorized the Purchasing Manager to execute any related documents. The maintenance period covered by this amendment begins July 1, 2013 and ends June 30, 2014 for a net budgeted county cost of \$365,755.

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

DATE

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### COUNTY EXECUTIVE/EMERGENCY SERVICES/ FY 2012-13 UPDATE OF THE SOUTH PLACER FIRE PROTECTION DISTRICT CAPITAL FACILITIES PLAN

1. Resolution 2013-66 adopted approving the FY 2012-13 update of the South Placer Fire Protection District Capital Facilities Plan which proposes a new uniform fee of \$0.845 per square foot applicable to all new construction including residential, commercial, office, industrial building space and, pursuant to the District's policy, to building expansions and garages.

MOTION Uhler/Duran/Unanimous VOTE 4:0 (Montgomery absent)

### COUNTY EXECUTIVE/EMERGENCY SERVICES/ HAZARDOUS VEGETATION ABATEMENT ON UNIMPROVED PARCELS

1. Ordinance introduced, first reading waived, amending Chapter 9, Public Peace, Safety, and Welfare; Article 9.32 Fire Prevention; Part 4: Hazardous Vegetation Abatement on Unimproved Parcels expanding the ordinance to all unincorporated areas of Placer County.

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

### COUNTY EXECUTIVE/EMERGENCY SERVICES/ 2013 UPDATE OF THE COMMUNITY WILDFIRE PROTECTION PLAN FOR THE WEST SLOPE OF THE SIERRA NEVADA IN PLACER COUNTY

1. Resolution 2013-67 adopted approving the 2013 update of the Community Wildfire Protection Plan for the West Slope of the Sierra Nevada in Placer County; and
2. Authorized the Chairman to sign the signature page signifying agreement with the plan that supports a prioritized process for securing funding based on rigorously determined and documented risks and benefits.

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

### COUNTY EXECUTIVE/EMERGENCY SERVICES

- c. **California Department of Forestry and Fire Protection (CAL FIRE) Cooperative Fire Protection Agreement for FY 2013/14**

1. Resolution 2013-68 adopted approving the California Department of Forestry and Fire Protection Cooperative Fire Protection Agreement (CAL FIRE Contract) for Fiscal Year (FY) 2013/14 in the amount of \$8,752,503.
2. Authorized the Chairman to sign six copies of the Agreement.

MOTION Duran/Uhler/Unanimous VOTE 4:0 (Montgomery absent)

### COUNTY COUNSEL/CLOSED SESSION REPORT:

#### (A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL

1. Anticipated Litigation (Government Code §54956.9(d)(4):
- (a) Initiation of litigation pursuant to subdivision (d)(4) of Government Code §54956.9: two potential cases – *The first item the Board authorized initiation of a small claims action in a property damage case; in the second item the Board authorized retaining Counsel Steckbauer Weinhart, LLP for a nationwide bankruptcy action.*

**ADJOURNMENT** – Adjourned in memory of former Sheriff William "Bill" Scott. Next meeting is Monday, April 22, 2013. Next regular meeting is Tuesday, April 23, 2013.

ATTEST:

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Ann Holman  
Clerk of the Board

\_\_\_\_\_  
Jim Holmes, Chairman  
Placer County Board of Supervisors