

# PLACER COUNTY BOARD OF SUPERVISORS

## MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, January 24, 2012, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Weygandt, Holmes, Uhler and Montgomery present. Supervisor Duran absent. Chairwoman Montgomery presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

**PUBLIC COMMENT** – 1) Andy Fisher, thanked the Health & Human Services Department/Children's System of Care for finalizing the adoption of his three children in May 2011. 2) Salvation Army Major Ralph Jimenez thanked the Board for its generosity of Revenue Sharing dollars and donations from County employees that were used for the Auburn Community Thanksgiving Dinner.

**SUPERVISOR'S COMMITTEE REPORTS** – Supervisor Holmes shared an article today in the San Francisco Chronicle regarding California Counties revamping bail policies. Supervisor Uhler advised full funding has been restored to Golden Sierra Job Training Agency One Stop Program. Supervisor Uhler advised that the Placer County Transportation Planning Agency will hold a meeting tomorrow morning to discuss the initial alternatives for reconstruction of the interchange of Interstate 80 and Highway 65.

**CONSENT AGENDA** – Item #13 amended. Consent Agenda approved as amended with action as indicated. MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Duran absent)

**10. BOARD OF SUPERVISORS:**

- a. Confirmed the Board of Supervisors 2012 Boards and Commissions Assignments as designated at the January 10, 2012 meeting.

**11. COMMITTEES & COMMISSIONS:**

- a. Placer Mosquito and Vector Control District - Approved the appointment of Merry Holliday-Hanson to seat #3 representing Placer Mosquito and Vector Control District.
- b. Placer County North Tahoe Regional Advisory Council – Accepted the resignation of Susan Kass from Seat #3, effective January 11, 2012.
- c. Placer County Veterans Advisory Council – Accepted the resignation of Charlie Peterson from Seat #14, representing Roseville VFW #1487.
- d. Placer Sierra Fire Safe Council – Accepted the resignation of Tyrone Gorre from Seat #2, representing Meadow Vista.
- e. Auburn Veterans Memorial Hall Board of Trustees - Approved appointment of Lorie Franceschi representing Alternate American Legion Post 84, as recommended by Supervisor Montgomery.

**12. COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING:**

- a. Federal Section 6 Cooperative Endangered Species Conservation Fund Grant and Grant Award Contract - Resolution 2012-18 adopted authorizing the Purchasing Manager to accept a U. S. Fish and Wildlife Service Section 6 Cooperative Endangered Species Conservation Fund Planning Grant via the State Department of Fish and Game, and authorized the Purchasing Manager to sign a \$350,000 grant agreement which will release 2011 Section 6 grant funds.
- b. Federal Section 6 Cooperative Endangered Species Conservation Fund - Resolution 2012-19 adopted requesting the United States Congress to increase funding for the U. S. Fish and Wildlife Service Section 6 Cooperative Endangered Species Fund (CESCF) and authorized the Chairman to sign letters to Senators Feinstein and Boxer in support of increasing funding for CESCF.

**13. COUNTY EXECUTIVE** - Approved merit increases for management employees pursuant to the Placer County Code, Chapter 3 process for step, or merit, increases. Approved a 5% merit increase for:

Musau Wakabongo, Public Health Lab Director from Grade 445 Step 1 to Grade 445 Step 2 at \$44.49 per hour effective December 17, 2011; Margaret E. Nickle, Treasurer Tax Manager from Grade 453 Step 2 to Grade 453 Step 3 at \$50.56 effective September 10, 2011; Diane Y. Handy, Treasurer Tax Manager from Grade 453 Step 2 to Grade 453 Step 3 at \$50.56 per hour, effective September 10, 2011; Paul K. Thompson, Deputy Director of Planning from Grade 467 Step 3 to Grade 467 Step 4 at \$61.04 per hour effective August 27, 2011; Lien T. Yoshida, Managing Accountant Auditor, from Grade 452 Step 1 to Grade 452 Step 2 at \$47.69 per hour, effective December 17, 2011; Michael J. Johnson, Community Development Resource Director from Grade 677 Step 4 to Grade 677 Step 5 at \$88.06 per hour effective September 10, 2011; Joshua Huntsinger from Grade 640 Step 1 to Grade 640 Step 2 at \$52.64 per hour, effective December 31, 2011; and Ed J. King, Deputy Agricultural Commissioner from Grade 427 Step 1 to Grade 427 Step 2 at \$37.19 per hour effective December 31, 2011.

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14. COUNTY EXECUTIVE/EMERGENCY SERVICES – Resolution 2012-20 adopted authorizing five designated employees to act on behalf of Placer County to acquire property through the Federal Surplus Personal Property Program, and authorized both the County Executive Officer and the Clerk of the Board to sign the eligibility renewal documents.
15. FACILITY SERVICES:
  - a. 2011/12 Manhole Lining Rehabilitation, Project 08244 - Resolution 2012-21 adopted accepting the project as complete and authorizing the Director of Facility Services, or his designee, to execute and record the Notice of Completion.
  - b. Change Order #1, Blanket Purchase Order 19204 - Approved and authorized the Purchasing Manager to sign Change Order 1 to Blanket Purchase Order 19204 with Capital Public Finance Group, LLC (CPFG) for financial analysis and services related to financing a compliance project for Sewer Maintenance District 1. This Change Order will increase the maximum compensation by \$75,000 to a revised not to exceed limit of \$120,000.
16. 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/Traffic Signal Maintenance & Repair Services/Public Works - Approved the renewal of a Blanket Purchase Order with Gray Electric Company, Inc. for Traffic Signal Maintenance and Repair Services, in the maximum amount of \$106,000.
  - b. Blanket Purchase Order/Furnishing & Installing Floor Covering Materials/Facility Services - Approved the renewal of a Blanket Purchase Order with Anderson Carpet and Linoleum for Furnishing and Installing Floor Covering Materials, in the maximum amount of \$125,000.
  - c. Blanket Purchase Order/Generator Inspection, Maintenance & Repair/ Facility Services - Approved the renewal of a Blanket Purchase Order with California Diesel & Power for Generator Inspection, Maintenance, and Repair, in the maximum amount of \$160,600.
17. PUBLIC WORKS:
  - a. Agreement (PSA) #1090, Amendment #1, Homewood Neighborhood Water Quality Improvement Project, Phase 1 & Phase 1A – Resolution 2012-22 adopted authorizing the Chairman to sign Professional Services Agreement #1090, Amendment #1 with Nichols Consulting Engineers (NCE) in the amount of \$80,000 for planning and design services for the Homewood Water Quality Improvement Project – Phase 1 and Phase 1A, which increases the total PSA to \$353,790.
  - b. Foresthill Road Safety Improvements Project (State Clearinghouse #2011122026) – Resolution 2012-23 adopted approving a Mitigated Negative Declaration and the Mitigation Monitoring Program with the required findings for the Foresthill Road Safety Improvements Projects located near the intersection of Foresthill Road and Old Auburn-Foresthill Road.
  - c. Sheridan Safe Routes to School Project, Contract #1092 – Resolution 2012-24 adopted accepting the Sheridan Safe Routes to School Project as complete and authorizing the Director of Public Works to execute the Notice of Completion.
18. SHERIFF - Approved the agreement between the Placer County Sheriff's Office and California Division of Law Enforcement (DLE) and authorized the Sheriff to sign and execute the agreement. This agreement is to reimburse DLE for the Task Force Commander assigned to the Placer County Special Investigations Unit, in the amount of \$166,840. The term of the agreement is from January 1, 2012 to December 31, 2012.

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

BOARD OF SUPERVISORS - Presented a Commendation recognizing Steve Nichols for his many years of service and dedication to the Economic Development Board of Placer County.

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**COUNTY EXECUTIVE/REDEVELOPMENT** - Approved actions to implement the February 1, 2012 dissolution of the Placer County Redevelopment Agency:

1. Resolution 2012-25 adopted acknowledging Placer County's election to serve as Successor Agency to the Placer County Redevelopment Agency pursuant to the Health and Safety Code Section 34173 and 34177 and to retain the housing assets and housing function previously performed by the Redevelopment Agency pursuant to the Health and Safety Code Section 34176;
2. Urgency Ordinance 5662-B adopted amending Chapter 2 of Placer County Code, establishing the Redevelopment Department, effective February 1, 2012;
3. Urgency Ordinance 5663-B adopted amending the Uncodified Allocations of Positions to departments ordinance for FY 2011-2012, effective February 1, 2012;
4. Approved an Employee Contract Agreement for the position of Redevelopment Department Director for a one year period, and approve the job specification and salary schedule for the position as contained in Attachment D, Exhibit A;
5. Approved a FY 2011-12 Budget in the amount of \$10,250,616.

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

**COUNTY EXECUTIVE/REDEVELOPMENT** - Resolution 2012-26 adopted declaring that the County of Placer has not forgiven any loans, advances or indebtedness owed to it by the Placer County Redevelopment Agency (Agency) during the period of January 1, 2010 through December 31, 2011.

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

**COUNTY EXECUTIVE/FY 2012-13 PROPOSED STATE BUDGET** - Received an update on the recently released FY 2012-13 Proposed State Budget.

**COUNTY EXECUTIVE/BALLOT MEASURE/TRANSIENT OCCUPANCY TAX** - Approved Resolution 2012-27 and proposed ballot language and text for placement of a county measure on the ballot of the Statewide Presidential Primary Election to be held June 5, 2012 to reauthorize a transient occupancy tax of ten percent (10%) in the North Lake Tahoe area, to sunset on September 30, 2022.

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

**ADMINISTRATIVE SERVICES** – Conduct a hearing to consider an appeal on behalf of the Falcon Lodge, of the Director of Administrative Services' decision determining the amount of uniform occupancy tax to be assessed against Falcon Lodge and its principals for the 2008 through 2010 tax years, pursuant to Article 4.16 of the Placer County Code.

Continued to April 2012 Board of Supervisors meeting in Tahoe.

**COUNTY EXECUTIVE/EMERGENCY SERVICES** – Resolution 2012-28 adopted and Ordinance Introduced, first reading waived, ordering that a special tax measure for fire protection, emergency medical and prevention services and equipment replacement within the North Auburn–Ophir Fire area be submitted to the voters at the primary election on June 5, 2012. The tax would be subjected to annual increases based on a defined cost escalator.

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

**FACILITY SERVICES/HIDDEN FALLS REGIONAL PARK EXPANSION, PROJECT #04717:**

1. Approved the Plans and Specifications and authorized staff to solicit bids for the Hidden Falls Regional Park and Bridge Project, with an engineer's estimate of probable construction cost of \$1,189,000.
2. Resolution 2012-29 adopted authorizing the Director of Facility Services, or his designee, to award and execute a contract to construct the work of this project in an amount not-to-exceed \$1,189,000, upon the review and approval by County Counsel and Risk Management; and, delegating authority to approve any necessary change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code.
3. Approved a Budget Revision increasing revenues in the amount of \$745,309 from the Open Space Trust Fund, \$118,500 in water quality fines from Sewer Maintenance District 1, and \$60,000 in water quality fines from Sewer Maintenance District 3; and increasing appropriations in the Open Space Trust Fund and Capital Projects Account, Project #04717.

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

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**HEALTH & HUMAN SERVICES/COMMUNITY CLINIC** - Approved contract employee agreements with John Jackson, M.D. and James Fuller, M.D. as physicians for the Placer County Community Clinics from January 14, 2012 through June 30, 2013 with a combined maximum direct compensation of \$303,904.80 for a total maximum compensation not to exceed \$330,002.72, and authorized the Chairman to sign subsequent amendments up to 10% of the individual contract amounts. For the 17 month contract period, Dr. Jackson's total compensation is not to exceed \$142,789.61, and Dr. Fuller's total compensation is not to exceed \$187,213.11.

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

**HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE** - Approved the selection of Sierra Forever Families as recommended as a result of Request for Proposals #12-02 to provide specialized behavioral health services to adoptive children and their families, approve a contract in the amount of \$278,000 to provide services from February 1, 2012 through June 30, 2013, and authorized the Director of Health and Human Services to sign subsequent amendments up to 10% of the total amount.

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

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

### REDEVELOPMENT AGENCY:

a. Resolution 2012-30 adopted declaring that the Placer County Redevelopment Agency has not forgiven any loans, advances, or indebtedness owed by a public body during the period of January 1, 2010 through December 31, 2011.

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

b. Resolution 2012-31 adopted approving an amended Redevelopment Agency Enforceable Obligations Payment Schedule and directing that it be posted and submitted to the County Auditor-Controller. MOTION Weygandt/Uhler/Unanimous VOTE 4:0 (Duran absent)

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

**SHERIFF** - Accepted the 2011-2012 Cal-MMET Program funding and approved the Budget Revision in the amount of \$511,331 with a net to the Sheriff's Office operational budget of \$344,491. This funding will be utilized to offset the costs associated with the Placer County Special Investigation Unit and Special Operations Unit methamphetamine enforcement programs.

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

### COUNTY COUNSEL/CLOSED SESSION REPORT:

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

##### 1. Existing Litigation:

(a) Richard App, WCAB Claim, Claim Number: ADJ7991683, ADJ7991686 and unassigned – *The Board received a report from its Risk Manager and gave direction.*

(b) County of Sonoma v. Federal Housing Finance Authority, et al., United States District Court, Northern District Case No.: 4:10-cv-03270-CW – *The Board received an update for that litigation from Counsel and gave direction.*

(c) Maria Torres Bernal v. Ben J. Branaugh, County of Placer, et al., Placer County Superior Court Case No.: SCV0029017 – *The Board received a status report and gave direction to Counsel.*

##### 2. Anticipated Litigation – *The Board received an update on anticipated litigation matter and gave direction to Counsel.*

(a) Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9:  
Three potential cases

#### (B) §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – *The Board met with its negotiators over property owned by the Union Pacific Railroad and gave direction regarding price, terms and payment to its negotiators.*

(a) Property: APN(s): 100-110-012-000  
Agency Negotiator(s): Tom Miller, Jim Durfee, Anthony La Bouff  
Negotiating Parties: County of Placer and Union Pacific Railroad  
Under Negotiation: Price, terms of payment, or both

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- (C) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – The Board met briefly with regards to Labor Negotiations to get an update on the status of current PPEO negotiations and gave direction.
- (a) Agency designated representatives: Tom Miller, Nancy Nittler, Therese Leonard, Anthony J. La Bouff  
Employee organization: PPEO.

#### ITEMS FOR INFORMATION:

19. 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, 2011.
  - b. Report of refunds of \$5,000 or less issued by the Auditor-Controller during the period of January 1, 2011 to December 31, 2011. Refunds of \$5000.00 or less totaled \$26,131.26
20. Personnel – Classified Service Merit Increases
21. Treasurer-Tax Collector - Treasurer's Statement for the month of November & December 2011.

**ADJOURNMENT** – Next regular meeting is February 14, 2012.

#### ATTEST:

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Ann Holman  
Clerk of the Board

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Jennifer Montgomery, Chairwoman  
Placer County Board of Supervisors

