

PLACER COUNTY BOARD OF SUPERVISORS

MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, February 28, 2012, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Chairwoman Montgomery presiding; Ann Holman, Clerk of the Board. Also present were Interim County Executive Holly Heinzen and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – None.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Uhler advised he and Supervisor Holmes attended Placer County Transportation Planning Agency and he attended the South Placer Transportation Authority. Supervisor Uhler addressed discussions regarding the Placer Parkway. Supervisor Duran advised he attended the Sacramento Area Council of Governments meeting advising there was discussion regarding possibility of getting the Governor's Office to recognize that individual jurisdictions are the best folks to implement those types of plans and decisions. Chairwoman Montgomery advised she will be attending the TRPA March meeting in South Lake Tahoe, as alternate to Larry Sevison.

CONSENT AGENDA – Consent Agenda approved with action as indicated.

MOTION Duran/Weygandt/Unanimous

13. **ORDINANCE** – Second Reading:

- a. County Executive/Personnel - Ordinance 5666-B adopted implementing the Placer Public Employee Organization (PPEO) Redevelopment Agency Layoff Impacts Side Letter of Agreement.
- b. Personnel/Salary Increases/Measure F and Other Safety Classifications – Ordinance 5667-B adopted implementing the required salaries for the classifications covered by Measure F and other associated law enforcement classifications. Percentage increases range from 0.00% to 3.16%.
- c. Sheriff – Position Ordinance 5668-B adopted adding 14 new positions and allocating eight previously unfunded positions.

14. **AUDITOR-CONTROLLER:**

- a. Blanket Purchase Order #19002/People Soft/ACORN System - Approved an amendment to Blanket Purchase Order #19002 with PRJ Consulting, Inc. for \$90,000 for consulting services for PeopleSoft/ACORN System to a maximum amount of \$139,000.
- b. Fixed Asset Annual Inventory Exceptions - Resolution 2012-40 adopted to remove capital assets, having a current book value of \$2,752.25, from the County's financial records.

15. **BOARD OF SUPERVISORS** – Authorized a Special Meeting, Thursday, April 12, 2012 (Closed Session).

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

- a. 12-015, Murren, Chad, Not Stated, (Property Loss)
- b. 12-017, Wanamaker, Daniel, Not Stated (Personal Injury)

17. **CLAIMS AGAINST THE COUNTY** – Rejected the following leave to file a late claim and its underlying Claim, as recommended by the offices of County Counsel and Risk Management:

- a. 12-002, Fetter, George, Not Stated, (Bodily Injury/Personal Injury)

18. **COMMITTEES & COMMISSIONS:**

- a. Placer County Transportation Planning Agency - Approved the appointment of Ron Treabess to Seat #3, as Member At-Large.

19. **COUNTY CLERK/ELECTIONS** - Resolution 2012-41 adopted calling the June 5, 2012 Presidential Primary Election and authorizing the County Clerk-Recorder-Registrar of Voters to render election services for certain Special District, School District and City Elections requested to be combined with the June 5, 2012 Election

20. **COUNTY EXECUTIVE/ECONOMIC DEVELOPMENT** – Resolution 2012-54 adopted amending Resolution 2011-305 adding two seats representing Education (public) and Communications to the By Laws of the Placer County Economic Development Board. The additional seats will increase the Ad Hoc Technical Advisory Resource representatives to nine and the overall membership of the Board to 17.

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21. COUNTY EXECUTIVE/EMERGENCY SERVICES:
 - a. Federal Homeland Security Grant Program - Approved a Budget Revision accepting \$542,321 from the Federal Homeland Security Grant Program and adding a hazardous materials response trailer to the 2011/2012 Master Fixed Asset List.
 - b. Assistance to Firefighters Grant - Request the Board approve a Budget Revision for the \$162,880 Assistance to Firefighters Grant accepted by the Board on January 10, 2012, and add four (4) monitor/defibrillators to the Master Fixed Asset List.
22. FACILITY SERVICES/GRANITE BAY PARKS, TRAILS & OPEN SPACE ASSESSMENT DISTRICT - Resolution 2012-42 adopted directing the preparation of the Engineer's Report for the 2012-2013 Fiscal Year for the Granite Bay Parks, Trails and Open Space Assessment District.
23. PERSONNEL:
 - a. Approved actions recommended by the Civil Service Commission affecting the classification, compensation and allocation of positions regarding Community Development Resource Agency including:
 1. Urgency Ordinance 5669-B adopted to create the classification of Housing Specialist in the classified service Grade PROF 242 (\$6434.62 - \$7821.39 monthly) and amending the Uncodified Allocation of Positions to Departments Ordinance for FY 2011-12 to add 1 position of Housing Specialist to the Community Development Resource Agency, and;
 2. Approved a Budget Revision for FY 2011-12 for the Community Development Resource Agency in the amount of \$105,100.
 - b. Ordinance introduced, first reading waived, regarding reclassification of Administrative Legal Clerk to Accounting Technician in the Sheriff's Office. Recommendations from the Civil Service Commission affecting the classification, compensation and allocation of positions regarding the Sheriff's Office - Civil Unit.
24. PROBATION - Approved a Budget Revision in the total amount of \$300,000 to increase revenues by \$150,000 recognized in the Probation Officer budget while increasing appropriations by \$150,000 in the Probation Officer budget; and authorized Probation to disburse AB 109 funds from the Local Community Corrections Trust Fund totaling \$150,000; \$50,000 each to law enforcement agencies of the City of Roseville, the City of Rocklin and the City of Auburn based on the County's Public Safety Realignment Act Implementation Plan approved by the Board.
25. PROCUREMENT SERVICES - In accordance with County Policy, non-contested competitively awarded bids under \$250,000 are placed on the Consent Agenda. Authorize the Purchasing Manager to sign the following:
 - a. Blanket Purchase Order, Natural Gas for Compression as a Motor Vehicle Fuel/Public Works/Fleet Operations - Approved the renewal of a Sole Source Blanket Purchase Order with Pacific Gas and Electric Company for the purchase of Natural Gas for Compression as a Motor Vehicle Fuel for the Department of Public Works, Fleet Services Division, in the maximum amount of \$160,000.
 - b. Competitive Bid #10140, Annual Paving/Patching Services/Facility Services/Capital Improvements & Building Maintenance - Awarded Competitive Bid #10140 to Baldoni Construction, for Annual Paving/Patching Services, in the maximum amount of \$225,000.
26. PUBLIC WORKS/HOMEWOOD COMMUNITY WATER QUALITY IMPROVEMENT PROJECT, PHASES I AND IA (STATE CLEARINGHOUSE NO. 2012012038) MITIGATED NEGATIVE DECLARATION - Resolution 2012-43 adopted approving the Project and a Mitigated Negative Declaration with the required findings and the Mitigation Monitoring Plan for the Homewood Community Water Quality Improvement Project - Phases I and IA.
27. 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 Rocklin Educational Excellence Foundation to help defray the cost of their 2nd Annual Rocklin Royale event as requested by Supervisor Weygandt (\$250) and Supervisor Holmes (\$250).
 - b. Approved appropriation of \$700 in Revenue Sharing monies to the Placer Care Coalition 12th Annual Raising Spirits event to benefit the homeless and those in need within our community, as requested by Supervisor Weygandt (\$250), Supervisor Holmes (\$200) and Supervisor Uhler (\$250).

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- c. Approved appropriation of \$250 in Revenue Sharing monies to KidsFirst 14th Annual Putting KidsFirst Awards Luncheon to benefit child abuse prevention programs, as requested by Supervisor Weygandt (\$250).

28. SHERIFF:

- a. Approved a Budget Revision in the amount of \$109,600 for equipment and maintenance from the FY 2011-2012 Department of Homeland Security (DHS) grant, add the appropriate equipment to the Master Fixed Asset List and authorized the Purchasing Manager to execute any related documents.
- b. Approved a Budget Revision in the amount of \$194,000 for equipment purchase for the Sheriff's Office Vehicle Maintenance Unit; add the equipment to the Master Fixed Asset List and authorized the Purchasing Manager to execute any related documents. These funds are unexpected revenue from the sales of surplus vehicles.
- c. Approved the annual contract updates between the Sheriff's Office and the U.S. Forest Service. Authorize the Sheriff to execute the 2012 Patrol Annual Operating and Financial Plan (Exhibit A) and 2012 Controlled Substance Annual Operating and Financial Plan (Exhibit B), and authorized the Chair to sign Exhibit B. The term of the contract is from October 1, 2011 through September 30, 2012 with a total reimbursement of \$42,000.

End of Consent Agenda

BOARD OF SUPERVISORS/2012 LEGISLATIVE PLATFORM - Amended the 2012 Placer County Legislative Platform to support or sponsor legislation and advocacy efforts that would allow Contracting Agencies, such as Placer County to amend its agreement with the California Public Employees' Retirement System ("CalPERS") for a "soft close" of the defined benefit pension plan that would exclude new hires. MOTION Uhler/Weygandt VOTE 4:1 (Duran No)

BOARD OF SUPERVISORS/MINUTES - Approved minutes of January 24, 2012. Supervisor Duran absent. MOTION Holmes/Weygandt/Unanimous VOTE 4:0 (Duran abstained)

COUNTY EXECUTIVE/BUDGET - Received an update on the County Budget and financial status for purposes of FY 2012-13 budget development.

COUNTY EXECUTIVE/NORTH LAKE TAHOE RESORT ASSOCIATION - Provided direction to County Executive Office staff to work with the North Lake Tahoe Resort Association's proposed expenditure of up to \$2.6 million toward the Tahoe City Public Utility District's purchase of the Tahoe City Golf Course, including development of financing options. MOTION Holmes/Uhler/Unanimous

FACILITY SERVICES/BELL GARDEN APARTMENTS RELOCATION PLAN ADOPTION CONTINUANCE - The Board continued its consideration of actions associated with the adoption of a Relocation Plan for the residents of Bell Garden Apartments, including adopting a resolution delegating authority to the Director of Facility Services to take actions necessary to implement the Relocation Plan, until the Board's meeting on March 27, 2012 at 11:00 a.m.
MOTION Uhler/Duran/Unanimous VOTE 4:0 (Holmes temporarily absent)

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT 1 WASTEWATER TREATMENT PLANT COMPLIANCE/PROGRESS UPDATE - No action requested. This item is provided as an informational update on staff's progress on the follow up items requested by your Board related to the Sewer Maintenance District 1 compliance alternatives.

BOARD OF SUPERVISORS/SEWER MAINTENANCE DISTRICT #1 REGIONAL WASTEWATER TREATMENT - Request the Board state their intent to direct approximately 10% (or no more than \$35 million in present value or \$60 million in actual dollars over 30 years) of Middle Fork Hydroelectric Project (MFP) revenues to complete a regional solution for treating wastewater in Western Placer County. Direct staff to return to the Board on March 13, 2012 with next steps should the Board decide to establish such policy direction.

MOTION Weygandt, directing staff to go forward with the intent to allocate about 10%, (more like 7%), of the Middle Fork Project to make a commitment to the City of Auburn to get their response before our March 13, 2012 meeting with regards to the kind of plans that are articulated in the power point presentation. Motion Died for Lack of a Second

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COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/GRANITE BAY COMMUNITY PLAN UPDATE (PCPJ 20080545) – Public hearing closed. Resolution 2012-44 adopted approving a General Plan Amendment adopting an updated Granite Bay Community Plan. The Plan includes 1) updated existing conditions (i.e., population holding capacity, infrastructure, change in environmental conditions); 2) revised goals, policies, and programs to address existing constraints and new opportunities; 3) modified wording of the goals and policies to provide better clarity and readability; and 4) new discussions on topical issues (i.e., Greenhouse Gas Emissions, Placer County Conservation Plan, Complete Streets, and Low-impact Design) that have arisen since the Plan was originally adopted in 1989. As previously directed by the Board, the updated Plan does not include any changes to the existing land use and zoning designations. The Planning Commission recommended that the Board of Supervisor's approve the General Plan Amendment to adopt the Granite Bay Community Plan. The Board adopted a Negative Declaration for the project based on findings on Page 126 of the staff report. As set forth in Section 65358 of the State Government Code (Amendments to General Plans), an agency is allowed to consider General Plan Amendments up to four times annually. This item is included in the County's first General Plan Amendment hearing round of 2012. MOTION Uhler/Duran/Unanimous

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/SIERRA SUN VILLAS GENERAL PLAN AMENDMENT/REZONE (PSUB20110063) - Public hearing closed. Resolution 2012-45 adopted amending the Placer County General Plan to change the land use designation of the project site from Agriculture/Timberland 80 acre minimum to Tourist Resort-Commercial and Ordinance 5670-B adopted approving a Rezone to change the zoning designation from RES (Resort) to RES-PD 10.2 (Resort, combining Planned Residential Development of 10.2 units per acre) to allow for a Planned Residential Development, including construction of a 12-unit, three-story condominium complex on an undeveloped ±9.24-acre site. The Board adopted a Mitigated Negative Declaration with findings finalized pursuant to CEQA. As set forth in Section 65358 of the State Government Code (Amendments to General Plans), an agency is allowed to consider General Plan Amendments up to four times annually. This item is included in the County's first General Plan Amendment hearing round of 2012. MOTION Duran/Uhler/Unanimous

COUNTY EXECUTIVE/OVERSIGHT BOARDS/REDEVELOPMENT:

1. Authorized solicitation of members of the public for Board of Supervisor appointments for Oversight Boards of Successor Agencies of former Placer County and cities' Redevelopment Agencies;
2. Directed staff to return for appointment of Board of Supervisor and public member appointees on each Oversight Board; and
3. Authorized staff to submit recommendation letters to other appointing entities for members on the Oversight Board for Placer County Successor Agency (unincorporated area) as identified in this report.

MOTION Uhler/Holmes/Unanimous

COUNTY EXECUTIVE/Board of Supervisors Acting in its Capacity as Successor Agency to the Former Placer County Redevelopment Agency:

- a. **Enforceable Obligations Payment Schedule** - Resolution 2012-46 adopted approving a second amendment to the Enforceable Obligations Payment Schedule and directing that it be posted and submitted to the County Auditor-Controller, the State Controller and the State Department of Finance. MOTION Uhler/Duran/Unanimous
- b. **Legal Services Consulting Contract** - Resolution 2012-47 adopted authorizing the Purchasing Manager to execute an amendment to the legal services consulting contract with Meyers Nave Riback Silver & Wilson to increase the contract for an amount not to exceed \$150,000 and to extend the term until June 30, 2013. MOTION Duran/Holmes/Unanimous

HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE – Approved contract amendment CN005087-B for the Placer Community Foundation, increasing the total funding by \$50,000 for a new total of \$437,724 to conduct community grant making activities including awarding and administering mental health grants from January 1, 2011 through June 30, 2012, and authorized the Director of Health and Human Services to sign the amendment and subsequent amendments not to exceed 10% of the total contract amount. MOTION Holmes/Duran/Unanimous

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PUBLIC WORKS/AUBURN-FOLSOM WIDENING PROJECT/TRAFFIC IMPACT FEE PROGRAM FUNDING – Resolution 2012-48 adopted authorizing transfer of up to \$7,700,000 in current Countywide Impact Fee fund balance to augment Granite Bay Fee District Funds and South Placer Regional Transportation Authority (SPRTA) funds for the north phase of the Auburn-Folsom Road Widening Project estimated to cost \$7,700,000. MOTION Holmes/Uhler/Unanimous

PUBLIC WORKS/AUBURN-FOLSOM ROAD WIDENING PROJECT, NORTH PHASE/GRANITE BAY – Resolution of Intention 2012-49 adopted to hold a Public Hearing during the regularly scheduled Board of Supervisors meeting on March 27, 2012 at 10 a.m. for the purpose of adopting a Resolution of Necessity to acquire real property by Eminent Domain for the construction of the Auburn-Folsom Road Widening Project – North Phase. MOTION Uhler/Holmes/Unanimous

PUBLIC WORKS/BLANKET PURCHASE ORDER CONTRACTS/GEOTECHNICAL ENGINEERING DESIGN & MATERIAL TESTING SERVICES – Resolution 2012-50 adopted approving Blanket Purchase Order (BPO) contracts with the top six ranked firms for the Western Placer County Qualified List and the top seven ranked firms for the Eastern Placer County Qualified List (13 total contracts) in the amounts specified below, for a total maximum aggregate amount of \$2,925,000, and authorized the Purchasing Manager to sign and execute the BPO contracts on behalf of the County of Placer, with Risk Management and County Counsel approval, and to transfer funds between BPO contracts as needed. MOTION Holmes/Duran/Unanimous

PUBLIC WORKS/COUNTYWIDE TRAFFIC IMPACT FEE PROGRAM/SUNSET BENEFIT DISTRICT – Resolution 2012-51 adopted modifying the Sunset Fee District of the Countywide Traffic Impact Fee Program utilizing existing contributions to provide a flat fee of \$1,600 per 1,000 SF for all land uses within the Sunset Industrial Area Community Plan and update the Capital Improvement Program for the Sunset District reflecting all changes to date. MOTION Weygandt/Uhler/Unanimous

PUBLIC WORKS/QUALIFIED LISTS OF CONSTRUCTION MANAGEMENT, CONSTRUCTION INSPECTION, AND MATERIALS TESTING FIRMS & BLANKET PURCHASE ORDER CONTRACTS FOR CONSTRUCTION MANAGEMENT SERVICES - Resolution 2012-52 adopted approving the first one year extension of two Qualified Lists (one for Western Placer County and one for Eastern Placer County) of firms to provide services for Public Works and Land Development projects in Placer County for Construction Management (CM) Services including Construction Management, Construction Inspection, and Materials Testing and approving renewal or award of new Blanket Purchase Order (BPO) contracts with the top six ranked firms for the Western Placer County List and the top five ranked firms for the Eastern Placer County List (11 total contracts) in the amounts specified, for a total maximum aggregate amount of \$2,475,000, and authorized the Purchasing Manager to sign and execute the BPO contracts on behalf of the County and to transfer funds between BPO contracts as needed. MOTION Duran/Weygandt/Unanimous

SHERIFF - Resolution 2012-53 adopted authorizing the extension of Resolution #2007-79 to continue the collection of fees on vehicles registered in Placer County pursuant to Vehicle Code Section 9250.14 and Vehicle Code Section 9400.1 for the purpose of funding the Placer Regional Auto Theft Task Force (PRATTF), with a sunset date of January 1, 2018. MOTION Holmes/Duran/Unanimous

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:

- (a) Estate of Robert (Bobby) S. Clifford, et al. v. Placer County, the Placer County Sheriff's Department, et al. – *The Board received a status report, will accept the defense of the County of Placer and the named Deputy Sheriff with the standard reservations of rights. The matter has been assigned to the County Counsel's Office for defense.*
U.S.D.C. Eastern District Case No.: 2:11-cv-02591-LKK-CKD

2. Anticipated Litigation:

- (a) Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9:
One potential case – *The Board received a report from Counsel and gave direction.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – *The Board met with its Labor Negotiators and gave direction to its Negotiators*

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

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(C) §54957 - PUBLIC EMPLOYEE APPOINTMENT – *Holly Heinzen was appointed to Interim County Executive Officer*

Title: Appointment of Interim County Executive Officer

ITEMS FOR INFORMATION:

AUDITOR-CONTROLLER – Auditor-Controller's Independent Accountant's Report on the Treasurer's Statement of Assets, for the quarter ended December 31, 2011.

TREASURER/TAX COLLECTOR - Treasurer's Statement for the month of January 2012

ADJOURNMENT – Next regular meeting is Tuesday, March 13, 2012.

ATTEST:

Ann Holman
Clerk of the Board

Jennifer Montgomery, Chairwoman
Placer County Board of Supervisors

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