

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, March 20, 2007, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, Uhler and Kranz present. Chairman Kranz presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT- Nancy Jo Rieske, Agriculture Marketing Director, urged the Board to take action regarding small boutique wineries. Robert Todd, Heather Ireland, and Coleen Leighy spoke about issues relating to Animal Services. Supervisor Holmes read a letter received from Jerry Woods relating to Animal Services.

SUPERVISOR'S COMMITTEE REPORTS - Chairman Kranz reported on his trip to Washington, D.C.

CONSENT AGENDA (Items 12-23) - Moved Item 20e for discussion. Consent Agenda approved as amended with action as indicated. MOTION Rockholm/Holmes/Unanimous

12. ORDINANCE - Second Reading:

- a. County Executive/Redevelopment - Ordinance 5457-B adopted amending Chapter 10 Vehicles and Traffic; Article 10.12 Parking; 10.12.120 Limitations Imposed in the Placer County Code prohibiting overnight parking to include Redevelopment Agency owned parking lots (Jack Pine/Tahoe City and Brooke Avenue/Kings Beach) subject to County Counsel review.
- b. Personnel - Ordinance 5458-B adopted amending Chapter 3, Section 3.12.010, Appendix 3-DSAS, correcting the salary schedule for Grade 701 - District Attorney Investigator classification. The amounts should have read \$28,9638 to \$35,1396 instead of \$28,8693 to \$35,1404.

13. WARRANT REGISTERS - Week of February 9, 16, 23 and March 2, 2007.

14. BOARD OF SUPERVISORS:

- a. Approved minutes of January 23 and February 6, 2007.
- b. Authorized special meeting of the Board of Supervisors, Monday, April 2, 2007.

15. CLAIMS AGAINST THE COUNTY - Rejected the following claims, as recommended by Counsel:

- a. 06-131, Cox, Chris, \$662.01, (Property Damage)
- b. 07-019, Moore, Mark, Unstated, (Bodily Injury)

16. CLAIMS AGAINST THE COUNTY - Rejected the following application to present a late claim and its associated claim, as recommended by Counsel:

- a. 07-012, Swindle, Janice, Unstated, (Personal Injury)

17. COMMUNITY DEVELOPMENT RESOURCE AGENCY/BUILDING - Ordinance introduced, first reading waived, amending Chapter 15, revising Article 15.04.050 Section E, Permit Fees, including clarifying language for calculating building permit fee charges, pursuant to Placer County Grand Jury recommendations, and updating the April 2002 Building Standards Valuation table, adopted by the Board on November 4, 2003, based on the California Construction Cost Index.

18. COUNTY EXECUTIVE:

- a. Administrative Rules - Resolution 2007-70 adopted to clarify language in Chapter 2, Meals, Lodging, Travel and Transportation, removing a reference to an expired Internal Revenue Service mileage rate for reimbursement of private vehicle mileage and to correct the reference for overnight use of County vehicles.
- b. Contract Amendment - Authorized the County Executive Officer to execute a third contract amendment with Goodwin Consulting Group, in an amount not to exceed \$100,000, resulting in a total contract amount of \$549,000, to provide additional studies and technical expertise needed to address capital facilities, services, and infrastructure costs associated with development projects in western Placer County. Funding will be provided by new development and as part of the County's Curry Creek Community Plan work effort.
- c. Merit Increase - Approved merit increase of 5% for Keely Scanlan, Information Technology Manager, from Grade 457, Step 2, to Grade 457, Step 3, at \$46.57 per hour, retroactive to February 17, 2007.

19. COUNTY EXECUTIVE/EMERGENCY SERVICES - Approved an agreement with AMEC Earth and Environmental, Inc., in the amount of \$116,160, to update the County's existing Multi-Hazard Mitigation Plan, dated January 2005, and authorized the Procurement Manager to sign.

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20. FACILITY SERVICES:

- a. City of Colfax Park & Recreation Facilities Master Plan - Approved agreement with the City of Colfax, in an amount not to exceed \$10,000, to expand the boundaries of a Park & Recreation Facilities Master Plan to include unincorporated areas surrounding Colfax, and authorized the Chairman to execute the agreement.
- b. Didion Ranch Staging Area & Bridge, Project #4717B - Resolution 2007-71 adopted accepting the project as complete and authorizing the Facility Services Director to execute and record the Notice of Completion.
- c. Hidden Falls Regional Park - Approved Amendment #3 to Agreement #KN020478 with A.R. Associates, increasing the not-to-exceed amount to \$90,449, to provide engineering services for property improvements and authorizing the Purchasing Manager to sign the amendment.
- d. Motherlode Energy Watch Partnership - Resolution 2007-72 adopted authorizing the Facility Services Director to execute documents necessary to apply for technical assistance grants from the California Energy Commission through the Motherlode Energy Partnership.
- e. **MOVED FOR DISCUSSION** Photovoltaic Electrical Generation Projects, Project #9499 - Resolution accepting the projects located at Buildings 110-111 and Building 400, in the Placer County Government Center, Auburn, as complete and authorizing the Facility Services Director to execute and record the Notice of Completion.

21. HEALTH & HUMAN SERVICES/COMMUNITY HEALTH - Approved amendment to the California Department of Alcohol and Drug Programs, Safe and Drug Free Schools Grant, Agreement #SDF03-10, in the amount of \$51,733, providing funding for the fifth year of the grant and authorized the Health & Human Services Director to sign the amendment.

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. Negotiated Blanket Purchase Order #13513, Auto Parts/Public Works - Renewed blanket purchase order with Riebes Auto Parts, in accordance with Section 7.2 of the Purchasing Policy Manual, in the maximum amount of \$95,000.
- b. Negotiated Blanket Purchase Order #13515, Parts and Dealer Service/Public Works - Renewed purchase order with Maita Ford, in accordance with Section 7.2 of the Purchasing Policy Manual, for original equipment manufacture Ford parts, in the maximum amount of \$60,000.
- c. Negotiated Blanket Purchase Order #13535, Compressed Natural Gas/Public Works - Renewed with Pacific Gas & Electric, in the maximum amount of \$145,000, in accordance with Section 7.2 of the Purchasing Policy Manual, for compressed natural gas as a motor vehicle fuel.
- d. Purchase Order #13561, Oil and Lube Products/Public Works - Renewed purchase order with Hunt & Sons, Inc., as a result of Competitive Bid No. 9540, for in the maximum amount of \$75,000.
- e. List of Qualified Firms, Human Resources Consulting Services/Personnel - Approved the second one-year renewal of a List of Qualified Firms as a result of the Competitive Request for Qualifications #9281.

23. PUBLIC WORKS:

- a. Barton Road Bridge Project - Resolution 2007-74 adopted approving a Right-of-Way Contract, in the amount of \$78,475, and accepting a Highway Easement Deed from Ramsey Poland for the project.
- b. Jackpine Street Public Parking Facility, Contract #73238 - Resolution 2007-75 adopted accepting the Jackpine Street Public Parking Facility as complete, at a cost of \$824,767, and approving and authorizing the Public Works Director to execute the Notice of Completion.
- c. Kings Beach Commercial Core Improvement Project, PSA #73252 - Resolution 2007-76 adopted authorizing the Chairman to sign Amendment #1, with Andregg Geomatics, in the amount of \$10,440, to perform survey-services and authorizing the Public Works Director to approve and sign future amendments up to \$2,000.
- d. Transit Agreement - Authorized the Chairman to execute an agreement with the City of Colfax, in the amount of \$17,645.50, to provide transit service to the City of Colfax.

End of Consent Agenda

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Consent Item Moved for Discussion:

20e Facility Services/Photovoltaic Electrical Generation Projects, Project #9499 - Resolution 2007-73 adopted accepting the projects located at Buildings 110-111 and Building 400, in the Placer County Government Center, Auburn, as complete and authorizing the Facility Services Director to execute and record the Notice of Completion.

MOTION Rockholm/Weygandt VOTE 4:0 (Uhler temporarily absent)

Supervisor Uhler recused himself because he works with a person that formerly worked for Photovoltaic Electrical Generation Projects.

COUNTY EXECUTIVE/HISTORIC COURTHOUSE - Approved Resolution 2007-77 and related documents for the transfer of financial responsibility for the operation of the court facilities within the Placer County Historic Courthouse under the provisions of the Trial Court Facilities Act of 2002, SB 1732, and authorized the Chairman to sign the Transfer Agreement, Memorandum of Form of Agreement (MOA) and a Maintenance and Services Memorandum of Understanding; authorized the first quarterly payment of \$43,283.50 and recording of the Memorandum of Agreement (MOA) by the Facility Services Director and any other action to complete transfer of responsibility.

MOTION Holmes/Rockholm/Unanimous

Michael Paddock, County Executive Office, thanked everyone involved with the transfer. He said the Trial Court Facilities Act of 2002 requires the transfer of responsibility for the funding and operation of all the trial court facilities in the State from Counties to the Administrative Office of the Courts (AOC) by June 30, 2007. This legislation follows other important court reform measures including the Trial Court funding Act (AB 233) approved in 1997 that transferred responsibility for funding court operations, but not facilities responsibility, from the Counties to the State. For every courtroom that is transferred, the County will be relieved of its responsibilities to provide courtrooms and the funding necessary to operate, maintain and renovate these facilities. The County will grant the perpetual and exclusive use of the court facilities to the AOC; however, the property title of the Historic Courthouse will be retained by the County. Once the transfer occurs, July 1, 2007, the County must pay a County Facility Payment (CFP), an annual fixed amount, to the AOC based on the operating and maintenance costs for the court facility at the time of transfer (estimate \$173,143). The transfer responsibility only applies to the four courtrooms of the Historic Courthouse in Auburn. It is the intent of the transfer team to complete all transfers by June 30, 2007, with the transfer of the new courthouse at the South Placer Justice Center as the top priority in negotiations following this transfer.

Supervisor Holmes asked if the parking problem had been addressed. Michael Paddock responded the transfer agreement addresses the current parking situation including the 78 offsite parking spaces provided by the City of Auburn.

Supervisor Kranz received clarification from Michael Paddock about the one time inflation adjustment to the CFP that will be done at the time of transfer.

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT #1 - Public hearing closed. Resolution 2007-78 adopted annexing property owned by Gary and Jennifer Rooker, APN 076-342-018, into the district. Subject property is located on Virginia Drive, Auburn.

MOTION Rockholm/Holmes/Unanimous

Will Dickinson, Facility Services, said staff supports annexation of the 1.12 acres with a fee of \$5,500.

SHERIFF/INCREASE IN VEHICLE REGISTRATION FEES - Public hearing closed.

Sheriff Edward Bonner said the purpose of the public hearing is to ask the Board to consider and adopt three separate vehicle registration fees to establish a vehicle theft task force, enhance automated mobile and fixed location photo and finger print identification programs, and establish an interest-bearing Abandoned Vehicle trust fund account. He advised out of the 58 counties in the State, 45 counties have adopted a vehicle theft task force fee increase; 42 counties have adopted an identification program fee increase; and 38 counties have adopted an abandon vehicle abatement fee.

- a. Resolution 2007-79 adopted to impose a \$1 annual vehicle registration fee for vehicles registered in Placer County and a \$2 fee for commercial vehicles (5-year sunset clause, 2012) for the purpose of establishing a County-wide vehicle theft task force pursuant to Vehicle Code Section 9250.14. MOTION Rockholm/Weygandt/Unanimous

Barbara Besana, Sheriff's Department Administrative Services Manager, requested the Board conduct a public hearing and consider adopting a resolution to collect fees and authorize the Auditor-Controller to establish an interest-bearing Placer County Regional Auto Theft Task Force trust fund account for

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the deposit and transfer of funds received for the purpose of staff and equipment to accomplish the goals set by the task force. She said the first Auto Theft Task Force was established in Sacramento County in 1989. Since that time, Placer County's vehicle thefts have increased by 150% and Sacramento's have increased 40%. Placer County has a 76% recovery rate and Sacramento County has a 90% recovery rate. The State requires reports be provided annually. As Placer County grows, so do the cases of auto theft. The California Highway Patrol (CHP) has been chosen to be the lead for the task force with participation from the law enforcement community. As more funds become available, the greater the collaboration and participation. Office space would be contributed by the City of Rocklin. She said the legislator is considering increasing this fee to \$2 and that would enable the Counties and Cities to have more of an effort to reduce auto theft. Objectives of regional task forces are: investigating, providing a central location to enhance collaboration, regional interfacing, and holding public forums for awareness and education. This year's revenues are estimated at \$275,000 and would not cover staff and start up costs. The gap in funding could be pursued through the Indian Casino or derived from each of the participating agencies.

Supervisor Uhler asked if the leftover funds would be rolled over or surrendered to the State. Barbara Besana said she thought they would be rolled over but she would check and report back.

Supervisor Uhler asked how increased funding would produce a higher recovery rate. Barbara Besana replied along with collaborative law enforcement, public education and awareness would increase the recovery rate. Rick Ward, CHP, said the Auto Theft Task Force in Sacramento County is able to focus on gang related auto theft rings and as a result they recover more vehicles. Supervisor Uhler said that increased dollars equate to staff dedicated to auto theft.

Supervisor Uhler spoke about how increased arrests and prosecutions impact the District Attorney's Office and Jail. Barbara Besana said distribution of the funds is determined by the task force which includes the District Attorney and Placer County Law Enforcement. She advised that Sheriff Bonner has discussed impacts with the District Attorney and plans to utilize the South Placer Justice Center to ease impacts of increased incarcerated property criminals.

Supervisor Holmes received information about the condition of recovered vehicles from Rick Ward and how they use the recovered vehicle to help find thieves.

Thomas Miller, County Executive Officer, pointed out the action before the Board is a recommendation to impose a series of additional fees that would be earmarked for specific purposes. The State Code would direct the application of the fees but it is the responsibility of the Board of Supervisors to insure the fees are properly spent and audited. The Task Force would derive a comprehensive plan that addresses impacts and present it to the Board.

Dan Sokol, League of Placer County Taxpayers, opposed the fee increase and questioned if it was legal or ethical. He said the public should vote on the increase and the County should not come to the people every time they find a new expense. The departments should work within their budget.

Rodney Raymond suggested using funds from Placer Legacy to fund the program instead of charging residents. He questioned if the roll over funds would be kept for the program or commingled into other areas. He opposed the fee increases.

Mildred Raymond, Loomis resident, said she is a senior citizen on a limited income and would have a hardship with the increases. These services should be included in each department's budget.

Sheriff Bonner said he appreciated the speaker's concerns, but to have each agency work independently, without the highway patrol leading a collaborative effort, would not be as productive. He talked about a newspaper article that portrayed the Cities in Sacramento County battling each other. There was a quote that said it does not make sense for three vital local governments to be planning as if they were islands. It is time for leadership and vision. Crime needs to be approached collaboratively and as a team.

Supervisor Uhler clarified the fees are set. Barbara Besana said the State is the only one that could make increases. Supervisor Uhler said benchmarks and measurable objectives are required to show the impacts of the raised fees. With this fee increase there is an additional level of service that needs to be measurable to be successful. He requested a five year sunset clause be added so that the fee would have to be reauthorized and a higher level of services is proven.

Supervisor Holmes explained the fees can only be used for the program they are intended and County Code mandates staff report yearly.

Supervisor Rockholm said stolen vehicles are a huge problem. He supported the collaborated efforts to fight crime and formation of a task force. He supported the fee increase without a sunset clause because he was sure the program would be successful.

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Supervisor Weygandt said no one likes increases but when we create value that can be measured, it is more acceptable. Placer County residents need to be protected by a collaborative approach.

Supervisor Rockholm asked if all of the participating agencies would go through a similar hearing to approve this collaboration. Barbara Besana said legislation does not require a public hearing but staff chose to have one. The Boards would have to pass a resolution to participate. The Cities of Rocklin and Roseville have already passed resolutions in support of all three of these actions. She said the State has a sunset clause for the fee in 2010.

Chairman Kranz said Placer County is growing rapidly and crime will increase. He reemphasized that the rollover funds would be kept in a separate account. He said when vehicles are recovered that reduces the costs to insurance companies. Barbara Besana said insurance companies are a part of other auto theft task forces and have been successful in decreasing rates because of recovery and prevention. Chairman Kranz said the program could benefit the residents of Placer County. He said working collaboratively would save money and he would like to have yearly updates. He would have supported the five year sunset clause but it is already covered by the State.

Supervisor Rockholm made a motion to approve the fee increase as submitted by staff.

Supervisor Uhler explained the State extended the sunset clause previously and anticipates it would be extended again. He would not support the increase without a five year sunset clause. Supervisor Rockholm did not think a sunset clause needed to be added when the State already had one. Supervisor Weygandt seconded the motion and said he would support the program with or without a sunset clause. Chairman Kranz said he would not support the fee increase without a sunset clause.

Anthony La Bouff, County Counsel, clarified that the motion included three items (conduct a public hearing, approve a resolution, and authorize the Auditor-Controller to establish an interest-bearing trust fund) with no consideration of a sunset clause. There had been a request by a member of the Board to amend the motion and the maker of the motion declined.

Supervisor Rockholm agreed to amend the motion and add a 5-year sunset clause. Supervisor Uhler was confident that staff would be reporting back to the Board on objective measures. Anthony La Bouff clarified, in the off chance that Law Enforcement is not able to extend the sunset at the State level and it lapses, the fact that we have a five-year sunset clause does not put it in effect longer than the State deadline. Sheriff Bonner said he would be honored to bring this back to the Board in five years to prove their work.

- b. Resolution 2007-80 adopted to impose a \$1 annual vehicle registration fee for vehicles registered in Placer County and a \$2 fee for commercial vehicles to enhance automated mobile and fixed location photo and finger print identification programs in Placer County pursuant to Vehicle Code Section 9250.19. MOTION Weygandt/Holmes VOTE 4:1 (Uhler No)

Barbara Besana, Sheriff's Department Administrative Services Manager, explained the Cal-ID Lifescan for mobile and fixed fingerprint identification for enhanced enforcement and said it would mainly be used for driving violations. She requested the Board conduct a public hearing, approve the resolution authorizing the County to approve the required terms of implementation with the California Department of Motor Vehicles and participate in the fee collected on vehicle registrations as outlined, authorize the County Auditor-Controller to assure the deposit into an interest-bearing trust fund account for staff and equipment to accomplish the goals set by the Remote Access Network (RAN) Board in accordance with Penal Code Section 11112.2 and compatible with the Department of Justice Cal-ID Master Plan, reconvene the RAN Board to direct and approve funds for staffing, equipment, infrastructure and telecommunications to be funded by monies collected pursuant to VC9250.19. She said the database would be accessed regionally. Currently there are limited funds collected for Lifescan and Cal-ID program (\$20,000 - \$50,000 annually). The Sheriff's Office is required to provide Lifescan for non-profits and others and the service is backlogged and staff is required to contact Sacramento County to access the Department of Motor Vehicles (DMV) photo identification. Staff is attempting to work regionally but the efforts have been slowed because of lack of funding and resources. Regional resources would assist the public and increase officer safety. Sheriff Bonner explained the two emerging technologies Cal-Photo that sends the DMV photograph of the officer to verify identity and fingerprint readers that run the fingerprints through the national database with true identity, would greatly benefit the officers in the field. Ms. Besana noted that the plan and expenditures must be approved by the Board of Supervisors prior to being submitted to the State.

Supervisor Holmes asked if this would make the officers safer and their jobs easier. Sheriff Bonner said that is the intent with the emerging technology. Currently, if someone is pulled over and they have been arrested in Lincoln, that information is not available to the field officer. Eventually, once the funding is built up, investments could be made that would help the deputies and officers in the field.

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Supervisor Uhler commented on the Lifescan process and how a person is Lifescanned multiple times. Barbara Besana explained because of confidentiality Lifescan information cannot be shared and a person must be Lifescanned for each agency. Supervisor Uhler would like for this to be addressed at the State level to avoid duplication of efforts.

No Public Comment was received on the item.

Supervisor Uhler was sympathetic to the issue but thought funds should be acquired from the General Fund instead of Vehicle License Fees.

- c. **Continued to an open date for additional information. Item to be renoticed.** Adoption of a resolution to authorize establishing a service authority to impose a \$1 annual vehicle registration fee and a \$2 commercial vehicle fee for the purpose of abatement removal and disposal of abandoned wrecked dismantled or inoperative vehicles from public and private property within Placer County pursuant to Vehicle Code Section 9250.7 and Vehicle Code Section 22710.

Barbara Besana, Sheriff's Department Administrative Services Manager, explained the abandoned vehicle fee is not imposed by the Sheriff's Department. They give the authority to set up a County service authority for the participating agencies to increase the enforcement on abandoned vehicles and impose a fee by resolution. The service authority is governed by the State of California and oversight is given by the California Highway Patrol (CHP). They are required to submit a plan to the State of California before funds are distributed and annual funds that are not spent are returned to the State. The Board was requested to conduct a public hearing, approve a resolution for the County to authorize the formation of a service authority as outlined in Vehicle Code 22710 based on the approval of the county and a majority of the cities having a majority of the population within the county and participate in the fee collected on vehicle registrations for the purpose of the abatement, removal and disposal, as a public nuisance, of any abandoned, wrecked, dismantled, or inoperative vehicles from private or public property within Placer County, and authorize the County Auditor-Controller to establish an interest-bearing Vehicle trust fund account for the cost of administration or removal and disposal through the service authority to the participating county or city undertaking the removal and disposal.

Supervisor Rockholm received clarification from Ms. Besana that this would be covered by the 72 hour laws where the owner is contacted prior to abatement.

Supervisor Uhler asked how many abandoned vehicles per year would be covered by this fee. Barbara Besana said this year there were 249 abatements in the unincorporated areas and regional data has not been compiled. Supervisor Uhler said regional data is needed to understand the need for the increase. Mike Harris, Code Enforcement, explained the cost is \$95 per vehicle and it is paid out of the County General Fund. Supervisor Uhler said if there were 750 vehicles towed annually, that would not even come close to using the \$350,000 and the funds would be returned to the State. Barbara Besana said administration, staff, education and other types of services that can be expanded are also covered by the funds.

Supervisor Holmes said abandoned vehicles are tagged by volunteers and asked if the program would be enhanced by having additional officers tag the vehicles. Barbara Besana said that additional staff cannot be hired with these funds. Supervisor Holmes asked about the towing contracts. Mike Harris explained the successful bid process. Details of regional towing would have to be determined. Thomas Miller, County Executive Officer, asked for the approximate total cost of the Abandoned Vehicle Program. Mr. Harris did not have staff costs segregated to be able to answer.

Chairman Kranz said this money could be used to offset existing County costs. Barbara Besana said funds are available to enhance the abatement of abandoned vehicles and to rid the Counties and Cities of that nuisance and educate the public of the service. Chairman Kranz received clarification that the competitive bid process and other state laws would prevent tow companies from raising prices. Chairman Kranz asked if a sunset clause could be added to the fee. Ms. Besana replied the State has a 10 year sunset clause and a new resolution has to be adopted to reenact.

Mildred Raymond asked if there would be three separate departments and if this funding is necessary.

Rodney Raymond opposed putting the fees on the entire County instead of the owners of the abandoned vehicles.

Supervisor Uhler said there was not enough data to measure the issue. Gerald Carden, Deputy County Counsel, explained this fee increase is different from the others. It cannot advance until a Service Authority is formed and the Cities vote. Legislation gives the Service Authority two years to set up before funds are to be returned to the State. Barbara Besana said the action requested is to form a service authority to gather the details and make a plan that must be approved by the Cities and County

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prior to being submitted to the State and a fee being imposed. Supervisor Uhler wanted more data and to know the size of the problem prior to making a decision.

Supervisor Holmes said he understood the magnitude of the problem and said it is hard to have the owner of the abandoned vehicle pay for abatement. He supported the program.

Supervisor Rockholm spoke about the amount of vehicles abandoned in his district. He said unfortunately the responsible citizens have to pay for the irresponsible acts of others and when blight is not corrected it creates more blight.

Chairman Kranz said we are already paying for this service that is budgeted and the funds should not be paid twice by the public.

Thomas Miller, County Executive, suggested the Board withdraw the item from the agenda and direct staff to gather information from the Cities and return at a later date with information.

Anthony La Bouff, County Counsel, said the Board indicated they would like the matter reconsidered at a later date in order to have more information presented at the public hearing. The Sheriff's Office agreed with the request. The matter will be renoticed.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/ZONING TEXT AMENDMENT (PZTA20050609) – Public hearing closed. Ordinance 5459-B adopted, amending Chapter 17, to modify Introductory Provisions; Definitions; Allowable Land Uses and Permit Requirements within each zoning district; Agricultural Directional Signs; and Non-Confirming Uses provision for commercial shooting ranges. MOTION Holmes/Rockholm/Unanimous

Melanie Heckel, Planning, said that the three definitions regarding wineries would not be considered and referred to a winery specific ordinance at a later date. Minor changes are proposed for the introductory provisions, to more clearly reflect County practices. The main changes to the definitions are, combining of warehousing and wholesaling distribution (because both uses are similar and should be subject to the same regulations) and the creation of a definition for commercial shooting ranges as requested by the Lincoln Rifle Club. Permit requirement changes relate to wholesaling, distribution uses (wholesaling and distribution would be required to have a permit as does warehousing) and commercial shooting ranges (would be allowed with a Minor Use Permit in the Residential Forest, Resort, Exclusive Agriculture, Farm, Forestry, Open Space, Timberland Preserve, and Industrial Zoning Districts and a special provision would be added to the non-conforming use provisions). An Agricultural Directional Sign program is being proposed as requested by the Agricultural Commission, Directional Sign Subcommittee, and Public Works (signs would be of uniform height, design and color located at specified intersections to direct the touring public to agricultural sites). The Planning Commission unanimously recommended adopting the changes.

Supervisor Holmes received clarification on what items were removed. Ms. Heckel listed Definitions of Agricultural Processing, Restaurants and Bars, and Grocery and Liquor Stores.

Chairman Kranz asked if the Agricultural Community and all groups involved with the Directional Sign Program were in agreement. Melanie Heckel said there is an agreement between Public Works and the subcommittee.

Public Comment

Thomas Mahn, Lincoln Rifle Club, supported the changes regarding shooting ranges.

Mike Jiles, Neighborhood Rescue Group, said his group was interested in zoning ordinances that guide wine tasting rooms in Placer County and requested notification of meetings involving winery representatives. He preferred that agricultural endeavors that are seasonal, have an A sign versus a permanent sign

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/WILLIAMSON ACT CONTRACT (PAGP 20060742) STEVEN & PAMELA HARNAGEL – Public hearing closed. Resolution 2007-81 adopted creating a 40-acre Williamson Act Contract and Agricultural Preserve. The two properties are zoned Farm and characterized by grassland, oak woodland and riparian corridor. One of the twenty-acre parcels is developed with a two-acre vineyard, located in District 5. MOTION Holmes/Rockholm VOTE 4:1 (Kranz No)

Michael Johnson, Planning Director, said this item was considered by the Board, December 19, 2006.

Alex Fisch, Planning Department, explained the Williamson Act contract request is to create an agricultural preserve for a 40 acre property. He advised at the previous hearing, the Board discussed

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that this property is currently covered by an Open Space easement in the Placer Legacy program, whether or not approval of a Williamson Act Contract would provide additional preservation, and a letter submitted by the Department of Conservation. A public workshop was held including guest speakers from the Department of Conservation and County staff. No issues were raised that would indicate that the County's management of the Williamson Act Program is in any way contrary to the intent of State Legislation. There are two 20 acre parcels being considered together. One parcel is improved with a two acre irrigated vineyard (established 2006), agricultural pond and a barn. The Agriculture Commission forwarded its recommendation of approval based on specific findings.

Mr. Fisch said staff recommended the Board: Make a finding that the establishment of an agricultural preserve less than 100 acres in size is necessary to preserve the unique agricultural enterprises of the area; make a finding that the establishment of an agricultural preserve of less than 100 acres is consistent with the General Plan; approve the findings in support of the determination that the creation of this Williamson Act Contract is Categorically Exempt from environmental review pursuant to Section 15317 of the California Environmental Quality Act and Class 17, Section 18.36.190 of the Placer County Environmental Review Ordinance (Open space contracts or easements); approve and authorize the Chairman to sign a resolution to create Williamson Act contract PAGP 20060742.

Steve Harnagel, applicant, said they have worked hard to meet the Williamson Act requirements and he appreciated the supervisors visiting the farm.

William Morebeck, Placer County farmer, supported the Williamson Act request. He said this unique farm preserves open space, creates a mini economy and benefits the community.

Supervisors Holmes and Weygandt said they visited the farm and would support the request. Supervisor Weygandt said small farms can benefit the Williamson Act.

Supervisor Uhler said the Williamson Act land owners receive a tax break for not developing their land and this land has been developed. He asked if there are provisions in the Williamson Act to give exemptions for parts of parcels. Anthony La Bouff, County Counsel, said the Williamson Act program is controlled by the State of California and in order to approve smaller parcel sizes, special findings must be made. He will work with staff and review this issue. He said it should be an Ad Hoc decision made for each request.

Supervisor Weygandt said the value of the residence is exempt from the agricultural appraisal benefit. He received clarification from Alex Fisch that by having the Williamson Act, the landowner would be restricted from having multiple residences on each parcel unless deemed necessary for agricultural purposes. Mr. Fisch explained the calculating of taxes on Williamson Act properties.

Chairman Kranz talked about the letter from the Department of Conservation opposing the request saying it was a hobby farm. Michael Johnson said representatives were present at the workshop and they could not define a hobby farm as it relates to the Harnagel Farm. The Harnagel application was discussed and staff determined that the parcels would be a viable agricultural use for the property and consistent with the Williamson Act requirements. Chairman Kranz said that some farmers spoke at the workshop against the Harnagel application. Mr. Fisch said the estimated assessed value for each parcel is proposed to be reduced from \$500,000 to \$10,000 - \$70,000.

Chairman Kranz said assumptions were being made that the farm could meet the income requirements by 2011. He would like the farm to be established as agriculture prior to granting the tax break. Mr. Johnson said that is a policy question being posed to the Board.

Supervisor Holmes received details from Mr. Fisch that the State reimburses the County for some of the tax loss. Supervisor Holmes said the investment made on the vineyard should be enough to put it into the Williamson Act.

Supervisor Uhler thanked staff for clarification of the assessment split between the residence and land.

ADMINISTRATIVE SERVICES/PROCUREMENT/COMPETITIVE BID #9648, ASPHALT CONCRETE/PUBLIC WORKS – Awarded to Vulcan Materials, Teichert Aggregates and Granite Construction, in the maximum aggregate amount of \$980,300. MOTION Uhler/Weygandt/Unanimous

Dave Seward, explained the blanket purchase orders resulting from this recommendation will be issued for the period of March 20, 2007 through December 31, 2007.

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FACILITY SERVICES:

- a. **Preserve Acquisitions** – Authorized financial participation in the acquisition of the Taylor Ranch and Freiheit Big Hill Preserve located in the Auburn Valley area of Placer County as follows:
- 1) Taylor Ranch – Resolution 2007-82 adopted authorizing a funding contribution, in the amount of \$285,000, towards the Placer Land Trust's fee title acquisition of the Taylor Ranch and delegated authority to the Facility Services Director to execute and record a Funding and Easement Agreement as described herein and to take all other actions necessary to facilitate this transaction. MOTION Rockholm/Holmes/Unanimous
 - 2) Freiheit Big Hill Preserve – Resolution 2007-83 adopted authorizing a funding contribution, in the amount of \$315,000, towards the Placer Land Trust's acquisition of the Freiheit Big Hill Preserve conservation easement and delegated authority to the Facility Services Director to execute and record a Funding and Easement Agreement as described herein and to take all other actions necessary to facilitate this transaction. MOTION Rockholm/Holmes/Unanimous
 - 3) Approved a budget revision cancelling Open Space reserves, transferring Tree Preservation Funds to the Open Space Fund, and appropriating the funds in the Open Space Fund. MOTION Rockholm/Holmes/Unanimous

Mary Dietrick, Facility Services, said Taylor Ranch and Freiheit Big Hill Preserve are approximately 320 acres; they are contiguous parcels and near Hidden Falls Regional Park. Placer Land Trust (PLT) has been working on acquiring land in the area to conserve valuable oak and woodland habitat. PLT requested Placer County partner with them and share in the acquisition costs. PLT would hold fee title for Taylor Ranch (321 acres) after a back to back sale from The Trust for Public Land costing \$2.24 million. Placer County's contribution would be \$285,000. The balance of funding would come from State and Private funding sources. The Freiheit Big Hill Preserve is a conservation easement (313 acres) costing \$1.3 million. Placer County's contribution would be \$315,000. The balance of funding would come from State and Private funding sources. PLT would be responsible for stewardship of the land.

Loren Clark, Planning, provided additional background on the properties and their relation to the Placer County Conservation Plan (PCCP). These properties are located at the upper portion of the watershed (Bear River and Coon Creek) and Blue Oak Woodland belt. There are conservation and habitat value and there is the potential for trails. The State is funding over \$2.4 million because of the importance of oak woodlands, rice and riparian. Placer County's contribution represents an early acquisition toward the ultimate objectives of the PCCP, buys down our obligation, and removes potential impact.

Mary Dietrick said the dedication of trails on these properties are being proposed as multi-purpose non-motorized trails and would ultimately connect the Bear River and Hidden Falls property. Staff is working on an agreement that covers management concepts, trail alignments, and acquisitions to create the connection. Placer County is negotiating with PLT for easement agreements and once the trails are accepted by the County they are the County's responsibility. She recommended the Board use Tree Mitigation Funds for Taylor Ranch and Open Space Reserves for Freiheit Big Hill Preserve. The acquisitions are exempt from California Environmental Quality Act (CEQA) but the trail works will require CEQA review when the alignments are identified.

Jeff Darlington, PLT Executive Director, said the two projects will provide public and environmental benefit. He thanked staff for their work on the projects.

Chairman Kranz said this is important for public use and that we get credit from the public agencies for the acquisitions. He asked about the County's liability if someone should leave the trails and gets injured. Anthony La Bouff said you are never protected from litigation but the government code provides some immunity. Aggressive trail management would encourage people to stay on the trails. Chairman Kranz asked about potential fire hazards because of people using the trails. Jeff Darlington said PLT would complete required maintenance to help prevent fires and they will work with the County on liability issues. Anthony La Bouff reminded the Board that the action today is for acquisition only. When trails are proposed there will be an environmental review process and fire hazards would be addressed. Mary Dietrick explained how the fire department is involved with Hidden Falls.

Rob Freiheit commended PLT and County Staff that assisted him with the acquisition process. Mary Dietrick acknowledged PLT's contribution and partnership.

Michael Lee, Roseville resident, provided a paper he wrote for the record outlining the importance of protecting natural areas. He supports the PLT.

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- b. **Sewer Maintenance District #2** – Resolution 2007-84 adopted approving reimbursement agreement as amended with Joseph Bergh for sewer improvements and authorized the Chairman to execute MOTION Holmes/Rockholm/Unanimous

Will Dickenson, amended the amount of the reimbursement agreement because of discussions with the neighboring parcel owners. He said a majority of public sewers are built by private developers and homeowners. Sewer infrastructure is directed by County Staff during the subdivision conditioning process that would benefit neighboring parcel owners that may wish to connect to public sewers. Pursuant to Placer County Code Chapter 13 the property owner that constructs sewer improvements that benefit other properties may be eligible for reimbursements of the costs of the improvements. The fee is only required if the benefiting property owner chooses to connect to the sewer system or is forced to connect when seeking building permits for major remodels or new construction. Joseph Bergh constructed 1,426 lineal feet of six-inch gravity sewer line along Olive Ranch and Barton Roads, and 460 lineal feet of three-inch force main along an unnamed private road, in the Granite Bay area. This would benefit his four to five parcels and has the potential to benefit 13 additional parcels. There was significant discussion with the neighboring parcel owners about project costs. He advised that four property owners were against the agreement and Mr. Bergh negotiated with them to reduce the proposed amount from \$31,050.61 to \$26,050.61. Anthony La Bouff explained that the landowner that incurs the cost can choose to reduce the reimbursement amount and the amount would be changed in the reimbursement agreement. The total contract would be adjusted from \$403,657.94 to \$338,657.94. Joseph Berg agreed to adjust the reimbursement agreement.

HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE - Assisted in implementation of the County's Methamphetamine Project by amending contract CN 011873 with Community Recovery Resources, adding \$35,000, for a revised FY 2006/07 total of \$299,629, to expand treatment services, and amended contract CN 011876 with New Leaf Counseling, adding \$115,000, for a revised FY 2006/07 total of \$757,000, as a result of increased use of the Perinatal Residential Treatment Services and services provided to Child Welfare Services Clients. MOTION Rockholm/Holmes/Unanimous

Maureen Bauman, Adult System of Care Director, explained how the Board has provided critical leadership in an effort to address the Methamphetamine problem including town forums. In May 2007 five high school anti-Methamphetamine/drug productions will be released. Health and Human Services is involved with many strategies to address the issue of drug abuse in Placer County and recovery efforts are what benefit the citizens most. The proposed amendment for New Leaf Counseling will provide necessary adjustments to respond to increased service needs in critical areas. The proposed amendment for Community Recovery Resources will expand existing services to include treatment for Methamphetamine addiction, as a result of recently awarded funding under the County's Methamphetamine Project. Improved results are anticipated and there is no impact to the County General Fund.

Chairman Kranz thanked Ms. Bauman and Supervisor Holmes for work done on the Methamphetamine Project. He confirmed that there is a monitoring mechanism to monitor progress.

HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE - Approved amendment to Contract Employee Agreement #12189 with Peter Van Auken, M.D., for a revised total 16-month contract amount of \$380,464, increasing the contract by \$92,152, for the provision of psychiatric services, extending the current contract expiration date from April 13, 2007 to August 13, 2007 and authorized the Chairman to sign this and any subsequent amendments. MOTION Rockholm/Holmes/Unanimous

Maureen Bauman, Adult System of Care Director, explained the contract extension maintains the contract at the current level with no increase or impact to the County General Fund. Health and Human Services, County Executive Office, Personnel and County Counsel staff are working on a consolidated package for Board review of all of the Contract Employee Agreements at one time.

PUBLIC WORKS/ANNUAL ASPHALT CONCRETE OVERLAY, SUMMER, 2007, CONTRACT #1006 Approved project specifications, estimated to cost approximately \$2,600,000, and authorized the Public Works Director to advertise for bids. MOTION Rockholm/Holmes/Unanimous

Kevin Taber, Public Works, explained 11.5 miles of Placer County roads would be overlaid through this contract.

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PUBLIC WORKS/AUBURN FOLSOM WIDENING, SOUTH PHASE PROJECT – Resolution 2007-85 adopted authorizing the Chairman to execute a utility agreement with San Juan Water District, in an estimated amount of \$750,000. for waterline replacement in conjunction with the project.
MOTION Rockholm/Uhler/Unanimous

Sherri Berexa, Public Works, explained that it would be advantageous to perform the utility installation work concurrently with the Auburn-Folsom Road Widening Project to minimize impacts to the public and deliver the most cost effective project (saving the taxpayers money). San Juan Water District's (SJWD) current water line is past its useful life and is insufficient to serve community needs. SJWD is using the same design consultant and the waterline work will be bid in the same contract as the road construction. The contract will be controlled by the County and SJWD will reimburse the County for items and pay a portion of the administrative costs.

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 in the amount of \$2,000 in Revenue Sharing monies to the City of Rocklin for the 2007 Annual Australian Outback Jubilee, as requested by Supervisor Weygandt (\$1,500) and Supervisor Holmes (\$500). MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)
- b. Approved appropriation in the amount \$250 in Revenue Sharing monies to The People to People Student Ambassador Program, as requested by Supervisor Holmes.
MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)
- c. Approved appropriation in the amount of \$250 in Revenue Sharing monies to Roseville High School for the 19th Annual Sober Grad Night Celebration, as requested by Supervisor Rockholm.
MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)
- d. Approved appropriation in the amount of \$1,700 in Revenue Sharing monies to the Placer Care Coalition, Inc., for the 7th Annual "Raising Spirits" Fundraiser, as requested by Supervisor Rockholm (\$500), Supervisor Weygandt (\$500), Supervisor Holmes (\$200) and Supervisor Uhler (\$500). MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)
- e. Approved appropriation in the amount of \$125 in Revenue Sharing monies to the Roseville Chamber of Commerce for the 27th Annual Granite Bay Easter Egg Hunt, as requested by Supervisor Rockholm. MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)
- f. Approve appropriation in the amount of \$250 in Revenue Sharing monies to the St. Baldrick's Foundation Annual Head Shaving Fundraiser Event, as requested by Supervisor Rockholm.
MOTION Rockholm/Uhler VOTE 4:1 (Kranz No)

Chairman Kranz said a Benefit Committee will be established to administer the \$20,000 yearly funds, for District 5, with representation from North Auburn, Meadow Vista, Colfax, Foresthill, the summit and Tahoe areas. They will meet every other month and submit recommendations to the Board.

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

(a) Barry Silva vs. County of Placer, et al., Placer County Superior Court Case No.: SCV-14145 – *The Board received a status report from Counsel and gave direction.*

(2) Anticipated Litigation:

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

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – *The Board met and discussed with its Labor Negotiators regarding DSA negotiation matters.*

(a) Agency negotiator: CEO/Personnel Director

Employee organization: PPEO/DSA/Management

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ITEMS FOR INFORMATION:

AUDITOR/CONTROLLER - Independent Accountant's Report on The Treasurer's Statement of Assets, December 31, 2006.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, March 27, 2007.

ATTEST:

Ann Holman
Clerk of the Board

Bruce Kranz, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk