

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 8:30 a.m., Tuesday, August 26, 2008, at the Placer County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, Uhler and Kranz present. Chairman Holmes presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Jim Ricker, Chairman of the Placer County Historical Organization Committee, advised the Heritage Trail Event held August 9th and 10th was a great success. Sheriff Bonner reported on the upcoming Combined Giving Campaign. Jim Durfee, Facility Services Director, advised the Placer County exhibit at the State Fair received a gold award and special awards. Eric Peach thanked the Board for a donation to Protect American River Canyon used to produce an interpretive map and brochure for the confluence area and provided the Board a complimentary copy. Sonbol Aliabadi, representing Peace for Families, thanked the Board for support of the organization and advised the facility grand opening ceremony will be held September 25, 2008.

SUPERVISOR'S COMMITTEE REPORTS – Chairman Holmes noted that Anthony La Bouff, County Counsel is out this week. Chairman Holmes attended the safety training meeting for the transit drivers. Supervisor Uhler advised they are in the process of reworking the Joint Powers Agreement for the Golden Sierra Job Training Agency and a new Director has been hired.

CONSENT AGENDA (Items 13-28) – Consent Agenda approved with action as indicated.

MOTION Rockholm/Weygandt/Unanimous

13. ORDINANCES – Second reading:

- a. Community Development Resource Agency/Planning/Administrative Rules Williamson Act – Ordinance 5521-B adopted amending Section 16.04.060 of the Placer County Code (Subdivisions - Agricultural property), to reflect proposed changes to the Administrative Rules that would bring the Rules and Chapter 16 current with the requirements of Section 66474.4 of the Subdivision Map Act.

14. AUDITOR-CONTROLLER - Resolution 2008-243 adopted adopting 2008/2009 property tax rates for voter-approved indebtedness, pursuant to Government Code Sections 29100 and 29106.

15. BOARD OF SUPERVISORS:

- a. Resolution 2008-242 adopted congratulating University of California, Davis on its Centennial celebration.
- b. Approved minutes of July 21, 2008 and July 22, 2008.

16. CLAIMS AGAINST THE COUNTY – Rejected the following claims, as recommended by Counsel:

- a. 08-110, Edwards, Michael, \$250, (Property Loss).
- b. 08-120, Moore, Ashley, \$292.68, (Property Damage).
- c. 08-123, Correnti, Mark, \$1,450, (Property Loss).

17. CLAIMS AGAINST THE COUNTY – Rejected the timely portion of the following claims and the underlying claims, as recommended by Counsel:

- a. 08-113, Chavez, Peter, \$146,000, (Personal Injury).
- b. 08-118, Medina, Yolanda, Not Stated, (Property Loss).

18. CLAIMS AGAINST THE COUNTY - Rejected Leave to Present a late Claim and its underlying claim, as recommended by Counsel:

- a. 08-109, Farinha, Teresa, Not Stated, (Personal Injury).

19. CLERK RECORDER/ELECTIONS – Resolution 2008-244 adopted authorizing the County Clerk to render Election Services for Los Rios Community College District for a bond election to be held November 4, 2008.

20. COMMITTEES & COMMISSIONS:

- a. Civil Service Commission – Approved appointment of Rex Clark to Seat 1, as requested by Supervisor Rockholm.
- b. County Parks Commission – Approved the appointment of Roy Hamlin to Seat 1 as requested by Supervisor Rockholm
- c. Fish and Game Commission – Approved appointment of Mark Fowler to Seat 2, as requested by Supervisor Weygandt.
- d. In Home Support Services Advisory Committee – Accepted letter of resignation from Diane Lester Seat #5, effective July 17, 2008.

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- e. Older Adult Advisory Commission – Approved reappointment of Laura Wayman to Seat 9 and Sue Dings to Seat 11 representing Older Adult Collaborative and Candace Roeder to Seat 17 representing Senior Service Organizations.
 - f. Roseville Public Cemetery District – Approved appointment of Norman Fratis Jr. to Seat 1, as requested by Supervisor Rockholm.
 - g. Auburn Veterans Memorial Hall Board – Approved appointment of George Simmons Seat 7 and the reappointment of Courtland Bradbury Seat 1, Rose Agles, Bonnie Bradbury (Alternate) Seat 2, George Voyiatzes, Andrew Anderson (Alternate) Seat 3, Laurie Hubbard Seat 4, H.L. Hap Arnold, Elmer Frank (Alternate) Seat 5, Jeanann Carlson, Coralle Arnold (Alternate) Seat 6, Eugene Freeman (Alternate) Seat 7, Bonnie Potter Seat 10, Terry Crouson and Michael Crouson (Alternate) Seat 11, as requested by Supervisor Holmes.
 - h. Loomis Veterans Memorial Hall Board – Approved reappointment of Thomas Seth Seat 1, Earl Chinnock, Lawrence Johnson (Alternate) Seat 2, Russ Kelley Seat 3, Ron Jarnagin Seat 4, Robert Miller and Ruben Ramos (Alternate) Seat 6, as requested by Supervisor Holmes.
 - i. Roseville Veterans Memorial Hall Board – Approved appointment of Dave Ramsey (Alternate) Seat 1, Charles Thomas, Anthony Whatley (Alternate) Seat 5 and the reappointment of John Schance Seat 1, Eugene Nauta (Alternate) Seat 2, John Piches (Alternate) Seat 3, Bob Lightfield, William Donaldson (alternate) Seat 4, Joseph Cavanagh and Monty Montoya (Alternate) Seat 6, as requested by Supervisor Rockholm.
21. COMMUNITY DEVELOPMENT RESOURCE AGENCY:
- a. Engineering & Surveying/Rock Saddle Subdivision, Tract #390/Project #FF 1271 - Accepted improvements as complete; authorized the Faithful Performance 25% immediately upon approval and Labor and Materials sureties 50% or the total of all claims per G.C.66499.7, whichever is higher, for six months or longer if claims exist.
 - b. Planning/Placer County Housing Element Update - Authorized the Purchasing Manger to execute a contact amendment with Mintier & Associates, in the amount of \$19,765, for the preparation of the new Housing Element.
 - c. Planning/Sierra Nevada Conservancy - Resolution 2008-245 adopted authorizing the Director of Planning to sign an application for grant funding under the Sierra Nevada Conservancy Strategic Opportunity Grant program and appointed the Director of Planning, or designee, as agent to conduct all negotiations, execute and submit all documents, including but not limited to, applications, agreements, payment requests, which may be necessary for the completion of the project.
22. COUNTY EXECUTIVE:
- a. North Lake Tahoe Resort Association - Approved the proposed expenditure of \$190,000 in budgeted infrastructure funds for Design and Permitting of a Class 1 Bike Trail Connection in Homewood in the amount of \$165,000; Phase 1 of the Tahoe City Historic Walking Tour in the amount of \$8,000; and permanent Speed Limit Advisory/Radar Detector Signs for SR 28 in Kings Beach in the amount of \$17,000.
 - b. Organizational Development - Resolution 2008-246 adopted proclaiming September 2008 as "Placer County Combined Giving Campaign Month" and authorized solicitation of County employees as part of the 2008 campaign.
 - c. Approved a 5% merit increase for Joel T. Swift, Deputy Director Facility Services, Capital Facilities from Grade 464 Step 4 to Grade 464 Step 5 at \$ 57.79 per hour, retroactive to August 2, 2008.
 - d. Approved 5% merit increase for Thomas M. Miller, County Executive Officer from Grade 708 Step 4 to Grade 708 Step 5 at \$111.38 per hour, effective August 30, 2008.
 - e. Approved 5% merit increase for Lisa Buescher, Board of Supervisor's Administrative Aide II C from Grade U24 Step 4 to Grade U24 Step 5 at \$38.0284 per hour, effective August 30, 2008.
23. FACILITY SERVICES:
- a. Community Development Resource Center Phase II Parking - Approved Amendment #1 to Agreement #12509 with Williams + Paddon, Architects + Planners, Inc., to provide architectural and engineering services for the Community Development Resource Center Phase II Parking, Project # 4630E, and authorized the Chairman to execute the Amendment, increasing the contract by \$8,765 for a total contract cost not-to-exceed \$138,365.

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- b. Animal Services Pre-Engineered Metal Barn, Project #4782 - Resolution 2008-247 adopted accepting the project as complete and authorizing the Director of Facility Services to execute and record the Notice of Completion. Project is located in the Placer County Government Center in Auburn.
 - c. Kings Beach Clinic Tenant Improvements, Project #9176 - Resolution 2008-248 adopted accepting the project as complete and authorizing the Director of Facility Services to execute and record the Notice of Completion. Project is located on Salmon Avenue in Kings Beach.
 - d. Abandonment/Multi-Purpose Trail Easement - Resolution 2008-249 adopted abandoning Multi-Purpose Trail Easement interests on Lot F in the Clos Du Lac subdivision, located off Lomida Lane in Placer County.
24. PERSONNEL:
- a. Approved a Side Letter Agreement with Placer County Deputy Sheriffs' Association (PCDSA) on the allocation and use of Community Services Officers for certain field work assignments.
 - b. Approved a Side Letter Agreement with Placer County Deputy Sheriffs' Association (PCDSA) and ordinance introduced, first reading waived, amending the un-codified Classified Service - Schedule of Classifications, Salary Plan and Grade Ordinance for the classification of Supervising Welfare Fraud Investigator.
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. Competitive Request for Qualifications #9818/Hazardous Vegetation Abatement Services/County Executive Office/Office of Emergency Services/Facility Services/Parks - Awarded competitive Request for Qualifications #9818 for Hazardous Vegetation Abatement Services, adopted a list of qualified firms, and authorized the Purchasing Manager to sign Blanket Purchase Orders in the maximum aggregate amount of \$200,000 and transfer funds as necessary.
 - b. Blanket Purchase Order/CalWorks Information Network Printing and Mailing Services/Health & Human Services - Awarded using a Sacramento County competitively bid contract with Document Fulfillment Services, in the maximum amount of \$64,000.
 - c. Blanket Purchase Order/Cisco Products & Services/Administrative Services, Telecommunications Awarded using a Competitively Bid Public Agency Contract through the State of California with AT&T/SBC DataComm, from September 1, 2008 through August 31, 2009, for the purchase of Cisco brand wide area network (WAN) equipment (such as routers, switches and cables) in support of the County's high-speed computer network infrastructure, in the maximum amount of \$225,000.
26. PUBLIC WORKS:
- a. Abandonment/Drainage Easements, Alpine Meadows - Resolution 2008-250 adopted abandoning two Drainage Easements on Lot 122, Alpine Meadows Estates, Unit No. 4.
 - b. Nevada County Transit Service - Authorized the Chairman and Public Works Director to execute an agreement to reimburse Nevada County for providing transit service between Auburn and Grass Valley in the amount of \$128,106 (\$61,273 for FY 2007/08 and \$66,833 for FY 2008/09).
 - c. Sierra Nevada Conservancy - Resolution 2008-251 adopted authorizing submittal of a Sierra Nevada Conservancy (SNC) Strategic Opportunity, Category 2 (SOG 2) grant application for County sponsored Water Quality Education Programs and authorized the Director of Public Works to execute the SNC grant application document in accordance with grant requirements.
 - d. Transportation Element Dry Creek/West Placer Community Plan, Contract #73230 - Resolution 2008-252 adopted authorizing the Chairman to execute contract amendment #1 with URS Corporation. The amendment increase of \$42,722 would revise the total contract amount from \$281,722 to \$324,444, and give authorization to the Director of Public Works to approve future supplements up to \$15,000.
 - e. State Route 65/Sunset Boulevard Interchange Project - Resolution 2008-253 adopted authorizing the Chairman to execute the Freeway Maintenance Agreement for the State Route 65/Sunset Boulevard Interchange between California Department of Transportation (Caltrans) and Placer County.

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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 \$400 in Revenue Sharing monies to the Riding High Equestrian Program "8th Annual Blue Jean Ball", as requested by Supervisor Rockholm (\$150) and Supervisor Holmes (\$250). This program benefits individuals with emotional disabilities through equine-assisted therapy.
 - b. Approved appropriation of \$750 in Revenue Sharing monies to The Rocklin Area Chamber of Commerce "15th Annual Hot Chili and Cool Cars" Event, as requested by Supervisor Weygandt (\$500) and Supervisor Holmes (\$250).
 - c. Approved appropriation of \$600 in Revenue Sharing monies to the Salvation Army of Auburn "Feed the Hungry Program" as requested by Supervisor Rockholm (\$100) and Supervisor Holmes (\$500).
28. SHERIFF - Approved purchase of a replacement x-ray machine for the Coroner's Office in the amount not-to-exceed \$15,000, add equipment to the Master Fixed Asset List, approved a budget revision and authorized the Purchasing Manager to execute any documents related to this purchase.

End of Consent Agenda

BOARD OF SUPERVISORS – Presentation of a commendation congratulating State Senator Dave Cox for his authoring, and leadership, in the passage of Senate Bill 1159 (Chapter 44, Statutes of 2008 Truckee River Alcohol ban), accepted by his Field Representative Robert Olmstead.

BOARD OF SUPERVISORS – Presentation of a commendation posthumously honoring Mr. Gary Todd, presented to the family, for his contribution and dedication to the improvement and historical preservation of the Colfax community.

FACILITY SERVICES/NORTH FORK AMERICAN RIVER TRAIL, PROJECT #4753:

- a. Resolution 2008-254 adopted certifying the Final Environmental Impact Report (EIR) for the North Fork American River Trail Project and adopting Findings of Fact. MOTION Rockholm/Kranz/Unanimous
- b. Resolution 2008-255 adopted approving the North Fork American River Trail Plan, February 2008 (Trail Plan). MOTION Rockholm/Kranz/Unanimous

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/OAKWOOD ESTATES/REZONE (PMLD T20070721) MITIGATED NEGATIVE DECLARATION – Public hearing closed to consider a request from Rich Bryant. Ordinance 5522-B adopted approving a Rezone of Assessor's Parcel Number 032-091-020 from RA-B-X-10 (Residential Agriculture combining a minimum building site size of 10 acres) to RA-B-X-4.6 (Residential Agriculture combining a minimum building site size of 4.6 acres), to allow a 9.95 acre site to be divided into two parcels consisting of 5.10 and 4.85 acres. The property is located on the west side of Humphrey Road (2740 Humphrey Road), approximately 0.10 mile south of the intersection of Humphrey Road and Colwell Road, in the Loomis area. The Board adopted the mitigated negative declaration for the project. MOTION Rockholm/Uhler/Unanimous

PUBLIC WORKS – Authorized the Chairman to execute the Western Placer County Consolidated Transportation Services Agency Joint Powers Agreement. MOTION Uhler/Weygandt/Unanimous

COUNTY EXECUTIVE - Approved an agreement with the North Lake Tahoe Resort Association, in the amount of \$4,050,000 for Fiscal Year 2008-2009, to promote tourism and provide guidance to the Board of Supervisors on infrastructure project expenditures. MOTION Kranz/Rockholm/Unanimous

COUNTY EXECUTIVE/COMMUNITY GRANTS AND LOANS – Resolution 2008-256 adopted approving certain findings regarding the Housing Trust Fund Program Guidelines and authorizing the Chief Assistant County Executive Officer or designee to execute an Affordable Housing Covenant and Regulatory agreement with Placer Women's Center, Inc., dba PEACE for Families for the Domestic Abuse Shelter, in the amount of \$200,000. MOTION Rockholm/Weygandt/Unanimous

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FACILITY SERVICES/F STREET STEEL GARAGE BUILDING/PROJECT 40219 – Awarded the bid for the F Street Steel Garage Building Project to Koch Excavating Inc., in the amount of \$203,361, upon Risk Management's and County Counsel's review and approval of required bonds and insurance; authorized the Director of Facility Services to execute a contract and any required change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code; and approved a budget revision cancelling reserves in the Environmental Utilities Budget and appropriating \$250,000 to the Capital Projects Fund for completion of the project. The project is located in the Dewitt Center, Auburn. MOTION Rockholm/Weygandt/Unanimous

PUBLIC WORKS/BRIDGE REPLACEMENT PROJECTS/BREWER ROAD MARKHAM RAVINE CURRY CREEK/KING SLOUGH/CONTRACTS #1053, #1054, & #1055 – Resolution 2008-257 adopted authorizing the Chairman to sign three contracts with Drake Haglan Associates, Inc., in a total aggregate amount of \$814,334, for Professional Services for the Bridge Replacement Projects on Brewer Road at Markham Ravine, a branch of Curry Creek, and King Slough and authorized the Director of Public Works to approve and sign contract amendments for additional professional services not to exceed an aggregate amount of \$80,000. MOTION Rockholm/Weygandt/Unanimous

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:
 - (a) James Proctor, WCAB Claim, Claim Number: Unassigned – *Direction to staff was given.*
 - (b) Lisabeth Armstrong vs. County of Placer; et al., Placer County Superior Court Case Number: SCV-22150 – *Direction to staff was given.*
 - (c) Robert Attebery and Steven Proe vs. Placer County; City of Roseville; Superior Court of California; and DOES 1-10, inclusive, U.S.D.C. Eastern District Court Case Number: 2:08-cv-01778-JAM-JFM – *The Board authorized the defense of County and authorized retaining Cris Vaughn to defend the County in that action.*
 - (d) Colfax Elementary School District, et al. vs. Jim McCauley As Registrar of Voters for Placer County, et al. Placer County Superior Court Case Number: SCV-23489 – *The Board authorized the defense of that action.*

(B) §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – The Board discussed the item and gave direction to staff.

- (a) Property: Approximately 10.18 acres of land, improved with a 6,000 square foot commercial building, located at 401 W. Lake Boulevard, Tahoe City, California.
Negotiating Parties: County of Placer and John and Leslie Hyche
Negotiation: Authorization to negotiate price, terms and conditions of the purchase and sale
APNS: APN 094-200-026, 027, 050, and 051

(C) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – The Board discussed the item and gave direction to staff.

- (a) Agency designated representatives: Tom Miller, Nancy Nittler, Mike Boyle, Valerie Flood, Gerald Carden. Employee organization: PPEO. DSA.

COUNTY EXECUTIVE - Public hearing closed on the FY 2008-09 Final Budget to take public comment on the budget and receive any requests for additional funding; directed staff to make written changes to the budget before close of the public hearing; and directed staff to prepare the resolution for presentation at the next Board meeting to adopt the Proposed Budget including the following revisions:

- (1) Approved \$52,699,672 net allocations in the County Budget; and
- (2) Approved allocations for proprietary funds; and
- (3) Approved items listed on the Master Fixed Asset List; and
- (4) Approved the recommended Position Allocation Listing subject to staff returning at a later date with a net reduction in the overall allocation; and
- (5) Approved reserve provisions and cancellations for county funds; and
- (6) Approved allocations in Board of Supervisor governed special districts; and
- (7) Authorized the Auditor-Controller to make technical, non-substantive budget adjustments to the Final Budget. MOTION Weygandt/Rockholm/Unanimous

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COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/ZONING TEXT AMENDMENT WINERY ORDINANCE (PZTA-20050609)/NEGATIVE DECLARATION – Public hearing closed to consider an amendment to Chapter 17 of the Placer County Code for the creation of a winery specific ordinance. The Winery Ordinance creates a new section 17.56.330 (Wineries) within Article 17.56 (Specific Use Requirements) of the Placer County Zoning Ordinance. Currently, wineries fall under the definition of "agricultural processing" and require a Minor Use Permit. The proposed Winery Ordinance includes definitions, permit requirements, and standards related to access, parking, water, waste disposal, tasting rooms and promotional events. As proposed, the Winery Ordinance would simplify the permit process by allowing many small wineries with Zoning Clearance or the processing of an Administrative Review Permit depending on the zoning district, rather than a Minor Use Permit as currently required. As proposed, the Winery Ordinance may affect existing wineries with approved Minor Use Permits. Depending upon the zone district, an approved Minor Use Permit may be rendered moot because it would no longer be required in that zone district. Previously approved Minor Use Permits would continue to apply for wineries located in districts where Administrative Use Permits will be required. New proposed uses will be subject to compliance with the provisions of the Winery Ordinance. For example, if a winery proposes a new type of use, like adding wine tasting to the winery facility, either a building permit (for a new structure) or a change of occupancy permit (for an existing building not approved for public use) would be required. Such building/change of occupancy permit would be subject to Zoning Clearance for compliance with the Winery Ordinance and other County Codes, as well as review by the local serving fire district to insure compliance with Fire Safe Standards.

Associated amendments to implement the Winery Ordinance are proposed to Article 17.04 (Definitions), Section 17.06.050 (Land Use Permits and Permit Tables), Section 17.08.010 (Agricultural Exclusive), Section 17.10.010 (Farm), Section 17.12.010 (Forestry), Section 17.16.010 (Timberland Production), Section 17.20.010 (Commercial Planned Development), Section 17.22.010 (General Commercial), Section 17.24.010 (Heavy Commercial), Section 17.26.010 (Highway Services), Section 17.30.010 (Neighborhood Commercial), Section 17.34.010 (Resort), Section 17.38.010 (Business Park), 17.40.010 (Industrial), Section 17.42.010 (Industrial Park), Section 17.44.010 (Residential-Agricultural) and Section 17.46.010 (Residential-Forest). Changes are proposed to Section 17.54.070(C) (Surfacing of Parking Areas) to require all-weather surfacing, rather than paving, for agricultural and open space uses that require 25 or fewer parking spaces.

MOTION Uhler/Rockholm/Unanimous to adopt the Negative Declaration, including the Supplemental Report, attached to the staff report and the CEQA Findings on pages 8 and 9 of the staff report.

MOTION Uhler/Rockholm/Unanimous to approve the General Plan Findings for the Zoning Text Amendment on page 9 of the staff report and approve the ordinance with an amendment to notify residents on a private road or anyone who has property interest in that road before and after a decision on a permit and waive the appeal fee for a resident who chooses to appeal to the Planning Commission and this appeal waiver will be reviewed at the end of a three-year period by the Board. Staff directed to bring back the ordinance with the final language at a future meeting.

ITEMS FOR INFORMATION:

Auditor-Controller - Supplemental Law Enforcement Services Fund Auditor's Report for the period of 07/01/07-06/30/08.

Child Support Services - Plan of Cooperation for Federal Fiscal Year 2008/2009 between the California Department of Child Support Services and the Placer County Department of Child Support Services.

Treasurer-Tax Collector - Treasurer's Statement for the month of July 2008.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, September 9, 2008.

ATTEST:

Ann Holman
Clerk of the Board

Jim Holmes, Chairman
Placer County Board of Supervisors