

# PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, August 4, 2009, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, Uhler and Montgomery present. Chairman Rockholm presiding, Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and Gerald O. Carden, Chief Deputy County Counsel.

**PUBLIC COMMENT** – 1) Melanie Barton, Museum, provided a short video and information on the Heritage Trails Program to be held August 8th & 9th. 2) Jim Durfee, Facility Services, introduced Dave Henshaw, Pacific Gas & Electric, who presented a ceremonial rebate check in the amount of \$19,000 for energy efficiency at the County's Fulweiler facilities. 3) Rosemary Frieborn, Friends of Placer County Animal Shelter, presented the August rent check to the Clerk of the Board and pointed out that the County has a rent policy that allows for zero rent to non-profits. Ms. Frieborn said she believes Friends has been discriminated against and wanted to know what the Board was going to do to rectify the situation, within 30 days. Ms. Frieborn presented a public records request for documents from the Board of Supervisors and County Executive Offices.

**SUPERVISOR'S COMMITTEE REPORTS** – Supervisor Uhler advised, this afternoon, he and Supervisor Weygandt will have another Placer County Conservation Plan (PCCP) Adhoc Committee Meeting. He thought they had made good progress in the last month or so working with the City of Lincoln. He is trying to get a map that works for everybody. He said he appreciated Supervisor Weygandt for time he spends on this effort. In addition, Supervisor Uhler reported that The Golden Sierra Job Training Agency has deployed, almost three fold the number of summer youth work programs and have had great success.

**CONSENT AGENDA** (Items 9 thru 20) – Moved 15b & 15d for discussion. Consent Agenda approved as amended with action as indicated. MOTION Uhler/Weygandt/Unanimous.

9. **ADMINISTRATIVE SERVICES/IT** – Approved the award of a purchase order to NexusIS for the purchase of NEC 8500 Telephone System to support the Health & Human Services Department's relocation project, in the amount of \$142,826.34.
10. **AGRICULTURE** - Resolution 2009-214 adopted authorizing the Placer County Agricultural Commissioner/Sealer to sign contract #09-0268 in the amount of \$4,490.84 with the California Department of Food and Agriculture for the Agriculture Department's Yellow Starthistle Leading Edge Control Project for fiscal years 2009-10 and 2010-11.
11. **AUDITOR-CONTROLLER**
  - a. Resolution 2009-215 adopted approving Funds/Subfunds available in the Placer County Performance Accounting Series Financial System (PAS).
  - b. Approved FY 2008-09 year end budget revisions necessary to complete accounting transactions necessary for fiscal year end.
12. **BOARD OF SUPERVISORS**
  - a. Resolution 2009-216 adopted in support of the California State Legislature to enact meaningful and comprehensive lawsuit reform to protect small businesses, jobs and consumers from the affects of such lawsuits.
  - b. Approved a Proclamation declaring August 2009 as "Child Support Awareness Month" in Placer County.
  - c. Approved minutes of July 7, 2009.
  - d. Approved Special Meeting, Wednesday, August 19, 2009.
13. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by Counsel.
  - a. 09-071, Copeman, Terry, \$75,000. (Personal Injury)
  - b. 09-073, Kemper, Edward, in excess of \$584,000. (Personal Injury)
  - c. 09-078, Ceralde, Carol, \$300, (Property Damage)
14. **COMMITTEES & COMMISSIONS**
  - a. Roseville Veterans Memorial Hall Board – Approved appointments of Dave Ramsey to Seat 1, John Schance (alternate) to Seat 1, Charles Peterson to Seat 2, William Donaldson to Seat 4, Donald Chapman (alternate) to Seat 4 and reappointments of John Piches (alternate) to Seat 3, Charles Thomas to Seat 5 and Alan Hyashi to Seat 6, as requested by Supervisor Rockholm.

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## 15 COUNTY EXECUTIVE

- a Authorized the Chairman to sign the annual agreement with the Resource Conservation District (RCD) in the amount of \$30,000. RCD will provide assistance to the County with the stormwater tasks mandated by the National Pollutant Discharge Elimination Program, help prevent soil erosion and control sediment and promote agriculture.
- b **MOVED FOR DISCUSSION** Approve a 5% merit increase for Richard S. Knecht, Client Services Program Director, Health & Human Services, Children's System of Care, from Grade 466 Step 3 to Grade 466 Step 4 at \$58.96 per hour, retroactive to February 28, 2009.
- c Resolution 2009-217 adopted authorizing the Chairman to execute tax sharing agreements for annexation of approximately 10 acres located west of Roseville, known as the O'Brien annexation.
- d **MOVED FOR DISCUSSION** Approve a 5% merit increase for Janet Fogarty, Managing Accountant Auditor, from Grade 452 Step 4 to Grade 452 Step 5 at \$ 53.84 per hour, retroactive to August 1, 2009.

## 16 FACILITY SERVICES

- a Auburn Historic Courthouse Entrance Paving, Project #4938 - Awarded bid to Koch Excavating, Inc., in the amount of \$95,868 and upon approval of County Counsel and Risk Management, 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.
  - b Emergency Purchase - Ratified the emergency purchase of services for pumping and disposal of contaminated water/sludge by Ramos Environmental Services for the amount of \$6,103.75.
  - c Recreation Area #5, Meadow Vista/North Auburn Recreation Area - Approved a Budget Revision appropriating County Park Dedication Fees from Recreation Area #5, in the amount of \$75,000, for the installation of rubber surfacing for the tot lot play structure at North Park in Auburn.
  - d Recreation Area #5, Meadow Vista-Auburn Area - Approved a Use Agreement with the Auburn Recreation District authorizing the use of Park Dedication Fees from Recreation Area #5, in the amount of \$187,000 for rehabilitation of the locker rooms at Recreation Park, and approved a Budget Revision appropriating the funds.
  - e Recreation Area #5, Meadow Vista-Auburn Area - Approved a Budget Revision appropriating County Park Dedication Fees from Recreation Area #5, in the amount of \$105,000, to the Capital Projects Fund for rehabilitation of the Sugar Pine Mountain Trail in Meadow Vista.
  - f Bill Santucci South Placer Justice Center Building B - Awarded contract to Pride Industries, Inc., to provide custodial services for Building "B" for three years, and Resolution 2009-218 adopted authorizing the Director of Facility Services to execute the resulting contract upon approval of County Counsel and Risk Management in an amount of \$91,844.16 for FY 2009/2010, \$94,115.76 for FY 2010/2011 and \$96,878.52 for FY 2011/2012, and to execute change orders up to a maximum of 10% of the annual contract value.
- 17 HEALTH & HUMAN SERVICES/ANIMAL SERVICES - Amended Umbrella Contract CH000013 with various veterinary providers for emergency veterinary services, increasing funding by \$2,500, for a revised total amount not to exceed \$27,500 for fiscal year 2008-09.
- 18 PUBLIC WORKS/TRANSIT/TAYLOR ROAD SHUTTLE EXPANSION - Authorized the Chairman to execute a Memorandum of Understanding with the Western Placer Consolidated Transportation Services Agency to receive an additional \$78,000 over two fiscal years to provide additional service on the Taylor Road Shuttle.
- 19 REDEVELOPMENT AGENCY BOARD - Resolution 2009-219 adopted authorizing the Redevelopment Director or designee to execute an Option Agreement Amendment with Domus Development LLC for conveyance of Redevelopment Agency-owned property at 325, 348, and 385 Deer Street, 265 Fox Street, and 200 Chipmunk Street in Kings Beach, Assessor Parcel Numbers 090-064-013, 090-064-017, 090-064-012, 090-126-026, and 090-222-050.

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- 20 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 \$150 in Revenue Sharing monies to the Lincoln Zebra Quarterback Club to benefit the Lincoln High School Football Program as requested by Supervisor Rockholm.
  - b. Approved appropriation of \$150 in Revenue Sharing monies to the Roseville Chamber of Commerce 14<sup>th</sup> Annual Past Presidents' Club Golf Tournament to benefit the Roseville Chamber's Building Fund, as requested by Supervisor Rockholm.
- \*\*\*End of Consent Agenda\*\*\*

The following items were moved from Consent Agenda for discussion:

15 COUNTY EXECUTIVE

- b. Approved a 5% merit increase for Richard S. Knecht, Client Services Program Director Health & Human Services, Children's System of Care, from Grade 466 Step 3 to Grade 466 Step 4 at \$58.96 per hour, retroactive to February 28, 2009. MOTION Montgomery/Holmes/Unanimous
- d. Approved a 5% merit increase for Janet Fogarty, Managing Accountant Auditor, from Grade 452 Step 4 to Grade 452 Step 5 at \$ 53.84 per hour, retroactive to August 1, 2009. MOTION Montgomery/Holmes/Unanimous

**COUNTY EXECUTIVE/COMMUNITY DEVELOPMENT GRANTS & LOANS** - Resolution 2009-221 adopted authorizing submittal of an application for up to \$2,100,000 to the California State Department of Housing and Community Development for funding under the 2009 HOME Investment Partnerships Program (HOME) Program and, if awarded, authorizing the execution of a standard agreement, any amendments thereto, and any related documents necessary to participate in the HOME Program. MOTION Montgomery/Holmes/Unanimous

**COUNTY EXECUTIVE/BUDGET** - Received an update on the State Budget and its implications for adoption of the 2009-10 Placer County Budget.

**COUNTY EXECUTIVE/BUDGET** - Affirmed policy guidance for preparation of Final Budget adjustments. MOTION Montgomery/Holmes/Unanimous

**PUBLIC WORKS/STERLING POINTE ESTATES PERMANENT ROAD DIVISION (PRD #8) ESTABLISHMENT OF ANNUAL CHARGES** - Public hearing closed to consider all protests; receive election results regarding an annual assessment to provide services within Placer County permanent Road Division #8 and Resolution 2009-220 adopted establishing annual charges for the authorized services of \$211 per parcel for the first year. Ballots were received from property owners of the subdivision by Placer County Department of Public Works and tabulated by the Election Judges. Of the total 60 property owners, 42 total votes were cast, 39 affirmative and 3 negative. MOTION Uhler/Weygandt/Unanimous

**FACILITY SERVICES/SEWER CONNECTION, ANNEXATION AND IN-LIEU FEE INCREASES** - Public hearing closed to receive public comment concerning proposed adjustments to Connection Fees, Annexation Fees and In-Lieu Fees. Ordinance 5570-B adopted adjusting the fees and made a finding pursuant to Section 21080(b)(8), of the Public Resource Code, that the higher fees are derived directly from the cost of providing service and are necessary to meet operating expenses required for maintenance of service, and are therefore exempt from environmental review. MOTION Holmes/Weygandt/Unanimous

**HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE** - Approved FY 2009-10 contracts with nine substance abuse treatment providers in an aggregate amount of \$2,441,594 and authorized the Director of Health and Human Services to sign subsequent amendments up to 10 percent of the total amount. These contracts include a required match of \$131,200 in County General Funds. These costs are included in the Department's FY 2009-10 Proposed Budget. MOTION Holmes/Montgomery/Unanimous

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**HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE** - Approved a contract employee agreement with Steve Sugden, M.D. as staff psychiatrist from August 17, 2009 through August 16, 2010 with direct compensation of \$272,200 a total compensation package not to exceed \$321,522 and authorized the Chairman to sign subsequent amendments up to 10 percent of the original contract amount. This amount reflects total cost of salary, benefits, employer payroll contribution and 15 weeks of after-hours on-call. The required County General Fund contribution for this contract is \$96,487. These costs are included in the Department's FY 2009-10 Proposed Budget.  
MOTION Holmes/Montgomery/Unanimous

**HEALTH & HUMAN SERVICES/HUMAN SERVICES** - Authorized the Purchasing Manager to perform all activities and approve all documents necessary for the purchase of office furnishings, equipment and services necessary to initiate operation of the new Human Services office at 1000 Sunset Boulevard, Rocklin, in an amount not to exceed \$275,000. MOTION Holmes/Weygandt/Unanimous

**COUNTY EXECUTIVE/PERSONNEL** - It is recommended that your Board take the following actions to adjust Deputy Sheriff's Association (DSA) represented employee compensation and benefits.

1. Adopt a Resolution imposing the proposals contained within the County's "Last, Best and Final Offer for a New Memorandum of Understanding submitted July 1, 2009 by the County of Placer to the Deputy Sheriffs' Association"
2. Introduction of an ordinance adjusting the compensation and benefits of DSA represented employees.
3. Approve two resolutions to implement the CalPERS employee retirement contribution, one for DSA Safety members and one for DSA Miscellaneous members.

MOTION Montgomery/Holmes/Unanimous to continue to September 8, 2009 at 10:30 a.m.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/THIRD PARTY APPEAL PLANNING COMMISSION APPROVAL OF A MINOR USE PERMIT (PCPA 20080369) "AMERICA'S TIRE COMPANY"** - Public hearing to consider a third-party appeal from Tom LoPiccolo of the Planning Commission's approval of a Conditional Use Permit for America's Tire Company. It is staff's recommendation that the Board uphold the decision of the Planning Commission and deny the appeal. (Continued from June 23, 2009)

MOTION Uhler/Weygandt/Unanimous VOTE 4:0 (Holmes temporarily absent) to close the public hearing; deny the appeal, accept the site plan and uphold the Planning Commission's approval of the Conditional Use Permit subject to Findings and Conditions.

## COUNTY COUNSEL/CLOSED SESSION REPORT:

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

1. Existing Litigation
  - (a) Foresthill Residents for Responsible Growth, et al vs. Placer County et al Placer County Superior Court Case No. SCV-24213 - *The Board received a report from Counsel and gave direction.*
  - (b) Placer County Sheriff vs. Friends of Auburn/Tahoe Vista Placer County Animal Shelter, et al Third District Court of Appeal Case No. C058472 - *The Board received a report from Counsel.*
  - (c) Placer County Sheriff vs. Friends of Auburn/Tahoe Vista Placer County Animal Shelter, et al Third District Court of Appeal Case No. C061190 - *The Board received a report from Counsel.*
  - (d) Sutter County vs. County of Placer, et al, Sacramento County Superior Court Case No. 34-2007-00883516 - *The Board received a report from Counsel and gave direction.*
2. Anticipated Litigation - *In the first matter the Board received a report from Counsel and in the second matter the Board received a report and provided direction to Counsel.*
  - (a) Initiation of litigation pursuant to subdivision (c) of Government Code §54956.9 two potential cases.

### (B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS - *The Board received a report from their Labor Negotiator.*

- (a) Agency designated representatives Tom Miller, Nancy Nittler, Mike Boyle, Gerald O. Cardon, Anthony J. La Bouff  
Employee organization: PPEO DSA

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## ITEMS FOR INFORMATION:

Auditor-Controller - Independent Accountant's Report on the Treasurer's Statement of Assets, for the quarter ended March 31, 2009

Treasurer/Tax Collector - Treasurer's Statement for the Month of June 2009.

**ADJOURNMENT** - Next regular meeting is Tuesday August 18, 2009 Next special meeting is Wednesday, August 19, 2009

ATTEST:

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Ann Holman  
Clerk of the Board

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F. C. Rockholm, Chairman  
Placer County Board of Supervisors

