

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, July 12, 2011, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Supervisor Uhler absent for the morning session. Chairman Weygandt presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Melanie Barton, Museums, invited all to the Heritage Trail Event August 6 & 7. Ruth Burgis, Scott Oatska, and Richard Pierucci, Superintendent of Roseville City School District, urged the Board to restore the necessary \$15,000 to \$20,000 to maintain the "Miles of Smiles" Program that is a public private partnership with Placer County Health Department, Roseville City Schools, Sacramento Sierra Dental Society Foundation and the Rotary Club of Roseville to meet health needs of children for access to dental health care. Ms. Bugis presented a letter from Dr. Stephen Christensen of Loomis supporting the program. Chairman Weygandt requested a facts sheet that delineates the current funding partners as the Board goes into budget workshops.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Holmes acknowledged Jennifer Dzakowic, Planning Department employee, is a recent graduate of the Drexel University Masters Program. Supervisor Montgomery reported on the defensible space clearing she attended sponsored by the Greater Auburn Area Fire Safe Council. Chairman Weygandt advised of a meeting attended with the Regional Water Quality Control Board.

CONSENT AGENDA – Removed item 20f, 21 and moved item 33 for discussion. Consent Agenda approved as amended with action as indicated. The Board convened as the In Home Supportive Services Public Authority for Item #28 and the Redevelopment Agency Board for Item #32.
MOTION Montgomery/Duran/Unanimous VOTE 4:0 (Uhler absent)

17. AGRICULTURE:

- a. Resolution 2011-177 adopted authorizing the Placer County Agricultural Commissioner/Sealer to sign contract #10-0126-SF with the California Department of Food and Agriculture allowing for reimbursement from the State for up to \$11,555 for costs associated with detection trapping of the European Grapevine Moth in Placer County for the period of February 1, 2011 through June 30, 2011.
- b. Resolution 2011-178 adopted authorizing the Placer County Agricultural Commissioner/Sealer to sign a Memorandum of Understanding with the Citrus Research Board allowing for reimbursement for up to \$5,644 for costs associated with detection trapping of the Asian Citrus Psyllid in Placer County from March 1, 2011 through June 30, 2011.
- c. Resolution 2011-179 adopted authorizing the Placer County Agricultural Commissioner/Sealer to sign a Memorandum of Understanding with the Citrus Research Board allowing for reimbursement for up to \$5,438 for costs associated with detection trapping of the Asian Citrus Psyllid in Placer County from July 1, 2011 through October 31, 2011.

18. BOARD OF SUPERVISORS:

- a. Approved special meeting Monday, July 25, Thursday, August 18 and Friday August 19, 2011.
- b. Approved minutes of June 7, 2011.
- c. Approved a Proclamation declaring August 2011 as "Child Support Awareness Month" in Placer County.
- d. Resolution 2011-176 adopted in support of the first Placer County Stand Down.
- e. Authorized the Chairman to sign a letter on behalf of the Placer County Board of Supervisors requesting that the Department of Interior authorize the Bureau of Reclamation the use of Wildland Fire Management Funds for trail and fuel reduction work in the Auburn State Recreation Area.

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

- a. 11-082, Andrews, Richard, \$153,105.50, (Bodily Injury)
- b. 11-085, McKinney, Tamara, \$6,353.78, (Property Damage)
- c. 11-086, DeLong, Connie, Excess of \$25,000, (Bodily Injury)
- d. 11-088, Cheek, Bernadette, \$472.36, (Property Damage)
- e. 11-089, Nevarez, Alfonso, Excess of \$10,000, (Bodily Injury)
- f. 11-090, Nevarez, Donna, Excess of \$10,000, (Personal Injury)
- g. 11-091, DeLoach, Robert, Excess of \$1,000,000, (Bodily Injury)
- h. 11-092, DeLoach, Cynthia, Excess of \$500,000, (Personal Injury)
- i. 11-098, Darling, Scott, \$565, (Personal Injury)

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20. COMMITTEES & COMMISSIONS:
- a. Building Appeals Board - Approved the reappointment of Lee Buckingham to Seat 3.
 - b. Civil Service Commission - Approved the reappointment of Ronald LeDoux to Seat 4, as requested by Supervisor Weygandt.
 - c. Mental Health, Alcohol, and Drug Advisory Board - Appointed Daniel Wesp as a Public Interest Member for District 1, Seat 7 to the Mental Health, Alcohol, and Drug Advisory Board as respectfully requested by the Mental Health, Alcohol, and Drug Advisory Board.
 - d. Municipal Advisory Council (North Tahoe Regional) -- Approved the appointment of Emilio Vaca to Seat 4 as requested by Supervisor Montgomery.
 - e. Municipal Advisory Council (Sheridan) -- Approved the appointment of Gene Whitehouse to Seat 1, as requested by Supervisor Weygandt.
 - f. **REMOVED FROM AGENDA** Municipal Advisory Council (Weimar/Applegate/Colfax) -- Approve the appointment of Adam "Hank" Lee to Seat 2 as requested by Supervisor Montgomery.
 - g. Placer County Older Adult Advisory Commission -- Accepted the resignation of Laura Wayman from Seat 9 representing the Older Adult Collaborative.
 - h. Placer County Older Adult Advisory Commission -- Approved the appointment of David Wiltsee to Seat 5 representing District 5, as requested by Supervisor Montgomery.
 - i. Placer County Youth Commission -- Resolution 2011-208 adopted amending Resolution #2009-116 establishing the Placer County Youth Commission; adding Placer County Office of Education as a new lead partner.
 - j. Placer County Youth Commission - Approved the 2011/12 term appointments and reappointments of Placer County Youth Commissioners and 3 at large alternates.
 - k. Wastewater Advisory Committee -- Accepted resignation of Tibor Banathy from Seat 2 representing Academia and Bill Carpenter from Seat 7 representing Placer County Builders.
21. **REMOVED FROM AGENDA** COMMUNITY DEVELOPMENT RESOURCE AGENCY/GONDOLA NORTH SUBDIVISION; TRACT #997 - Approve recording of the Final Map:
- 1. Approve recording and authorize the Chairman to sign the Final Map.
 - 2. Authorize the Chairman to sign the Subdivision Improvement Agreement.
 - 3. Instruct the Clerk of the Board to prepare the Final Map and the Subdivision Improvement Agreement for recording.
22. COUNTY COUNSEL - Resolution 2011-180 adopted amending Appendix to Chapter 2, Article 2.84 of the County Code: Conflict of Interest Regulations to add the Appeals Board for Placer County Wastewater Advisory Committee as a committee subject to conflict of interest regulations and to make other non-substantive changes.
23. COUNTY EXECUTIVE:
- a. Resolution 2011-181 adopted designating the Arts Council of Placer County as Placer County's local partner in the California Arts Council State and Local Partnership program; and authorized the County Executive Officer to sign the contract with the Arts Council of Placer County to promote and encourage interest and participation in the arts and humanities within Placer County in the amount of \$120,000 for the period of July 1, 2011 through June 30, 2012.
 - b. Resolution 2011-182 adopted authorizing the Chairman to sign a letter requesting the Governor veto Senate Bill 931.
 - c. Approved the proposed amendment to the fixed price contract between the Placer County Water Agency (PCWA) and Pacific Gas and Electric for the purchase of power from PCWA's hydroelectric facility at Hell Hole Dam.
24. COUNTY EXECUTIVE/REDEVELOPMENT - Resolution 2011-183 adopted authorizing the Director of Public Works to execute multi-purpose trail easements and landscape maintenance agreements for the North Auburn Highway 49 Streetscape Improvement project.

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25. DISTRICT ATTORNEY - Resolutions 2011-184 and 2011-185 adopted authorizing the District Attorney, to submit a proposal and to sign and approve the contract agreements for the California Victim Compensation and Government Claims Board in the amount of \$254,902 for fiscal years 2011/12 and the Revolving Fund in the amount of \$40,000 for fiscal years 2011/12 and 2013/14.
26. FACILITY SERVICES:
- a. Garbage Collection/Franchise Area 3 (Tahoe) - Resolution 2011-186 adopted authorizing and directing the County Auditor to place for collection the delinquent garbage collection bills identified in Exhibit A of the attached Resolution for Franchise Area 3, plus a \$40.00 administrative fee per account, on the 2011/12 tax rolls unless otherwise paid in full by July 20, 2011.
 - b. Garbage Collection/Forsthill Divide - Resolution 2011-187 adopted authorizing and directing the County Auditor to place for collection on the 2011/12 tax rolls the delinquent garbage collection bills for the Foresthill Divide properties identified in Exhibit A, unless otherwise paid in full by July 20, 2011.
27. HEALTH & HUMAN SERVICES:
- a. Adult System of Care/Sunbridge Braswell Enterprises, Inc., dba Sierra Vista Rehabilitation Center - Approved a new contract with Sunbridge Braswell Enterprises, Inc., dba Sierra Vista Rehabilitation Center for transitional residential mental health services from July 1, 2011 to June 30, 2012 in the amount of \$80,000 and authorized the Director of Health and Human Services to sign the contract and subsequent amendments up to 10% of the total amount.
 - b. Children's System of Care/KidsPeace National Centers, Inc., and KidsPeace Children's Hospital, Inc. - Approved two new agreements with KidsPeace National Centers, Inc., and KidsPeace Children's Hospital, Inc., to provide intensive group home residential care and psychiatric hospitalization from June 10, 2011 through June 30, 2012 in an aggregate amount not to exceed \$128,482, and authorized the Director of Health and Human Services to sign the agreements and subsequent amendments up to 10% of the initial total.
 - c. Children's System of Care/Out-of-State Travel - Approved out-of-state travel for three Children's System of Care staff members to attend and present Placer County's outcomes at the mandated Substance Abuse Mental Health Services Administration (SAMHSA) Technical Assistance Partnership on July 17-21, 2011, held in Chicago, Illinois. The total cost for travel, lodging, per diem, and registration is estimated at \$5,803.
28. IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY- Appointed new members to the In-Home Supportive Services (IHSS) Advisory Committee, including Mary DeGraaf to Seat #6 representing IHSS service providers and Dolores Moore to Seat #1 representing IHSS service recipients, as respectfully requested by the IHSS Advisory Committee and IHSS Public Authority staff.
29. LIBRARY - Approved the closure of the Placer County Library System on August 26, 2011.
30. 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. Request for Qualifications - Approved the Award of Competitive Request for Qualifications #10084 for Architectural Consulting Services and Adopt a List of Qualified Firms.
 - b. Construction Contract #KN020996 - Resolution 2011-188 adopted accepting the Satellite Dish Foundation Construction, Contract # KN020996, as complete and authorizing the Director of Administrative Services to Execute and Record the Notice of Completion
31. PUBLIC WORKS:
- a. Blanket Purchase Order #18326 - Approved Change Order to Blanket Purchase Order #18326 with Auburn Ford Lincoln Mercury for Ford Original Equipment Manufacturer (OEM) parts, service and repairs, and authorized the Purchasing Manager to sign the resulting Change Order increasing the maximum amount by \$35,500 for a revised maximum amount from \$49,500 to \$85,000.
 - b. Horseshoe Bar Road Improvements, Water Main Removal & Replacement - Resolution 2011-189 adopted authorizing the Chairman of the Board to execute the Construction Cooperative Agreement for the Horseshoe Bar Road Improvements between Placer County Water Agency (PCWA) and Placer County, with County Counsel and Risk Management's review and approval. PCWA will be responsible for the total construction costs of the water main replacement and funding for the remaining road construction will come from County Traffic Impact Fees included in the 2011/2012 Fiscal Year Budget.

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32. REDEVELOPMENT AGENCY - Resolution 2011-190 adopted authorizing the Redevelopment Deputy Director to sign documents related to implementation of the Highway 49 Streetscape project to include, but not limited to, property right-of-entry agreements, applications, other agreements, and permits.
33. 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. **MOVED FOR DISCUSSION** Approved appropriation of \$250 in Revenue Sharing monies to the Placer County Law Enforcement Chaplaincy BBQ fundraiser event, proceeds benefit the Placer County Law Enforcement Chaplaincy, as requested by Supervisor Weygandt (\$250).
34. SHERIFF:
- a. Resolution 2011-191 adopted accepting the Alcoholic Beverage Control (ABC) grant in the amount of \$38,100; authorized the Sheriff to sign and execute the grant Agreement and authorized the Purchasing Manager to execute any documents related to equipment purchases funded by the grant.
- b. Approved the purchase of system upgrades through our existing vendor Dataworks for the LiveScan Fingerprint and Photolmaging™ systems in the total amount not to exceed \$89,265, add the systems to the Master Fixed Asset List, approved the Budget Revision transferring funds within the Sheriff's Office, and authorized the Purchasing Manager to execute all related documents.
- c. Approved Amendment #2 renewing the records, dispatch, and correction system support agreement between the Placer County Sheriff Coroner-Marshal and Abtech Support Inc. and authorized the Purchasing Manager to execute any related documents. The agreement period begins July 1, 2011 and ends June 30, 2012 with an annual cost of \$101,580.
- d. Authorized the Sheriff's Office to request the Personnel Director to undertake an organizational and classification review within the Sheriff's Corrections Division.
35. TREASURER-TAX COLLECTOR - Adopt ten Resolutions 2011-192 through 2011-201 providing for the temporary borrowing of funds through the issuance of 2011-12 Tax and Revenue Anticipation Notes (TRAN) in the names and amounts of the following school districts: Auburn Union \$5,000,000; Dry Creek Joint Elementary \$7,500,000; Eureka Union \$3,000,000; Loomis Union \$7,500,000; Rocklin Unified \$15,000,000; Roseville City \$18,000,000; Roseville Joint Union High \$20,000,000; Sierra Joint Community College District \$15,000,000; Western Placer Unified \$13,000,000; and Colfax Elementary \$500,000.

End of Consent Agenda

CONSENT ITEMS MOVED FOR DISCUSSION:

33. 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 \$250 in Revenue Sharing monies to the Placer County Law Enforcement Chaplaincy BBQ fundraiser event, proceeds benefit the Placer County Law Enforcement Chaplaincy, as requested by Supervisor Weygandt (\$250).
- MOTION Homes/Montgomery VOTE 3:0 (Duran abstain, Uhler absent)

BOARD OF SUPERVISORS/HEALTH & HUMAN SERVICES/OLDER ADULT ADVISORY COMMISSION - Accepted and approved the Older Adult Advisory Commission 2010 Annual Report.
MOTION Holmes/Montgomery/Unanimous VOTE 4:0 (Uhler absent)

BOARD OF SUPERVISORS – Received an update regarding the first Placer County Stand Down and presented Resolution 2011-176 to the Gold Country Chaplaincy in support of the first Placer County Stand Down to be held at Roseville Fairgrounds September 27, 28 & 29, 2011.

BOARD OF SUPERVISORS – Presented a Commendation to Master Sergeant William "Bill" D. Clark to congratulate him on his retirement from a long and distinguished career of over 23 years in the United States Air Force Reserve with thanks for a lifetime of dedication to promote life and liberty in support of our great Nation.

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COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/THIRD-PARTY PLANNING COMMISSION APPEAL/CONDITIONAL USE PERMIT (PCPA 20110043)/NORTHSTAR MOUNTAIN LODGE. MITIGATED NEGATIVE DECLARATION - The Board is being asked to deny a third-party appeal from Thomas Morone, receiver for Highlands Hotel Company, LLC, of the Planning Commission's decision to: 1) approve a Conditional Use Permit; 2) approve a Variance; and 3) to adopt a Mitigated Negative Declaration for the Northstar Mountain Lodge. The approval of the Conditional Use Permit and Variance allows for the construction of an approximately 17,687 square foot Mountain Lodge at the Northstar-At-Tahoe Resort in the Martis Valley area.

MOTION Montgomery/Holmes/Unanimous VOTE 4:0 (Uhler absent) to deny the appeal of Thomas Morone on the basis as set forth in the staff report, approved the Mitigated Negative Declaration, the Conditional Use Permit and the height Variance of 49.5 feet for the Northstar Mountain Lodge by adopting the Planning Commission findings for approval as set forth on pages 5&6 of Attachment F and approving the Project subject to the conditions of approval as Attachment E, which shall constitute the Board's Findings and Conditions.

AUDITOR-CONTROLLER - Received the Annual Report of the Placer County Audit Committee, presented by Wayne Nader, Audit Committee Chairman.

PUBLIC WORKS/TRAFFIC MITIGATION FEES ANNUAL ADJUSTMENT - Continue the Public hearing held on June 7, 2011 Board of Supervisors Meeting and consider deferring the annual inflationary adjustment to the Capital Improvement Costs and corresponding Countywide Traffic Mitigation Fees for all Benefit Districts. Staff is recommending the item be withdrawn.

MOTION Duran/Montgomery/Unanimous VOTE 4:0 (Uhler absent) to defer any annual inflationary adjustment to the County's Transportation Capital Improvement Program and related fee and directed staff to review traffic impact fee program and come back to the Board with recommendations.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/GENERAL PLAN AMENDMENT (PGPA T20100374) FORESTHILL DIVIDE COMMUNITY PLAN SETTLEMENT AGREEMENT - The Board is being asked to consider the approval of amendments to the Foresthill Divide Community Plan and adoption of the Addendum to the Environmental Impact Report for the Foresthill Divide Community Plan as recommended by the Planning Commission on June 9, 2011.

MOTION Montgomery/Duran/Unanimous VOTE 4:0 (Uhler absent) bringing forward the Planning Commission recommendations and approve the amendments and the adoption of the Addendum to the EIR by adopting Resolution 2011-202 adopting the Addendum to the Final Environmental Impact Report for the Foresthill Divide Community Plan (Attachment A-1 and adopting Resolution 2011-203 amending the Foresthill Divide Community Plan (Attachment A-2); including Planning Commission's modification to policy CD 13-17 adding an additional sentence "For projects with fewer than ten (10) dwelling units, irrespective of size, the proponent county shall coordinate with local fire agencies to determine the feasibility and practicality of appropriate ongoing fuel treatment".

ADMINISTRATIVE SERVICES/PROCUREMENT - Authorized the Purchasing Manager to sign the following:

- a. **Blanket Purchase Order/Probation/Central Kitchen** - Approved the Renewal of Competitively Awarded Blanket Purchase Orders with Seven Vendors for Food for Probation's Central Kitchen in the maximum aggregate amount of \$657,000.

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

FACILITY SERVICES/DRY CREEK COMMUNITY PARK, PROFESSIONAL CONSULTANT SERVICES, Project # 4784 - Ratified Amendment #2 to the Agreement with Baker Williams Engineering Inc. (BWE) for professional design services for the Dry Creek Community Park, located in the Dry Creek-West Placer Community Plan area and authorized the Chairman to execute the Amendment, increasing the contract by \$69,387 for a total contract cost not-to-exceed \$270,849.

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

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FACILITY SERVICES/PLACER COUNTY WATER AGENCY FORESTHILL CORPORATION YARD ACQUISITION – The Board took the following actions associated with acquisition of the 1.7-acre parcel located at 24625 Harrison Street in Foresthill California referred to as APN 007-181-003 from the Placer County Water Agency:

- 1) Delegated authority to the Director of Facility Services, or his designee, to execute an Agreement for Purchase and Sale based upon the Material Terms; and,
- 2) Resolution 2011-204 adopted authorizing the Director of Facility Services, or his designee, to execute all documents and take all actions necessary to complete the acquisition at a cost not-to-exceed \$257,000; and,
- 3) Approved a Budget Revision associated with this transaction; and,
- 4) Authorized the Property to be added to the Master Fixed Asset list following the close of escrow.

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

FACILITY SERVICES/BELL GARDEN APARTMENTS RELOCATION PLAN - Staff directed to proceed with the preparation of a Relocation Plan for the Bell Garden Apartments residents; and, Resolution 2011-205 adopted delegating authority to the Director of Facility Services, or his designee, to enter into a sole source contract with Overland, Pacific & Cutler, Inc., in an amount not to exceed \$50,000, to prepare a Relocation Plan and provide property management services, on an as needed basis. MOTION Holmes/Montgomery/Unanimous VOTE 4:0 (Uhler absent)

FACILITY SERVICES/A & G DEVELOPMENT COMPANY LEASE - Approved the Fourth Amendment to Lease Agreement #75.144 between the County of Placer and A & G Development Company to incrementally reduce rent as apartment units become vacant up to an amount not-to-exceed \$3,000 per month, and authorized the Chairman to execute this Lease Amendment.

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

HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE:

a. Approved five new contracts resulting from the California Mental Health Services Act Innovations Grant for various innovative mental health services to Placer County residents from July 1, 2011 through June 30, 2012, and authorized the Director of Health and Human Services to sign the following contracts and approve subsequent amendments up to 10 percent of each contract amount:

1. Latino Leadership Council - \$95,250 for youth training and mentoring.
2. Native Alliance of the Sierra Nevada Foothills aka Sierra Native Alliance - \$47,850 for peer-led support and mentoring.
3. Tahoe Truckee Unified School District - \$69,600 for a school-based wellness drop-in and resource center.
4. North Tahoe Family Resource Center - \$54,750 for parent and at-risk youth leadership training.
5. Advocates for Mentally Ill Housing - \$100,000 for peer supported transitional housing for homeless adults with mental illness.

b. Approved Amendment CN005087-A with the Placer Community Foundation, increasing the amount by \$32,550 for a revised total of \$387,724 for administration of mental health mini-grants from January 1, 2011 through June 30, 2012, and authorized the Director of Health and Human Services to sign the amendment and subsequent amendments up to 10% of the total contract amount.

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

HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE - Approved a renewal agreement with FamiliesFirst Inc., dba EMQ FamiliesFirst in the amount of \$588,000 to provide intensive crisis stabilization and related specialty mental health services from July 1, 2011 through June 30, 2013, and authorized the Director of Health and Human Services to sign subsequent amendments up to \$49,999.

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

HEALTH & HUMAN SERVICES/CHILDREN'S SYSTEM OF CARE - Approved a cooperative agreement with Placer County Office of Education (PCOE) from July 1, 2011 through June 30, 2012 to provide educationally-related mental health services to students of PCOE and its various school districts, and authorized the Director of Health and Human Services to sign subsequent amendments. Under this arrangement, PCOE will reimburse Placer County in an amount not to exceed \$1,281,717.

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

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HEALTH & HUMAN SERVICES/ENVIRONMENTAL HEALTH – Ordinance introduced, first reading waived, amending Chapter 8, Article 8.24, Sections 8.24.030 and 8.24.120 related to the definition and hearing procedures of the Appeals Board regarding the County On-Site Sewage Manual.
MOTION Montgomery/Duran/Unanimous VOTE 4:0 (Uhler absent)

PUBLIC WORKS/PROFESSIONAL SERVICES AGREEMENT #1084, AMENDMENT #1, ALPINE MEADOWS ROAD BRIDGE REPLACEMENT PROJECT – Resolution 2011-206 adopted authorizing the Chairman to sign Professional Services Agreement # 1084, Amendment #1, with Drake Haglan and Associates, Inc., in the amount of \$730,288 for Phases 2 and 3 of engineering work required to prepare project for construction, and authorizing the Director of Public Works to approve and sign future amendments up to \$73,028. With this amendment, the total cost of this contract with Drake Haglan and Associates, Inc., is \$1,097,488.
MOTION Montgomery/Holmes/Unanimous VOTE 4:0 (Uhler absent)

TREASURER-TAX COLLECTOR/mPOWER PROGRAM REPORT AND AMENDMENTS:

1. Received a report on the mPOWER Placer Program.
2. Approved amendments to the mPOWER Placer Program Report and Administrative Guidelines to confirm that a representative from the Auditor's Office shall serve on the Program Steering Committee, change the maximum annual assessment as a percentage of assessed value qualification from 2% to 5%, and to make other non-substantive technical changes.
3. Ratified a reduction in the assessment interest rate from 7.25% to 6.0% for current and future assessments, and ratify a change to the bond rate from a fixed rate of 3.0% to a step-up structure escalating from 1.5% to 5% and authorize the Treasurer to sign documents and take actions as necessary to implement the interest rate changes.
4. Authorized the Treasurer-Tax Collector to execute a contract with Randle Communications in an amount not to exceed \$132,000 for marketing of the mPOWER Placer program.

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

COUNTY EXECUTIVE/MIDDLE FORK FINANCE & EXPENDITURE POLICIES/PROJECTS - Considered policies and priorities for development of a financing and expenditure plan for proceeds derived the Middle Fork Project:

1. Considered Regional County funding priorities and alternatives and a policy approach for funding of regional County infrastructure and facilities from anticipated proceeds from the Middle Fork Relicensing Project.
2. Provided direction to staff to return to the Board with formal policies regarding Middle Fork Project proceeds and a financing, investment and expenditure plan relative to proceeds from the Middle Fork Project Re-licensing Project to include consideration of opportunity costs. Priorities for use of funds are to be 1) Focus on infrastructure rather than operations; 2) Replenish the County General Fund Reserve; 3) Set aside for Middle Fork revenue stabilization projects of regional benefit.
3. Provided direction to staff to further analyze rate structures of Sewer Maintenance District #1 and the City of Auburn and provide analysis of implications of a potential funding contribution of up to \$40,000,000 from Middle Fork proceeds; expand working group to include Treasurer Tax Collector and County Auditor-Controller, as well as Cathy Dominico from Capital Public Finance Group; and consider potential alternatives related to existing and future rate payers.
4. Director to provide information relative to bonding capacity of Middle Fork Project.

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT #1 – Received Compliance Options Update. No action, information only.

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT #1 WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION PROJECT – Resolution 2011-207 adopted adopting the Mitigated Negative Declaration for the Sewer Maintenance District 1 Wastewater Treatment Plant Upgrade and Expansion Project, and directed staff to file a Notice of Determination upon approval of plans and specifications for the Project. MOTION Holmes/Uhler VOTE 3:2 (Montgomery, Weygandt No)

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FACILITY SERVICES/SEWER MAINTENANCE DISTRICT #1 WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION PROJECT - The Board took the following actions with regard to the Sewer Maintenance District 1 Wastewater Treatment Plant Upgrade and Expansion Project (Upgrade Project):

1. Approved the Plans and Specifications and authorized the Department of Facility Services to advertise for and solicit bids upon approval of the final Plans and Specifications by the Director of Facility Services.
2. Authorized staff to proceed with Task C1 - Bid Period Services of Contract 12871 with Owen Psomas Engineering (Psomas), for an amount not-to-exceed \$150,000.

MOTION Holmes/Uhler/Unanimous

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:

- (a) Julie DeWitt v. County of Placer, et al., Placer County Superior Court Case No.: SCV-27318 – *The Board received a report from County Counsel and gave direction. Supervisor Uhler was not present for discussion.*
- (b) Sprint Telephony PCS, L.P., et al. v. State Board of Equalization, et al., San Francisco County Superior Court Case No.: CGC-11-511398 – *The Board assigned defense of that matter to County Counsel's Office.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – *The Board met with labor representatives and had a discussion and gave direction. All five Board members were present.*

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

ITEMS FOR INFORMATION:

36. Auditor Controller - Auditor-Controller's Independent Accountant's Report on the Treasurer's Statement of Assets. This statement is for the quarter ended March 31, 2011.

ADJOURNMENT – Next special meeting is Monday July 25, 2011, next regular meeting is Tuesday, July 26, 2011.

ATTEST:

Ann Holman
Clerk of the Board

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a special session at 1:00 p.m. Monday, July 25, 2011, at the Resort at Squaw Creek, 400 Squaw Creek Road, Olympic Valley, CA. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Chairman Weygandt presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – 1) Ellie Waller, Tahoe Vista resident, said the Boulder Bay Project has not paid for the environmental document and she was not sure if that is a condition of their permit or not and if it is, was there a time frame assessed for the EIP to be completed and if the project is sold to make sure that the County does get their fair share of the EIP dollars to complete the project. Ms. Waller presented photographs of the Snow Creek Restoration Project in Tahoe Vista on National Avenue and wanted to know why RDA did not pick up on this project during planning and when the project might be complete. 2) Mike Baffone, representing the Lake Tahoe Anti Biomass Coalition, requested no biomass project in the Tahoe Basin.

BOARD OF SUPERVISORS – Presentation of a commendation to Benjamin Heineike of Kings Beach for his service to the United States in the United States Navy.

RECEPTION - Hosted by JMA Ventures at the West Shore Café, 5160 West Lake Boulevard, Homewood.

FACILITY SERVICES – Received an update on the Comprehensive Facilities Master Plan and provided input and direction for next steps in the master plan process.

COUNTY EXECUTIVE/CAPITAL FACILITIES FINANCING PLAN - The Board affirmed the updated Capital Facilities Financing Plan. Doing so provides a framework for priorities and funding for County capital facilities construction through FY 2020-21. MOTION Uhler/Duran/Unanimous

COUNTY EXECUTIVE/PUBLIC SAFETY REALIGNMENT - Received an update on the Governor's revised FY 2011-12 public safety realignment implementation and funding plan.

**COUNTY COUNSEL/CLOSED SESSION REPORT:
§54956.9 – CONFERENCE WITH LEGAL COUNSEL**

(A) 1. Existing Litigation:

- (a) C.H. Entertainment, LLC, et al. v. Bennett C. Combs, et al., Sacramento County Superior Court Case No.: 34-2011-0010-6213 – *The Board has authorized the County Counsel's Office to defend and represent the interest of the Sheriff and his subordinates in that matter.*
- (b) County of Placer v. Michelle Burris, et al., Placer County Superior Court Case No.: SCV-22068 – *The Board has the following announcement to make. The Board is pleased that this long litigation is closed to final settlement agreement reached between the parties today. In a unanimous vote, the Board has upheld its vigorous efforts to defend the public policy. This litigation started with press disclosures in the spring of 2007 that alleged serious public policy issues around the mapping and division of land in Placer County. The county believes this settlement brings closure to this matter while supporting its purpose of pursuing litigation to enforce public policy. This brings this matter to a close. The final settlement document is a matter of public record and upon request will be provided.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATORS – *There was no discussion and no report.*

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

ADJOURNMENT – Next regular meeting is Tuesday, July 26, 2011

ATTEST:

Ann Holman
Clerk of the Board

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, July 26, 2011, at the Resort at Squaw Creek, 400 Squaw Creek Road, Olympic Valley, CA. Supervisors Duran, Weygandt, Holmes, Uhler and Montgomery present. Chairman Weygandt presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Carol Pretzer, Tahoe Vista resident, commended Placer County bus drivers for doing a fabulous job. Kellie Toomy, Homewood resident, expressed her support of the State Route Highway 89 Fanny Bridge Community Revitalization Project.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Duran reported on his attendance of the initial inaugural meeting of the Community Corrections Partnership, a group that will implement AB 109, which is the Health & Human Services and Law Enforcement realignment. Supervisor Holmes reported on his trip to Washington D.C. on behalf of the Placer County Air Pollution Control District to receive an Environmental Protection Agency Clean Air Excellence Award for our biomass utilization project in the Tahoe basin. Supervisor Montgomery advised she is hosting a Veterans Resource Fair, Saturday, August 27, 2011 at the Colfax Veterans Memorial Hall to provide information about resources and programs available for veterans.

CONSENT AGENDA – Item 11 & 12c moved for discussion. Consent Agenda approved as amended with action as indicated. MOTION Holmes/Uhler/Unanimous

7. **ORDINANCE** – Second Reading:

- a. Health & Human Services/Environmental Health/County On-Site Sewage Manual – Ordinance 5648-B adopted amending Chapter 8, Article 8.24, Sections 8.24.030 and 8.24.120 related to the definition and hearing procedures of the Appeals Board regarding the County On-Site Sewage Manual.

8. **BOARD OF SUPERVISORS:**

- a. Resolution 2011-209 adopted in support of the 9th annual "Tour de Tahoe - Bike Big Blue" to be held on Sunday September 11, 2011 around Lake Tahoe.
- b. Approved minutes of June 21, 2011.

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

- a. 11-094, Davis, Robert, \$20 Million, (Personal Injury)
- b. 11-097, Smalley, Craig, \$48.78, (Property Damage)
- c. 11-107, Davis, Robert, \$100 Million, (Personal Injury)

10. **COMMITTEES & COMMISSIONS:**

- a. Weimar Applegate Colfax Municipal Advisory Council - Resolution 2011-210 adopted replacing Resolution 94-33, Resolution 97-127 and Resolution 2005-20 to expand the boundaries of the Weimar Applegate Colfax Municipal Advisory Council.
- b. Placer County Older Adult Advisory Commission – Approved the appointment of Cheryl Trenwith to Seat 21 representing the HHS Liaison, replacing Eldon Luce.

11. **COUNTY EXECUTIVE – MOVED FOR DISCUSSION** Authorize the County Executive Officer to execute a contract with Hausrath Economics Group in an amount not to exceed \$175,000 to provide fiscal, economic, and finance consulting services, primarily as pertains to annexations.

12. **COUNTY EXECUTIVE/EMERGENCY SERVICES:**

- a. Resolution 2011-211 adopted approving the Northstar Fire Department Capital Facilities Plan Fiscal Year (FY) 2011-2012 update with a 3.9% increase in mitigation fees.
- b. Adopted Resolution 2011-212 adopting the Squaw Valley Fire Department 2011 Capital Facilities Plan Update which maintains all existing fees unchanged.
- c. **MOVED FOR DISCUSSION** Renewal of Board approved 2010 agreement with *Fire Recovery USA* for billing services to recoup Placer County Fire costs from at-fault, non-resident drivers insurance when involved in motor vehicle accidents in Placer County Fire area.

**PLACER COUNTY BOARD OF SUPERVISORS
MINUTES**

13. FACILITY SERVICES:

- a. Lease Agreement/Courthouse Athletic Club - Resolution 2011-213 adopted delegating authority to the Director of Facility Services, or his designee, to negotiate and execute a new lease agreement between the County of Placer and 49 Fitness, Inc., dba Courthouse Athletic Club for the facility located at Placer County Government Center, based on the Material Terms, and subject to approval by County Counsel and Risk Management.
- b. Tahoe City Public Utility District – Approved a one-year Maintenance Services Agreement with the Tahoe City Public Utility District for park and ground maintenance services in the Tahoe City area for FY 2011-2012; in an amount not to exceed \$125,630; and authorized the Chairman to execute the Agreement on behalf of your Board.
- c. Placer County Government Center Utilities and Infrastructure Survey, Project #4761 - Approved the First Amendment to the Consultant Services Agreement with West Yost Associates, Inc. for the Placer County Government Center Utilities and Infrastructure Survey, Project No. 4761, located in north Auburn and authorized the Chairman of the Board to execute the First Amendment, increasing the contract by \$24,788 for a total contract cost not-to-exceed \$174,511.

14. PUBLIC WORKS/PROPOSITION 1B (TRANSPORTATION BOND) – Resolution 2011-214 adopted approving the revised project list for the 2009/2010 allocation of Proposition 1B Local Streets and Roads funding totaling \$5,679,180.

End of Consent Agenda

ITEMS MOVED FROM CONSENT AGENDA FOR DISCUSSION:

- 11. COUNTY EXECUTIVE - Authorized the County Executive Officer to execute a contract with Hausrath Economics Group in an amount not to exceed \$175,000 to provide fiscal, economic, and finance consulting services, primarily as pertains to annexations. MOTION Duran/Montgomery/Unanimous
- 12. COUNTY EXECUTIVE/EMERGENCY SERVICES:
 - c. Renewed Board approved 2010 agreement with *Fire Recovery USA* for billing services to recoup Placer County Fire costs from at-fault, non-resident drivers insurance when involved in motor vehicle accidents in Placer County Fire area. MOTION Holmes/Montgomery/Unanimous

FACILITY SERVICES/PROJECT 08243, 2011/12 TRENCHLESS TECHNOLOGY SEWER REHABILITATION - The Board took the following actions with regard to Project 08243, 2011/12 Trenchless Technology Sewer Rehabilitation:

- 1. Approved Plans and Specifications and authorized staff to solicit bids.
- 2. Resolution 2011-215 adopted authorizing the Director of Facility Services, or his designee to execute the resulting contract, in an amount not to exceed \$322,426, upon Risk Management's and County Counsel's review and approval, and approve any required change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code. MOTION Holmes/Duran/Unanimous

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

REDEVELOPMENT AGENCY - Accepted a report on prioritization for the North Lake Tahoe Redevelopment Project Area Five Year Implementation Plan. MOTION Montgomery/Holmes/Unanimous

**ADJOURN AS THE PLACER COUNTY REDEVELOPMENT AGENCY BOARD AND
RECONVENE AS THE PLACER COUNTY BOARD OF SUPERVISORS**

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/TAHOE BASIN COMMUNITY PLAN UPDATE, WORK PROGRAM UPDATE – The Board considered the overall work program identified in the staff report for the Tahoe Community Plan Update and directed staff to commence with the Community Plan Update process and associated public outreach program. MOTION Montgomery/Holmes/Unanimous

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/PLACER COUNTY COMMENTS ON PROPOSED TRANSECT CROSSWALK ZONING TAHOE REGIONAL PLANNING AGENCY REGIONAL PLAN UPDATE - Directed staff to submit comments to the Tahoe Regional Planning Agency on the new zoning classifications and methodology known as Transect Crosswalk Zoning as well as associated maps for the Tahoe Regional Planning Agency's Regional Plan Update.
MOTION Montgomery/Duran/Unanimous

COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/UPDATE EASTERN PLACER COUNTY BIOMASS ENERGY FACILITY - The Planning Services Division provided an update on the County's proposed Eastern Placer County Biomass Project that included an overview of the various elements of the biomass program and a discussion on the status of the preparation of the environmental document for the proposed project. **Staff was directed to bring back recommendations for formal action, with removal of the Kings Beach site, at a meeting in August 2011.**

**COUNTY COUNSEL/CLOSED SESSION REPORT – There was no Closed Session discussion:
§54956.9 – CONFERENCE WITH LEGAL COUNSEL**

(A) 1. Existing Litigation:

- (a) C.H. Entertainment, LLC, et al. v. Bennett C. Combs, et al.
Sacramento County Superior Court Case No.: 34-2011-0010-6213
- (b) County of Placer v. Michelle Burris, et al.
Placer County Superior Court Case No.: SCV-22068

(B) **§54957.6 - CONFERENCE WITH LABOR NEGOTIATORS**

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

ITEMS FOR INFORMATION:

- 15. Personnel - Classified Service Merit Increases

ADJOURNMENT – Next regular meeting is Tuesday, August 9, 2011.

ATTEST:

Ann Holman
Clerk of the Board

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

