

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, September 13, 2011, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. 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 – Greg George, member of the 211 Steering Committee, urged the Board to support implementation of the 211 Community Service telephone number for Placer County. Bev Anderson, Chairman of the 211 Steering Committee, also urged the Board to support the implementation of 211.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Montgomery and Supervisor Holmes attended a tour of the Sierra Nevada Adaptive Management Plan Work Project, lead by U.C. Davis, that allowed comparing different forestry techniques that are designed for multi purposes that included logging and biomass and fire protection. Supervisor Montgomery thanked the Chairman for his letter sent regarding the State responsibility area fees that were proposed and advised the State Legislature did not take action to increase the fees. Supervisor Holmes attended the Junior Livestock Auction at the Gold Country Fair. Supervisor Holmes attended 911 Remembrance for the 10th anniversary of 911 at Cruz Night in Auburn and ceremonies in Rocklin.

COMMUNITY DEVELOPMENT RESOURCE AGENCY/REDISTRICTING/2010 CENSUS REDISTRICTING/BOARD OF SUPERVISORS HEARING - The Board considered a proposed ordinance and Supervisorial District boundary map that will amend the district boundaries consistent with the population shifts that resulted from the 2010 Census. The Board conducted the public hearing pursuant to Elections Code 21500.1 on the proposed Supervisorial District boundaries and closed the public hearing. No public testimony was received. The Board provided final direction to staff to finalize the map and to prepare an implementing ordinance for adoption. The Board will conduct a second public hearing on October 11, 2011 at 10:00 a.m. to adopt an implementing Ordinance repealing Ordinance No. 5118-B and replacing and replacing Placer County Code Sections 1.08.010 (Supervisorial District Boundaries), and Sections 1.08.020, 1.08.030, 1.08.040, 1.08.050, and 1.08.060 (Metes and Bounds Description of Each District Boundary).

MOTION Uhler/Montgomery/Unanimous, directing staff to make a modification to the boundaries between Districts 1 and 2 to reflect the City of Roseville's Sierra Vista Specific Plan annexation boundary that is now subject to the Memorandum Of Understanding between the County of Placer and the City of Roseville, based on action the Board previously took, and come back at a noticed public hearing on October 11, 2011 at 10:00 a.m. for final a decision on the map.

COUNTY EXECUTIVE/BUDGET – The Board of Supervisors:

1. Convened the required public hearing on the FY 2011-12 Final Budget. No public comment or requests for changes were received and the public hearing was closed.
2. Staff was directed to prepare the required resolution for presentation at the next Board meeting to adopt the FY 2011-12 Final Budget which is comprised of the Proposed Budget with the following revisions:
 1. Approved \$45.5 million net increase in appropriations in the County Budget (Attachment A); and
 2. Approved allocations for operating funds (Attachment B); and
 3. Approved allocations for proprietary funds (Attachment C); and
 4. Approved items listed on the Master Fixed Asset List (Attachment D); and
 5. Approved the recommended Position Allocation Listing (Attachment E); and
 6. Approved reserve provisions and cancellations for county funds (Attachment F); and
 7. Approved allocations in Board of Supervisor governed special districts (Attachment G); and
 8. Authorized the Auditor-Controller to make technical, non-substantive budget adjustments to the Final Budget.

MOTION Duran/Holmes/Unanimous

BOARD OF SUPERVISORS/PLACER COUNTY CONSERVATION PLAN (PCCP) – WORK PROGRAM UPDATE AND REQUEST FOR PARTICIPATION FROM THE CITY OF ROSEVILLE

CDRA staff and Supervisor Uhler and Weygandt provided an update on the status of the Placer County Conservation Plan (PCCP). Also, the Board was provided background information that supports a policy discussion on land use in western Placer County and discussed the potential for the City of Roseville to participate in the preparation and implementation of the PCCP.

The Board directed the Chairman to send a letter to the Mayor of Roseville requesting a response as to whether or not the City of Roseville would have an interest in participating in the Placer County Conservation Plan Ad-Hoc Committee, and report back to the Board with the response.

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COUNTY EXECUTIVE/ROSEVILLE ANNEXATIONS – Resolution 2011-259 adopted authorizing:

- 1) The Chairman of the Board of Supervisors to execute Revenue Sharing agreements with the City of Roseville for proposed annexations in the area west of Roseville for projects currently known as the Sierra Vista Specific Plan, the Creekview Specific Plan and Reason Farms; and
- 2) The County Executive Officer to enter into a Memorandum of Understanding (MOU) with the City of Roseville to adjust the City's Sphere of Influence (SOI) for areas adjacent to Sierra Vista and the Sunset Industrial Community Plan area.

MOTION Duran/Montgomery/Unanimous

FACILITY SERVICES/DRY CREEK COMMUNITY PARK/PHASE 1 UTILITIES, PROJECT #4784 - The Board:

1. Approved the Plans and Specifications and authorized staff to solicit bids for the Dry Creek Community Park - Phase 1 Utilities, Project #4784, located at 9245 Walerga Road, Roseville.
2. Adopted Resolution 2011-257 authorizing the Director of Facility Services, or his designee, to award and execute a contract in an amount not-to-exceed \$576,000, upon review and approval by County Counsel and Risk Management, and delegating authority to approve any necessary change orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code.

MOTION Montgomery/Duran/Unanimous

FACILITY SERVICES/SEWER MAINTENANCE DISTRICT 3 REGIONAL SEWER PROJECT -
Resolution 2011-258 adopted authorizing the Director of Facility Services, or his designee, to execute the First Amendment to Agreement 12931 with Analytical Environmental Services (AES) to provide additional environmental services for the Sewer Maintenance District 3 (SMD 3) Regional Sewer Project, in an amount not to exceed \$144,402, upon review and approval by County Counsel and Risk Management. This Amendment will increase the total amount of the Agreement from \$116,455 to \$260,857. MOTION Holmes/Duran/Unanimous VOTE 4:0 (Montgomery temporarily absent)

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:
 - (a) County of Sonoma v. Federal Housing Finance Agency, et al., United States District Court, Northern District Case No.: 4:10-CV-03270-CW – **The Board received a brief status report.**
 - (b) Meadow Vista Protection v. County of Placer, et al., Placer County Superior Court Case No.: SCV-22244 – **The Board agreed to increase the contract for special counsel from \$125,000 to a total of \$160,000.**
 - (c) Arlene Mackenroth v. Placer County Department of Child Support Services, Department of Fair Employment and Housing No.: DFEH No. E201112E0152-00-arse-37AB109679 – **Supervisor Uhler recused himself from the conversations. The Board received a report with regard to the matter and administrative proceedings and authorized the County Counsel to participate in defending the interest of the County and named employees.**
 - (d) Arlene Mackenroth v. Susan Dunlap, Department of Fair Employment and Housing No.: DFEH No. E201112EO154-00-arse - **Supervisor Uhler recused himself from the conversations. The Board received a report with regard to the matter and administrative proceedings and authorized the County Counsel to participate in defending the interest of the County and named employees.**
 - (e) Rob Collins et al. v. County of Placer, et al., Third District Court of Appeal Case No.: 063789 (Sacramento County Superior Court Case No.: 34-2007-00883516; Placer County Superior Court Case No.: SCV-21488, consolidated with SCV-21525 and SCV-21529) – **The Board received a status update on some of discussions of the matter which remains pending on appeal of the 3rd District Court of Appeals.**

(B) §54957.6 – CONFERENCE WITH LABOR NEGOTIATORS – *The Board met with it's negotiators, received a report and gave direction.*

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

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CONSENT AGENDA – Moved Item 7a for discussion. Consent Agenda approved as amended with action as indicated. MOTION Montgomery/Duran/Unanimous

7. **ORDINANCE** – Second Reading:
 - a. **MOVED FOR DISCUSSION** Health & Human Services/Animal Services – Adopt an Ordinance, amending Article 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, and 6.28 of the Placer County Code; Chapter 6, Animals, to provide improved rules for an array of animal situations and to update obsolete language.
8. **AGRICULTURE** - Resolution 2011-249 adopted authorizing the Agricultural Commissioner/Sealer to execute reimbursement contracts and agreements up to a maximum of \$25,000 with various State and industry organizations which provide reimbursement for enforcing mandated programs.
9. **BOARD OF SUPERVISORS:**
 - a. Approved a Proclamation declaring September 2011 to be Prostate Cancer Awareness Month in Placer County.
 - b. Approved Resolution 2011-248 commending Ron Ashford for 21 years of dedicated public service as an employee of the Placer County Sheriff's Office.
 - c. Approved minutes of August 9, 18 & 19, 2011.
10. **CLAIMS AGAINST THE COUNTY** – Rejected the following claims, as recommended by the offices of County Counsel and Risk Management:
 - a. 11-121, Carmichael, Christopher, \$166.92, (Property Damage)
 - b. 11-122, Hebert, Joseph, \$5,000, (Personal Injury)
 - c. 11-123, Murphy, Troy, \$25,000, (Personal Injury)
 - d. 11-128, Belanger, Kayci, \$40,500, (Bodily Injury)
 - e. 11-129, USAA as subrogee for Dawn Flood, \$6,191.54, (Property Damage)
 - f. 11-130, Dodd, Frank, \$276.64, (Property Damage)
 - g. 11-131, The Estate of Robert (Bobby) S. Clifford; Linda K. Clifford, individually with right of survivorship and in her capacity as the personal representative of the Estate of Robert (Bobby) S. Clifford; Michael Huthman individually with right of survivorship, (Personal Injury), \$5,000,000
11. **COMMITTEES & COMMISSIONS:**
 - a. First 5 Placer Children and Families Commission - Approved the appointment of Mai-Ling Schummers to Seat #4 representing Recipient of Services, as requested by Janice LeRoux, Executive Director with the First 5 Placer Children and Families Commission.
 - b. Placer County Older Adult Advisory Commission - Approved the re-appointment of Irwin Herman to Seat #1 (representing District 1) as requested by Supervisor Duran; re-appointment of Monica Sandgathe to Seat #4 (representing District 4) as requested by Supervisor Uhler; re-appointment of Darlis Beale to Seat #7 (representing public-at-large); re-appointment of Sue Dings to Seat #11 (representing A4AA); and appointment of Ignacio Cespedes to Seat #14 (representing Senior Service Organization).
 - c. Roseville Public Cemetery District – Approved the re-appointments of David Uribe to Seat 2, Beth Gould to Seat 3 and Philip Kister to Seat 5, as requested by Supervisor Duran.
12. **COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/GREEN COMMUNITY PROGRAM** Provided the Board with the results of the Green Communities Program Phase I, County Operational Greenhouse Gas Emissions Inventory, and authorized the Board to execute a Memorandum of Understanding (MOU) with the Sierra Business Council to continue to participate in the Green Communities Program and to assist the Sierra Business Council in Phase II of that program, which includes the preparation of community-wide greenhouse gas emissions inventory.
13. **COUNTY EXECUTIVE** - The Board approved:
 1. The California Employers' Retiree Benefit Trust Asset Allocation Strategy #1 for the County's Other Post Employment Benefit (OPEB) funds investment option; and
 2. Approved using a 7.61% discount rate in the preparation of biannual actuarial OPEB reports dated June 30, 2011 and later.
14. **COUNTY EXECUTIVE/EMERGENCY SERVICES** - Resolution 2011-250 adopted designating staff to execute for and on behalf of Placer County in the 2011 Homeland Security Grant Program.
15. **FACILITY SERVICES/BLANKET PURCHASE ORDER #18672** – Approved a request to increase Blanket Purchase Order #18672 with Jensen Tree Services, for fuel load reduction work at Squaw Valley Park, by \$100,000 for a revised maximum amount of \$149,500 and authorized the Purchasing Manager to sign the resulting change order.

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16. HEALTH & HUMAN SERVICES:

- a. Adult System of Care - Approved contract amendment #308-183-M-R2010, Amendment I with El Dorado County, Department of Mental Health for inpatient psychiatric health facility services from July 1, 2010 to June 30, 2012, increasing total compensation by \$51,000 for a revised aggregate amount of \$67,000, and authorized the Director of Health and Human Services to sign the amendment and subsequent amendments up to 10% of the total.
- b. Children's System of Care - Approved the agreement with Sunbridge Harbor View Rehabilitation Center from July 1, 2011 to June 30, 2012 to provide intensive long term placement and psychiatric services in the amount of \$118,000, and authorized the Director of Health and Human Services to sign the agreement and subsequent amendments up to 10% of the initial contract amount.

17. 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. Extend Qualified List/Public Works - Extended a Qualified List for Land Survey and Base Mapping Services resulting from Competitive Request for Qualifications # 9689.
- b. Request for Qualifications/CDRA/Engineering & Surveying - Approved the award of Competitive Request for Qualifications #10048 for Geotechnical and Materials Testing Consultant Services and adopted a list of qualified firms.
- c. Blanket Purchase Order/Public Works/Fleet Services - Approved the renewal of a Sole Source Blanket Purchase Order with Southwest Gas Corporation for the purchase of Compressed Natural Gas as a Motor Vehicle Fuel, in the maximum amount of \$170,000.
- d. Request for Qualifications/CDRA/Planning - Approved the award of Competitive Request for Qualifications #10054 for preparation of Environmental Impact Reports and adopted a list of qualified firms.
- e. Blanket Purchase Order/Sheriff - Approved the renewal of a Competitively Awarded Blanket Purchase Order with Stommel, Inc., Doing Business as Lehr Auto Electric for Patrol Vehicle Equipment Installation Services in the maximum amount of \$75,000.

18. PUBLIC WORKS:

- a. Tahoe City Residential Water Quality Improvement Project – Resolution 2011-251 adopted authorizing the Chairman to sign PSA No. 1091, Amendment No. 2 with Camp, Dresser, and McKee, (CDM), Inc., in the amount of \$21,130 and authorized the Director of Public Works to approve and sign potential future amendments up to \$2,113 for construction assistance and record drawings for the Tahoe City Residential Water Quality Improvement Project, which increases the total PSA from \$212,670 to \$233,800.
- b. Brewer Road Bridge Replacement at Markham Ravine – Resolution 2011-252 adopted authorizing the Director of Public Works to enter into a utility relocation agreement with Pacific Gas & Electric Company (PG&E), with County Counsel and Risk Management review and approval, for PG&E utility relocation services needed to relocate existing overhead electrical lines in conflict with the proposed construction of the Brewer Road Bridge Replacement at Markham Ravine for an amount not to exceed \$17,000.
- c. Local Transportation Fund Claim/Tahoe Area Regional Transit, Fiscal Year 2011/2012 – Resolution 2011-253 adopted authorizing the Chairman to execute the 2011/2012 Local Transportation Fund (LTF) Claim for Tahoe Area Regional Transit in the amount of \$462,348.
- d. Local Transportation Fund Claim/Placer County Transportation Planning Agency, Fiscal Year 2011/2012 – Resolution 2011-254 adopted authorizing the execution of the 2011/2012 Local Transportation Fund (LTF) Claim to Placer County Transportation Planning Agency (PCTPA) for Placer County Transit, Tahoe Area Regional Transit, and Road Maintenance in the amount of \$3,992,729.
- e. State Transit Assistance Funds Claim/Tahoe Area Regional Transit Fiscal Year 2011/2012 – Resolution 2011-255 adopted authorizing the Chairman to execute the 2011/2012 State Transit Assistance (STA) Claim for Tahoe Area Regional Transit in the amount of \$163,023.
- f. State Transit Assistance Funds Claim/Placer County Transit Fiscal Year 2011/2012 – Resolution 2011-256 adopted authorizing the execution of the 2011/2012 State Transit Assistance Claim for Placer County Transit in the amount of \$651,767.

End of Consent Agenda

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ITEMS MOVED FROM CONSENT FOR DISCUSSION:

7. ORDINANCE – Second Reading:
 - a. Health & Human Services/Animal Services – Ordinance 5653-B adopted, amending Article 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, and 6.28 of the Placer County Code, Chapter 6, Animals, to provide improved rules for an array of animal situations and to update obsolete language.
MOTION Holmes/Montgomery/Unanimous

ITEMS FOR INFORMATION:

19. Agriculture – 2010 Agricultural Crop Report.
20. County Executive - Placer County's employee compensation report update.

ADJOURNMENT – Next regular meeting is September 27, 2011.

ATTEST:

Ann Holman
Clerk of the Board

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

