

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, September 27, 2011, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Duran, Holmes, Uhler and Montgomery present. Chairman Weygandt absent. Vice Chairman Montgomery presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Terry Davis, representing the Sierra Club, spoke to the issue of Roseville partnering with the PCCP and assuming responsibilities for urban development south of Placer Parkway. Mr. Davis said the Sierra Club generally supports urban growth to the cities but cities are bound by the LAFCo reform act that drives contiguous development and that Roseville can always annex if LAFCo agrees. Thomas Miller, County Executive noted that LAFCo does not have sole authority to approve annexations and Placer County has to agree to the annexation.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Montgomery reported on her attendance at the Placer County Economic Development Board at Kaiser Roseville; Final meeting of the U.S. Forest Service Resource Advisory Council; and participation in the Great American River Cleanup Day.

CONSENT AGENDA – Replaced Item 15b, Resolution regarding unclassified non-management new hires (Pages 190 & 191). Consent Agenda approved as amended with action as indicated.

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

11. AUDITOR-CONTROLLER:

- a. Placer County Operating Funds - Resolution 2011-260 adopted setting the appropriation limit for Placer County Operating Funds for 2011-2012 at \$887,122,961.
- b. Placer County Special Districts - Resolution 2011-261 adopted setting the appropriation limit for Placer County Special Districts governed by the Board of Supervisors for 2011-2012 at \$6,073,714.

12. BOARD OF SUPERVISORS – Approved minutes of August 23 and August 26, 2011.

13. COMMITTEES & COMMISSIONS:

- a. North Tahoe Area Design Review Committee - Approved the re-appointments of Carolyn Pretzer to seat #1; John Shoberg to seat #3; Andrew Ryan to seat #4; and Wyatt Ogilvy to seat #6, as requested by Supervisor Montgomery.
- b. Squaw Valley Design Review Committee - Approved the re-appointments of Russell Poulsen to seat #4 and Christine Horvath to seat #5, as requested by Supervisor Montgomery.
- c. Tahoe City Design Review Committee - Approved the re-appointments of Gary Davis to seat #1; Sherry Guzzi to seat #5; Marshall Grattan to seat #7; Clare Walton to seat #8; and Don Fulda to seat #9, as requested by Supervisor Montgomery.
- d. Assessment Appeals Board - Approved the re-appointment of Harry Aho to seat #5 (representing District 5), as requested by Supervisor Montgomery.
- e. Historical Advisory Board - Approved the appointment of Michael Bryant to seat #1 (representing District 1), as requested by Supervisor Duran.
- f. Foresthill Veterans Memorial Hall Board - Approved appointments of Stephen Cannizzaro American Legion Post 587 (reappointment) Francis Stevenson American Legion Post 587 (reappointment) Vincent Robinson VFW 11294 (reappointment) Richard Murray VFW 11294 (reappointment) Roy Price American Legion Post 587 - Alternate Vicki Haskins Campbell At-Large – Non-voting (reappointment) Vicky Price American Legion Auxiliary 587 – Non-voting, as recommended by Supervisor Montgomery.

14. COMMUNITY DEVELOPMENT RESOURCE AGENCY:

- a. California Clean Water River Parkways Grant Program – Resolution 2011-262 adopted authorizing the Planning Services and Parks Divisions to submit an application to the California River Parkways Grant Program. The Hidden Falls Improved Access Grant will request the amount of \$830,000 to assist with the restoration, protection, and recreational development of Hidden Falls Regional Park.

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- b. Seymour Ranch, Tract # 938/Project #DFF-1221 - This department inspected the construction of the improvements within the Seymour Ranch Subdivision and found the work to be in accordance with approved standards. Therefore the Board:
 - 1. Accepted the improvements as complete.
 - 2. Authorized the Faithful Performance and Labor and Materials sureties to be set at:
 - a) Faithful Performance 25% of the value of public improvements immediately upon your Board's approval.
 - b) Labor and Material 50% or the total of all claims per G.C.66499.7, whichever is higher, for six months or longer if claims exist.
15. PERSONNEL:
- a. Adoption of Required CalPERS Resolutions for/and on behalf of the Placer County Superior Court - Approved the CalPERS Resolutions 2011-263 , 2011-264 and 2011-265, to identify that the Placer County Superior Court employees, excluding the Court Commissioners and Referees, will pay the full employee retirement contribution effective October 8, 2011.
 - b. Adoption of Required CalPERS Resolutions Identifying Two Additional Groups to Pay the Full Employee Retirement Contribution - Approved the CalPERS Resolutions 2011-266 and 2011-267 as previously directed, to identify that CalPERS Miscellaneous employees hired on or after March 13, 2011 covering unclassified non-management employees and employees in the Welfare Fraud Investigator classification series represented by the Placer County Deputy Sheriff Association (PCDSA) will pay the full employee retirement contribution.
16. 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. Blanket Purchase Order, Leasing Vanpool Vehicles, Public Works/Transit - Approved the renewal of a Competitively Awarded Blanket Purchase Order with VPSI, Inc., for leasing vanpool vehicles in the maximum amount of \$156,200.
 - b. Blanket Purchase Order, Sewer Instrument Maintenance & Repair Services, Facility Services - Approved the renewal of a Competitively Awarded Blanket Purchase Order to Aqua Sierra Controls, Inc. of Auburn for sewer instrument maintenance & repair services in the maximum amount of \$89,500.
17. PUBLIC WORKS:
- a. Abandonment/Public Utility Easement/Alpine Meadows – Resolution 2011-268 adopted to abandon a portion of a Public Utility Easement on Lot 4, Alpine Meadows Estates Unit No. 11.
 - b. Placer Commuter Express Contract #12598, Amendment 5 – Resolution 2011-269 adopted authorizing the Director of Public Works to execute, with County Counsel and Risk Management's review and approval, Amendment 5 to Contract #12598 with Amador Stage Lines to extend the monthly renewal options through June 30, 2012, with no change in monthly charges.
18. SHERIFF:
- a. Accepted the Justice Assistance Grant (JAG) in the amount of \$26,194 to partially offset the cost of one Probation Officer and approved the Budget Revision for the grant period from July 1, 2011 to June 30, 2014.
 - b. Authorized the Sheriff to execute Amendment No. 1 to the agreement between the Placer County Sheriff Coroner-Marshall (PCSO) and the Drug Enforcement Administration (DEA) for an additional \$15,000 for a total of \$65,000 and approve the Budget Revision in the amount of \$15,000. The term is from January 1, 2011 through December 31, 2011.
19. TREASURER-TAX COLLECTOR:
- a. Colfax Elementary School District Dry Period Financing - Approved the temporary borrowing of Treasury funds, in the estimated amount of \$684,000 for fiscal year 2011/2012, by the Colfax Elementary School District, Fund 400 sub-fund 05 as prescribed by the California State Constitution.
 - b. Newcastle Elementary School District Dry Period Financing - Approved the temporary borrowing of Treasury funds, in the estimated amount of \$1,000,000 for fiscal year 2011/2012, by the Newcastle Elementary School District, Fund 400 sub-fund 12 as prescribed by the California State Constitution.

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- c. Placer Hills Fire Protection District Dry Period Financing - Approved the temporary borrowing of Treasury funds, in the estimated amount of \$630,000 for fiscal year 2011/2012, by the Placer Hills Fire Protection District, Fund 531 sub-fund 350 as prescribed by the California State Constitution.

End of Consent Agenda

BOARD OF SUPERVISORS - Presentation of a Proclamation declaring October 2011 to be, "National Long-Term Care Residents' Rights Month" in Placer County.

SHERIFF - Conducted a public hearing and approved the spending plan for FY 2011-2012 for the Sheriff-Coroner-Marshall and District Attorney from the COPS Supplemental Law Enforcement Services Fund. The spending plans seek approval as follows; Front Line Law Enforcement - \$127,532, Corrections - \$143,002 and District Attorney - \$80,654.

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

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

- a. **Blanket Purchase Order, Radiology Services, Health & Human Services/Community Health & Clinics** - Approved the renewal of a negotiated Blanket Purchase Order with Radiological Associates of Sacramento for Radiology Services in the maximum amount of \$325,000.
MOTION Duran/Holmes/Unanimous VOTE 4:0 (Weygandt absent)

COUNTY EXECUTIVE - The Board of Supervisors:

1. Approved the FY 2011-12 Final Budget including the following:
 - a. Approved Resolution 2011-270 adopting FY 2011-12 Final Budget for County operating funds for a total of \$765,843,403 (Attachment A)
MOTION Uhler/Duran/Unanimous VOTE 4:0 (Weygandt absent); and
 - b. Approved final budgets for County proprietary funds for a total of \$72,023,035 (Attachment B)
MOTION Uhler/Duran/Unanimous VOTE 4:0 (Weygandt absent); and
 - c. Approved the County Master Fixed Asset List for FY 2011-12 (Attachment C)
MOTION Uhler/Holmes/Unanimous VOTE 4:0 (Weygandt absent); and
 - d. Ordinance introduced, first reading waived, amending the personnel allocations of various departments to reflect position changes approved for FY 2011-12 Final Budget (Attachment D)
MOTION Uhler/Duran/Unanimous VOTE 4:0 (Weygandt absent).
2. Approved Resolution 2011-271 adopting the FY 2011-12 Final Budgets for special districts governed by the Board of Supervisors in the amount of \$43,968,609 (Attachment E).
MOTION Uhler/Holmes/Unanimous VOTE 4:0 (Weygandt absent)

DISTRICT ATTORNEY - Presentation of the Prosecutor of the Year Award to the recipient, Jeffrey Wilson.

FACILITY SERVICES/TAHOE CUSTOMS HOUSE TENANT IMPROVEMENTS, PROJECT #4861 - It is recommended that the Board award the Job Order for the Tahoe Customs House Tenant Improvements, Project No. 4861 to River View Construction, Inc. (RVC), and approved Resolution 2011-272 authorizing the Director of Facility Services, or his designee, to execute a Job Order in the amount of \$558,804.43, \$605,161.93, and delegating authority to approve any supplemental Job Orders consistent with the County Purchasing Manual and Section 20142 of the Public Contract Code.
MOTION Holmes/Duran/Unanimous VOTE 4:0 (Weygandt absent)

HEALTH & HUMAN SERVICES/Adult System of Care/California Forensic Medical Group - Approved contract amendment CN012665-B with California Forensic Medical Group, Inc. for inmate healthcare services, to extend the second and final contract term for a period of one year from October 1, 2011 through September 30, 2012 for a new annual base amount of \$3,476,916 plus a per diem of \$4.34 for census levels in excess of 540 persons.
MOTION Duran/Holmes/Unanimous VOTE 4:0 (Weygandt absent)

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HEALTH & HUMAN SERVICES/Adult System of Care/Turning Point Community Programs - Approved contract amendment CN012887-B with Turning Point Community Programs for Assertive Community Treatment services for clients with serious mental illness from July 1, 2010 to June 30, 2012, increasing total compensation by \$439,212 for a revised aggregate amount of \$3,053,212, and authorized the Director of Health and Human Services to sign subsequent amendments not to exceed \$49,999. MOTION Holmes/Duran/Unanimous VOTE 4:0 (Weygandt absent)

HEALTH & HUMAN SERVICES/Children's System of Care/Substance Abuse & Mental Health Services Administration - Approved submission of an application for renewal of the Substance Abuse & Mental Health Services Administration (SAMHSA) Community Mental Health Services Block Grant for FY 2011-12 in the amount of \$686,330, and authorized the Director of Health and Human Services to sign the application and all documentation, reports, and certifications as required. MOTION Holmes/Duran/Unanimous VOTE 4:0 (Weygandt absent)

TREASURER-TAX COLLECTOR/DRY CREEK CFD 2001-1 BONDS - Resolution 2011-273 adopted relating to the refunding of the Dry Creek-West Placer CFD 2001-1 bonds.

1. Approving various agreements and forms, and allowing for the issuance of refunding bonds in an amount not to exceed \$15,000,000, and the refunding of the outstanding Dry Creek-West Placer CFD 2001-1 Bonds, provided the new Bonds do not have a net interest cost in excess of 5.75% 5-57% and authorizing the sale of the Bonds to the Underwriter.
2. Authorizing and directing the Treasurer-Tax Collector to execute and deliver the Bonds and related documents.
3. Authorizing and directing agents and officers of the County to do any and all things, and to take any and all actions and execute any and all documents they deem necessary to issue the new Bonds and refund the Prior Bonds, including the purchase of bond insurance that may be deemed necessary or advisable, and approving, confirming and ratifying all actions taken to date by officers and agents of the County related to the issuance of the new Bonds and the refunding of the Prior Bonds.
4. Designating Quint & Thimmig LLP as Bond Counsel, Jones Hall as Disclosure Counsel, Capitol Public Finance Group LLC as Financial Advisor and authorizing the County Executive to execute agreements for their legal and financial services with payment contingent upon the issuance of the bonds.

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

COUNTY EXECUTIVE/PLACER COUNTY WATER AGENCY – Presentation on the California Water Challenges by Placer County Water Agency. Staff was directed to bring back the PCWA resolution to the Board for discussion in support of the Delta solution. Supervisor Montgomery requested PCWA come back to give a presentation on PCWA's County Master Plan with focus on the east and west of the County including the relationship to the citizen proposed ZAC 3 plan.

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 – CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation:
 - (a) Sierra Club, et al. v. Placer County Board of Supervisors, et al., County of Placer Superior Court Case No. SCV-24201 – **The Board received a report from Counsel and gave direction.**
 - (b) Julie DeWitt v. County of Placer, et al., Placer County Superior Court Case No.: SCV-27318 – **The Board received a report from Counsel and gave direction.**
 - (c) Ad-Hoc Committee, et al. v. County of Placer, et al., Placer County Superior Court Case No.: SCV-0029886 – **The Board received a status report and authorized the County Counsel to represent the County in that matter.**
 - (d) Jose Palomera v. Hunter Perez, et al., Placer County Superior Court Case No.: SCV-29426 – **The Board authorized the County Counsel's Office to acknowledge a waiver of potential conflict with the firm of Porter Scott.**
 - (e) Michelle L. Paris v. Placer County, et al., Placer County Superior Court Case No.: SCV-0029215 – **The Board received a status report from Counsel and authorized the County Counsel to represent the named defendants in that lawsuit.**
 - (f) 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 did not discuss.**

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(B) §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – *The Board received a report from the Facility Services team that is negotiating on behalf of the County with the Town of Loomis and gave direction to that team.*

(a) Property: APN(s): 044-133-002

Agency Negotiator(s): Tom Miller, Jim Durfee, Mary Dietrich, Negotiating Parties: County of Placer and the Town of Loomis, Under Negotiation: Price, terms of payment, or both

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

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

Employee organization: PPEO.

ITEMS FOR INFORMATION:

20. Personnel - Classified Service Merit Increases.

21. Treasurer's Statement for the month of August 2011.

ADJOURNMENT – Next regular meeting is Tuesday, October 11, 2011.

ATTEST:

Ann Holman
Clerk of the Board

Robert M. Weygandt, Chairman
Placer County Board of Supervisors

