

OFFICE OF THE PLACER COUNTY COUNSEL

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September 4, 2019

Via Electronic Mail

Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811
Email: Advice@fppc.ca.gov

RE: Request for Formal Written Advice

Dear Madam or Sir:

This request is made by the Placer County Counsel's Office on behalf of the Placer County Board of Supervisors ("Board"). The Board is comprised of five members: Bonnie Gore, Cindy Gustafson, Jim Holmes, Kirk Uhler, and Robert Weygandt and is the governing Board of Placer County. This office serves as the legal advisor to the Board.

On August 27, 2019, the Board authorized this office to request formal written advice on a potential Government Code section 1090 issue. The vote was 4-0-1. The Board member who is subject to the potential issue recused himself/herself from this matter and the subsequent vote.

The request is based on the following facts and circumstances:

A current Placer County employee is married to a current Placer County Supervisor. The employee currently serves as the Assistant Director of Child Support Services. The employee's service in this position began in July of 2009 after the employee's spouse was elected to the Board of Supervisors. The Assistant Director of Child Support Services reports to the Director of the Department of Child Support Services. The Assistant Director position is an at-will, unclassified management classification, with no written employment contract. An appointment to the Assistant Director classification was completed by the Department Head pursuant to County Code, and no confirmation or affirmative action from the Board of Supervisors was required.

The Director of Child Support Services is currently vacant. The employee has informed this office and the Director of Human Resources that the employee intends to apply for the position of Director of Child Support Services, a department head position within the County. The new position would be a promotion for the current employee.

The Director of Child Support Services ("Director"), a County Department Head classification, is an at will appointment and there is no employment contract. The Director reports to the County Executive Officer (CEO) (**Attachment A** - Placer County Code §2.30.040). As to appointment of a Director, California Family Code requires the Board of Supervisors to select the Director of Child Support Services (**Attachment B** - CA. Fam. Code §17304(f); *See also* Cal. Code Regs. Tit. 22 §111560). Appointment of the prior Director was made by the Board on June 12, 2007.

Pursuant to the Placer County Charter, the CEO is responsible for the appointment, suspension or removal of all appointive department heads except County Counsel, "subject to confirmation by the Board of Supervisors." (**Attachment C** - Placer County Charter: Art. V, § 503(b)). Similarly, the Placer County Code identifies the CEO as appointing authority for all department heads other than elective officials "[e]xcept as specifically provided elsewhere..." (**Attachment D**. – Placer County Code Chapter 3, Article 3.08, Part 2, Section 3.08.170.)

The Board has routinely been involved in the appointment of department heads in the past, albeit not consistently through the years. As noted above and as evidenced by the Board agenda summary of June 12, 2007, the prior Director was considered by the Board in closed session and his appointment was reported out (**Attachment E** – Placer County Board Summary June 12, 2007).

Based on the above facts and circumstances, the County requests formal written advice on the following questions:

If the current employee applies for the Director of Child Support Services, does Government Code §1090 prohibit the appointment of the employee?

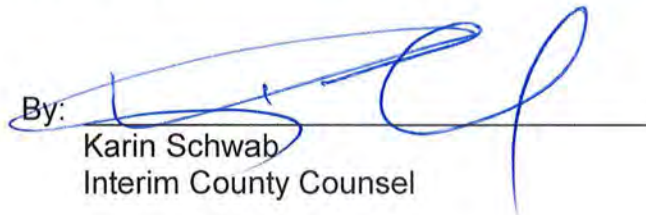
If yes, does section 1090 provide a basis to deem the employee's application ineligible because the Board of Supervisors could not confirm the appointment?

Please contact me at 530-886-4653 (direct line) or at kschwab@placer.ca.gov with any questions or additional information that you may need to respond to this request.

Your prompt attention to this matter is appreciated.

Very truly yours,

OFFICE OF THE PLACER COUNTY COUNSEL

By: 
Karin Schwab
Interim County Counsel

KES/jp

Attachments:

Attachment A - Placer County Code §2.30.040

Attachment B - Cal Fam. Code §17304; Cal. Code Regs. tit. 22, § 111560

Attachment C - Placer County Charter Art. V, § 503

Attachment D - Placer County Code § 3.08.170

Attachment E - Board Agenda Summary - June 12, 2007

ATTACHMENT A

Placer County Code							
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[Chapter 2 ADMINISTRATION](#)

[Article 2.30 DEPARTMENT OF CHILD SUPPORT SERVICES](#)

2.30.040 Director of the department of child support services.

Under the general direction of the county administrator, the director of child support services shall be the administrative head of the department. The director shall administer the department and carry out general policies of the county administrator and the board of supervisors, and shall plan, organize, and direct all activities of the department in accordance with state and county laws and regulations. The director shall report directly to the county administrator and shall serve at the will and pleasure of the county administrator. (Ord. 5064-B, 2000)

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ATTACHMENT B

We've updated our Privacy Statement. Before you continue, please read our new [Privacy Statement](#) and familiarize yourself with the terms.

WESTLAW

West's Annotated California Codes

Family Code (Refs & Annos)

Division 17. Support Services (Refs & Annos)

§ 17304. County departments of child support services; duties; criminal enforcement; state plan for local agency functions; cooper...

CA FAM § 17304 West's Annotated California Codes Family Code Support Services (Refs & Annos) Effective October 12, 2001 (3 pages)

Article 3. Director of Child Support Services (Refs & Annos)

Effective: October 12, 2001

West's Ann.Cal.Fam.Code § 17304

§ 17304. County departments of child support services; duties; criminal enforcement; state plan for local agency functions; cooperative agreements; consolidation; oversight responsibility; district attorney responsibility, assets, and staff; administrators

Currentness

To address the concerns stated by the Legislature in [Section 17303](#), each county shall establish a new county department of child support services. Each department is also referred to in this division as the local child support agency. The local child support agency shall be separate and independent from any other county department and shall be responsible for promptly and effectively establishing, modifying, and enforcing child support obligations, including medical support, enforcing spousal support orders established by a court of competent jurisdiction, and determining paternity in the case of a child born out of wedlock. The local child support agency shall refer all cases requiring criminal enforcement services to the district attorney and the district attorney shall prosecute those cases, as appropriate. If a district attorney fails to comply with this section, the director shall notify the Attorney General and the Attorney General shall take appropriate action to secure compliance. The director shall be responsible for implementing and administering all aspects of the state plan that direct the functions to be performed by the local child support agencies relating to their Title IV-D operations. In developing the new system, all of the following shall apply:

(a) The director shall negotiate and enter into cooperative agreements with county and state agencies to carry out the requirements of the state plan and provide services relating to the establishment of paternity or the establishment, modification, or enforcement of child support obligations as required pursuant to [Section 654 of Title 42 of the United States Code](#). The cooperative agreements shall require that the local child support agencies are reasonably accessible to the citizens of each county and are visible and accountable to the public for their activities. The director, in consultation with the impacted counties, may consolidate the local child support agencies, or any function of the agencies, in more than one county into a single local child support agency, if the director determines that the consolidation will increase the efficiency of the state Title IV-D program and each county has at least one local child support office accessible to the public.

(b) The director shall have direct oversight and supervision of the Title IV-D operations of the local child support agency, and no other local or state agency shall have any authority over the local child support agency as to any function relating to its Title IV-D operations. The local child support agency shall be responsible for the performance of child support enforcement activities required by law and regulation in a manner prescribed by the department. The administrator of the local child support agency shall be responsible for reporting to and responding to the director on all aspects of the child support program.

(c) Nothing in this section prohibits the local child support agency, with the prior approval of the director, from entering into cooperative arrangements with other county departments, as

necessary to carry out the responsibilities imposed by this section pursuant to plans of cooperation submitted to the department and approved by the director. The local child support agency may not enter into a cooperative agreement or contract with any county department or independently elected official, including the office of the district attorney, to run, supervise, manage, or oversee the Title IV-D functions of the local child support agency. Until September 1, 2004, the local child support agency may enter into a cooperative agreement or contract of restricted scope and duration with a district attorney to utilize individual attorneys as necessary to carry out limited attorney services. Any cooperative agreement or contract for the attorney services shall be subject to approval by the department and contingent upon a written finding by the department that either the relatively small size of the local child support agency program, or other serious programmatic needs, arising as a result of the transition make it most efficient and cost-effective to contract for limited attorney services. The department shall ensure that any cooperative agreement or contract for attorney services provides that all attorneys be supervised by, and report directly to, the local child support agency, and comply with all state and federal child support laws and regulations. The office of the Legislative Analyst shall review and assess the efficiency and effectiveness of that cooperative agreement or contract, and shall report its findings to the Legislature by January 1, 2004. Within 60 days of receipt of a plan of cooperation or contract from the local child support agency, the department shall either approve the plan of cooperation or contract or notify the agency that the plan is denied. If an agency is notified that the plan is denied, the agency shall have the opportunity to resubmit a revised plan of cooperation or contract. If the director fails to respond in writing within 60 days of receipt, the plan shall otherwise be deemed approved. Nothing in this section shall be deemed an approval of program costs relative to the cooperative arrangements entered into by the counties with other county departments.

(d) In order to minimize the disruption of services provided and to capitalize on the expertise of employees, the director shall create a program that builds on existing staff and facilities to the fullest extent possible. All assets of the family support division in the district attorney's office shall become assets of the local child support agency.

(e)(1)(A) Except as provided in subparagraph (B), all employees and other personnel who serve the office of the district attorney and perform child support collection and enforcement activities shall become the employees and other personnel of the county child support agency at their existing or equivalent classifications, and at their existing salaries and benefits that include, but are not limited to, accrued and unused vacation, sick leave, personal leave, and health and pension plans.

(B) The Title IV-D director is entitled to become an employee of the local child support agency or may be selected as the administrator pursuant to the provisions of subdivision (f).

(2) Permanent employees of the office of the district attorney on the effective date of this chapter shall be deemed qualified, and no other qualifications shall be required for employment or retention in the county child support agency. Probationary employees on the effective date of this chapter shall retain their probationary status and rights, and shall not be deemed to have transferred, so as to require serving a new probationary period.

(3) Employment seniority of an employee of the office of the district attorney on the effective date of this chapter shall be counted toward seniority in the county child support agency and all time spent in the same, equivalent, or higher classification shall be counted toward classification seniority.

(4) An employee organization that has been recognized as the representative or exclusive representative of an established appropriate bargaining unit of employees who perform child support collection and enforcement activities shall continue to be recognized as the representative or exclusive representative of the same employees of the county.

(5) An existing memorandum of understanding or agreement between the county or the office of the district attorney and the employee organization shall remain in effect and be fully binding on the parties involved for the term of the agreement.

(6) Nothing in this section shall be construed to limit the rights of employees or employee organizations to bargain in good faith on matters of wages, hours, or other terms and conditions of employment, including the negotiation of workplace standards within the scope of bargaining as authorized by state and federal law.

(7)(A) Except as provided in subparagraph (B), a public agency shall, in implementing programs affected by the act of addition or amendment of this chapter to this code, perform

program functions exclusively through the use of merit civil service employees of the public agency.

(B) Prior to transition from the district attorney to the local child support agency under [Section 17305](#), the district attorney may continue existing contracts and their renewals, as appropriate. After the transition under [Section 17305](#), any contracting out of program functions shall be approved by the director consistent with Section 31000 and following of the Government Code, except as otherwise provided in subdivision (c) with regard to attorney services. The director shall approve or disapprove a proposal to contract out within 60 days. Failure of the director to respond to a request to contract out within 60 days after receipt of the request shall be deemed approval, unless the director submits an extension to respond, which in no event shall be longer than 30 days.

(f) The administrator of the local child support agency shall be an employee of the county selected by the board of supervisors, or in the case of a city and county, selected by the mayor, pursuant to the qualifications established by the department. The administrator may hire staff, including attorneys, to fulfill the functions required by the agency and in conformity with any staffing requirements adopted by the department, including all those set forth in [Section 17306](#). All staff shall be employees of the county and shall comply with all local, state, and federal child support laws, regulations, and directives.

Credits

(Added by [Stats.1999, c. 478 \(A.B.196\)](#), § 1. Amended by [Stats.1999, c. 480 \(S.B.542\)](#), § 8; [Stats.2000, c. 808 \(A.B.1358\)](#), § 80, eff. [Sept. 28, 2000](#); [Stats.2001, c. 755 \(S.B.943\)](#), § 11, eff. [Oct. 12, 2001](#).)

Editors' Notes

OFFICIAL FORMS

2004 Main Volume

<Mandatory and optional Forms adopted and approved by the Judicial Council are set out in West's California Judicial Council Forms Pamphlet.>

[West's Ann. Cal. Fam. Code § 17304, CA FAM § 17304

Current with urgency legislation through Ch. 161 of the 2019 Reg.Sess. Some statute sections may be more current, see credits for details.

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WESTLAW

Barclays Official California Code of Regulations Currentness
 Title 22. Social Security
 Division 12. Department of Child Support Services
§ 111560. Director Qualifications.
 22 CA ADC § 111560 BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS (Approx. 4 pages)
 Subchapter 1. Operations
 Article 7. Staff Requirements

[

22 CCR § 111560

§ 111560. Director Qualifications.

(a) Each local child support agency shall have a director who oversees the administration of the agency.

(b) The director shall be an employee of the county selected by the board of supervisors, or in the case of a city and county, selected by the mayor, or in the case of a regionalized agency, selected in accordance with the instrument, agreement, or other document governing the operation and organization of the regionalized agency.

(c) The director shall possess the equivalent to a bachelor's degree from an accredited college or university in business or public administration, psychology/sociology or related disciplines, or four years experience performing duties in a public agency of which two years were in a senior level administrative or management position.

(d) When considering a director appointment, the appointing authority as specified in subsection (b) shall also consider the following knowledge and abilities:

- (1) Knowledge of government programs at the federal, state, or local level.
- (2) Ability to direct and administer the local child support agency to assure its effective and efficient operation.
- (3) Ability to work cooperatively with diverse interest groups, including advocacy groups, governmental organizations, and private entities.
- (4) Knowledge of the applicable state and federal laws, rules and regulations relative to a child support program.
- (5) Knowledge of applicable federal and state civil and criminal laws and regulations applicable to the delivery of child support services.
- (6) Knowledge of the practices and procedures of the local courts relative to a child support program.
- (7) Ability to carry out the county's personnel management program.
- (8) Ability to direct and administer the county local child support agency activities to assure compliance with applicable state and federal laws, regulations and policies.

Note: Authority cited: [Sections 17306, 17310 and 17312, Family Code](#). Reference: [Section 17304, Family Code](#).

HISTORY

1. New section filed 8-14-2002 as an emergency pursuant to [Family Code section 17306\(e\)](#); operative 8-14-2002 (Register 2002, No. 33). A Certificate of Compliance must be transmitted to OAL by 2-10-2003 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 8-14-2002 order transmitted to OAL 12-19-2002 and filed 2-3-2003 (Register 2003, No. 6).

This database is current through 8/16/19 Register 2019, No. 33

22 CCR § 111560, 22 CA ADC § 111560

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ATTACHMENT C

Placer County Code							
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CHARTER OF THE COUNTY OF PLACER							
CHARTER							

ARTICLE V: DUTIES OF OFFICERS

Sec. 501 In General.

Unless otherwise specified in this Charter, officers of the county other than members of the Board, shall have such duties as shall be prescribed by the Board from time to time and such other duties as shall be required of officers in charter counties by the Constitution and general laws of the State of California.

Sec. 502 County Executive Officer.

(a) **Appointment.** The County Executive Officer is the chief administrative officer of the county. The County Executive Officer shall be appointed by the Board on the basis of executive and administrative qualifications and experience. The County Executive Officer's performance shall be evaluated by the Board from time to time. The County Executive Officer serves at the Board's pleasure and may be removed by affirmative vote of three of its members.

(b) **General Powers and Duties.** The County Executive shall be responsible to the Board of Supervisors for the proper and efficient administration of the affairs of the county as are or hereafter may be placed in the provisions of this Charter, or of any ordinance, resolution or order of the Board of Supervisors with respect to any necessary or proper coordination of functions of officials and boards not under his jurisdiction or control.

Sec. 503 Other Duties.

(a) Coordinate the work of all offices and departments, both elective and appointive, and devise ways and means to achieve efficiency and economy in all county operations.

(b) Appoint, suspend or remove subject to confirmation by the Board of Supervisors all appointive department heads except County Counsel. Appointments shall be on the basis of executive and administrative qualifications as determined by screening and selection procedures.

(c) Formulate and present to the Board plans to implement policies and accomplish goals established by the Board.

(d) Provide systematic planning of the budget, recommend long-range capital planning, and recommend an annual budget after reviewing requests of all departments and agencies for which the Board is responsible or which request county funds.

- (e) Have responsibility for the administration of the budget after its adoption by the Board.
- (f) Provide for an in-depth analysis and review of all county programs on a regular basis in such manner that the Board may make policy decisions.
- (g) Provide and implement systems of adequate checks and controls to safeguard county money and property.
- (h) Implement the system of priorities and levels of service established by the Board.
- (i) The County Executive Officer shall have such other power and shall perform such other duties as are consistent with this Charter as prescribed by the Board.

Sec. 504 Board Meetings and Deliberations.

The County Executive Officer may attend any meeting of the Board of Supervisors except that attendance at a meeting at which the County Executive Officer's evaluation or removal is considered shall be at the Board's discretion. The County Executive Officer may participate in discussions of the Board but may not make motions or vote.

Sec. 505 Cooperative with County Executive Officer.

All elective officers of the county and all officers appointed by the Board of Supervisors shall cooperate with the County Executive Officer.

Sec. 506 Communication with Employees.

A Supervisor shall communicate recommendations or instructions to officers and employees under the County Executive Officer's supervision only through him/her. This section does not limit a Supervisor's right to obtain information.

Sec. 507 County Counsel.

The County Counsel shall be appointed by the Board of Supervisors and serve according to the terms of Government Code Section 27641 as currently enacted or hereafter amended including any successor statute enacted by the State Legislature to replace it. Unless his duties are otherwise prescribed or modified by an ordinance of the Board, he shall have all the powers and duties of a County Counsel now or hereafter set forth in the general laws.

Note: On Nov. 4, 2008, the voters approved Charter amendment “S” which changed the terms of employment of the County Counsel from an at-will appointment to terms consistent with Government Code Section 27641

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ATTACHMENT D

Placer County Code							
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Chapter 3 PERSONNEL Article 3.08 CIVIL SERVICE SYSTEM Part 2. Definition of Terms							

3.08.170 Definition of terms.

The following words and terms used in these rules shall have the meaning indicated below unless the context clearly indicates otherwise.

“Advancement” means a salary increase within the limits of the pay grade established for a class.

“Allocation” means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.

“Anniversary date” means the date by which and from which employee benefits are computed including but not necessarily limited to salary increases, vacation, sick leave and leaves of absence.

“Applicant” means a person who, according to the rules, has made formal application for employment.

Appointing Authority.

1. “Appointing authority” means the board, commission, department heads, group of persons, officer or person having the power by lawful delegated authority to make appointment to or removal from an established position in the county service.

2. Except as specifically provided elsewhere, the following shall be deemed the appointing authority:

a. The board of supervisors shall be the appointing authority for the county executive officer, county counsel, and all county boards and commissions.

b. The county executive officer shall be the appointing authority for all department heads other than elective officials.

c. Department heads shall be the appointing authority as to all persons within their respective departments.

d. Identification of a position as classified or unclassified shall not affect the operation of the foregoing rules.

“Appointment” means the offer to and acceptance by a person of a position either on a permanent or temporary basis.

“Assistant department head” means any individual having sole authority to act on behalf of a department head in the department head’s absence for an entire department, and who reports directly to the department head.

“Board” means the board of supervisors of the county of Placer.

“Certification” means the submission by the director of names of eligibles in rank order from an appropriate eligible list to an appointing authority.

“Class” means a definitely recognized kind of employment in the county service designed to embrace all positions having duties and responsibilities sufficiently similar so that the same requirements as to education, experience, knowledge and ability may be demanded of incumbents and so that the same schedule of compensation may be made to apply with equity.

“Classification or reclassification” means the judging of a position’s contents and its allocation by the commission to a class in accordance with the duties performed and the authority and responsibilities exercised.

“Classification plan” means an orderly arrangement of positions under separate and distinct classes so that each class will contain all those positions which are sufficiently similar in respect to duties and responsibilities to meet the requirements as established under the definition of “class,” such classification plan being established and maintained by the civil service commission.

“Classified service” means all positions in the county service except those specifically placed in the “unclassified” service.

“Commission” means the Placer County civil service commission.

“Compensation” means the salary, wage, allowances, and all other forms of valuable consideration, earned by or paid to an employee by reason of service in any position, but does not include any allowances authorized and incurred as necessary expenses.

“Compensation plan” means a schedule of salaries established by ordinance for the several classes of positions recognized in the classification plan, so that all positions of a given class will be paid the same salary grade established for the class.

Continuous Service.

1. “Continuous service” means service without interruption during which the employee has been employed by the county. An employee who is laid off and then reemployed shall have total time worked as the basis for computing continuous service. Interruption of service means dismissal, resignation, unauthorized leave of absence and lay-off in excess of two years.

2. A break shall occur for any unauthorized absence or resignation.

3. For purposes of computing a break in service for employees on integrated State Disability Insurance (SDI), only those hours recorded as off payroll hours will accumulate toward the determination of a break in service. For example, in an eighty (80) hour pay period, the SDI hours covered may amount to twenty (20) hours. The remaining hours are covered by and charged to sick leave. The twenty (20) hours related to SDI will be off payroll, which will be reflected on the employee’s payroll check stub.

4. Except as provided in subsection 3 of this definition, partial calendar months shall be excluded in computing continuous service.

5. For DSA represented employees, whenever “year of service” or “years of service” is used in this chapter to define any form of benefit eligibility, that term shall mean a continuous year of permanent county service (two thousand eighty (2,080) paid hours equals one year of service) or continuous years of permanent county service (two thousand eighty (2,080) paid hours equals one year of service).

“County” means the county of Placer.

“County service” or “service of the county” means the positions and employments occupied by any legally appointed officer or employee of the county established by the board.

“Demotion” means a change in status of an employee, from a position in one class to a position in another class having lesser duties and responsibilities, lower qualifications and a lower grade of compensation.

“Department” means an administrative branch of the county government with a line of work and group of employees under the immediate charge of a chief executive officer, who is known as the department head.

“Director” means the human resources director.

“Dismissal” means the separation of an employee from the classified service for a cause.

“Eligible” means a person who may legally be appointed to vacant positions in the competitive service by reason of prior service or of the successful passage of an original entrance or promotional examination.

“Eligible list” means a list of names of persons arranged in order of final ranking, who have been found qualified through suitable tests for employment for positions allocated to a specific class.

“Employee” means a person who is legally occupying a position in the county service or who is on authorized leave of absence.

Examination, Assembled. “Assembled examination” means a test conducted at a specified time and place at

which applicants are required to appear concurrently for competition under the supervision of an examiner or proctor.

Examination, Unassembled. “Unassembled examination” means a test consisting of an appraisal of training, experience or work history, or any other means for evaluating other relative qualifications of applicants without the necessity of their personal appearance at a specified place.

“General reclassification” means a general survey within a department wherein a group of positions are resurveyed and, as a result, a group of such positions are reallocated to different classes.

Good Standing, Termination In. “Termination in good standing” means that an employee has given the required termination notice and has not been discharged for cause. It shall also include employees who have been laid off.

Group, Occupational. “Occupational group” means a major subdivision of a series including one or more classes of positions in an associated craft, occupation, profession, or functional activity.

Holiday. A declared holiday constitutes eight working hours granted as time off with pay.

“Holiday Pay.” A declared holiday constitutes eight working hours granted as time off with pay for full-time employees. Part-time employees’ holiday hours shall be pro-rated on the basis of their standard/scheduled hours to a forty (40) hour week. For PPEO and DSA represented employees, rounding will occur to one decimal place.

“Layoff” means termination of employment of an employee without prejudice for any of the following reasons:

1. Necessity based on lack of funds or work; or
2. Advisability in the interest of economy to reduce the departmental staff; or
3. Return of another employee with greater seniority from leave of absence.

“Leave of absence” means an authorized absence from work as provided by these rules.

“Open examination” means an examination open to the public and not limited to applicants in county service.

“Overtime” means:

1. General Unit and Professional Unit. That period of authorized work performed by an employee in excess of such employee’s normal work period.
2. Deputy Sheriffs Unit. That period of authorized work performed by an employee in excess of such employee’s normal work schedule.

“Permanent full-time position” means a position established within which a full-time employee works on a continuous basis, forty (40) hours per week and allocated by the board to a department in the salary ordinance. (Except those employees under an FLSA 7J or 7K exemption.)

“Permanent part-time position” means a position established on a permanent, year-round basis requiring work on a regular schedule of less than forty (40) hours per week and allocated by the board to a department in the salary ordinance.

“Position” means an office or employment in the county service, of which the duties and responsibilities are exercised by one person.

Position, Extra Help. “Extra help position” means a position approved by the county executive for a specific length of time, who works eight hours a day or a fraction thereof, but such work is done on call at irregular intervals or without a set pattern, usually to meet peak workloads or temporary conditions such as vacation relief, paid sick leave and other situations involving a fluctuating staff. An extra help position is not allocated by the board to a department.

“Professional employee” means:

1. Any employee engaged in work:
 - a. Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work;
 - b. Involving the consistent exercise of discretion and judgment in its performance;
 - c. Of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time;
 - d. Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a long course of specialized intellectual instruction and study in an institution of higher learning or a hospital as distinguished from a general academic education or from an apprenticeship or from training in the performance or routine mental, manual or physical processes; or
2. Any employee who:
 - a. Has completed the courses of specialized intellectual instruction and study in subsection (1)(d) of this definition;
 - b. Is performing related work under the supervision of a professional person to qualify himself or herself to become a professional employee as defined in subsection (1)(d) of this definition.

“Promotion” means advancement to a position of higher rank or grade where the salary grade difference between the current classification and the new classification involves an increase in pay of at least five percent or more. A change in salary grade resulting from a reclassification of an occupational group without regard to departmental lines and involving no substantial change in duties and qualifications is not considered a promotion.

“Promotional examinations” means those limited to qualified permanent county employees. County employees shall be allowed paid time during their regular scheduled shift to interview for other county positions.

“RDO” means regular day off or an employee’s regularly scheduled day off.

“Re-allocation” means a change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of substantial changes in the kind, difficulty, or responsibility of duties performed in such position.

Re-classification. See “Classifications.”

“Re-employment list” means a list of names of persons, arranged in order provided by these rules, who have occupied positions allocated to any class in the classified service and who have been separated from the service due to layoff or who have been demoted to a lower class and who, in accordance with these rules, are

than quantitative; who exercise independent judgment as opposed to routine decision making; and stresses intellectual rather than manual tasks.

2. First Level Supervisor. One who is directly responsible for five or more employees within a department, division, or unit on a full-time basis. Reports to assistant department head, division head, or second level supervisor.

“Suspension” means a temporary separation of an employee from his or her position without pay, for disciplinary purposes or other just causes. An employee may not be so suspended for a period exceeding ninety (90) calendar days in any calendar year.

Titles, Class Title or Title of Class. The designation given to or name applied to a class or to each position allocated to the class and to the legally appointed incumbent of each position allocated to the class. (Its meaning is set forth in the corresponding definition and the class specification and it is always to be used and understood in that sense, even though it may previously have had a broader, narrower, or different significance.)

“Unclassified service” means all officers, positions, and employments in the government of Placer County as set forth in Section 3.08.070 of this code.

“Workday” means that twenty-four (24) hour period which begins at 5:01 p.m. on each calendar day.

“Workweek” means:

1. Regular Workweek—General Unit, Professional Unit and Deputy Sheriffs Unit. That calendar period which begins at 5:01 p.m. on a Friday and which ends at five p.m. on the following Friday. Paid time off for vacation, holidays, sick leave, and compensatory time taken shall be computed as actual hours worked for computation of overtime.

2. 9/80 Program—General Unit and Professional Unit. In the case of employees on a 9/80 program (nine workdays in an eighty (80) hour pay period) the workweek shall consist of the first forty (40) hours worked in a seven consecutive twenty-four (24) hour period, commencing with adoption of the 9/80 program. A 9/80 program shall consist of eight nine-hour workdays, one eight-hour workday and one additional day off, every other workweek. The additional day off must be taken on the same day of the week as the eight-hour workday in the alternate week. Paid time off for vacation, holidays, sick leave, and compensatory time taken shall be computed as actual hours worked for computation of overtime. (Ord. 5795-B § 5, 2015; Ord. 5572-B § 15, 2009; Ord. 5531-B, 2008; Ord. 5478-B (Attach. A), 2007; Ord. 5371-B, 2005; Ord. 5160-B, 2002; Ord. 5058-B (Attach. 18), 2000; Ord. 5006-B, 1999; prior code §§ 14.1208, 14.1292)

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ATTACHMENT E

**COUNTY OF PLACER
BOARD OF SUPERVISORS
TUESDAY, JUNE 12, 2007
SUMMARY ACTION
8:00 a.m.**

F.C. "Rocky" Rockholm District 1
County Executive
Robert Weygandt, District 2
Bouff, County Counsel
Jim Holmes, District 3, Vice Chairman
County Executive
Kirk Uhler, District 4
County Executive
Bruce Kranz, District 5, Chairman
County Executive

Thomas Miller,

Anthony J. La

Rich Colwell, Chief Assistant

Mike Boyle, Assistant

Holly Heinzen, Assistant

Ann

Holman, Clerk of the Board

County Administrative Center, 175 Fulweiler Avenue, Auburn, CA 95603

8:00 a.m.

FLAG SALUTE – Led by Anthony La Bouff, County Counsel.

STATEMENT OF MEETING PROCEDURES - Read by Clerk.

PUBLIC COMMENT – Dave McClure spoke in opposition to various elements of specific projects in the Tahoe area.

SUPERVISOR'S COMMITTEE REPORTS – None.

TIMED ITEMS TO BE DISCUSSED AT THE TIME SHOWN
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8:30 a.m.

1. **COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING – Appeal regarding: Villas at Harborside; Appeal of Planning Commission Approval of a Final Map Modification, Conditional Use Permit, Variance, Minor Boundary Line Adjustment (PCPC 2005 0680); Consideration of Request for Withdrawal of Appeal** – Public hearing to consider an appeal of the Planning Commission's approval, which allows for the construction of up to nine fractional ownership residential units on three lots and the approval of a variance to front setback requirements to construct a fence, entry gates, carports and parking space. The property (APN 097-130-027, 097-130-028 and 097-130-029) is located at 5120 through 5140 West Lake Boulevard, Homewood, in the Tahoe area, and is currently zoned Plan Area 159-Homewood (Commercial Tourist). The appellant, Jane Eichlin, has submitted a request for withdrawal of her appeal. The Board of Supervisors has the discretion to accept the withdrawal or to proceed with the hearing on the appeal.
Public hearing closed. Upheld the appeal and approved a reduced-density project consistent with the action taken by the Tahoe Regional Planning Agency Board of Directors, for a total of six residential units on the three lots; approved the findings

(pages 3–7 of the agenda) and conditions of approval (pages 10–11 of the agenda).
MOTION Holmes/Rockholm/Unanimous

9:05 a.m.

2. **BOARD OF SUPERVISORS** – Presentation of a Proclamation to the Placer Sportsmen's Association for their community work, specifically for the Annual Fishing Derby.

9:10 a.m.

3. **FACILITY SERVICES/COUNTY SERVICE AREA ASSESSMENT & FEE REPORT/FY 2007/08**
- Public hearing closed. Resolution 2007-172 adopted confirming the report and authorizing the collection of assessments on the 2007/08 tax roll. **MOTION Rockholm/Holmes/Unanimous**

9:15 a.m.

4. **HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE/COMMUNITY ACTION PLAN:**
a. Public hearing closed to consider the Placer County Community Action Plan for Calendar Years 2008 and 2009; and
b. Signed the Certification of Community Action Plan and Assurances; and
c. Resolution 2007-173 adopted authorizing the Health & Human Services Director to apply for and enter into a contract with the California Department of Community Services and Development to receive funds under the Calendar Years 2008 and 2009 Community Services Block Grant Program, to accept any amendments or revisions and to perform any responsibilities in relation to the contract. **MOTION Holmes/Rockholm/Unanimous**

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

9:20 a.m.

5. **REDEVELOPMENT AGENCY/FIVE-YEAR IMPLEMENTATION PLAN, NORTH AUBURN REDEVELOPMENT PROJECT AREA** – Public hearing closed. Resolution 2007-174 adopted approving the Five-Year Implementation Plan and matters relative to the production of affordable housing and use of housing set-aside funds for the area. **MOTION Rockholm/Holmes/Unanimous**

9:25 a.m.

6. **REDEVELOPMENT AGENCY/FIVE-YEAR IMPLEMENTATION PLAN, SUNSET INDUSTRIAL REDEVELOPMENT PROJECT AREA** – Public hearing closed. Resolution 2007-175 adopted approving the Five-Year Implementation Plan and matters relative to the production of affordable housing and use of housing set-aside funds for the area.
MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Uhler temporarily absent)

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

9:40 a.m.

7. **COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING – Appeal of Conditional Use Permit Application for Parkside Nazarene Church & Christian Legacy School (PCPM 20060608)** Public hearing to consider appeal of decision made by Placer County Airport Land Use Commission that a proposed middle school at the Parkside Nazarene Church was incompatible with the Placer County Airport Land Use Compatibility Plan and that the decision be overruled and the project approved. Subject property (APN 051-210-096) is ±10.3 acres located on Richardson Drive, adjacent to Chana High School across the street from the Auburn Area Regional Park, in the North Auburn area. The zoning designation for the project site is RS-AG-B-43 (Residential Single Family combining Agriculture combining a minimum building site size of 43,560 square feet (or a 1.0 acre min)).

Public hearing closed. Staff directed to revise findings and present to the Board at a future meeting supporting the Board's decision to overrule the determination of the Airport Land Use Commission. MOTION Holmes/Rockholm/Unanimous

9:55 a.m.

- 8. FACILITY SERVICES/GRANITE BAY PARKS, TRAILS & OPEN SPACE ASSESSMENT DISTRICT (Continued from 5/22/07)** - Public hearing closed. Resolution 2007-176 adopted approving the Engineer's Report, confirming diagram and assessment, and ordering levy of assessment for FY 2007/08. MOTION Rockholm/Uhler/Unanimous VOTE 4:0 (Weygandt temporarily absent)

10:00 a.m.

- 9. COUNTY EXECUTIVE/PROPOSED BUDGET FY 2007/08** – The Board took the following action:
1. Adopted the FY 2007/08 Proposed Budget;
 2. Adopted the FY 2007/08 Proposed budgets for Lighting Districts, County Service Area Zones and Sewer Maintenance Districts governed by the Board;
 3. Authorized the Auditor-Controller to make technical, non-substantive budget adjustments to the final budget, including adjustments to subdivide the Sheriff's single appropriation into six separate appropriations, and;
 4. Approved early purchase of equipment on the Master Fixed Asset Lists.
- MOTION Uhler/Rockholm/Unanimous

**ADJOURNED AS THE PLACER COUNTY BOARD OF SUPERVISORS AND
CONVENED AS THE PLACER COUNTY HOUSING AUTHORITY**

10:25 a.m.

- 10. HEALTH & HUMAN SERVICES/PUBLIC HOUSING AUTHORITY (Continued from 5/22/07)** Compliance with the U.S. Department of Housing and Urban Development Public Housing Authority Plan requirement is necessary to continue to receive approximately \$1,640,619 in FY 2007 Federal funding for the Placer County Section 8 Housing Choice Voucher Program, which provides subsidized housing for over 200 families.
- a. Public hearing closed regarding the Placer County Public Housing Authority Streamlined Annual Public Housing Authority Plan for FY 2007.
 - b. Resolution 2007-177 adopted authorizing submission of Placer County's Annual Public Housing Authority Plan for FY 2007 and certification of program compliance to U.S. Department of Housing and Urban Development.
- MOTION Uhler/Weygandt/Unanimous

**ADJOURNED AS THE PLACER COUNTY HOUSING AUTHORITY AND
RECONVENED AS THE PLACER COUNTY BOARD OF SUPERVISORS**

10:30 a.m.

- 11. COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING** — Workshop regarding: Placer Vineyards Specific Plan (PSPA T20060679); Associated Rezoning (PREA T20060680); Associated General Plan Amendments (PGPA T20060681); Development Agreements (PDAG T20060682); Final Environmental Impact Report (EIR T20040651/SCH #1999062020). The Board received information regarding the following topics: Project history; requested entitlements; Specific Plan overview, land use plan, infrastructure and traffic.

DEPARTMENT ITEMS TO BE CONSIDERED FOR ACTION AS TIME ALLOWS
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DEPARTMENT ITEMS:

12. ADMINISTRATIVE SERVICES/PROCUREMENT:

- a. **Blanket Purchase Order #13821 & 13823, Temporary Help Services/Personnel** - Renewed as a result of Competitive Bid #9462 with Adecco USA, Inc., in the maximum aggregate amount of \$1,200,000. MOTION Uhler/Rockholm/Unanimous
- b. **Blanket Purchase Order, Disposable Food Trays/Probation** - Awarded through a competitively bid cooperative purchasing agreement by San Diego County with Allen Packaging Company, in the maximum amount of \$300,000. MOTION Uhler/Rockholm/Unanimous
- c. **Purchase Order, Pharmaceutical Products/Health & Human Services** - Approved blanket purchase order through a competitively bid cooperative purchasing agreement with Cardinal Distribution, in the maximum amount of \$375,000. MOTION Uhler/Rockholm/Unanimous

13. BOARD OF SUPERVISORS:

- a. **Minutes** - Approved minutes of May 8, 2007 as amended. MOTION Rockholm/Holmes/Unanimous VOTE 4:0 (Kranz abstained)
- b. **Planning Commission** – Declared Seat 5 vacant and directed the Clerk of the Board to post the vacancy. MOTION Kranz/Rockholm/Unanimous

14. FACILITY SERVICES:

- a. **Kirk Conservation Easement Acquisition** – Continued consideration of an agreement of Purchase and Sale with David Lewis Kirk and The John B. & Sharon L. Kirk Family Trust, for the acquisition of Deeds of Conservation Easement & Development Rights, until June 26, 2007 at 9:00 a.m. MOTION Holmes/Uhler/Unanimous VOTE 4:0 (Rockholm temporarily absent)
- b. **Sewer Maintenance District (SMD) 3, County Service Area (CSA) 28, Zone 6 (Sheridan) & Zone 24 (Applegate):**
 1. Resolution 2007-178 adopted authorizing loans from the General Fund to the CSA Revolving Fund for the following districts: SMD 3 (Auburn-Folsom Road), \$210,000; CSA 28, Zone 6 (Sheridan Sewer & Water), \$400,000; and CSA 28, Zone 24 (Applegate Sewer), \$40,000. MOTION Holmes/Weygandt/Unanimous
 2. Approved budget revision appropriating loan proceeds for each of the three districts, plus \$60,000 of additional revenue for SMD 3 in FY 2006/07. MOTION Uhler/Weygandt/Unanimous

15. HEALTH & HUMAN SERVICES:

- a. **Adult System of Care** - Approved award of contracts with ten providers for outpatient and residential substance abuse treatment services for FY 2007/08, in the aggregate amount of \$3,592,469, resulting from Request for Proposals #9600 and #9610, and authorized the Health & Human Services Director to sign subsequent amendments. County General Fund contributions include \$144,302 in required matching funds and \$110,000 from the Methamphetamine Recovery Project. These contracts represent a reduction in services over prior fiscal years resulting from Federal and State budget reductions. MOTION Uhler/Weygandt/Unanimous
- b. **Children's System of Care** - Approved agreement with Whole Person Learning for FY 2007/08 to provide independent living skills training and support to help eligible foster

children ages 16 to 21 transition into independent living, and affordable housing and supportive services to former foster youth ages 18 to 24 to prevent homelessness and to increase the chances of successful transition to adulthood, in the amount of \$562,512, plus State stipend and voucher funds. No County General Fund contribution is required.
MOTION Uhler/Rockholm/Unanimous

16. **PROBATION** – Resolution 2007-179 adopted authorizing the Chief Probation Officer to submit and/or sign an Application for Agreement with the State, in the amount of \$450,012, for the County's Juvenile Probation and Camps Funding for at-risk youth programs and submit and/or sign related contracts, amendments or extensions. MOTION Uhler/Rockholm/Unanimous

17. **PUBLIC WORKS:**

- a. **Auburn Folsom Road Widening, South Phase, Contract #1014** - Resolution 2007-180 adopted authorizing the Public Works Director to sign a contract with PB Americas, Inc., in the amount of \$782,378, for construction management, inspection and materials testing services; and authorized the Public Works Director to approve and sign contract amendments for additional professional services, in an amount not to exceed \$80,000.
MOTION Uhler/Rockholm/Unanimous
- b. **State Route 49 Plaza Intersection, Contract #1015** – Resolution 2007-181 adopted authorizing the Public Works Director to sign a contract with Vali Cooper and Associates, Inc., in the amount of \$540,000, for construction management, inspection and materials testing services; and authorized the Public Works Director to approve and sign contract amendments for additional professional services, in an amount not to exceed \$55,000.
MOTION Holmes/Weygandt/Unanimous
- c. **Tahoe City Marina Public Parking Structure** - Resolution 2007-182 adopted authorizing the Chairman to sign and approve Professional Services Agreement #1002 with PB Americas, Inc., in the amount of \$497,398, for construction management services, upon County Counsel review and approval. MOTION Rockholm/Holmes/Unanimous

18. **COUNTY COUNSEL/CLOSED SESSION REPORT:**

- (A) **§54957 - PUBLIC EMPLOYEE APPOINTMENT – Announced the appointment of Troy Held.**
Public Employee Appointment, Title: Director of Child Support Services
- (B) **§54957.6 - CONFERENCE WITH LABOR NEGOTIATOR – The Board met with its labor negotiators.**
- (a) Agency negotiator: CEO/Personnel Director; Employee organization: PPEO/DSA/Management

CONSENT AGENDA – Consent Agenda approved with action as indicated.

MOTION Rockholm/Uhler/Unanimous

19. **WARRANTS** – Week of April 6, 13, 20, 27, May 4, 11, 18, 25 and June 1, 2007.

20. **ORDINANCE** – Second Reading:

- a. County Executive - Ordinance 5468-B adopted amending Chapter 3, Section 3.08.070, 3.12.010, Appendix 1, and 3.12.030, to provide additional compensation steps for the unclassified job classifications of Agricultural Inspector Aide, Library Page and Student Legal Assistant.
- b. Facility Services – Ordinance 5469-B adopted amending Chapter 8, Section 8.16.470, reducing the Garbage Collection Franchise Fee in Areas 1 & 4 (Western Placer County) from 10% to 8%.

21. **BOARD OF SUPERVISORS:**

- a. Approved proclamation to the Placer Sportsmen's Association for their community work, specifically for the Annual Fishing Derby.
 - b. Approved contract with Kathy Carroll for District 1 Assistant Aide/Web Page Maintenance & Administrative Assistance services.
 - c. Approved contract with Lyndell Grey for District 2 Assistant Aide/Web Page Maintenance & Administrative Assistance services.
 - d. Approved contract with Roger Canfield for District 5 Assistant Aide/Web Page Maintenance & Administrative Assistance services.
 - e. Approved contract with Robert Enos to provide secretarial services for Granite Bay Municipal Advisory Council.
22. CLAIMS AGAINST THE COUNTY – Rejected the following claims, as recommended by Counsel:
- a. 07-019, Polk, Darrell, Not Stated, (Property Loss).
 - b. 07-044, Clymer-Pratt, Kim, \$1,180.00, (Property Damage).
 - c. 07-049, Frazier, Jame, \$30.00, (Property Loss).
 - d. 07-053, Powell, Mary, Not Stated, (Personal Injury).
 - e. 07-055, Stephens, Sandrine, \$410,665.20, (Personal Injury).
23. CLAIMS AGAINST THE COUNTY – Rejected the following application to present a late claim and their associated claim, as recommended by Counsel:
- a. 07-026, Leorna, Charmaine, \$17,000,000, (Personal Injury).
24. CLERK RECORDER – Approved one-year contract extension with AtPac, in the amount of \$113,179.20, for the Clerk-Recorder Imaging Information System, including software licensing, maintenance and related support.
25. COMMITTEES & COMMISSIONS:
- a. Area 4 Agency on Aging Advisory Council – Approved reappointment of Kitty Hollitz to Seat 3 (Board of Supervisors) and appointment of Gloria Plasencia to Seat 4 (Older Adult Advisory), as requested by Supervisor Holmes.
 - b. Foresthill Forum Advisory Council – Accepted letter of resignation from Don Robinson received May 23, 2007, Seat 1 and approved appointment of Roy West to fill the unexpired term, as requested by Supervisor Kranz.
 - c. Housing & Dangerous Buildings Appeal Hearing Panel – Approved appointment of Dusty L. Sullivan to Seat 2 (Association of Realtors).
 - d. Older Adult Advisory Commission – Approved appointment of Gloria Plasencia to Seat 13 and Darlis C. Beale to Seat 7, as requested by Supervisor Holmes.
 - e. Sheridan Municipal Advisory Council – Approved reappointment of Jim Houck to Seat 3, Lee Bastien to Seat 4 and Turgay Ozcan to Seat 5, as requested by Supervisor Weygandt.
26. COMMUNITY DEVELOPMENT RESOURCE AGENCY:
- a. Administration – Ordinance introduced, first reading waived, amending Chapter 18, Section 18.12.050 of Article 18.12, Environmental Review of the Placer County Code, removing Appendix A, Impacts Which are Normally Considered Significant, to be consistent with the California Environmental Quality Act guidelines.

- d. Parks - Approved use agreement with the North Tahoe Public Utility District authorizing the use of Park Dedication Fees from Recreation Area #1, in the amount of \$54,461, for bear proof trash/recycle containers for the public beaches along the north shore of Lake Tahoe.
- e. Property Management - Approved amendment to the Communications Ground Lease Agreement with New Cingular Wireless PCS, LLC, for the cellular telephone facility located on the Burton Creek site, at North Lake Tahoe Boulevard, Tahoe City.

30. HEALTH & HUMAN SERVICES:

- a. Administrative Services - Ratified the payment, in the amount of \$2,000, for materials and labor to Silva Custom Designs for safety-related site improvements at the Cirby Hills Center.
- b. Adult System of Care - Approved agreement with Gary Henderson, MFT, for FY 2007/08, in the amount not to exceed \$35,800, to conduct supervision training for interns in behavioral health professions and provide clinical consultation to licensed County behavioral health professionals; and authorized the Health & Human Services Director to sign this agreement and subsequent amendments. These discretionary services require a \$1,000 County General Fund contribution.
- c. Animal Services - Approved a maximum payment authorization ("umbrella contract") with various veterinary providers for FY 2007/08, in an amount not to exceed \$50,000, for emergency veterinary services and authorized Health & Human Services to amend the list of providers, as necessary. These mandated services are primarily funded with County General Funds.
- d. Children's System of Care - Approved agreement with Placer Women's Center, Inc., dba PEACE for Families, from July 1, 2007 through June 30, 2009, in an amount not to exceed \$200,000, to conduct Medi-Cal Administrative Activities and authorized the Health & Human Services Director to sign the agreement and subsequent amendments. This discretionary program is fully funded with Federal funds, which fully offset the costs associated with qualifying low income clients for participation in Medi-Cal programs. No County General Fund contribution is required.

31. LIBRARY – Approved the closure of the Rocklin Library on Saturday, June 30, 2007 due to the Rocklin Jubilee.

32. PERSONNEL:

- a. Agreement - Authorized the Personnel Director to sign the renewal agreement with Vision Service Plan for administration of the County's vision insurance program. Effective July 1, 2007, the renewal agreement maintains the existing fee structure for the next 36 month period from July 1, 2007, through June 30, 2010.
- b. Blanket Purchase Order #14196 - Approved an amendment to increase purchase order with ImpleSoft, Inc., by \$37,000, with funds already allocated for consultant services, to provide services in support of the PeopleSoft/ACORN System; extended the term of the order from June 30, 2007 to August 30, 2007; and authorized the Purchasing Manager to sign.

33. 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. Blanket Purchase Order #13848, Various Brake, Clutch Parts & Service/Public Works - Renewed as a result of Competitive Bid #9455 with Capitol Clutch & Brake, Inc., in the maximum amount of \$55,000.

- b. Competitive Bid #9682, Handguns/Sheriff - Awarded to L.C. Action Police Supply, in the total amount of \$52,625.17.
- c. Contract #KN020689, County-Wide Audit Services/Auditor-Controller - Renewed as a result of Competitive Request for Proposal #9575 with Gilbert Associates, Inc., in the maximum amount of \$136,205.
- d. Negotiated Blanket Purchase Order #13893, 24 Storage Units/Health & Human Services - Renewed with Wilson Mini Storage, in the maximum amount of \$94,284.
- e. Negotiated Contract, Electronic Procurement Software for Internet Bidding/Administrative Services - Awarded to Ion Wave Technologies, Inc., for the purchase and five years of software maintenance, in the maximum amount of \$78,900; approved a budget revision, added the software to the Master Fixed Asset List and Resolution 2007-166 adopted amending Section 3.9 of the Purchasing Policy Manual.
- f. Sole Source Purchase Order, Software Maintenance & Support/Information Technology - Approved with Tier Technologies, Inc., for the Performance Accounting System (PAS), in the maximum amount of \$113,486.10.

34. PUBLIC WORKS:

- a. Abandonment - Resolution 2007-167 adopted abandoning a portion of Horseshoe Bar Road in Loomis, reserving a sewer access easement from the abandonment.
- b. Agreement - Resolution 2007-168 adopted authorizing the Chairman to sign Professional Services Agreement #73244, Amendment #2, with Jones & Stokes Associates, Inc., in the amount of \$194,841, for the Kings Beach Commercial Core Improvement Project, and authorizing the Public Works Director to approve and sign future amendments up to \$20,000.
- c. Cancellation of Deed Restriction - Resolution 2007-169 adopted authorizing the Public Works Director to cancel the deed restriction associated with Assessor's Parcel #098-169-007 located at 428 Gray Avenue, an undeveloped parcel near Homewood and the west shore of Lake Tahoe, and impose a cancellation penalty for the early cancellation of the deed restriction.
- d. Cancellation of Agreement - Resolution 2007-170 adopted authorizing the Public Works Director to cancel Professional Services Agreement #73224 with Lumos and Associates, Inc., in the amount of \$706,782, for the Homewood Erosion Control Project.
- e. Lake Tahoe Marathon – Resolution 2007-171 adopted supporting the Lake Tahoe Marathon and the temporary restriction of traffic on State Highway 89 on Saturday, September 29, 2007.
- f. Martis Valley Cumulative Water Quality Monitoring Plan - Approved budget revision to increase the appropriation for the National Pollution Discharge Elimination System FY 2006/07 budget by \$32,583.15, for preparation of the plan.

35. 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 in the amount of \$250 in Revenue Sharing monies to the Del Oro High School, Safe and Sober Grad Night 2007, as requested by Supervisor Rockholm (\$150) and Supervisor Holmes (\$100).
 - b. Approved appropriation in the amount of \$150 in Revenue Sharing monies to the Northern California, Torch Run for Special Olympics, as requested by Supervisor Weygandt.
 - c. Approved appropriation in the amount of \$300 in Revenue Sharing monies to the California Coalition of Rural Housing, as requested by Supervisor Holmes.
 - d. Approved appropriation in the amount of \$300 in Revenue Sharing monies to the 8th Annual Auburn Family Night Out Event, as requested by Supervisor Holmes.
 - e. Approved appropriation in the amount of \$1,600 in Revenue Sharing monies to the Auburn Chamber of Commerce, Annual 4th of July Celebration, as requested by Supervisor Holmes.
 - f. Approved appropriation in the amount of \$250 in Revenue Sharing monies to the City of Roseville, 4th of July Celebration, as requested by Supervisor Rockholm.
36. SHERIFF – Approved purchase of replacement mobile data computers, in estimated amount of \$211,000, as approved in the FY 2006/07 Final Budget and authorized the Purchasing Manager to award the competitive solicitation of the computers and to execute the documents.

*****End of Consent Agenda*****

ADJOURNMENT – Next regular meeting is June 26, 2007.