

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 6, 2009

REGULAR MEETING

9:01 a.m.: Chairman Hawes called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Kehoe
 District No. 2 - Supervisor Moty
 District No. 3 - Supervisor Hawes
 District No. 4 - Supervisor Hartman
 District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
 Senior Deputy County Counsel - James Ross
 Chief Deputy Clerk of the Board - Glenda Tracy
 Deputy Clerk of the Board - Valerie Ibarra

INVOCATION

Invocation was given by Pastor Pauline Bowen, Trinity United Methodist Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Baugh.

BOARD MATTERS

OCTOBER 2009 EMPLOYEE OF THE MONTH
SENIOR SOCIAL WORKER GAYLE MITCHELL
RESOLUTION NO. 2009-095

At the recommendation of Director of Social Services Jane Work and by motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-095, which recognizes Senior Social Worker Gayle Mitchell as Shasta County's October 2009 Employee of the Month.

(See Resolution Book No. 50)

PROCLAMATION: BREAST CANCER AWARENESS MONTH AND THINK PINK DAY

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2009 as Breast Cancer Awareness Month and October 15, 2009 as Think Pink Day in Shasta County. Nor-Cal Think Pink Breast Cancer Awareness Representative Connie Strohmayer accepted the proclamation.

PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2009 as Domestic Violence Awareness Month in Shasta County. District Attorney Gerald Benito introduced Shasta Women's' Refuge Executive Director Maggie John, who accepted the proclamation.

PROCLAMATION: CYBER SECURITY AWARENESS MONTH

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2009 as Cyber Security Awareness Month in Shasta County. Chief Technology Officer Charlie Haase accepted the proclamation and introduced IT Network Technician Russell Smith, whose assignment is to maintain Shasta County's cyber security.

GOVERNOR'S RECOGNITION: ASPHALT COWBOYS

Supervisor Moty introduced Senator Emeritus Maurice Johannessen who read a letter of recognition of the Asphalt Cowboys from Governor Arnold Schwarzenegger. Asphalt Cowboy Barry Wisenthalster accepted the letter.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hawes announced that the items regarding the minutes of the September 15, 2009 meeting, the proposed amendment to Administrative Policy 1-101, and the agreement with Shasta County Regional Transportation Planning Agency were pulled for discussion.

Supervisor Moty requested a correction to page 193, paragraph 9 of the minutes of the September 15, 2009 meeting to read "*Supervisor Moty stated that there is little reason to support medicinal marijuana, and most people are using Proposition 215 as an excuse to avoid prosecution. However, Proposition 215 has been in place for more than 10 years so a 45-day moratorium is not necessary.* He supports the County meeting with the cities in Shasta County to assure the clarifications are all the same."

Supervisor Kehoe read Administrative Policy 1-101, "Rule 5.h.," *Supervisors' Reports*, which, in accordance with the Brown Act, specifies that supervisors' reports are limited to activities of county-wide significance. Discussion and consensus reaffirmed the provision of Policy 1-101, Rule 5.h.

In response to a question by Supervisor Kehoe, Director of Public Health Donnell Ewert outlined the evaluation goals for the Safe Routes to Schools project, including monitoring the increase of children who walk or ride their bicycles to school safely.

CONSENT CALENDAR

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended:

Approved and authorized the Chairman to sign the County Claims List totaling \$215.46 requiring special board action. (Auditor-Controller)

Approved and authorized the County Administrative Officer to sign a retroactive agreement with SunGard AvantGard LLC in the amount of \$4,040 to provide software support

services for the secured processing of checks through the Auditor-Controller's Office for the period August 20, 2009 through August 19, 2010. (Auditor-Controller)

Approved the minutes of the meetings held on September 15 and 22, 2009, as amended. (Clerk of the Board)

Enacted Ordinance No. 679, which repeals Ordinances No. 631 and 678; and establishes fees for enrollment in misdemeanor alternative accountability programs, as introduced September 22, 2009. (Clerk of the Board)

(See General Ordinance Book)

Adopted Policy Resolution No. 2009-04, which amends Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*, to change the order of business during meetings of the Board of Supervisors. (Clerk of the Board)

(See Policy Resolution Book)

Appointed Richard Myers (Youth), Steve Lucarelli (Drug/Community), Thomas Gibbons (Recovery Community), and James Montgomery (Recovery Community) to the Alcohol and Drug Advisory Board for terms expiring January 2010. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Telecare Corporation in an amount not to exceed \$75,000 per fiscal year to provide psychiatric inpatient hospital services from the date of signing through June 30, 2010, with two automatic one-year renewals. (Mental Health)

Approved and authorized the Chairman to sign a retroactive agreement with the County of Marin in an amount not to exceed Shasta County's future calculated participation rate for Fiscal Years 2009-10 and 2010-11 for Marin County to act as the Local Government Agency Host Entity for the Medi-Cal Administrative Activities/Targeted Case Management programs for the period July 1, 2009 through June 30, 2011; and authorized the Auditor-Controller's office to pay claims associated with the agreement. (Public Health)

Approved and authorized the Chairman to sign a retroactive agreement with Shasta County Regional Transportation Planning Agency to pay Shasta County an amount not to exceed \$290,000 to provide Safe Routes to Schools non-infrastructure activities in Shasta County from May 8, 2009 through September 30, 2011; approved and authorized the Director of Public Health or his/her designee to sign future amendments to the agreement that result in a net change of no more than five percent of the total dollar value of the agreement and other minor, nonmonetary amendments; and authorized the Auditor-Controller to pay claims related to the agreement. (Public Health)

Approved and authorized the Chairman to sign an agreement with Caltrans in an amount not to exceed \$614,104.90 for the Opportunity Center to provide maintenance services at the O'Brien and Lakehead Safety Roadside Rest Areas for the period October 12, 2009 through October 11, 2012; and other related agreement documents. (Social Services-Opportunity Center)

Introduced and waived the reading of an ordinance which establishes a "No Parking" zone at the southerly end of Eagles Roost Road in the Pollard Flat area. (Public Works)

Introduced and waived the reading of an ordinance which establishes a 35-mile-per-hour speed zone on Brookdale Road. (Public Works)

Approved and authorized the Chairman to sign an agreement with Pacific Gas and Electric Company (PG&E) to reimburse Shasta County a proposed amount of \$3,552.50 to upgrade the heating, ventilation, and air conditioning (HVAC) unit in the Shasta County Administration Center; and adopted Resolution No. 2009-096, which approves and authorizes the Public Works Director to sign future Core Retro Commissioning Program incentive agreements and other related documents with PG&E. (Public Works)

(See Resolution Book No. 50)

For the Buzzard Roost Road at Cedar Creek Bridge Replacement Project (Round Mountain area), adopted Resolution No. 2009-097, which makes a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, subject to specific findings; approved and authorized the Chairman to sign right-of-way contracts with Murna Clements and Janice Simon (0.06 acres at \$2,200) and Linda and Gerald Nelson (0.48 acres at \$7,200); and accepted two easement deeds from these owners conveying parcels of project right of way. (Public Works)

(See Resolution Book No. 50)

Adopted Resolution No. 2009-098, which authorizes expenditures up to \$4,000 per year for educational, informational, and promotional items to be purchased by the County Fire Department; and authorizes the Auditor-Controller to pay claims associated with the expenditures. (County Fire)

(See Resolution Book No. 50)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Baugh recently attended a Regional Council of Rural Counties (RCRC) meeting and a Local Agency Formation Commission (LAFCO) meeting.

Supervisor Kehoe recently attended a LAFCO meeting.

Supervisor Hawes recently attended the Shasta County Economic Development Corporation Annual Meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

AGREEMENT: CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FORMATION AND EXECUTION OF DELIVERY OF PROPOSITION 1A RECEIVABLE SALE AGREEMENT RESOLUTION NO. 2009-099

County Fiscal Chief Bebe Palin recommended participation in the Proposition 1A Securitization Program, allowing Shasta County to sell the Proposition 1A Receivable, to the purchaser for a price equal to the amount of property tax borrowed by the State and provide cash proceeds in two equal installments. This would provide immediate cash relief and mitigates

impact of the 8 percent property tax withholding. This will keep local funds local, which will enable the immediate availability of funds.

In response to questions by Supervisor Kehoe, Ms. Palin stated that California Communities, a public authority, will be doing all of the bond work for approximately 770 agencies to securitize their receivables in a total of \$1.4 billion. From the bond proceeds, the County will be receive 100 percent of its Proposition 1A Receivable in two equal installments, at the same time the property tax borrowed by the State will be sent to the schools.

In response to questions by Supervisor Kehoe, County Administrative Officer Larry Lees stated that the joint powers agreement (JPA) would provide interest in an amount higher than a typical agreement, covering the cost plus additional funds for their work. This will prevent the County from having to loan \$3.5 million to the State with the uncertainty of the timeframe in which the State would have provided reimbursement.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-099, which approves the form of and authorizes the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of Shasta County's Proposition 1A receivable from the State of California; and directs and authorizes certain other actions in connection therewith.

(See Resolution Book No. 50)

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

PUBLIC HEALTH DEPARTMENT REVISED FEE SCHEDULE

This was the time set to conduct a public hearing to consider the request to revise the fee schedule of the Public Health Department. Director of Public Health Donnell Ewert presented the staff report and recommended approval of the fee schedule. The Notice of Hearing and the Affidavit of Publication are on file with the Clerk of the Board.

Director of Public Health Donnell Ewert discussed the methodology used to calculate the revised fees.

In response to questions by Supervisor Kehoe, Mr. Ewert replied that some individuals bring specific testing to the County instead of another agency because they may prefer having documentation from the County. The fee increase is comparable with the private sector. The schedule includes fees set at "Medi-Cal plus 50 percent" so the fee schedule remains current if and when Medi-Cal changes their rates. Although Public Health Department prefers that individuals see their physician for initial medical treatment, cost-effective services are offered for those who do not have a medical provider or do not have insurance. Public Health tracks communicable diseases.

The public hearing was opened, at which time no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Moty/Hartman), and carried, the Board of Supervisors introduced and waived the reading of an ordinance which repeals Ordinance No. 636; and establishes a revised fee schedule for the Public Health Department which more accurately reflects the cost of providing services, current reimbursement and market rates, and services offered. Supervisor Kehoe voted no.

10:13 a.m.: The Board of Supervisors recessed.

10:20 a.m.: The Board of Supervisors reconvened.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, and Labor Consultant Becker and Bell, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

10:20 a.m.: The Board of Supervisors recessed to Closed Session.

1:24 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Moty, Hartman, and Baugh, County Administrative Officer Larry Lees, Senior Deputy County Counsel James Ross, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

Senior Deputy County Counsel James Ross reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

1:25 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy