

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 13, 2010

REGULAR MEETING

9:00 a.m.: Chairman Kehoe 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
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Don Pryor, Foothill Christian Center.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Sheriff Tom Bosenko spoke accolades regarding Captain David Compomizzo, who is retiring after 30 years of service.

REGULAR CALENDAR**PRESENTATIONS****WEST POINT ACADEMY**

Jason Parker provided a presentation regarding academy selection for high school youth who are encouraged to apply to attend West Point.

BOARD MATTERS**PROCLAMATION: CRIME VICTIMS' RIGHTS WEEK**

Crime Victims Assistance Center Program Director Angela Fitzgerald spoke of Crime Victims' Rights Week, which highlights the needs and rights of victims of crime. District Attorney Jerry Benito explained Marsy's Law, which outlines the rights of victims of crime. By motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 18-24, 2010 as Crime Victims' Rights Week in Shasta County.

PROCLAMATION: CHILD ABUSE PREVENTION AWARENESS MONTH

Health and Human Services Agency Adult and Children's Services Director Dr. Mark Montgomery and Child Abuse Prevention Coordinating Council Executive Director Betty Futrell spoke of the ongoing issues of child abuse and neglect within Shasta County and encouraged support for child abuse prevention efforts. By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2010 as Child Abuse Prevention Awareness Month in Shasta County.

PROCLAMATION: SAFETY SEAT CHECKUP WEEK

Health and Human Services Agency Director of Public Health Donnell Ewert advised the need of child safety seats for infants and children of specific sizes and the proper installation. California Highway Patrol (CHP) Captain Jerry Flavin and CHP Safety Seat Coordinator Kurt Heuer told of the program in which child safety seats are provided for parents who attend training of proper installation. By motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 11-17, 2010 as Safety Seat Checkup Week in Shasta County.

PROCLAMATION: WATERSHED AWARENESS MONTH

Western Shasta Resource Conservation District (WSRCD) Westside Watershed Coordinator Tracy Fenton and WSRCD Climate Stewardship Coordinator Leslie Bryan told of Shasta County's diverse watersheds and the WSRCD focus on fisheries restoration, water quality and quantity, management of invasive species and wildland fuels, recreation, environmental education, and climate stewardship. By motion made, seconded (Moty/Hartman), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2010 as Watershed Awareness Month in Shasta County.

PROCLAMATION: FAIR HOUSING MONTH

Director of Housing/Community Action Programs Dr. Richard Kuhns stated that Title VIII of the Civil Rights Act of 1968 commemorates the Fair Housing Act which prohibits discrimination in housing. Legal Services of Northern California Managing Attorney Darryll Alvey advised a Fair Housing Workshop, scheduled for April 21, 2010, will provide information regarding fair housing laws. By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2010 as "Fair Housing Month" in Shasta County.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign the County Claims List totaling \$535.74 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign an agreement with the City of Shasta Lake in the amount of \$139,496 to administer the Neighborhood Stabilization Program for the voluntary demolition of vacant blighted structures from the date of signing through June 30, 2010, with one automatic one-year renewal. (Health and Human Services - Housing and Community Action Programs)

Adopted Resolution No. 2010-032, which provides for the collection and enforcement of property-related fees and charges by county service areas; and introduced and waived the reading of an ordinance which amends Shasta County Code Section 13.12.050, *Water service-Billing*, to conform to current county service area law. (Public Works - County Service Areas)

(See Resolution Book No. 51)

For the Buzzard Roost Road at Cedar Creek Bridge Project, approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after May 20, 2010 at 11:00 a.m. (Public Works)

For the East Fork Road at Clear Creek Bridge Project, approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after May 20, 2010 at 11:00 a.m. (Public Works)

Adopted Resolution No. 2010-033, which authorizes Resource Management to accept the Used Oil Recycling Block Grant - Fifteenth Cycle in the amount of \$23,059 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake for Fiscal Year 2009-10; appoints the Director of Resource Management as the agent for Shasta County for the purpose of the grant; and authorizes the Auditor-Controller to pay claims for program expenditures incurred in the course of the grant. (Resource Management - Community Education Section)

(See Resolution Book No. 51)

Approved and authorized the Chairman to sign the following amendments to agreements with Hawkins Companies, LLC increasing compensation by \$40,623 (for a new total of \$300,599) for the preparation by a consultant of an Environmental Impact Report (EIR), a Mitigation Monitoring and Reporting Plan (MMP), and staff costs related to document production and processing of related land use permits for the Knighton & Churn Creek Commons Retail Center project; and with Quad Knopf, Inc. increasing the amount by \$40,623 (for a total of \$290,599) for the preparation of an EIR and MMP. (Resource Management - Planning)

REGULAR CALENDAR, CONTINUED**GENERAL GOVERNMENT****ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS****LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, noting that Governor Schwarzenegger's veto of significant funds in the State Budget for the Child Welfare Services has caused Shasta County social workers to be overburdened in protecting abused and neglected children.

Following discussion and by consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter to Assembly Member Nielsen requesting restoration of Child Welfare funding.

CAO Lees also explained that due to the State budget discontinuance of the Williamson Act funding, Shasta County will experience a loss of \$244,248 of subvention funding, which will have to be supplanted with Shasta County General Fund dollars.

Following discussion and by consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter to Governor Schwarzenegger supporting restoration of Williamson Act Funding.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE/HHSA-PUBLIC HEALTH**AGREEMENT: SIERRA-SACRAMENTO VALLEY
EMERGENCY MEDICAL SERVICES**

Principal Administrative Analyst Julie Hope stated that a new contract is being proposed to provide Local Emergency Medical Services Agency (LEMSA) services by Sierra-Sacramento Valley Emergency Medical Services (S-SV EMS) for Fiscal Year 2010-11 in an amount not to exceed \$88,000. The actual amount will be based on State Department of Finance population statistics that will be issued after May 1, 2010. If the new contract is approved, a request will be made to approve a member of the Board, and an alternate, to serve on the S-SV EMS Joint Powers Agreement (JPA) governing board. Request is made for the County Administrative Officer to have delegated authority to exercise or not exercise the remaining one-year option for the LEMSA agreement with Northern California EMS, Inc. and to sign any necessary transfer repeater site license (lease) or maintenance agreements.

Northern California EMS, Inc. (Nor-Cal) Board member Denny Bungarz said the cost for Nor-Cal for the next fiscal year has been set at \$77,000 instead of the previously requested increase. Nor-Cal has a program for training Emergency Medical Technician (EMT) staff and first responders. He reminded the Board of Supervisors that Nor-Cal has served Shasta County since 1980.

In response to questions by Supervisors Moty and Baugh, Mr. Bungarz confirmed that the Nor-Cal Board has made the determination to not charge the original amount approved in 2009 but to charge \$77,000 for the next fiscal year which is unchanged from this fiscal year. There have also been some questions regarding some charges being due to the State. If a charge

is found to be due to the State, Nor-Cal has resources to pay the amount. These funds would be made available by either leasing or selling a building owned by Nor-Cal.

County Administrative Officer (CAO) Larry Lees advised that meetings have taken place with S-SV EMS, ambulance providers, hospitals, and surgery centers and S-SV EMS assured him the required protocols will be met. He believes Shasta County will be better served by S-SV EMS.

In response to questions by Supervisor Baugh, CAO Lees stated that the headquarters for Nor-Cal is in Redding, it has 13 employees for the nine counties it currently handles. S-SV EMS has suggested it will establish a satellite office in Redding to handle the counties it will serve in this area.

In response to questions by Supervisor Hawes, CALFire Shasta County Fire Department Battalion Fire Chief Mike Weaver explained that Shasta County Fire Department hopes to expand its level of services of first responders.

Ms. Hope noted that S-SV EMS does not have an EMT-II program, but they are working with County Fire Warden Doug Wenham and anticipate having that in place by July 1, 2010. The Nor-Cal contract calls for a Consumer Price Index (CPI) increase in Fiscal Year 2010-11 up to four percent. There was a 1.8 percent CPI increase in February, 2011 which would bring their contract over \$78,000.

In response to questions by Supervisor Kehoe, CAO Lees stated many options have been considered including Shasta County developing an EMS program; however, it would be more costly than contracting with an EMS agency.

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Sierra-Sacramento Valley Emergency Medical Services (S-SV EMS) agency in an amount not to exceed \$88,000 for Fiscal Year 2010-11 to provide Local Emergency Medical Services Agency (LEMSA) services from the date of signing until such time as the Joint Powers Agreement (JPA) has been amended and approved by all member counties; appointed Supervisor Moty to represent Shasta County on the S-SV EMS JPA Governing Board of Directors and Supervisor Hartman to serve as an alternate to represent Shasta County on the S-SV EMS JPA Governing Board of Directors; and approved and authorized the County Administrative Officer to exercise or not exercise the remaining one-year option for the LEMSAs agreement with Northern California EMS, Inc., and to sign any necessary transfer repeater site license and maintenance agreements.

HEALTH AND HUMAN SERVICES

HHS - PUBLIC HEALTH

PUBLIC HEALTH ADVISORY BOARD **APPOINTMENTS AND BY-LAWS** **YEAR-END REPORT**

Charles Alexander spoke in opposition to the manner in which the Public Health Advisory Board (PHAB) requests appointments and reappointments of board members.

Health and Human Services Agency Director of Public Health Donnell Ewert requested that John Coe and Jim Holdridge be reappointed to the PHAB and Theresa Flynn Gasman and Robin Glasco be appointed to fill vacancies. Mr. Ewert advised that the PHAB By-Laws are being submitted for approval of changes. He stated that County Counsel's office has since recommended that a change be made on page 3, Section 6. The sentence stating "Members of

the Advisory Board serve at the request of the Board of Supervisors . . .” should be changed to “. . . at the *pleasure* of the Board of Supervisors. . . .”

PHAB member Brad Tillson presented the year-end report stating that vaccinations were given to prevent the spread of pandemic H1N1 Influenza. The PHAB also supported a local Social Host Liability Ordinance aimed at the prevention of underage drinking and supported smoke-free public beaches at Whiskeytown National Recreation Area.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors reappointed John Coe (general member) and Jim Holdridge (general member) and appointed Theresa Flynn Gasman (general member) for terms to March 2013; appointed Robin Glasco (general member) for an unexpired term to March 2012; and approved changes to the Public Health Advisory Board By-Laws, as amended.

REGIONAL SERVICES

AGREEMENT: CALIFORNIA STATEWIDE AUTOMATED WELFARE SYSTEM\CONSORTIUM IV

Health and Human Services Agency Regional Services Branch Director Jane Work provided an update on the implementation of the Statewide Automated Welfare System Consortium IV (C-IV) project. The C-IV project will replace the Interim Statewide Automated Welfare System (ISAWS) and an automated system will allow clients to access information and management functions and will assist caseworkers in determining timely and accurate benefits.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amended Joint Powers Authority agreement with the Statewide Automated Welfare System Consortium IV (C-IV) for the design, development, implementation, and ongoing operation and maintenance of an automated welfare system from June 1, 2010 until the Board terminates participation; and approved and authorized the Chairman to sign a Memorandum of Understanding (MOU) with the C-IV to delineate areas of understanding and agreement with regard to the vendor agreement and other areas of mutual interest effective from the date of execution of the MOU between the C-IV and other JPA member counties until the JPA is terminated or state and federal funding ceases.

LAW AND JUSTICE

SHERIFF

CALIFORNIA EMERGENCY MANAGEMENT AGENCY ANTI-DRUG ABUSE PROGRAM GRANT

Sheriff Tom Bosenko quoted the substantial amount of arrests and drug seizures made by Shasta Interagency Narcotics Task Force (SINTF) in 2009. For Fiscal Year 2009-10, the Anti-Drug Abuse (ADA) Program grant funds miscellaneous operating costs; a portion of salaries and benefits for one full-time Deputy Sheriff, two Redding Police Officers, one Anderson Police Officer, one Probation Officer, and one Deputy District Attorney; and funds 100 percent of a full-time Legal Process Clerk.

SINTF Commander John Thulin advised that several participating agencies make SINTF able to provide excellent service. In 2009, 199 arrests were made with five full-time personnel. SINTF is effective in reducing the drug use in the community.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors authorized the Sheriff to administer the Anti-Drug Abuse Program grant (ADA) in the amount of \$233,270 through the California Emergency Management Agency (Cal-EMA) to partially fund the Shasta Interagency Narcotics Task Force (SINTF) from July 1, 2009 through June 30, 2010; approved a budget amendment increasing revenues in the amount of \$75,162 and appropriations in the amount of \$50,455 in the Sheriff budget; approved a budget amendment decreasing appropriations and revenues in the amount of \$5,937 in the District Attorney budget as a result of a decrease in Transfer-Out from the Sheriff budget; approved a budget amendment decreasing appropriations and revenues in the amount of \$7,642 in the Probation budget as a result of a decrease in Transfer-Out from the Sheriff budget; and authorized the Auditor-Controller to pay claims for expenses incurred by all three departments related to the grant.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with its counsel to discuss existing litigation entitled Baldwin v. County of Shasta, et al. and Tracy v. County of Shasta, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss liability claims regarding claimant Anthony D. Aldrich, pursuant to Government Code section 54956.95; and
3. Confer with its Real Property Negotiator County Administrative Officer Larry Lees and Administrative Office of the Courts regarding 1500 Court Street, Redding, pursuant to Government Code section 54964.8; and
4. 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.

11:20 a.m.: The Board of Supervisors recessed to Closed Session.

11:32 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation, liability claim, and real property negotiations, as well as labor negotiations.

1. In the matter of Gary Baldwin v. County of Shasta, et al., which is a case involving the arrest of Mr. Baldwin, the Board of Supervisors, by a unanimous vote of 5-0, provided approval to legal counsel to defend this litigation and assigned the case to outside counsel Gary Brickwood, Esq.

2. In the matter of Megan Tracy v. County of Shasta, et al, which is a case involving the arrest of Ms. Tracy's husband, the Board of Supervisors, by a unanimous vote of 5-0, provided approval to legal counsel to defend this litigation and assigned the case to outside counsel Gary Brickwood, Esq.
3. In the matter of the liability claim by Anthony D. Aldrich against the County of Shasta, Mr. Aldrich filed an application for leave to present a late claim against the County of Shasta in connection with the circumstances surrounding his arrest and conviction in September 2005. By a unanimous vote of 5-0, the Board of Supervisors denied Mr. Aldrich's application for leave to present a late claim for (1) failure to present the application within a reasonable time not to exceed one year after the accrual of the cause of action; and (2) because the application is without merit.

No other reportable action was taken.

11:34 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy