

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 16, 2011

REGULAR MEETING

9:03 a.m.: Chairman Baugh 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.
Administrative Board Clerk - Linda Mekelburg
Staff Services Analyst - Megan Dorney

INVOCATION

Invocation was given by Pastor George Nite, Crosspointe Community Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Chuck Lema opposed the proposed CalFIRE \$150 assessment on rural residents throughout California and the changes to the Williamson Act.

Ronda Jenkins, Annie Wall, Leonard Lacy III, Tia Duran, Shyrle DeHaven, Laura Bell, Dorothy Grisham, Amy Earp, Candy Gibson, Christine Green, Betty Berg, Micki Diek, and Cynthia Lahey opposed the proposed pay cuts for In-Home Supportive Services (IHSS) providers. In response to a question from Chairman Baugh, County Administrative Officer (CAO) Larry Lees explained that the Board of Supervisors asked that IHSS providers' wages be maintained at their current rate. An offer was made on June 28, 2011 and repeated on July 27, 2011 and August 15, 2011 to the IHSS bargaining team to maintain the current hourly rate in exchange for reducing the medical coverage to the 15 percent of providers who utilize that option. To date, no response has been received. Supervisor Hawes noted that any cuts in working hours have been made at the state level.

9:59 a.m.: The Board of Supervisors recessed.

10:06 a.m.: The Board of Supervisors reconvened.

REGULAR CALENDAR

BOARD MATTERS

**POSSIBLE TAX-SHARING AGREEMENT WITH
THE CITIES OF ANDERSON, REDDING, AND SHASTA LAKE**

Supervisor Kehoe explained that at the August 1, 2011 public hearing regarding Zone Amendment No. 08-003, Hawkins Companies, LLC, there was universal support for the governments of the County of Shasta and the Cities of Anderson, Redding, and Shasta Lake to work together to create an equitable tax-sharing agreement. He outlined the following steps:

1. The Board of Supervisors should decide whether they wish to move forward with an equitable tax-sharing agreement;
2. If so, the Board of Supervisors should extend an invitation to the three cities to determine if they wish to proceed;
3. If the cities agree, proceed with the formation of a mutually acceptable agreement with the principles, and adopt it in a timely fashion; and
4. Mutually determine the time frame in which to implement the agreement.

Supervisors Moty, Hartman, and Hawes supported moving forward with discussions. In response to a question by Supervisor Baugh, Supervisor Kehoe noted that in the past, subsidiary issues, such as regional planning and regional transportation, have been made a part of discussions. Items such as impact fees still require discussion and should be included.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors approved moving forward with tax-sharing agreement discussions with the Cities of Anderson, Redding, and Shasta Lake; and approved and authorized the Chairman to sign letters of invitation to the Cities of Anderson, Redding, and Shasta Lake.

CONSENT CALENDAR

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

Appointed Wade Riggs to the Shasta County Arts Council for a term to expire June 2013.
(Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with LocumTenens.com to establish a bifurcated rate and clarifying Contractor and County responsibilities, with no change in compensation or term. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive California Department of Public Health Maternal Child and Adolescent Health Agreement Funding Application in an amount not to exceed \$88,000 to allow Public Health to continue services to protect and improve the health of mothers, adolescents, children, and their families for the period July 1, 2011 through June 30, 2012; approved and authorized the Director of Public Health or his/her designee to sign prospective and retroactive amendments to the agreement resulting in a change in compensation not to exceed \$10,000 and other agreement-related documents that do not result in a substantial or functional change to the original intent of the agreement; and authorized the Auditor-Controller to pay claims related to the agreement. (HHS-Public Health)

Approved a budget amendment increasing revenue and appropriations by \$11,000 in the Veterans Services budget to recognize revenue from the California Department of Veterans Affairs; and authorized expenditures in the amount of \$11,000 for setup, training, data migration, annual software maintenance, hosting, and support for a veterans claims management program. (Veterans Services Office)

Approved and authorized the Chairman to sign an Equitable Sharing Agreement and Certification Affidavit outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2010-11. (District Attorney)

Received a report on the Fiscal Year 2010-11 Real Estate Fraud Investigations Unit. (District Attorney)

Approved a budget amendment increasing appropriations and revenues in the amount of \$4,471 to acquire a capital asset from the U.S. Marshal's Office; authorized the Auditor-Controller to issue a check in the amount of \$4,470.31 payable to the U.S. Marshals Service (USMS); approved and authorized the Sheriff or his designee to sign a hold harmless agreement with the USMS; authorized the transfer of the capital asset, a 2007 Acura TL, to the City of Redding in an amount of \$4,470.31; and approved and authorized the Sheriff or his designee to sign a hold harmless agreement with the City of Redding upon transfer of the capital asset to the Redding Police Department all required paperwork to transfer ownership and title of the capital asset to the City of Redding. (Sheriff)

For the Elk Trail Water Improvement and Crag View Water Improvement projects, approved and authorized the Chairman to sign two fiscal services and deposit account control agreements with the U.S. Bank National Association; two U.S. Bank National Association money market account authorization forms; and two deposit account maintenance agreements with the California Department of Public Health. (Public Works)

Approved a reorganization realigning tasks and staff within the Public Works Department. (Public Works)

Approved a budget amendment increasing appropriations by \$15,000 in the Roads budget to purchase a narrowbanding-compliant radio for SHASCOM, to be offset by the use of fund balance. (Public Works)

10:19 a.m.: The Board of Supervisors recessed and convened as the Shasta Joint Powers Financing Authority.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA JOINT POWERS FINANCING AUTHORITY

By motion made, seconded (Hawes/Moty), and unanimously carried, the Shasta Joint Powers Financing Authority took the following action, which was listed on the Consent Calendar:

Approved and authorized the Chairman to sign an agreement with Hawkins Delafield & Wood LLP in an amount not to exceed \$50,250 to provide bond counsel and disclosure counsel services for refunding the Lease Revenue Bonds 1998 Series A (County Courthouse Improvement Projects) from the date of signing through the completion of services or December 31, 2012, whichever is earlier. (Administrative Office/County Counsel)

10:20 a.m.: The Shasta Joint Powers Financing Authority adjourned, and the Board of Supervisors reconvened.

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

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

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE**ASSEMBLY BILL X1 27****ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM****INTRODUCTION OF ORDINANCE**

Administrative Analyst Angela Davis presented the staff report and noted that the County recently received information that the California Supreme Court stayed implementation of Assembly Bill X1 27 and portions of Assembly Bill X1 26; however, as a result of discussions with County Counsel, it has been decided to proceed forward with the ordinance at this time pending a review by the U.S. Supreme Court in January 2012. By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors introduced and waived the reading of a Continuation Ordinance required by Assembly Bill X1 27 in order to elect and implement participation by the County of Shasta and the Shasta County Redevelopment Agency in the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of the California Community Redevelopment Law.

HEALTH AND HUMAN SERVICES**HEALTH AND HUMAN SERVICES AGENCY (HHS)****PRESENTATIONS: HHS FIFTH-YEAR ANNIVERSARY;
HHS STRATEGIC PLAN 2011-2020**

Health and Human Services Agency (HHS) Director Marta McKenzie discussed the changes that have occurred since the Departments of Social Services, Mental Health, and Public Health were merged into one agency in 2006. The departments have been reorganized into five branches (Adult Services, Children's Services, Regional Services, Public Health, and Business and Support Services) and services combined among the branches to better serve the public.

Ms. McKenzie also distributed copies of the Health and Human Services Agency Strategic Plan 2011-2020. The goals of the Plan are to decrease use of tobacco, alcohol, and other drugs; prevent adverse childhood experiences; promote mental wellbeing; empower independence and self-sufficiency; increase accessibility of services; and increase organizational capacity to provide high-quality services.

HHSA/SUPPORT SERVICES**HEALTH AND HUMAN SERVICES AGENCY REORGANIZATION
ORDINANCE INTRODUCTION
SALARY RESOLUTION NO. 1395
RESOLUTIONS NO. 2011-095 AND 2011-096**

HHSA Director Marta McKenzie presented the staff report and recommended approval of the request to reorganize the Health and Human Services Agency. In response to a question from Supervisor Kehoe, Ms. McKenzie noted that the deletion of one position and reclassifying of the branch directors and deputy branch directors will eventually save approximately \$75,000 per year.

The proposed change to the County Code allows the HHSA Director to be appointed as the Director of Mental Health Services if he or she meets the qualifications required by the State of California. In response to a question by Supervisor Moty, Ms. McKenzie explained that if the HHSA Director does not meet the qualifications, then a separate Director of Mental Health Services must be appointed.

Supervisor Moty stated his concern that a 10-percent compensatory pay differential for branch directors was too much; he would prefer a 5-percent pay minimum differential with a maximum of 10 percent if approved by the County Administrative Officer (CAO).

Supervisor Moty made a motion to accept the staff recommendation, with a change in the additional compensatory pay to provide 5 percent additional compensatory pay for HHSA Branch Directors under certain circumstances, with an additional 5 percent (for a maximum of 10 percent) additional compensatory pay upon CAO approval. Supervisor Hawes seconded the motion.

Supervisor Baugh expressed his preference that the matter be continued in order to allow the Board members to receive more information; he did not believe he had enough time to make an informed decision and explained that he would not be able to support the staff recommendation at this time.

In response to a question from Supervisor Kehoe regarding the five Branch Director positions, Ms. McKenzie explained that one position (the currently vacant position) will receive a salary increase.

By motion made, seconded (Moty/Hawes), and carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends Shasta County Code Chapter 2.28, *Health and Human Services Agency*, to consolidate the County office of the Director of Mental Health Services with the position of Health and Human Services Agency Director when certain conditions are met, provide for the separate appointment of a Director of Mental Health Services when those conditions are not met, and authorize the Health and Human Services Agency Director to perform the duties of the Director of Public Health in lieu of the County Health Officer; adopted Salary Resolution No. 1395 effective September 25, 2011, which adds three HHSA Branch Director positions and five HHSA Deputy Branch Director positions, deletes one Director of Mental Health Services position, one Director of Public Health position, one Deputy Director of Mental Health position, two Deputy Director of Public Health positions, three Deputy Director of Social Services positions, and one HHSA Program Manager position, adds one footnote regarding 5 percent additional compensatory pay for HHSA Branch Directors under certain circumstances, with an additional 5 percent (for a maximum of 10 percent) additional compensatory pay upon CAO approval, and makes technical adjustments to one footnote regarding additional compensatory pay for various positions under certain circumstances; approved job specifications for the HHSA Deputy Branch Director; deleted job classifications for the Director of Public Health, Deputy Director of Mental Health, Deputy Director of Public Health, and Deputy Director of Social Services; effective September 25, 2011,

reclassified the Director of Mental Health and Director of Public Health to HHS Branch Directors and the Deputy Director of Mental Health, Deputy Directors of Public Health, and Deputy Directors of Social Services to HHS Deputy Branch Directors; in accordance with Policy Resolution No. 2010-02, adopted Resolution No. 2011-095, which maintains the current salary and benefit level for two reclassified HHS Branch Directors and one HHS Deputy Branch Director; and adopted Resolution No. 2011-096, which amends the *Personnel Rules*, Section 6.11, *Department Heads*, to conform with the proposed changes effective September 25, 2011. Supervisors Baugh and Kehoe voted no.

(See Salary Resolution Book)

(See Resolution Book No. 52)

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Palmer v. County of Shasta and Dupont v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a).

12:03 p.m.: The Board of Supervisors recessed to Closed Session.

12:16 p.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. In the matter of Dupont v. County of Shasta, a workers' compensation case, the Board of Supervisors, by a unanimous 5-0 vote, approved an open medical Compromise and Release for Daniel Dupont in the amount of \$60,000, less credit for previously paid permanent disability advances in the amount of \$31,717. No other reportable action was taken.

12:17 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy