

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 7, 2012

REGULAR MEETING

9:01 a.m.: Chairman Moty 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 Supervisor Baugh.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Eric Cassano opposed the Moody Flats Quarry in Shasta Lake City due to proposed significant environmental impacts.

Gary Cadd requested the Board of Supervisors agendize the issue of having the appointment of the department head positions of Public Works Director and Resource Management Director be put under the responsibility of the County Administrative Officer.

REGULAR CALENDAR

BOARD MATTERS

CERTIFICATE OF RECOGNITION

BUREAU OF LAND MANAGEMENT FIELD MANAGER STEVE ANDERSON

The Board of Supervisors presented a Certificate of Recognition to Bureau of Land Management Field Manager Steve Anderson on the occasion of his retirement after many years of service at the Bureau of Land Management.

Representing Congressman Wally Herger, Deputy District Director Dave Muerer and Field Representative Todd Jones presented a plaque and a United States flag to Mr. Anderson in appreciation of his service.

Supervisor Hartman presented a Certificate of Recognition from the Tehama County Board of Supervisors, expressing appreciation to Mr. Anderson.

City of Redding Mayor Dick Dickerson presented a Certificate of Recognition, showing gratitude for the work performed by Mr. Anderson.

PRESENTATIONS

CALIFORNIA DEPARTMENT OF FISH AND GAME RE-ENTRY OF THE GRAY WOLF INTO CALIFORNIA

California Department of Fish and Game (DFG) Senior Wildlife Biologist Karen Kovacs presented information regarding the re-entry of the gray wolf into California. Ms. Kovacs explained that the lone gray wolf that entered California on December 28, 2011 is designated "OR-7" as it is the seventh wolf pup that was radio-collared in Oregon. OR-7 is two and one half years old and it is common for younger pack members to disperse from the pack to search for a mate, other packs to join, or to establish its own pack.

Sacramento Fish and Wildlife Deputy Field Supervisor Jan Knight advised that OR-7 is protected as a member of an endangered species.

California Department of Fish and Game Senior Environmental Scientist Richard Callas explained that OR-7 was captured and radio-collared in Oregon approximately one year ago. The collar transmits location information to satellites and allows DFG to monitor his location. Since his entry to California, OR-7 has traveled extensively searching for food and a mate.

In response to questions by Supervisor Baugh, Ms. Kovacs stated there are four packs in Oregon, with an approximately 25 wolves. One-third of the wolves have radio-collars, and the state of Oregon monitors their movements.

In response to questions by Supervisor Hawes, Ms. Kovacs confirmed that wolves are susceptible to heartworm and confirmed that there is a fund to reimburse for livestock that are killed by wolves.

Terri Decker, Amaroq Weiss, and Wayne King supported allowing the protection of wolves and the importance of making facts available to educate the public.

CONSENT CALENDAR

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

Adopted Policy Resolution No. 2012-01, which amends Administrative Policy 1-100, *Administrative Manual*. (Administrative Office)

(See Policy Resolution Book)

Adopted Policy Resolution No. 2012-02, which amends Administrative Policy 6-101, *The Shasta County Contracts Manual*. (Administrative Office)

(See Policy Resolution Book)

Adopted Resolution No. 2012-013, which authorizes expenditures for educational and presentation items to be purchased by the Agriculture Department; and authorizes the Auditor-Controller to pay claims associated with the expenditures in an amount not to exceed \$500 per year. (Agricultural Commissioner/Sealer of Weights and Measures)

(See Resolution Book No. 53)

Approved and authorized the Chairman to sign the County Claims List totaling \$275 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on January 3, 10, and 24, 2012, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-2019, which approves Zone Amendment No. 07-011, Pearson (Igo-Ono area), as introduced January 26, 2010. (Clerk of the Board)

(See Zoning Ordinance Book)

Directed the Clerk of the Board to provide notice to Shasta Union High School District and Cottonwood Union Elementary School District that the Board of Supervisors will not authorize issuance of tax and revenue anticipation notes on behalf of the school districts so the districts can issue notes independent of Shasta County. (County Counsel)

Approved and authorized the Chairman to sign a retroactive agreement with Best, Best & Krieger at rates between \$140 and \$295 per hour to provide legal services for the period January 17, 2012 through January 16, 2015, or until all cases or matters assigned are completed; and authorized the County Counsel, or his/her designee, to waive any potential conflict arising out of Best, Best & Krieger's representation of the County Medical Services Program and the City of Anderson (County Counsel)

Approved and authorized the Chairman to sign a renewal enterprise enrollment agreement with Microsoft Licensing GP in an amount not to exceed \$635,425.92 to maintain and support Microsoft Client Access software licenses and Windows desktop system operating licenses to provide corrective, security, and enhancement updates for current software licenses for the period February 1, 2012 through January 31, 2015. (Information Technology)

Approved and authorized the Chairman to sign a retroactive agreement with LeVey Transport, Inc. in an amount not to exceed \$50,000 to provide dump truck services for various County departments for the period June 10, 2009 through June 30, 2012 and to change the name from Cox and Sons, LLC to LeVey Transport, Inc. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Crestwood Behavioral Health, Inc. increasing compensation by \$400,000 per fiscal year (for a new total not to exceed \$1,600,000 per fiscal year) to provide continued residential treatment mental health services and retaining the term of July 1, 2011 through June 30, 2012, with two automatic one-year renewals. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign amendments to agreements to provide Triple P[®] Positive Parenting Program services: amendments to the three agreements with Cascade Counseling Center, Right Road Recovery Programs, Inc., and Wright Education Services increasing Fiscal Year 2011-12 compensation by \$15,000 (for a new overall total not to exceed \$65,000 per agreement), effective the date of signing; and a retroactive amendment to the agreement with Family Dynamics Resource Center increasing Fiscal Year 2011-12 compensation by \$15,000 (for a new overall total not to exceed \$65,000), effective January 1, 2012. (HHS-Children's Services)

Approved and authorized the Chairman to sign an agreement with Catholic Charities CYO of the Archdiocese of San Francisco d.b.a. St. Vincent's School for Boys in an amount not to exceed \$215,000 to provide residentially based mental health services to eligible children from the date of signing through June 30, 2013. (HHS-Children's Services)

Approved and authorized the Chairman to sign an agreement with VOTC, Inc. d.b.a. Visions of the Cross in an amount not to exceed \$100,000 to provide perinatal drug/Medi-Cal residential substance use disorder treatment services from the date of signing through June 30, 2013. (HHSR-Regional Services)

Approved a budget amendment increasing appropriations by \$115,752 in the Sheriff's Budget, to be offset by use of prior-year Restricted Sheriff's Federal Asset Forfeiture Fund Balance, to purchase safety, computer, and office equipment. (Sheriff)

Accepted an abandoned vehicle as a capital asset, with a fair market value of \$3,500; and authorized the Auditor-Controller to record acceptance of the capital asset. (Sheriff)

Approved the purchase of an 80-gallon cooking kettle replacement capital asset in an amount not to exceed \$18,800, including freight, taxes, and installation; approved a budget amendment increasing appropriations by \$18,800 in the Jail budget, to be offset by use of Public Safety Fund balance; and authorized the Auditor-Controller to establish a new capital asset account and pay claims related to the purchase. (Sheriff-Jail)

Adopted Policy Resolution No. 2012-03, which amends Administrative Policy 8-101, *Role and Authority of Facilities Management Division of the Department of Public Works*. (Public Works)

(See Policy Resolution Book)

In accordance with Government Code section 65858, received and adopted a written report describing measures taken to alleviate the condition leading to the adoption of Ordinances No. 682, 683, and 685 regarding a moratorium on medical marijuana dispensaries. (Planning Division)

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 Baugh and Kehoe recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisors Moty, Hartman, and Hawes recently attended a Regional Transportation Planning Agency (RTPA) meeting. A decision was made for RTPA to be changed to an independent agency.

Supervisors reported on issues of countywide interest.

PUBLIC WORKS

JUVENILE REHABILITATION FACILITY PROJECT
RESOLUTION NO. 2012-014
AGREEMENT: ROEBBLEN CONTRACTING, INC.
BUDGET AMENDMENT

Public Works Director Pat Minturn stated that in 2009, Shasta County was awarded a \$15 million construction grant to construct a new juvenile rehabilitation facility. Shasta County will pay for all non-construction costs. Nichols, Melburg & Rossetto provided architectural services. Bids for the project were opened January 27, 2012.

The contract was structured with a base bid and an alternate bid to add 3,259 square feet of office space for Probation administrative and fiscal staff.

Roebbelen Contracting, Inc. has been determined to be the lowest and responsible bidder in the amount of \$14,658,273.54 for both the base bid and alternate bid.

In response to questions by Supervisor Baugh, County Administrative Officer Larry Lees explained that recidivism rate is at approximately 75 percent, and Shasta County requires an appropriate facility. He recommended building both the facility and the office space.

In response to questions by Supervisor Kehoe, Mr. Minturn confirmed that the costs for the relocation to the new facility are included in the budget summary.

Sheet Metal Workers Union member Glenn Snyder stated that complaints have been referred to the Attorney General's office due to the proposed construction company having inadequate insurance coverage.

Andrew Meridith recommended the contractor and encouraged granting the bid for the project and the alternate project as the square footage amount presents a cost savings to Shasta County.

Pat Minturn stated that Roebbelen Contracting, Inc. is a responsible general contractor, has built many facilities throughout California, and their license is in good standing with the State.

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-014, which, contingent upon approval from the State, awards to the low bidder, Roebbelen Contracting, Inc., and approves and authorizes the Chairman to sign the contract for construction of the new Juvenile Rehabilitation Facility (JRF) Project in the amount of \$14,658,273.54; approves a budget amendment increasing revenue and appropriations by \$710,000 in the General Revenue budget and a budget amendment increasing appropriations by \$170,000 in the Impact Mitigation Fee Fund, to be offset with the use of restricted fund balance, to facilitate the transfers of revenue to the JRF Project budget; and approves a budget amendment increasing appropriations and revenue by \$880,000 in the JRF Project budget, to be offset with transfers-in from Impact Fees in the amount of \$170,000 and General Revenue in the amount of \$710,000.

(See Resolution Book No. 53)

CLOSED SESSION ANNOUNCEMENT

Chairman Moty 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 Gardner v. County of Shasta, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c); and
3. 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.

10:59 a.m.: The Board of Supervisors recessed to Closed Session.

12:15 p.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Closed Session.

1:40 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 and anticipated litigation, as well as labor negotiations. On the matter of initiation of litigation, one potential case, the Board of Supervisors, by a 4-1 vote (Supervisor Baugh dissenting), gave approval to the County Counsel’s Office to initiate legal action. The action, the defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County’s ability to effectuate service of process on one or more unserved parties or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

There was no further reportable action.

1:40 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy