

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 28, 2012

REGULAR MEETING

9:02 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 Executive 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 Harold Johnson, Twin View Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Sobering Choice Coalition Project Director Cathy Grindstaff voiced concern over the limited enforcement of the ordinance which restricts marijuana cultivation in Shasta County.

Dolores Lucero appreciated the decisions of the Board of Supervisors not to approve projects when resources are limited.

REGULAR CALENDAR

BOARD MATTERS

CERTIFICATE OF RETIREMENT
SUPERVISING CHILD SUPPORT SPECIALIST CHRISTINE WAITE

At the recommendation of Director of Child Support Services Terri Love, the Board of Supervisors recognized Supervising Child Support Specialist Christine Waite on the occasion of her retirement after more than 26 years of service to Shasta County.

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 (Supervisor Baugh voted no on the agreement with Becker & Bell, Inc.):

Adopted Resolution No. 2012-097, which approves the Fiscal Year 2012-13 County Tax Rate, the Unitary Debt Service Rate, and the tax rates for bond sinking funds, state school building loan payments, and voter-approved debt. (Auditor-Controller)

(See Resolution Book No. 53)

Approved the minutes of the meeting held on July 24, 2012, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Westcoast Online Information Systems, Inc. d.b.a. Netfile in an amount not to exceed \$8,000 per fiscal year to provide a system that permits electronic filing of Fair Political Practices Commission (FPPC) Statements of Economic Interest, Form 700 for the period July 1, 2012 through June 30, 2013, with two optional one-year renewals. (Clerk of the Board)

Adopted Resolution No. 2012-098, which finds that various surplus personal computers are not required for County use; and in accordance with Government Code section 25365(a), approved transfer of the computers to the Shasta County Office of Education and to the City of Redding for the Shasta Public Library System. (Information Technology)

(See Resolution Book No. 53)

Approved and authorized a retroactive amendment to the agreement with Becker & Bell, Inc. increasing annual compensation by \$15,600 effective December 1, 2011 (for a new annual total of \$70,206 plus travel and per diem reimbursements) to provide labor relations services for Shasta County, and retaining the term through November 30, 2013. (Support Services)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with the California Department of Public Health, Network for a Healthy California (#11-10230), increasing total compensation by \$691,024 (for a new total not to exceed \$1,382,048) for Shasta County to provide nutrition education and physical activity promotion programs to eligible CalFresh residents, and extending the term for one year through September 30, 2013; and approved and authorized the Chairman to sign a letter of understanding regarding the agreement. (Health and Human Services Agency (HHS)-Public Health)

Approved and authorized the Chairman to sign a retroactive agreement with the Shasta-Tehama-Trinity Joint Community College District in an amount not to exceed \$11,752 to provide professional workplace skills curriculum to CalWORKs participants for the period July 2, 2012 through June 30, 2013. (HHS-Regional Services)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with the U.S. Department of Interior Bureau of Reclamation extending the term of the agreement through October 31, 2012 with no change in compensation for Shasta County Opportunity Center participants to provide grounds maintenance services. (HHS-Regional Services)

Approved and authorized the Chairman to sign a retroactive agreement, and consulting costs in an amount not to exceed \$7,252.41, plus \$120 per employee per day for staff training by Allvest, Inc. for the period January 1, 2012 through December 31, 2012. (Probation)

Approved and authorized the Chairman to sign a retroactive agreement with the County of Sutter to reimburse Shasta County for coordination services and consulting services in an amount not to exceed \$10,612, plus \$120 per employee per day for staff training by Sam Leach LLC d.b.a. Candor Consulting for the period February 1, 2012 through January 31, 2013. (Probation)

Approved and authorized the Chairman to sign Equitable Sharing Agreement and Certification Affidavits outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2011-12 for the Sheriff's Office and the District Attorney's Office. (Sheriff/District Attorney)

Approved the following budget amendments to complete the Jail CCTV System project increasing appropriations and revenue by \$157,853 in the Land Buildings and Improvements budget; and increasing appropriations and revenue by \$157,853 in the Jail budget. (Public Works)

Approved and authorized the Chairman to sign a retroactive agreement with the National Park Service to use the Fall River Mills Airport at a rate of \$50 per day, \$300 per week, or \$1,000 per month effective August 9, 2012 for the duration of the Reading Fire; and approved and authorized the Public Works Director or his designee to facilitate payment of the agreement and post-use inspection of the airport. (Public Works)

Awarded to the low bidder, Sunrise Excavating, Inc., on a unit-cost basis, the contract for construction on the 2012 Various Permanent Road Divisions project in the amount of \$177,398.25. (Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES

AGREEMENT: CALIFORNIA DEPARTMENT OF MENTAL HEALTH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES MANAGED MENTAL HEALTH CARE PLAN

Director of Health and Human Services Agency (HHS) Marta McKenzie stated the proposed new agreement with California Department of Mental Health and the California Department of Health Care Services (DHCS) is for Managed Care Plan (MCP) operations and authorizes the receipt of federal Medicaid dollars, as well as funds directed from Mental Health Services for the delivery of mental health care services to severe and persistently mentally ill Shasta County Medi-Cal beneficiaries.

Shasta County has operated without an MCP contract with the state since July 1, 2009. DHCS has now notified counties that an agreement must be processed in order to continue

receiving Medi-Cal claiming revenue. Multiple counties may act jointly and Shasta County should consider if that would be advantageous.

Ms. McKenzie also requested the Board of Supervisors to review and approve a letter to the director of DHCS to express concerns about the Business Associate Addendum in the contract and whether a HIPAA Business Associate relationship actually exists between the parties of the contract.

In response to questions by Supervisor Kehoe, Ms. McKenzie explained there are insufficient resources to effectively support the number of services described in the proposed contract; however, the contract is retroactive to April 1, 2012, and reimbursement for the services that have already been provided will not be received without executing the agreement.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive agreement with the California Department of Mental Health and the California Department of Health Care Services (DHCS) (#11-73046-000) in an amount not to exceed \$12,503,779 to provide Managed Mental Health Care Plan operations for the period April 1, 2012 through December 31, 2012 or until superseded by an agreement with DHCS; and approved and authorized the Chairman to sign a letter expressing concerns with certain provisions of the agreement.

10:11a.m.: The Board of Supervisors recessed.

10:19 a.m.: The Board of Supervisors reconvened.

PRESENTATIONS

LASSEN VOLCANIC NATIONAL PARK UPDATE

Lassen Volcanic National Park Superintendent Darlene Koontz provided information on the status of the Reading Fire. On July 23, 2012, lightning strikes started a fire, which escalated due to wind-blown embers. The fire was 100 percent contained by August 22, 2012. A team of professionals are onsite to assess the severity of the fire, and an after-action review will be placed online.

In response to questions by Supervisor Hawes, Superintendent Koontz stated that part of the information to be determined by the team conducting the after-action review will include the cost of the damage. She stated that U.S. Forest Service policies allow salvage of the damaged timber; however, the policies of National Park Service do not allow timber salvage.

In response to questions by Supervisor Baugh, Superintendent Koontz advised that the National Park Service fire policy is available online.

Superintendent Koontz stated that she will return to a future Board of Supervisors meeting to provide information following the after-action.

GENERAL GOVERNMENT

LAW AND JUSTICE

CHILD SUPPORT SERVICES

**AGREEMENT: COUNTY OF TEHAMA
COUNTY-LEASED OFFICE SPACE USAGE**

Director of Child Support Services Terri Love advised that the building housing Tehama County Child Support Services was destroyed in a fire on July 4, 2012, leaving the department without a location for their staff. Due to the reduction in Shasta County staff, space and computers are available for the temporary relocation of 15 Tehama County staff until approximately October 2012.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive real property license agreement with the County of Tehama at no cost to use County-leased office space for 15 cubicles and common areas at 2600 Park Marina Drive, Redding for the period July 9, 2012 through December 31, 2012.

PROBATION

**AGREEMENT: CHILD ABUSE PREVENTION
COORDINATING COUNCIL OF SHASTA COUNTY
PARENT PARTNER AND SKILLBUILDER SERVICES**

At the recommendation of Chief Probation Officer Wes Forman and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive agreement with the Child Abuse Prevention Coordinating Council of Shasta County in an amount not to exceed \$56,000 for up to 2.5 full time AmeriCorps members to provide Parent Partner and Skillbuilder services to Juvenile Probation programs for the period August 16, 2012 through August 15, 2013.

**AB 109, PUBLIC SAFETY REALIGNMENT
JULY 2012 MONTHLY UPDATE**

Chief Probation Officer and Community Corrections Partnership Executive Committee Chair Wes Forman presented a monthly progress report on AB 109, Public Safety Realignment. The Community Corrections Partnership Executive Committee meets monthly to develop and improve programs and services.

Currently, 277 individuals are under supervision and required needs are being provided.

Efforts are being made to recruit and fill the 16 Deputy Probation Officers vacancies.

Sheriff Tom Bosenko stated that the previously closed floor of the jail is now open, fully operational, and occupied by approximately 128 inmates. This will assist in taking the offenders to the scheduled court appearances, thus reducing the Failure to Appear (FTA) charges.

Efforts are being made to recruit and fill the nine vacancies of Correctional Officers and the 3 vacancies of Sheriff Service Officers.

Due to agreements for housing sentenced inmates, seven were recently sent to El Dorado County and five were sent to Lassen County.

In response to questions by Supervisor Baugh, Chief Forman confirmed that the position to manage AB 109, Public Safety Realignment will be Probation Division Director. This position is to be filled within 60 days.

Supervisor Kehoe discussed successes and frustrations experienced to date in implementing AB 109.

In response to questions by Supervisor Moty, Chief Forman stated that the new Probation Division Director will focus on the establishment of the assessment center.

Supervisors Moty, Hawes, and Baugh noted that the proposed plan is lacking in certain areas. Chief Forman advised that the AB 109, Public Safety Realignment is a significant change in the handling of criminal justice. In the past, when appropriate, offenders were arrested, jailed, and sent to prison for crimes committed. The state has not been able to manage their program of housing the inmates and providing rehabilitation, and the prisons became overcrowded. Counties were given the responsibility to develop a plan.

Supervisor Kehoe made a motion to reject the offered plan and return it to the CCP Executive Committee for amplification and answers to some of the questions posed. Supervisor Baugh seconded the motion.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse advised that the plan may be adopted by a simple majority but must be rejected by a 4/5 vote, in which case the plan returns the CCP Executive Committee for further consideration.

In response to a request for clarification by Chief Forman, the Board of Supervisors outlined the questions being:

1. Provide clarity and specificity regarding the budget;
2. Provide clarity on measurement goals and objectives;
3. Identify the individual or individuals accountable for expenses; and
4. Reexamine the model in the plan relative to other programs and services.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors rejected the Fiscal Year 2012-13 Public Safety Realignment Plan and required Chief Probation Officer and Community Corrections Partnership Executive Committee Chair Wes Forman to return with information regarding:

1. Clarity and specificity regarding the budget;
2. Clarity on measurement goals and objectives;
3. Identification of the individual or individuals accountable for expenses; and
4. Reexamination of the model in the plan relative to other programs and services.

PROBATION/SHERIFF

AB 109, PUBLIC SAFETY REALIGNMENT **PROBATION DIVISION DIRECTOR** **SALARY RESOLUTION NO. 1409**

At the recommendation of Principal Administrative Analyst Julie Hope and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors for the Fiscal Year 2012-13 Public Safety Realignment Plan adopted Salary Resolution No. 1409,

effective September 9, 2012, which adds one Probation Division Director with a sunset date of June 30, 2013 in the Probation budget, and transfers one Public Safety Services Officer position with a sunset date of June 30, 2013 from the Sheriff's Jail budget to the Sheriff's Annex budget; and approved a budget amendment increasing appropriations in the amount of \$90,347 in the Probation budget to fund the new Probation Division Director, to be offset with the use of Probation budget restricted AB 109/Realignment fund balance, increasing Unallocated Salary Savings and decreasing appropriations in the amount of \$128,187 to de-fund two vacant Correctional Officer positions in the Sheriff's Jail budget, and increasing appropriations and revenue in the amount of \$58,064 in the Sheriff's Annex budget to fund the Public Safety Service Officer position being moved from the Jail budget to the Annex budget, to be offset with a transfer in from the Sheriff's Jail budget.

(See Salary Resolution Book)

12:36 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy