

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 26, 2013

REGULAR MEETING

9:04 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 Giacomini
District No. 4 - Supervisor Schappell
District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Glenda Tracy
Typist Clerk III - Candice Martin

INVOCATION

Invocation was given by Pastor Don Mangum, Retired.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR**BOARD MATTERS****PROCLAMATION: WELCOME HOME VIETNAM VETERANS DAY**

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 30, 2013 as Welcome Home Vietnam Veterans Day in Shasta County.

PUBLIC COMMENT PERIOD - OPEN TIME

Denise Ratliff announced that California Youth Connections will hold a fundraising dinner to raise awareness of the foster care system.

Wyatt Paxton requested that more detail be included in the planning and building codes.

Ruth Angel and Stewart Headrick expressed their desires to have open communication between the Board of Supervisor and requested that the Supervisors work with the members of the Integrity Project.

Dick Fyten expressed concern regarding lawsuits in which Shasta County is a party.

John Stadille expressed appreciation for the jobs that are provided by Anselmo Vineyards.

Bob Lehman supported the Tea Party and the Integrity Project.

Terry Rapoza questioned whether Shasta County needs to hire outside legal counsel.

Dolores Lucero alleged that illegal activity has occurred in local government.

Cheri Beck advised that facts of pending litigation may not be provided by members of the Board of Supervisors due to the Brown Act, and that campaign contributions are required to be reported.

Peter Scales invited County staff and supervisors to the meeting of the County Service Area No. 6-Jones Valley Water.

Patricia Heinshohn thanked the members of the Board of Supervisors for future efforts to resolve litigation in the Anselmo lawsuit.

Scott Swendiman expressed past frustrations with the department of Resource Management.

REGULAR CALENDAR, CONTINUED

BOARD MATTERS

PROCLAMATION: RED CROSS MONTH

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2013 as Red Cross Month in Shasta County. American Red Cross Emergency Services Coordinator Eric Kiltz was present to accept the proclamation.

PRESENTATIONS

PRINCIPAL FOR A DAY

Pioneer High School Principal Elsbeth Prigmore advised that March is when the Principal for a Day Program allows community leaders to spend a day with students. Pioneer High School provides opportunities for students who have struggled previously to obtain a high school diploma.

FISCAL YEAR 2012-13 REAL ESTATE FRAUD INVESTIGATIONS UNIT REPORT

District Attorney Investigator Bob Angelou presented the report on the Fiscal Year (FY) 2012-13 District Attorney's Real Estate Fraud Unit. In FY 2012-13, 36 referrals and investigations and five cases led to criminal prosecution. Recent criminal prosecution occurred of individuals who fraudulently claimed to assist property owners experiencing pending foreclosure for a \$3,500 fee.

PRESENTATION: UPDATE ON ACTIVITIES OF THE
SHASTA COUNTY ECONOMIC DEVELOPMENT CORPORATION (EDC)

Economic Development Corporation (EDC) President Mark Lascelles explained that the role of EDC is to recruit companies to the Redding area. There has been a 13.6 percent in manufacturing jobs in the area in the last year. The ten-year objective is to create 230 jobs in the first five years and 320 jobs in the second five years, which will result in an additional \$27 million in direct tax revenues.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the items regarding the Conflict of Interest Codes would be pulled for discussion.

CONSENT CALENDAR

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

Introduced and waived the reading of an ordinance which amends Shasta County Code Chapter 13.08, *County Libraries*, to modify provisions relating to distribution of printed materials; and make nonsubstantive language modifications. (Administrative Office)

Designated the County Counsel to serve as the third member of a panel to review and approve mental health hearing officers as required by Welfare and Institutions Code sections 5256.1 and 5334. (Administrative Office)

Approved and authorized the Chairman to sign the County Claims List totaling \$132.12 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on March 19, 2013, as submitted. (Clerk of the Board)

Approved and authorized the Health and Human Services Agency Director or his/her designee to sign an amendment to the agreement with RESTPADD, Inc. to pay Shasta County \$2,244 per month plus \$4 per meal for the short-term use of a portion of the Shasta County's facility at 2640 Breslauer Way, Redding to provide crisis assessment, evaluation, referral, and placement functions; extend the term of the agreement for one additional month through April 30, 2013; and if the agreement is terminated early by mutual consent, authorize the Auditor-Controller to refund, on a pro-rated basis, any unused portion of the monthly payment, based upon the number of days of occupancy during the month. (Health and Human Services Agency (HHS)-Adult Services)

Appointed Britt Baker to the Shasta County Mental Health, Alcohol and Drug Advisory Board to fill an unexpired term to December 31, 2014. (HHS-Adult and Children's Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Charis Youth Center for continued mental health services to eligible children, increasing maximum compensation to \$150,000 per fiscal year (for an increase of \$100,000 for Fiscal Year 2012-13) and extending the term through June 30, 2014. (HHS-Children's Services)

Authorized the Chairman to accept and Public Health to administer the Homeland Security Grant in the amount of \$185,206 for Fiscal Year 2012-13; approved budget amendments increasing appropriations and revenue by \$65,305 in the Sheriff's budget to purchase portable handheld radios and accessories, to be offset by a transfer-in of funds from

Public Health, and increasing appropriations and revenues in the Public Health budget by \$188,688; approved and authorized the Chairman to sign agreements to provide reimbursement for approved purchases and ensure compliance with the provisions of the grant in accordance with Administrative Policy 6-101, *Shasta County Contracts Manual*, with the City of Redding Fire Department in the amount of \$29,225 from the date of signing through May 31, 2014 to reimburse the cost of staff attending Low Angle Rope Rescue Operational Training, and the City of Redding Police Department in the amount of \$75,000 from the date of signing through May 31, 2023 to reimburse the cost of a minimum of 15 handheld radios and accessories; authorized the Purchasing Division to collect quotes, issue formal bids, and make purchases of Homeland Security Grant-funded equipment in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to coordinate and work with departments to complete the appropriations and make adjustments to pay claims and transfer funds, such authorization extending through subsequent fiscal years in which funds have been re-appropriated until grant funds have been exhausted. (HHSА-Public Health)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$241,320 to provide Cal-Learn case management services from the date of signing through June 30, 2014. (HHSА-Regional Services)

For the Whitmore Road Widening Project, approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after April 25, 2013 at 11:00 a.m. (Public Works)

For the Swede Creek Road Widening Project, approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after April 25, 2013 at 11:00 a.m. (Public Works)

For the Phase I Jail Hot Water System Upgrade, authorized use of the Criminal Justice Construction (CJC) Trust Fund for the project in an amount not to exceed \$166,500, and approve a budget amendment increasing appropriations by \$50,000 in the Sheriff's jail budget, to be offset by the CJC Trust Fund; approved a budget amendment increasing appropriations by \$50,000 in the Land Building & Improvements budget, to be offset by a transfer-in from the Sheriff's Jail budget; and authorized the Public Works Director to advertise for bids. (Public Works)

10:30 a.m.: The Board of Supervisors recessed.

10:39 a.m.: The Board of Supervisors reconvened.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

CONFLICT OF INTEREST CODES:

ANDERSON UNION HIGH SCHOOL DISTRICT

ANDERSON NEW TECHNOLOGY HIGH SCHOOL

RESOLUTION NO. 2013-026

UNIVERSITY PREPARATORY SCHOOL

RESOLUTION NO. 2013-027

SHASTA COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2013-028

In response to questions by Dolores Lucero, County Counsel Rubin E. Cruse, Jr. explained that local government agencies are required to adopt a Conflict of Interest (COI) Code, which specifies designated positions and disclosure categories and is to disclose any possible conflicts. Anderson Union High School District, Anderson New Technology High School, University Preparatory School, and Shasta Community Services District are local government

agencies. The Board of Supervisors is the code-reviewing body for local government agencies and approves the COI Codes when correct. The submitted COI Codes meet the requirements.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors took the following actions:

Adopted Resolution No. 2013-026, which repeals Resolution No. 2008-125 and approves the Conflict of Interest Code of the Anderson Union High School District and Anderson New Technology High School. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

Adopted Resolution No. 2013-027, which approves the Conflict of Interest Code of the University Preparatory School. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

Adopted Resolution No. 2013-028, which repeals Resolution No. 95-081 and approves the Conflict of Interest Code of the Shasta Community Services District. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees presented an update on specific legislation of importance to Shasta County, including letters to Caltrans and the California Environmental Protection Agency.

By motion made, seconded (Giacomini/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to Caltrans requesting relocation of the Fall River Mills community sign on State Route 299.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to the California Environmental Protection Agency (Cal/EPA) which expresses concern with the Cal/EPA and California Office of Environmental Health Hazard Assessment's draft California Communities Environmental Health Screening Tool (CalEnviroScreen).

Supervisor Giacomini recently attended a Sierra Nevada Conservancy meeting.

Supervisor Moty recently attended a Northern California Water Association Governing Board (NCWA) and a Northern Sacramento Valley Integrated Regional Water Management Governing Board meetings.

Supervisor Baugh recently attended a Rural County Representatives of California (RCRC) meeting.

Supervisor Schappell recently attended the Shasta County Children and Families First Commission meeting.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES AGENCY (HHS)-PUBLIC HEALTH

**PUBLIC HEALTH ADVISORY BOARD (PHAB) ANNUAL REPORT
APPOINTMENT AND REAPPOINTMENTS OF PHAB MEMBERS**

Public Health Advisory Board (PHAB) Chair Barbara Jackson presented the Public Health Advisory Board (PHAB) year-end report on PHAB accomplishments, including advising the Health and Human Services Agency (HHS) Public Health branch on the Smoke-free Multi-Unit Housing, the Rethink Your Drink Campaign, and health topics of environmental tobacco smoke, preventing high blood pressure and cholesterol, the health effects of sugar-sweetened beverages, and flu vaccines.

Charles Alexander inquired whether the appointment and reappointments would be made if they refuted policies promoting a healthy lifestyle.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors reappointed John Coe, M.D., Theresa Flynn Gasman, and Jim Holdridge (general members) for terms to expire March 31, 2016 and appointed Julie Gee (general member) to fill an unexpired term to March 31, 2015. (HHS-Public Health)

HHS-REGIONAL SERVICES

**HEALTH AND HUMAN SERVICES
AFFORDABLE CARE ACT
SALARY RESOLUTION NO. 1421**

Health and Human Services Agency (HHS)-Regional Services Branch Director Melissa Janulewicz explained that the health insurance coverage provided under the Patient Protection and Affordable Care Act (ACA) begins January 1, 2014. As the open enrollment period begins October 1, 2013 and California counties are expected to begin providing services to assist those seeking health insurance enrollments, it is necessary to hire additional staff at HHS. In addition to assisting Shasta County individuals, the regional call center will allow staff to provide service for Del Norte, Lassen, Modoc, Plumas, Sierra, Siskiyou, Tehama, and Trinity counties.

As a Medi-Cal administrative function, 50 percent of the cost of the positions will be supported by federal Medicaid funds. The State funding to support the other 50 percent was not included in the proposed budget; however, it is expected in the revised budget in May.

County Executive Officer Larry Lees explained that if the program is discontinued or funds are not received from the State, the positions that are to be filled have a sunset date and the trained staff would be available to be considered in case of possible staff attrition.

United Public Employees of California (UPEC) Business Manager Chris Darker supported the additional positions as being essential for the community and necessary for the upcoming program.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1421, which adds 37 positions (with sunset dates of June 30, 2014 and June 30, 2015) in the HHS Social Services budget effective April 7, 2013 to meet staffing requirements related to Medi-Cal expansion and regionalized eligibility determination. (HHS-Regional Services)

(See Salary Resolution Book)

AGREEMENT: STATE OF CALIFORNIA
CUSTOMER SERVICE CENTER EXPANSION

Health and Human Services Agency (HHS)-Regional Services Branch Director Melissa Janulewicz advised that the proposed agreement with the state has two items which need to be corrected. On page 4 of 10, Item 8 needs to be stricken. On page 6 of 10, Item 8 needs to have “nineteen (19)” changed to “seventeen (17).”

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a County Purchase agreement with the California State Automated Welfare System (SAWS) Consortium IV (C-IV) Joint Powers Authority (JPA) in an amount not to exceed \$645,457 (\$235,812 for the period June 2013 through October 2013 and \$409,645 thereafter through May 2018) to allow for the expansion and operation of Shasta County’s Customer Service Center; approved and authorized the HHS Director or his/her designee to sign amendments (including retroactive) to the purchase agreement which result in a net change of no more than \$65,000 (approximately 10 percent of the total budget) and other minor, nonmonetary amendments as necessary, in accordance with Administrative Policy 6-101, *Shasta County Contracts Manual*; authorized the Auditor-Controller to pay claims associated with purchases; and approved and authorized the HHS Director or his/her designee to sign future C-IV purchase documents for expenses approved by the C-IV JPA and included in HHS approved budgets. (HHS-Regional Services)

PUBLIC WORKS

SOLID WASTE DISPOSAL SITES
BUREAU OF LAND MANAGEMENT LAND TRANSACTIONS

Public Works Director Pat Minturn stated three pieces of property are available for purchase from the U.S. Bureau of Land Management (BLM) to be used for landfill sites.

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved property transactions with the Bureau of Land Management (BLM) to purchase and accept a land patent for 160.03 acres (Assessor’s Parcels No. 045-020-010 and 045-020-011) adjoining the West Central Landfill for the appraised value of \$184,000; accepted a land patent for 3.11 acres (a portion of Assessor’s Parcel No. 065-250-020) to transfer the Old Shasta Transfer Site for a transfer fee of \$50; and approved and authorized the Clerk of the Board to accept a land patent for 1.96 acres (a portion of Assessor’s Parcel No. 046-220-055) to transfer the French Gulch Transfer Site for a transfer fee of \$50, provided it is in the same form as the patent provided by BLM and pending completion of BLM’s comment period.

11:58 a.m.: The Board of Supervisors recessed and convened as the Shasta County Housing Authority.

SCHEDULED HEARINGS

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

HOUSING AUTHORITY

ANNUAL PLAN

HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

HOUSING AUTHORITY RESOLUTIONS NO. 2013-01 AND 2013-02

This was the time set to conduct a public hearing to consider the annual plan for the Shasta County Housing Authority. Director of Housing and Community Action Programs Dr. Richard Kuhns presented the annual plan and recommended approval. The Notice of Hearing and the Notice of Publication are on file with the Clerk of the Board.

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

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors approved adopted Housing Authority Resolution No. 2013-01, which approves the Annual Plan for the Shasta County Housing Authority as required by the U.S. Department of Housing and Urban Development to maintain Shasta County’s Housing Choice Voucher rental assistance program, and approved and authorized the Chairman to sign the Certification of Compliance; and adopted Housing Authority Resolution No. 2013-02, which approves a revised Housing Choice Voucher Program Administrative Plan to update policies and procedures in accordance with U.S. Department of Housing and Urban Development Regulations. (Housing and Community Action Programs)

(See Housing Authority Resolution Book)

12:00 Noon: The Shasta County Housing Authority adjourned and reconvened as the Board of Supervisors

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled Carroll v. County of Shasta, Solus v. County of Shasta, Mohan, et al. v. Dell Inc. (Class Action), Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. Russ Mull, et al. and related cross-complaint Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. County of Shasta, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

12:01 p.m.: The Board of Supervisors recessed to Closed Session.

12:24 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive 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 Denis Carroll v. County of Shasta, a workers' compensation matter, the Board of Supervisors, by a 5-0 vote, approved a stipulated award for Denis Carroll in the amount of \$237,937.50 plus life pension.

In the matter of Steve Solus v. County of Shasta, a workers' compensation matter, the Board of Supervisors, by a 5-0 vote, approved a compromise and release for Steve Solus in the amount of \$70,000, less credit for previously paid permanent disability advances in the amount of \$18,228 and less attorney fees.

There was no other reportable action.

12:25 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy