

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 7, 2013

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 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
 Administrative Board Clerk - Candice Martin

INVOCATION

Invocation was given by Pastor Dayton Phillips, Hope Baptist Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

MAY 2013 EMPLOYEE OF THE MONTH
CAPTAIN FORREST BARTELL
RESOLUTION NO. 2013-036

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-036, which recognizes Captain Forrest Bartell as Shasta County's May 2013 Employee of the Month.

(See Resolution Book No. 54)

PROCLAMATION: OLDER AMERICANS MONTH

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2013 as Older Americans Month in Shasta County. Shasta Senior Nutrition Executive Director Debbie McComber accepted the proclamation.

PRESENTATIONS

2012 SHASTA MOSQUITO AND VECTOR CONTROL ANNUAL REPORT

Shasta Mosquito and Vector Control District (SMVCD) Manager Peter Bonkrude presented the SMVCD annual report, noting that 48 states reported West Nile virus infections in people, birds, or mosquitoes. Shasta County had one a human infection and a variety of animal infections. Mosquito problems are prevented by proactively controlling larvae in the environment.

2012 SHASTA COUNTY FIRE DEPARTMENT ANNUAL REPORT

County Fire Warden Rick Kyle presented the 2012 Shasta County Fire Department Annual Report. The Dispatch Center/Emergency Command Center processed over 11,000 incidents in 2012. Over 11,000 hours of training were logged by 194 volunteer firefighters.

PUBLIC COMMENT PERIOD - OPEN TIME

American Legion Auxiliary representative Judy Gama stated that May 2013 is Poppy Month, when Americans wear red poppies to honor both American veterans who have died and those that continue to serve today.

Steve Boyd reiterated a request to have a study to determine the feasibility of an independent County department to be developed to handle Water Agency matters.

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

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the items regarding an agreement with the California Department of Rehabilitation for vocational rehabilitation services and a retroactive agreement with Assessments.com for were pulled for further 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:

Approved the minutes of the meeting held on April 23, 2013, as submitted. (Clerk of the Board)

Appointed Linda Samuels as a member to the Assessment Appeals Board for a three-year term to expire September 2016. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive agreement with Iron Mountain in a monthly amount of \$135.12 to provide microfilm storage of Board of Supervisors documents for the period April 1, 2013 through March 31, 2016. (Clerk of the Board)

Adopted Resolution No. 2013-037, which repeals Resolution No. 2006-198 and approves the Conflict of Interest Code of the Redding School District. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

Adopted Resolution No. 2013-038, which repeals Resolution No. 2006-194 and approves the Conflict of Interest Code of the French Gulch-Whiskeytown School District. (Clerk of the Board/County Counsel)

(See Resolution Book No. 54)

To complete the transfer of seven replacement vehicles from Fleet Management to the Health and Human Services Agency (HHSA), as approved by the Board of Supervisors on December 11, 2012, approved a budget amendment which transfers appropriations in the amount of \$11,662 within the HHSA Administration budget, transfers appropriations in the amount of \$11,965 within the Social Services Administration budget, increases revenue in the amount of \$23,627 in the Fleet Management budget with a Transfer In from HHSA; and authorized the Auditor-Controller to prepare and process the resulting budget amendments to record the transfer of funds and capital assets. (Support Services)

Approved a budget amendment increasing revenues and appropriations by \$15,000 in the Public Administrator budget to augment the Public Administrator Revolving Fund and provide additional travel resources for the department head; approved a budget amendment increasing revenues and appropriations by \$20,000 in the Treasurer/Tax Collector budget in accordance with the Fiscal Year 2012-13 midyear review; authorized the Auditor-Controller to make technical adjustments within the Public Administrator budget and Public Administrator Trust Fund as necessary to increase the Public Administrator Revolving Fund; and authorized the Auditor-Controller to process authorized expenses and reimbursements for the revolving fund pursuant to Government Code sections 29460-29464. (Treasurer-Tax Collector-Public Administrator)

Approved a budget amendment transferring appropriations in the amount of \$100,000 within the Probation budget to appropriately reflect the cost of inpatient treatment services. (Probation)

For the Fall River Mills Airport Rotating Beacon and Security Lighting Installation Project, awarded to the low bidder, Converse Construction, Inc., on a unit-cost basis, the contract for construction in the amount of \$136,822.50; and adopted Resolution No. 2013-039, which approves and authorizes the Public Works Director to sign and submit a grant application and accept grant funding from the California Transportation Commission. (Public Works)

(See Resolution Book No. 54)

Awarded to the low bidder, Sunrise Excavating, on a unit-cost basis, the contract for construction on the Swede Creek Road Widening Project in the amount of \$135,943.00. (Public Works)

Adopted Resolution No. 2013-040, which authorizes the Environmental Health Division to apply for a Solid Waste Enforcement Assistance Grant in an approximate amount of \$19,068 for Fiscal Year 2013-14; and approves and authorizes the Director of Resource Management to sign and submit all grant documents necessary to implement and complete the approved grant project. (Environmental Health)

(See Resolution Book No. 54)

Approved a budget amendment increasing appropriations and revenue by \$84,600 in the County Fire budget to fund unanticipated costs and recognize unanticipated revenue associated with assistance to state and federal agencies for fires during the summer and fall of 2012. (County Fire)

Approved and authorized the County Purchasing Division to purchase one Type I Fire Engine for the Shasta County Fire Department; awarded the bid to Pierce Manufacturing, Inc. for

a total purchase price of \$319,385.13; authorized the Auditor-Controller to process an advance payment in the amount of \$319,385.13 to the vendor, subject to obtaining a performance bond that protects Shasta County and guarantees full refund in all events or defaults, including unforeseen economic insolvency of the vendor; and authorized the Auditor-Controller to pay the claim within 30 days of the issuance of the Purchase Order, such authorization extending through subsequent fiscal years in which funds have been reappropriated until the purchase is finalized. (County Fire)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: CALIFORNIA DEPARTMENT OF REHABILITATION
VOCATIONAL REHABILITATION SERVICES
RESOLUTION NO. 2013-041**

In response to questions by Supervisor Kehoe, Health and Human Services Agency Regional Services Branch Director Melissa Janulewicz explained that of 27 individuals referred for situational assessment, 13 needed additional training prior to receiving employment services, and 14 received employment services, resulting in job placement for 10 individuals.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-041, which approves and authorizes the Chairman to sign a renewal agreement and any other necessary documents with the California Department of Rehabilitation in an amount not to exceed \$220,000 per fiscal year (not to exceed \$660,000 total) for Shasta County to provide vocational rehabilitation services for the period July 1, 2013 through June 30, 2016; and authorized the Director, Deputy Director, or Fiscal Program Manager of the Health and Human Services Agency (HHS) Business and Support Services Branch to request reimbursement of expenses incurred as a result of the agreement, including line item invoice claim adjustments in a cumulative amount not to exceed ten percent of the total annual contract service budget with a maximum not to exceed \$100,000 for all budget years as long as there is neither an increase nor decrease of the total annual contract service budget. (Health and Human Services Agency (HHS)-Regional Services)

(See Resolution Book No. 54)

**AGREEMENT: ASSESSMENTS.COM
WEB-BASED ASSESSMENT SOFTWARE**

In response to questions by Supervisor Giacomini, Chief Probation Officer Wes Forman advised that Shasta County initially joined 15 other counties, which resulted in reduced costs. The agreement terminated December 31, 2012, and the new agreement will be a stand-alone agreement with Shasta County only. The costs will remain reduced due to bargaining with the other counties.

In response to questions by Supervisor Kehoe, Mr. Forman advised that there is a cost reduction for paying in advance.

By motion made, seconded (Baugh/Giacomini), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement with Assessments.com in an amount not to exceed \$49,245 per calendar year (not to exceed \$147,735 total) to provide a web-based assessment software package including licensing, maintenance, consulting, and staff training for the period January 1, 2013 through December 31, 2013, with two automatic one-year renewals. (Probation)

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 having received a request from California State Association of Counties (CSAC) to oppose Assembly Bill 5 (Ammiano), *Homeless Bill of Rights*, which would put a financial strain on cities and counties and would prohibit enforcement of violations of local ordinances. By motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter which opposes Assembly Bill 5 (Ammiano), *Homeless Bill of Rights*.

Supervisor Schappell recently attended a Youth Violence Prevention Council meeting.

Supervisor Baugh recently attended a Northern Rural Training and Employment Consortium Governing Board (NoRTEC), a Fire Safe Council, an Area Agency on Aging, PSA 2, Executive Board meetings.

Supervisor Kehoe attended a Mental Health, Alcohol and Drug Advisory Board meeting.

Supervisors reported on issues of countywide interest.

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

QUARTERLY REPORT OF INVESTMENTS

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the period ending March 31, 2013.

LAW AND JUSTICE

PROBATION

AGREEMENT: NORTHERN VALLEY CATHOLIC SOCIAL SERVICE, INC. SUPPORTIVE HOUSING PROGRAM FOR AB109 OFFENDERS

Chief Probation Officer Wes Forman stated the proposed agreement with Northern Valley Catholic Social Service, Inc. (NVCSS) is to provide affordable housing for Assembly Bill (AB) 109 offenders. Fourteen percent of the AB 109 offenders have some aspect of being homeless. NVCSS will provide a program which includes intensive case management that includes implementing the needs and strengths of the clients, frequent contact at the residence, focus on building job skills, seeking employment, or school enrollment, and encouragement to maintain housing.

In response to questions by Supervisor Kehoe, Mr. Forman said there will be monthly evaluations as to improvements being made.

Dolores Lucero opposed spending tax dollars to assist AB 109 offenders.

Supervisors Baugh and Moty stated that the program may assist in providing assistance which may be a key to break the recidivism rate.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisor approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$544,250 to provide a supportive housing program for AB109 offenders from the date of signing through June 30, 2013, with two optional one-year extensions; and approved annual advance payments in the amount of \$20,500 for Fiscal Year (FY) 2012-13, \$38,850 for FY 2013-14, and \$38,850 for FY 2014-15 to establish a revolving Resource Fund for rent subsidies and transitional housing assistance.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES AGENCY

TRANSFER OF 1991 REALIGNMENT REVENUE FROM SOCIAL SERVICES TO MENTAL HEALTH RESOLUTION NO. 2013-042

This was the time set to conduct a public hearing pursuant to Welfare and Institutions Code section 17600.20 to consider the transfer of 1991 realignment revenue. The Notice of Hearing and the Affidavit of Publication are on file with the Clerk of the Board.

Health and Human Services Agency Director Donnell Ewert presented the staff report and recommended approval of the project. He requested an additional paragraph be added to the resolution, stating "that the change in the County's allocation of moneys among services, facilities, programs, or providers as a result of this transfer is based on the most cost-effective use of available resources to maximize client outcomes."

An increase of Mental Health resources is partly due to the analysis and the determination as to whether hospitalization is necessary. Approximately 35 percent of individuals are being hospitalized. State hospitals have increased the rates substantially.

The Notice of Hearing and the Affidavit 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 (Moty/Baugh), and unanimously carried, the Board of Supervisor approved adopted Resolution No. 2013-042, which authorizes the transfer of \$1,191,568 in 1991 realignment revenue from Social Services to Mental Health to support increased costs of inpatient acute psychiatric hospitalization and institutional care for clients with serious mental illness, as amended; and approved a budget amendment increasing revenue and Transfers-Out by \$1,191,568 in the Social Services budget and increasing appropriations by \$411,906 in Support and Care of Persons-Inpatient Care and \$1,394,888 in Support and Care of Persons-Institutionalized, to be offset by an increase in Transfers-In in the amount of \$1,191,568 and use of \$615,226 of fund balance in the Mental Health fund.

(See Resolution Book No. 54)

PUBLIC WORKS

VACATION OF PUBLIC EASEMENT
SKYWALKER DRIVE AND PORTION OF DILLARD WAY
WEST REDDING AREA
RESOLUTION NO. 2013-043

This was the time set to conduct a public hearing to consider the request vacating the public interest in Skywalker Drive and a portion of Dillard Way in the west Redding area. Public Works Director Pat Minturn presented the staff report and recommended approval of the project. The Notice of Hearing and the Affidavit of Publication are on file with the Clerk of the Board.

Mr. Minturn explained that area residents filed a petition to vacate Skywalker Drive and a portion of Dillard Way in order to restrict public vehicular access and prevent related vices. Continued use for pedestrians, non-motorized vehicles, utilities, and emergency fire access would be allowed. The proponents have committed to constructing a public parking and turnaround area on Dillard Way.

The public hearing was opened, at which time Brent Owen and Dr. Lang Dayton supported the vacation of public easement in the Skywalker Drive and Dillard Way area.

No one else spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisor approved adopted Resolution No. 2013-043, which vacates the public interest in Skywalker Drive and a portion of Dillard Way (west Redding area); and accepted an Offer of Dedication for Public Utility, Emergency Fire Access Road, Public Trail Easement for pedestrian and non-motorized vehicular traffic, and Traffic Turn Around area with parking from The McConnell Foundation, The Loring Family Trust, Kerry Loring, Stephanie Gosling, Chester H. Sunde, Jennifer A. Sunde, Brent Owen, and Roberta Owen.

(See Resolution Book No. 54)

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 legal counsel to discuss existing litigation entitled Schafer v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with its Labor Negotiators, County Executive Officer Larry Lees, Interim Personnel Director Angela Davis, 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.

11:04 a.m.: The Board of Supervisors recessed to Closed Session.

12:42 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 and labor negotiations; however, no reportable action was taken.

12:43 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy