

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 21, 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.
 Administrative Board Clerk - Candice Martin
 Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Richard James, Destiny Fellowship.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: AIRPORT DAY

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Giacomini/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates June 2, 2013 as Airport Day in Shasta County. Undersheriff Sheila Ashmun accepted the proclamation.

PUBLIC COMMENT PERIOD - OPEN TIME

Jeff Nelson discussed the possibility of relating a retired American Veterans Traveling Vietnam memorial wall to Shasta County.

Rebecca Moore expressed frustrations over Shasta County zoning ordinances which do not address zoning regulations for vacation rentals.

Randall Faulkner stated that the Citizens for Responsible Government are developing a public television show and will focus on government leaders.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the item regarding the agreement with AV Capture All has been pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Baugh/Giacomini), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the agreement with Shasta Growers Association as he is opposed to advance payments):

Adopted Resolution No. 2013-045, in coordination with the Cities of Anderson, Redding, and Shasta Lake, which approves the boundaries of the Targeted Employment Area for the Shasta Metro Enterprise Zone. (Administrative Office)

(See Resolution Book No. 54)

Approved and authorized the Chairman to sign the County Claims List totally \$57.15 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign a retroactive agreement with the law firm of Wilkins & Underwood at an hourly rate of \$145 to provide legal services to the Shasta County Board of Building Appeals for the period January 1, 2013 through December 31, 2015. (Clerk of the Board)

Adopted Resolution No. 2013-046, which makes a finding that various surplus personal computers are not required for County use; and approves the transfer of these computers to the Shasta County Office of Education, the City of Redding for the Shasta Public Library System, the Millville Fire Protection District, and the Fall River Resource Conservation District in accordance with Government Code section 25365(a). (Information Technology)

(See Resolution Book No. 54)

Approved and authorized the Chairman to sign an amendment to the agreement with Vista Pacifica Enterprises, Inc. increasing the Fiscal Year (FY) 2012-13 and FY 2013-14 compensation by \$65,000 per fiscal year (for a new total of \$625,000 per fiscal year) to provide skilled nursing care and retaining the term of February 28, 2012 to June 30, 2012, with two automatic one-year renewals. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman (as 1st Authorized Official) and the Vice Chairman (as 2nd Authorized Official) to sign the Medicare Enrollment application to update provider information for the Public Health laboratory and Public Health mass immunizations; approved and authorized the County Executive Officer (as 1st Delegated Official) and the Health and Human Services Agency Director (as 2nd Delegated Official) to sign future Medicare certification statements; and authorized the Chairman to sign a letter attesting to County's legal and financial responsibilities related to Medicare payments received. (Health and Human Services Agency-Public Health)

Approved and authorized the Chairman to sign an agreement with the Shasta Growers Association in an amount not to exceed \$95,000 from the date of signing through December 31, 2013 to provide CalFresh Program outreach and purchases of fresh, local produce at Certified Farmers' Markets in Anderson, Burney, and Redding, and participate in Healthy Shasta Fun at the Redding Market Club pilot project. (Health and Human Services Agency-Regional Services and Public Health)

Approved and authorized the Chairman to sign an amendment to the agreement with the County of Del Norte increasing annual compensation by \$30,000 (for a new total not to exceed \$130,000 per fiscal year) to provide juvenile camp beds to court commitments, retaining the term of July 1, 2012 through June 30, 2013, and adding two one-year automatic renewals. (Probation)

Approved a budget amendment increasing appropriations by \$122,650 in the Sheriff's Budget offset by use of prior-year Sheriff's Restricted Federal Asset Forfeiture Fund Balance to upgrade the Sheriff's Office existing mobile data computer's communication system to a cellular mobile broadband system. (Sheriff)

Awarded to the low bidder, Dean Hammond Construction, on a unit-cost basis, the contract for the Redding Regional Septage Impoundment 1B Cleanout 2013 Project in the amount of \$242,500. (Public Works)

Awarded to the low bidder, Tullis Inc., on a unit-cost basis, the contract for construction on the Whitmore Road Widening Project in the amount of \$937,643. (Public Works)

For the Hawthorne Avenue Widening Project, approved and authorized the Chairman to sign right-of-way contracts with Mary Rogers-Smith (0.06 acres at \$700), Fred A. Clarizio and Patricia A. Clarizio Revocable Trust 2002 (0.01 acres at \$2,000), Shad and Kimber Echelberger (0.22 acres at \$3,200), and Stephen Thomas (0.39 acres at \$5,400); and accepted four easement deeds conveying four parcels of project right of way. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: AV CAPTURE ALL INTERNET VIDEO STREAMING

Charles Alexander requested specific information on the video steaming system.

County Executive Officer Larry Lees explained that AV Capture All will allow members of the public to view the Board of Supervisors meetings online, with the ability to move to a specific item and to view board reports and other documents.

By motion made, seconded (Giacomini/Baugh), and carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with AV Capture All in the amount of \$4,309.20 per year to provide internet video streaming services for the period June 1, 2013 through May 31, 2014, with ongoing renewals. (Clerk of the Board)

9:25 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES

REGULAR CALENDAR

WATER AGENCY

ANDERSON-COTTONWOOD IRRIGATION DISTRICT 2013 WATER TRANSFER PROGRAM

Water Agency Chief Engineer Pat Minturn explained that, as part of the Anderson-Cottonwood Irrigation District (ACID) 2013 Water Transfer Program, ground water substitution allowing surface water rights to be replaced with ground water from the Redding Groundwater Basin will occur, allowing water to be sent to agriculture districts in southern California.

In response to questions by Supervisors Baugh and Giacomini, Mr. Minturn stated the effect will be felt more on the deeper level than the wells at a higher elevation. The basin currently holds more water than it has historically.

In response to questions by Supervisor Schappell, Mr. Minturn explained that Bureau of Reclamation releases water out of Shasta Dam; water has been diverted many year, which flows downstream. There is a possibility that the State will attempt to export groundwater in the future; however, Shasta County has taken steps to control the water locally.

Bill Gregory, Jan Lopez, Robert Richardson, Ph.D, and Charles Alexander expressed concerns about sending local water out of the local area.

In response to questions by Supervisor Moty, County Counsel Rubin F. Cruse, Jr. stated that ACID is an independent agency and the Water Agency does not have authority over ACID or any decisions they make as an independent agency.

Stan Wangberg, Anderson-Cottonwood Irrigation District Manager explained that a water transfer requires a party willing to sell and a party willing to buy. ACID has conducted studies, monitored the groundwater basin, and created a mitigation plan.

10:28 a.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Baugh recently attended an Area Agency on Aging, PSA 2, Executive Board meeting.

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

Supervisors reported on issues of countywide interest.

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 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., California Department of Transportation v. County of Shasta, and County of Shasta, et al. v. Reverage Anselmo, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with legal counsel to discuss three case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (2) Significant Expose to

Litigation entitled Claim of City of Anderson, Claim of City of Redding, and Claim of Shasta Lake City; and

3. Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4) one potential case of litigation; and
4. 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.

10:38 a.m.: The Board of Supervisors recessed to Closed Session.

12:14 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 and anticipated litigation, as well as labor negotiations; however, no reportable action was taken.

12:15 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy