

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 25, 2013

REGULAR MEETING

9:15 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. 5 - Supervisor Baugh

District No. 4 - Supervisor Schappell - Absent

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 Dave Honey, Good News Rescue Mission.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

PRESENTATIONS

SIERRA NEVADA CONSERVANCY

Sierra Nevada Conservancy Executive Officer Jim Branham provided a report regarding work done in Shasta County with Proposition 84 (Integrated Water Management) grant funding. Their mission is to restore the health of the forests, reduce the risk and consequence of large, damaging fires, and ensure that restoration efforts result in a positive economic contribution to local communities. A collaborative effort of maintaining forest products, energy and agriculture production, and recreation have taken place in the Burney-Hat Creek Community Forest and Watershed.

CLEAR CREEK PEDESTRIAN BRIDGE AND GREENWAY

Public Works Director Pat Minturn explained that approximately 20 years ago, Clear Creek Road was mainly used as a road to the landfill. Western Shasta Resource Conservation District and Bureau of Land Management obtained grants for trails, fish-viewing facilities, and, most recently, a pedestrian bridge, which resulted in work being done to greatly improve the Clear Creek Pedestrian Bridge and Greenway. Omni-Means and Morrison

Structures provided engineering services, and RTA Construction built the bridge, which received an award from the American Public Works Association.

PUBLIC COMMENT PERIOD - OPEN TIME

Citizens for Responsible Government representative Randal Faulkner asserted that the interview questions used in the selection of the Auditor-Controller, which was appointed to replace the retiring former Auditor-Controller, were inappropriate for a fair selection.

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

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe noted that the items regarding the agreement with the Record Searchlight for advertising services, the agreement with VOTC, Inc. for alcohol and drug treatment services, the budget amendments for the Sheriff and District Attorney's offices for better alignment of various budgets, and agreement with the California Department of Forestry and Fire Protection for operation had been pulled for further discussion.

CONSENT CALENDAR

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

Approved a budget amendment increasing expenditures by \$50,000 in the Intermountain Fair Budget, to be offset by the use of fund balance to align the budget with actual expenditures. (Administrative Office)

Canceled the Board of Supervisors meeting scheduled for July 9, 2013 (Administrative Office/Clerk of the Board)

Approved and authorized the Chairman to sign the County Claims List totaling \$36,317.03 requiring special board action. (Auditor-Controller)

Adopted Resolution No. 2013-054, which establishes the Shasta County Appropriations Limit for Fiscal Year 2013-14 in the amount of \$150,155,944; and sets the annual adjustment factors used to calculate the appropriations limit at the percentage change of 5.12 in Shasta County per capita personal income change over the prior fiscal year, and a factor of 0.35 percent reflecting the change in population within Shasta County. (Auditor-Controller)
(See Resolution Book No. 54)

Approved the minutes of the meeting held on June 18, 2013, as submitted. (Clerk of the Board)

Enacted Ordinance No. 696, which revises the Probation Department fee schedule to reflect changes in certain amounts and to establish new fees; and repeals Resolutions No. 91-175, 92-256, 96-108, and 96-109, as introduced June 11, 2013. (Clerk of the Board)
(See General Ordinance Book)

Approved and authorized the Chairman to sign an agreement with the California Secretary of State in an amount not to exceed \$20,000 to grant Shasta County the ability to utilize Help America Vote Act of 2002 (HAVA) grant funds for polling site accessibility training

and enhancement for the period July 1, 2013 through December 31, 2014. (County Clerk-Elections)

Approved and authorized the Chairman to sign retroactive agreements with RESTPADD, Inc. to provide crisis intervention, case management, and after-hours crisis telephone services in an amount not to exceed \$58,501 for the period June 10, 2013 through August 31, 2013; and to provide psychiatric inpatient services in an amount not to exceed \$8,513,400 (\$235,200 from June 10, 2013 through June 30, 2013, \$4,088,000 for Fiscal Year 2013-14, and \$4,190,200 for Fiscal Year 2014-15) for the period June 10, 2013 through June 30, 2015. (Health and Human Services Agency (HHS)-Adult and Children's Services)

Approved and authorized the Chairman to sign a renewal agreement with Victor Treatment Centers, Inc. in an amount not to exceed \$250,000 to provide day treatment, day rehabilitation, mental health, and medication management services for eligible Shasta County children for the period July 1, 2013 through June 30, 2014. (HHS-Adult and Children's Services)

Approved and authorized the Chairman to sign renewal agreements to provide mental health services for eligible children, including Positive Parenting Program[®] (Triple P) interventions with parents, to address the needs of the children for the period July 1, 2013 through June 30, 2014 with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$1,013,478; Remi Vista, Inc. in an amount not to exceed \$1,042,000; and Victor Community Support Services, Inc. in an amount not to exceed \$1,668,862. (HHS-Adult and Children's Services)

Approved and authorized the Chairman to sign a renewal agreement with the National Council on Crime and Delinquency in the amount of \$79,312.50 to provide internet access to SafeMeasures, a child welfare data-reporting service, for the period July 1, 2013 through June 30, 2015. (HHS-Adult and Children's Services)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Office of Education (SCOE) in an amount not to exceed \$1,500,000 to provide CalWORKs Stage One Child Care services for the period July 1, 2013 through June 30, 2014. (HHS-Regional Services)

Approved and authorized the Chairman to sign a renewal agreement with Tri County Community Network in an amount not to exceed \$71,977 per fiscal year (for a total not to exceed \$215,931) to provide CalWORKs job readiness/search and employment coordination services in eastern Shasta County for the period July 1, 2013 through June 30, 2014, with two automatic one-year renewals. (HHS-Regional Services)

Approved and authorized the Chairman to sign a renewal agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$67,000 to provide work-related clothing, grooming, and other mentoring services for CalWORKs participants for the period July 1, 2013 through June 30, 2014. (HHS-Regional Services)

Adopted Resolution No. 2013-055, which approves and authorizes the Director of Housing and Community Action Programs (Director) to sign and submit an application to the California Department of Housing and Community Development for HOME Investment Partnerships Program funding in an amount not to exceed \$500,000 to provide a tenant-based rental assistance program; approves and authorizes the Chairman to sign any agreement and subsequent amendments awarded for the program consistent with the provisions of the resolution in an amount not to exceed \$500,000; and approves and authorizes the Director to sign any additional documents required for participation in the program. (Housing and Community Action Programs)

(See Resolution Book No. 54)

Approved a budget amendment increasing revenue and appropriations by \$71,209 in the Fiscal Year 2012-13 Sheriff's Office of Emergency Services budget for Federal Emergency

Management Agency local disaster expenditure reimbursement of costs incurred during the Ponderosa Fire in Shingletown. (Sheriff)

Approved and authorized the Chairman to sign an agreement with Caltrans authorizing the exchange of \$672,168 in Federal Regional Surface Transportation Funds for an equal amount of State Highway Account funds in Fiscal Year 2012-13. (Public Works)

For the Island Road at Fall River Bridge, approved and authorized the Public Works Director to sign a lease application with the California State Lands Commission and any documents required to accomplish the lease renewal, including a lease agreement; approved the payment of \$3,025 for the Minimum Expense Deposit and Filing Fee; and approved and authorized the Public Works Director to sign an agreement with the California State Lands Commission in an amount not to exceed \$6,000 to reimburse the State for the processing costs. (Public Works)

Approved and authorized the Chairman to sign an agreement with Cascade Software Systems, Inc. in an amount not to exceed \$80,000 to provide software support for Cost Accounting Management System software for the period July 1, 2013 through June 30, 2016. (Public Works)

For the Palo Cedro Wastewater Treatment Plant-Pond Repairs project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after July 25, 2013 at 11:00 a.m. (Public Works)

Awarded to the low bidder, Blaisdell Construction, Inc., on a unit-cost basis, the contract for construction of the Methacrylate Bridge Treatments project in the amount of \$126,273. (Public Works)

Adopted Resolution No. 2013-056, which authorizes the County of Shasta to apply for the Used Oil Payment Program-Fourth Cycle in an estimated amount of \$29,326 on behalf of the County of Shasta and the City of Anderson and the City of Shasta Lake (Cities) for Fiscal Year 2013-14; authorizes the County of Shasta to act as the lead agency on its own behalf and on behalf of the Cities for the purpose of the grant; authorizes the Auditor-Controller to pay claims for program expenditures incurred in the course of the grant; and approves and authorizes the Director of Resource Management to sign and submit the application, agreement, and other grant-related documents. (Resource Management-Community Education Section)

(See Resolution Book No. 54)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: RECORD SEARCHLIGHT PUBLICATION SERVICES

Interim Director of Support Services Angela Davis advised that the services to be provided by the Record Searchlight will include various publication services such as recruitment ads, public notices, public hearings notices, and other necessary communications to the public. The rates have remained the same for the last three years.

Dolores Lucero asserted that because Shasta County pays the Record Searchlight due to the agreement, the Record Searchlight unfavorably reports issues of some members of the public.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the Record Searchlight at various agreed-upon rates to provide advertising for County departments for the period August 1, 2013 through July 31, 2014. (Support Services)

AGREEMENT: VOTC, INC.
D.B.A. VISIONS OF THE CROSS
ALCOHOL AND DRUG TREATMENT SERVICES

Health and Human Services Agency Director Donnell Ewert stated that the current agreement with Visions of the Cross is for services for women who are pregnant or have children who have substance abuse issues. The amended agreement will provide outpatient services to men as well women.

In response to questions by Supervisor Kehoe, Mr. Ewert stated a clause has been added in the agreement to assist in developing outcome measures. These will include information such as attendance of meetings, the success in not using their primary drug of choice in the last 30 days, clients that stay in treatment for 90 days or more, and the clients that have completed treatment. A future measurement outcome will be to monitor individuals after they have left treatment.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with VOTC, Inc. d.b.a. Visions of the Cross to expand authorized outpatient alcohol and other drug treatment services to include women, increasing maximum compensation by \$50,000 per fiscal year (for a new total not to exceed \$215,000 per fiscal year) and retaining the original term through June 30, 2013, with two automatic one-year renewals. (HHS-Adult Services)

BUDGET AMENDMENTS
SHERIFF'S OFFICE AND DISTRICT ATTORNEY'S OFFICE

Sheriff's Office Chief Fiscal Officer Mike Lindsey stated the budget amendments will better align the budgets to closely reflect actual appropriations and revenues.

Dolores Lucero voiced concern about funds being provided to the Sheriff's Office and their alleged delayed response to calls and poor service.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors, to better align various budgets to actual expenditures and revenues, approved budget amendments increasing appropriations and revenues by \$161,373 in the Sheriff's budget, which includes Transfers Out to the Sheriff's Jail budget in the amount of \$29,350 and to the Sheriff's Central Dispatch budget in the amount of \$1,500, increasing appropriations and revenues by \$34,735 in the Sheriff's Jail budget, and increasing appropriations and revenues by \$1,500 in the Sheriff's Central Dispatch budget; and approved a budget amendment increasing appropriations and revenue by \$53,102 in the District Attorney's budget. (Sheriff/District Attorney)

AGREEMENT: CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION
REIMBURSEMENT AGREEMENT

Shasta County Fire Warden and Unit Chief for Shasta County CAL FIRE Rick Kyle noted that the renewal agreement is for furnishing fire protection services in the unincorporated area of Shasta County.

Cheri Beck requested clarification of services, information of accountability for the use of the funds, the reason for any increase or decrease of the contract amount, and whether the State assessment fee has any impact.

In response to a request for clarification by Chairman Kehoe, County Executive Officer Larry Lees stated the agreement is a public document and available for viewing. The amount of the agreement with CAL FIRE has not been increased for many years. Some of the expenditures have increased, yet CAL FIRE has developed budget management and has continued to operate within the fund balance.

Chief Kyle said the State Responsibility Area fee is not a portion of the billing process.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal cooperative fire protection agreement with the California Department of Forestry and Fire Protection (CAL FIRE) in an amount not to exceed \$3,192,235 to administer and operate the Shasta County Fire Department for the period July 1, 2013 through June 30, 2014. (County Fire)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisors Kehoe, Baugh, and Schappell recently attended an Economic Development Commission (EDC) meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

FUND BALANCE POLICY FOR FINANCIAL STATEMENT REPORTING

RESOLUTION NO. 2013-057

SCHEDULE OF POSITION ALLOCATIONS

RESOLUTION NO. 2013-058

SALARY RESOLUTION NO. 1424

At the recommendation of County Executive Officer Larry Lees and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-057, which approves committed fund balances in accordance with Shasta County Policy Resolution No. 2011-002 and Administrative Policy 2-104, *Fund Balance Policy for Financial Statement Reporting*; adopted Salary Resolution No. 1424, which reflects the position allocation amendments approved in the Fiscal Year 2013-14 Budget effective June 30, 2013; approved the specifications for the Planning Division Manager job classification; and adopted Resolution No. 2013-058, which approves the Fiscal Year 2013-14 Budget, the Fiscal Year 2013-14 Schedule of Position Allocations by budget unit, and the County Salary Plan.

(See Resolution Book No. 54)

(See Salary Resolution Book)

ADMINISTRATIVE OFFICE/SHERIFF/

HEALTH AND HUMAN SERVICES AGENCY (HHS)

AGREEMENT: COUNTY MEDICAL SERVICES PROGRAM GOVERNING BOARD

RESOLUTION NO. 2013-059

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Baugh/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-059, which approves and authorizes the County Executive Officer to sign an

agreement with the County Medical Services Program Governing Board in the amount of \$5,000 (for administrative costs) for the period July 1, 2013 through June 30, 2014 to authorize Certified Public Expenditures which will allow Shasta County to claim reimbursement from its Low-Income Health Program (known as Path2Health) for eligible and enrolled jail inmates who receive eligible inpatient hospital services from July 1, 2013 through December 31, 2013; and approved and authorized the County Executive Officer to take all action necessary to enter into the agreement on behalf of Shasta County.

(See Resolution Book No. 54)

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

AUTHORIZATION OF DISCHARGE OF ACCOUNTABILITY REVENUE AND TAXATION CODE SECTION 2611.1

Treasurer-Tax Collector-Public Administrator Lori Scott discussed the process for notifying taxpayers when their unsecured assessments become delinquent.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved a request for Authorization of Discharge of Accountability pursuant to Revenue and Taxation Code section 2611.1 in the amount of \$148,770.91 for unsecured property taxes made in calendar year 2001, plus \$14,875.98 in penalties and \$430.00 in cost on the unpaid unsecured property taxes.

SCHEDULED HEARINGS

LAW AND JUSTICE

SHERIFF

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

This was the time set to conduct a public hearing and consider the use of Edward Byrne Memorial Justice Assistance Grant funds from the U.S. Department of Justice, Bureau of Justice Assistance. Sheriff's Office Chief Fiscal Officer Mike Lindsey presented the report and recommended approval of the grant. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time Dolores Lucero questioned the usage of the 50 computers requested and whether they would be used in a similar manner as the Federal Bureau of Investigation (FBI).

Mr. Lindsey advised that most of the computers are between five and ten years old, and have been recommended by the Information Technology Department to be replaced, and will not be utilized as mentioned by Ms. Lucero.

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

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved the use of \$41,057 in Edward Byrne Memorial Justice Assistance Grant funds from the U.S. Department of Justice, Bureau of Justice Assistance to purchase a projected 50 replacement computer workstations and software for the grant period October 1, 2012 through September 30, 2016; and approved and authorized the Sheriff's Chief Fiscal Officer, as the Sheriff's designee, to electronically sign and submit the grant application (including the Fiscal

Year 2013 Assurances and Certifications), to administer the grant, and to submit other reports and documents as required.

PUBLIC WORKS

RESOLUTION NO. 2013-060 **PARCEL CHARGES TO PAY TIPPING FEES** **SISKIYOU COUNTY TRANSFER STATION**

This was the time set to conduct a public hearing to consider the adoption of a resolution regarding the payment of tipping fees at the Siskiyou County Transfer Station. Public Works Director Pat Minturn presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Baugh/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-060, which maintains at the current rate parcel charges to pay tipping fees at the Siskiyou County Transfer Station.

(See Resolution Book No. 54)

BURNEY DISPOSAL, INC. **USA WASTE OF CALIFORNIA, INC.** **ANNUAL RATE ADJUSTMENTS** **RESOLUTIONS NO. 2013-061 AND 2013-062**

This was the time set to conduct a public hearing to consider rate adjustments for Burney Disposal, Inc. Public Works Director Pat Minturn presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Chief Deputy Clerk of the Board Glenda Tracy confirmed that two written protests were received in opposition to increases in refuse collection rates for Burney Disposal, Inc.

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

This was also the time set to conduct a public hearing to consider rate adjustments for USA Waste of California, Inc. Public Works Director Pat Minturn presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Chief Deputy Clerk of the Board Glenda Tracy confirmed two written protests were received in opposition to increases in refuse collection rates for USA Waste of California, Inc.

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 (Giacomini/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-061, which sets the maximum residential, commercial, and transfer station refuse collection rates for up to five years for Burney Disposal, Inc. effective July 1, 2013; and adopted Resolution No. 2013-062, which sets the maximum residential, commercial, and transfer station refuse collection rates for up to five years for USA Waste of California, Inc. effective July 1, 2013.

(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 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.; County of Shasta, et al. v. Reverage Anselmo, et al., California Department of Transportation v. County of Shasta, and Camella Carpenter, et al. v. County of Shasta, et al. pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. 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.

10:50 a.m.: The Board of Supervisors recessed to Closed Session.

12:59 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 anticipated litigation. In the matter of Camella Carpenter, et al v. County of Shasta, et al., a case involving a wrongful death allegation, the Board of Supervisors, by a 4-0 vote, gave approval to legal counsel to defend this action and authorized the County Counsel's Office to assign the defense in this case to Gary Brickwood, Esq.

No other reportable action was taken.

1:02 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy