

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 16, 2013

REGULAR MEETING

9:01 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 - Linda Mekelburg
Administrative Board Clerk - Candice Martin

MOMENT OF SILENCE

The Board of Supervisors observed a moment of silence.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

JULY 2013 EMPLOYEE OF THE MONTH
AGENCY STAFF SERVICES ANALYST II TWYLA CARPENTER
RESOLUTION NO. 2013-063

At the recommendation of Chief Probation Officer Wes Forman and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-063, which recognizes Agency Staff Services Analyst II Twyla Carpenter as Shasta County's Employee of the Month for July 2013.

(See Resolution Book No. 54)

PUBLIC COMMENT PERIOD - OPEN TIME

American Civil Liberties Union representative Linda Lye, Sally Rapoza, and Terry Rapoza discussed the use of drones and the potential loss of privacy due to the use of drones. Cheri Beck suggested that citizens concerned about drones should contact their legislators.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe noted that the item regarding the agreement with Skyway House had been pulled for discussion, and the item regarding the purchase of a breathing support vehicle had been pulled at the request of the department.

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:

Approved and authorized the Chairman to sign the Shasta County Joint Audit Committee Policies and Procedures. (Administrative Office)

Approved a retroactive Joint Powers Agreement for 2013 between the 58 counties of the State of California and the State Board of Equalization in the amount of \$2,000 for the period March 1, 2013 through June 30, 2016 to provide e-Form development management and administration and year-to-year support. (Assessor-Recorder)

Received a report from the Auditor-Controller on the Assessor-Recorder's Social Security Number Truncation Program. (Auditor-Controller)

Approved and authorized the Chairman to sign the County Claims List totaling \$258.13 requiring special board action. (Auditor-Controller)

Appointed Murray Blake and Nancy Quirus to the PSA2 Area Agency on Aging Advisory Council for four-year terms to expire July 2017. (Clerk of the Board)

Approved the minutes of the meeting held on June 25, 2013, as submitted. (Clerk of the Board)

Enacted Ordinance No. SCC 2013-04, which amends the Shasta County Code to add Chapter 2.70, *Partnership HealthPlan of California Commission*, as introduced June 18, 2013. (Clerk of the Board)

(See Shasta County Code Book)

Adopted Resolution No. 2013-064, which clarifies that Resolution No. 2011-090, Resolution No. 2011-091, and Ordinance No. 378-2012 are of no legal effect as a result of actions by the electorate of the County of Shasta pertaining to the Knighton and Churn Creek Commons Retail Center Project. (County Counsel)

(See Resolution Book No. 54)

Approved and authorized the Chairman to sign a retroactive agreement with the County of Yuba in the amount of \$3,700 per month per ward (for an amount not to exceed \$88,800 per fiscal year and a total not to exceed \$266,400) to provide beds at the Maxine Singer Youth Guidance Center to court commitments for the period July 1, 2013 through June 30, 2016. (Probation)

Approved and authorized the Chairman to sign an amendment to the lease agreement with John P. Murphy Trust to modify the recipient of the rent payments to be the property manager (Haedrich & Co., Inc.) and to recognize a change of address for reference purposes for the Community Corrections Center/Day Reporting Center lease at 1415 and 1421 Court Street. (Probation)

Approved and authorized the Chairman to sign the Business Information Sheet for the Master Agreement for pre-employment credit report services with CBCInnovis, Inc. as approved by the Board of Supervisors on June 18, 2013, and retain the start date of July 1, 2013. (Sheriff)

Approved and authorized the Chairman to sign a retroactive renewal agreement with 3M Cogent, Inc. in an amount not to exceed \$30,350 to provide maintenance and support services for Livescan fingerprint hardware and software for the period June 1, 2013 to May 31, 2014; and approved a budget amendment in the Sheriff's budget increasing appropriations by \$30,350, to be offset by an increase in contribution from the CAL-ID Penalty Assessment Trust Fund. (Sheriff)

Introduced and waived the reading of an ordinance which establishes a 35-mile-per-hour speed zone on Jim Day Road from its intersection with Main Street to 2,500 feet east of Main Street; and adopted Resolution No. 442 of Ordinance No. 413-1, which authorizes a stop sign on an unnamed, publicly used private road at its intersection with Jim Day Road. (Public Works)

(See Traffic Resolution Book)

Introduced and waived the reading of an ordinance which establishes a "No Parking" zone between the hours of 2:00 a.m. and 6:00 a.m. on the unnamed frontage road, County Road No. 3H003, on the west side of State Highway 273 near Happy Valley Road. (Public Works)

For construction on the 2013 Permanent Road Divisions, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after August 15, 2013 at 11:00 a.m. (Public Works)

For the West Central Landfill Stormwater Pond 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 August 8, 2013 at 11:00 a.m. (Public Works)

For the Mental Health Building Roofing 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; authorized opening of bids on or after August 8, 2013 at 11:00 a.m.; and approved budget amendments increasing appropriations and revenue by \$136,000 in the Lands Building & Improvements budget, increasing appropriations and revenue by \$136,000 in the Mental Health budget, and increasing appropriations by \$136,000 in the Accumulated Capital Outlay budget, to be offset by the use of fund balance. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

SKYWAY HOUSE

SUBSTANCE ABUSE AND RESIDENTIAL TREATMENT SERVICES

In response to a question from Supervisor Kehoe, Chief Probation Officer Wes Forman noted that accountability measurements for performance outcomes will be evaluated by how many people complete the program and how long after completing the program the provider can assure success. Mr. Forman plans to collect data for time periods after 60 days of completing the program, such as at six months and at one year.

In response to a question from Supervisor Baugh, Mr. Forman confirmed that the success rate is calculated on the number of people successfully discharged from the program, not on the number of people initially enrolled in the program. Supervisor Baugh expressed his preference for a more transparent method of calculating success rates, such as one which would include the number of people initially enrolled.

Supervisor Schappell made a motion to approve and authorize the Chairman to sign an agreement with Skyway House in an amount not to exceed \$100,000 per fiscal year (for a total not to exceed \$300,000) to provide substance abuse and residential treatment services from the date of signing through June 30, 2014, with two automatic one-year renewals. The motion died for lack of a second.

Supervisor Schappell moved that staff be directed to return to the Board of Supervisors with more accurate information regarding statistical achievements and success rates so the Board of Supervisors can be better informed when considering the agreement. Supervisor Giacomini seconded the motion, noting that the suggestion is to re-write the verbiage in the contract so that what is being measured is clear and the Board of Supervisors will know the outcomes. Supervisor Kehoe requested County Executive Officer (CEO) Larry Lees work with the Chief Probation Officer to complete the request. The motion carried unanimously

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

CEO Lees presented a draft letter to be jointly signed with Siskiyou County (and possibly Lassen, Plumas, and El Dorado Counties) requesting coordination regarding the Travel Analysis of local national forests. By motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to U.S. Forest Service Regional Forester Randy Moore which requests that the Shasta-Trinity National Forest and the Lassen National Forest engage in coordination relative to the Travel Analysis.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to U.S. Forest Service Regional Forester Randy Moore which opposes potential U.S. Forest Service actions to decommission certain roads on U.S. Forest Service land. Supervisor Baugh requested a copy of the letter be forwarded to the Rural County Representatives of California.

Supervisor Giacomini and Supervisor Moty recently attended a Shasta Regional Transportation (SRTA) meeting.

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

Supervisor Baugh recently attended a PSA 2 Area Agency on Aging-Executive Council meeting.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

PROBATION

AUTHORIZATION TO PURCHASE GOODS AND SERVICES FOR FISCAL YEAR 2013-14 DURING IMPLEMENTATION OF THE PUBLIC SAFETY REALIGNMENT PLAN (AB 109) RESOLUTION NO. 2013-065

Chief Probation Wes Forman presented the staff report and recommended approval of the request. In response to questions from Supervisor Baugh, Mr. Forman clarified that the request will allow Probation to purchase goods and services, such as items like birth certificates or eyeglasses, to assist Assembly Bill No. 109 (AB 109) program participants, where a previous request was for approval to purchase incentives. The Probation Department also makes referrals to programs or agencies to assist AB 109 program participants, and this will assist until any

contracts can be put into place. Mr. Forman discussed the processes and protocol for evaluation and participation of potential re-offenders.

Supervisors Baugh and Schappell stressed the need for better accountability of expenses for program participants, and Supervisor Kehoe noted that the proposal is ambiguous as there is very little accountability, and outputs and deliverables for the program are not well defined.

In response to a question from Supervisor Baugh, CEO Lees affirmed that the Administrative Office would be able to perform an item-by-item, dollar-for-dollar audit of the \$57,974 expended for the program in Fiscal Year 2012-13, based on available documentation to support the expenditures.

In response to a question from Supervisor Schappell, Mr. Forman explained that he intends to return to the Board of Supervisors in the near future with an update on the program for Fiscal Year 2012-13; at that time, he will be able to provide information on program success rates.

By motion made, seconded (Moty/Schappell), and carried, the Board of Supervisors adopted Resolution No. 2013-065, which repeals Resolution No. 2012-062, and authorizes the Chief Probation Officer and the Assistant Chief Probation Officer to make purchases of goods and services during Fiscal Year 2013-14, except for capital assets, in an amount not to exceed \$5,000 per purchase, within existing budget authority, and when necessary to respond quickly to address low-level offenders' needs and maintain public safety during the implementation of the Shasta County Public Safety Realignment Plan (AB109). Supervisor Kehoe voted no.

(See Resolution Book No. 54)

PUBLIC WORKS

AGREEMENTS: FALL RIVER MILLS AIRPORT HANGAR LEASES: CHRIS LOWERY, JAMES SWITZER, PERRY THOMPSON, DOUGLAS WILLIAMS, AND JAMES REED

Public Works Director Pat Minturn presented the staff report and recommended approval of five hangar leases at the Fall River Mills Airport. Two other lessees have submitted signed leases, including new insurance requirements, and two additional lessees have submitted signed leases and are working on completing the insurance requirements. If the insurance requirements are not completed within two months, staff will potentially recommend terminating negotiations; however, he is optimistic that negotiations will be concluded within two weeks. In response to a question from Supervisor Moty, Mr. Minturn said the lease amounts are not grossly dissimilar to the amounts paid at Benton Airpark in Redding. In response to Supervisors Kehoe's and Giacomini's suggestion that the remaining two lessees be given two weeks to comply with the insurance requirements, CEO Lees advised he could meet with Mr. Minturn to discuss how to manage a quicker response time.

In response to a question from Supervisors, Mr. Minturn explained that the County of Shasta has begun requiring airport premises insurance, which is a different type of insurance than general liability insurance and accounts for the delay in obtaining insurance requirements in the leases.

By motion made, seconded (Giacomini/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign retroactive agreements to lease hangars at the Fall River Mills Airport at \$200.00 per month for the period April 1, 2013 to March 31, 2016 with Chris Lowery, James Switzer, Perry Thompson, Douglas Williams, and James Reed; and directed CEO Lees to work with staff to expedite negotiations with other existing lessees (Gerald Duerre, Arthur Whitney, Rex Horney, and George McArthur) and return to the Board of Supervisors with completed agreements as soon as possible.

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.; Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. County of Shasta, et al.; and County of Shasta, et al. v. Reverage Anselmo, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1);
2. Confer with legal counsel to discuss the liability claim of Jessie Wells, filed against the County of Shasta, pursuant to Government Code section 54956.95; and
3. 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.

10:32 a.m.: The Board of Supervisors recessed to Closed Session.

11:34 a.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 liability claims, as well as labor negotiations; however, no reportable action was taken.

11:35 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy