

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 25, 2014

REGULAR MEETING

9:00 a.m.: Chairman Baugh 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 - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Tom Winslow, Family Celebration Center.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR**BOARD MATTERS****CERTIFICATE OF RETIREMENT
SHASCOM 9-1-1 DIRECTOR JOY R. WILLIS**

At the recommendation of Sheriff Tom Bosenko, the Board of Supervisors recognized SHASCOM 9-1-1 Director Joy R. Willis on the occasion of her retirement after more than 26 years of service to Shasta County. Representing Senator Ted Gaines and Congressman Doug LaMalfa, District Representative Dave Muerer presented a certificate of appreciation of to Ms. Willis.

PROCLAMATION: WEIGHTS & MEASURES WEEK

At the recommendation of Deputy Director Sealer of Weights and Measures Paul Kjos and by motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 1-7, 2014 as Weights and Measures Week in Shasta County.

PRESENTATIONS

2013 SHASTA MOSQUITO AND VECTOR CONTROL ANNUAL REPORT

Shasta Mosquito and Vector Control District (SMVCD) Manager Peter Bonkrude presented the SMVCD annual report, noting that rates of West Nile Virus rose were approximately the same as in 2012. Future goals include the creation of an indoor aquaculture system to assure there are an abundance of mosquito fish for mosquito control and to continue to conduct pest disease management testing.

In response to questions by Supervisor Schappell, Mr. Bonkrude advised that mosquitoes contract the West Nile Virus by biting an infected bird.

In response to questions by Supervisor Kehoe, Mr. Bonkrude explained that ticks do carry Lyme disease; however, the threat is low in Shasta County, and he provided suggestions to avoid tick bites.

PUBLIC COMMENT PERIOD - OPEN TIME

Russ Wade discussed the negative effects of pollution on the Earth.

Rob McDonald stated that banning outdoor marijuana growth is unconstitutional, and a law enforcement officer interrupted a voter registration by removing the individual that was assisting others to register to vote.

CONSENT CALENDAR

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

Introduced and waived the reading of an ordinance which amends Shasta County Code Chapter 2.80, *Juvenile Facilities*, to update the language regarding the new Juvenile Rehabilitation Facility. (Administrative Office)

Appointed Kasey Stewart as an alternate to the Assessment Appeals Board for a term to expire September 2016. (Clerk of the Board)

Adopted Salary Resolution No. 1447, which effective March 9, 2014 deletes one Personnel Assistant position in the Health and Human Services Agency budget; and adds three Personnel Assistant-Confidential positions in the Support Services-Personnel budget. (Support Services-Personnel/Health and Human Services Agency (HHS))

(See Salary Resolution Book)

Approved and authorized the Chairman to sign an amendment to the agreement with California Psychiatric Transitions, Inc. to provide continued residential mental health rehabilitation services by extending the term of the agreement through June 30, 2016; and increasing compensation by \$615,000 (by \$60,000 for a new Fiscal Year 2013-14 total of \$210,000, by \$270,000 for Fiscal Year 2014-15, and by \$285,000 for Fiscal Year 2015-16). (HHS-Adult Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Vista Pacifica Enterprises, Inc. to provide continued long-term residential treatment, increasing Fiscal Year 2013-14 compensation by \$475,000 (for a new total not to exceed \$1,100,000); and retaining the original term through June 30, 2014. (HHS-Adult Services)

Approved a budget amendment increasing appropriations by \$149,920 in the Sheriff's budget, to be offset by use of prior-year Restricted Sheriff's Federal Asset Forfeiture Fund Balance, to complete the replacement of end-of-life computer and computer-related equipment. (Sheriff)

Relieved the County of accountability for capital assets that are no longer in the possession or control of the Sheriff's Office. (Sheriff)

Adopted Salary Resolution No. 1448, which, effective March 9, 2014, deletes one Sheriff's Program Manager in the Sheriff-Animal Control budget; and adds one Animal Regulation Officer I/II in the Sheriff-Animal Control budget. (Sheriff-Animal Control)
(See Salary Resolution Book)

Approved a net-zero budget adjustment in the Sheriff's Boating Safety Unit budget to transfer appropriations of \$143,484 within Salaries and Benefits. (Sheriff-Boating Safety)

Awarded to the low bidder, Apex Fence Company, Inc., on a unit-cost basis, the contract for construction on the Clear Creek Road Guardrail Repair Project in the amount of \$162,759.38. (Public Works)

For the Platina Road 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 the opening of bids on or after March 27, 2014 at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign agreements for terms of one year from the date of signing, with two automatic one-year renewals with Robert H. Shaw d.b.a. Shaw and Associates, Inc. in an amount not to exceed \$150,000 to provide real property appraisal services; Charles W. Ryan d.b.a. Ryan Valuation Services/AgMatrix in an amount not to exceed \$150,000 to provide real property appraisal services; and Robert P. Martin d.b.a. Martin Appraisal & Acquisition in an amount not to exceed \$200,000 to provide real property acquisition services. (Public Works)

Adopted Resolution No. 2014-019, which authorizes Shasta County to recover its costs in the amount of \$31,922.31 to abate nuisance conditions by means of a special assessment and lien on properties located at 17021 Treat Avenue, Anderson; 17435 Lassen Avenue, Anderson; and 12197 Randolph Road, Redding. (Building Division)

(See Resolution Book No. 55)

Approved and authorized the Chairman to sign an agreement with Waste Recovery West, Inc. in an amount not to exceed \$100,000 to assist Shasta County in conducting waste tire collection events from the date of signing through June 30, 2015, with two automatic two-year renewals. (Resource Management/Community Education Section)

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 the costs of a special election that was held in November 2012, with a run-off election in January 2013, totaling \$369,800. Shasta County has not been reimbursed by the State for this unanticipated expense.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to Senator Norma Torres which supports Senate Bill 963 (Torres), *Elections: payment of expenses*.

Supervisor Schappell recently attended an Oversight Board of the Successor Agency to the Shasta Lake Redevelopment Agency meeting.

Supervisor Moty recently attended a California State Association of Counties (CSAC) meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

FISCAL YEAR 2013-14 MID-YEAR BUDGET REPORT

Administrative Fiscal Chief Bebe Palin presented the Fiscal Year (FY) 2013-14 Mid-Year Budget Report. All department heads continue to have conservative budgets. The FY 2013-14 budget totaled over \$400 million, and the carryover Contingency Reserve is slightly under \$5 million.

Law enforcement incidents that occurred within this past year may impact services that are required to be provided to the community. Some of these incidents include severe crime.

With recent modifications from CalPERS, changes were made in Shasta County's benefits calculations for newly hired employees, who will be required to work longer prior to retirement and will receive a lower amount.

By motion made, seconded (Moty/Schappell), and unanimously carried, the Board of Supervisors, regarding the Fiscal Year 2013-14 Mid-Year Budget Report, directed departments to make spending adjustments to stay within approved net county cost contained in the Fiscal Year 2013-14 Budget, as adjusted; and approved the budget principles recommended for the Fiscal Year 2014-15 Proposed Budget.

COUNTY CLERK-ELECTIONS

BUDGET AMENDMENT **COUNTY CLERK/ELECTIONS**

At the recommendation of County Clerk/Registrar of Voters Cathy Darling Allen and by motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved a budget amendment decreasing appropriations in the Elections budget by \$45,000 and increasing appropriations in the County Clerk budget by \$45,000 to update the current cost of services provided to the public.

SUPPORT SERVICES-PERSONNEL

MEMORANDUM OF UNDERSTANDING
SHERIFF'S ADMINISTRATIVE ASSOCIATION
RESOLUTION NO. 2014-020
SALARY ADJUSTMENTS SHERIFF'S ADMINISTRATIVE ASSOCIATION
SALARY RESOLUTION NO. 1449

At the recommendation of Director of Support Services Angela Davis and by motion made, seconded (Moty/Schappell), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-020, which approves a retroactive successor comprehensive Memorandum of Understanding (MOU) with the Shasta County Sheriff's Administrative Association bargaining unit (SAA) for the period January 1, 2012 through June 30, 2016; and adopted Salary Resolution No. 1449, which implements salary adjustments for SAA employees in the amount of three percent effective March 9, 2014, three percent effective November 30, 2014, and three percent effective October 4, 2015.

(See Resolution Book No. 55)
 (See Salary Resolution Book)

LAW AND JUSTICE

SHERIFF

CANCELLATION OF DECLARATION OF LOCAL EMERGENCY
RESOLUTION NO. 2014-021

Sheriff Tom Bosenko described the hazards that existed in the home at 9021 Chaparral Drive, Redding due to the presence of excessive explosive materials. One of the residents was injured in an explosion and is currently under medical care. A declaration of emergency was declared on February 7, 2014. Due to the unsafe conditions, residents within 1,000 feet of the home were evacuated. On Sunday, February 16, 2014, the home was incinerated. Preliminary identified County costs to date are \$171,200.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-021, which recognizes that the circumstances and factors that led to the February 7, 2014 proclamation of a local emergency due to the stockpile of explosives and explosive materials within a residential structure located at 9021 Chaparral Drive, Redding (Chaparral Incident) no longer exist and that there is no need to continue the proclamation.

(See Resolution Book No. 55)

SCHEDULED HEARINGS

GENERAL GOVERNMENT

COUNTY CLERK-ELECTIONS

COUNTY CLERK/REGISTRAR OF VOTERS FEE SCHEDULE

This was the time set to conduct a public hearing to consider introducing and waiving the reading of an ordinance which sets fees for the County Clerk/Registrar of Voters to more accurately reflect the current cost of providing services. Shasta County Clerk Cathy Darling Allen presented the staff report and recommended the adoption of a new fee schedule to reflect

the current cost of providing services. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Ms. Allen outlined the marriage ceremonies that take place at the County Clerk's office. Couples occasionally appear to purchase a marriage license and ceremony without the legally required third person to witness their ceremony. When this occurs, department staff fulfills this role, which happens three or four times each month for approximately ten minutes. A witness fee has been incorporated into the fee schedule to account for the staff time involved when this occurs.

Supervisors Kehoe and Moty stated they would not agree to charging the witness fee.

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

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors authorized introduction and waiving the reading of an ordinance which repeals Ordinance No. 640 and sets fees for the County Clerk/Registrar of Voters to more accurately reflect the current cost of providing services, as amended to reflect the deleted witness fee.

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled Barrowcliff v. County of Shasta and JPMorgan Chase Bank, N.A., Successor by Merger to Chase Home Finance LLC v. Talton Whaley, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

11:00 a.m.: The Board of Supervisors recessed to Closed Session.

11:08 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; however, no reportable action was taken.

11:08 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy