

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 15, 2009

REGULAR MEETING

8:28 a.m.: Chairman Hawes 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 Hawes
 District No. 4 - Supervisor Hartman
 District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
 County Counsel - Mike Ralston
 Chief Deputy Clerk of the Board - Glenda Tracy
 Administrative Board Clerk - Valerie Ibarra

REGULAR CALENDAR

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, 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.

8:29 a.m.: The Board of Supervisors recessed to Closed Session.

9:00 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Mike Ralston, Chief Deputy Clerk of the Board Glenda Tracy, and Administrative Board Clerk Valerie Ibarra present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Hawes reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

INVOCATION

Invocation was given by Dr. Stephen Campbell, Lead Pastor, Redding First Church of the Nazarene.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Jon L. Ruiz discussed labor negotiations between Shasta County and the Shasta County Deputy Sheriff's Association.

Sheriff Tom Bosenko denounced the verbal attacks made on the members of the Board of Supervisors and County Administrative Officer Larry Lees at the December 8, 2009 meeting regarding labor negotiations between Shasta County and the Shasta County Deputy Sheriffs' Association, and he discussed delivering public services during the current difficult economic times.

REGULAR CALENDAR

PRESENTATIONS

VETERANS SERVICE OFFICER

County Administrative Officer Larry Lees introduced Robert W. Dunlap, Jr., newly appointed Veterans Service Officer, who expressed his appreciation for the appointment.

BOARD MATTERS

PROCLAMATION: BILL OF RIGHTS DAY

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 15, 2009 as Bill of Rights Day in Shasta County. Roberta Wright accepted the proclamation on behalf of the Daughters of the American Revolution.

PRESENTATION: HERGER-FEINSTEIN QUINCY LIBRARY GROUP PILOT PROJECT

Chairman Hawes announced the Quincy Library Group item was pulled at the request of County Forester Frank Stewart.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hawes announced the Sheriff's budget amendment regarding the California Multi-jurisdictional Methamphetamine Enforcement Team grant award was pulled at the request of the department.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign the Certification Statement for the State Department of Education which appoints and reappoints members to the Shasta County Local Child Care Planning Council for the period January 1, 2010 through December 31, 2010. (Administrative Office)

Approved and authorized the Chairman to sign the County Claims List totaling \$650.16 requiring special board action. (Auditor-Controller)

Enacted Ordinance No. 378-1998, which approves Zone Amendment No. 06-037, Justice (Centerville area), as introduced October 20, 2009. (Clerk of the Board)
(See Zoning Ordinance Book)

Reappointed Chad Arseneau, Walt Caldwell, and Matt Magnuson to the Burney Basin Mosquito Abatement District Board of Directors for terms to expire January 2012. (Clerk of the Board)

Reappointed Janet Tyrrel (as recommended by District 1 Supervisor Kehoe) and Mana Davis (as recommended by District 5 Supervisor Baugh) to the Commission on Aging for terms to expire January 2012. (Clerk of the Board)

Reappointed Sam Major, Chris Kutras, Ken Burns, Jim McDilda, and Patrick Wallner (as recommended by District Supervisors 1 through 5, respectively) to the Economic Development Corporation for terms to expire January 2012. (Clerk of the Board)

Appointed James Ontano to fill an unexpired term to November 2011 and reappointed Crystal Hatch for a term to expire November 2013 to the Fall River Mills Cemetery District Board of Directors. (Clerk of the Board)

Reappointed Glenn Aldridge and Bob Nash to the Grazing Advisory Board for terms to expire January 2013. (Clerk of the Board)

Reappointed Barbara Jackson (as recommended by District 2 Supervisor Moty) and Katharine Ann Campbell (as recommended by District 3 Supervisor Hawes) to the Public Health Advisory Board for terms to expire March 2013. (Clerk of the Board)

Reappointed William Meek and Jeffrey Gorder to the Shasta County Public Law Library Board of Trustees for terms to expire January 2011. (Clerk of the Board)

Reappointed Dan Gover to the Sacramento River Conservation Area Forum for a term to expire January 2012. (Clerk of the Board)

Reappointed Dr. Andrew Deckert, Maxine Wayda, Barbara Lapp, Dr. Jennifer Moranda, Jane Wilson, and Judie Englesby-Smith to the Shasta Children and Families First Commission for terms to expire January 2011. (Clerk of the Board)

Reappointed Steve Foster and Brian Gartner to the Well Standards Advisory Board for terms to expire January 2012. (Clerk of the Board)

Adopted Resolution No. 2009-121, which repeals Resolution No. 81-266, dissolves the Shasta County Mental Health Advisory Board, dissolves the Shasta County Alcohol and Drug Advisory Board, and establishes the Shasta County Mental Health, Alcohol and Drug Advisory

Board; and approved the Shasta County Mental Health, Alcohol and Drug Advisory Board Bylaws. Appointments were made of the following individuals:

<u>Names</u>	<u>Term Expiration Date</u>
Marjorie Hall (Family)	January 2011
Butch Jones (Community)	January 2011
Jim Middleton (Community)	January 2011
Mary Rickert (Family)	January 2011
Don Van Buskirk (Community)	January 2011
Sherri Allan (Consumer)	January 2012
Dianna Branch (Family)	January 2012
Georgia Dukes (Community)	January 2012
Michelle Gazzigli (Consumer)	January 2012
Thomas Gibbons (Consumer)	January 2012
Steve Lucarelli (Community)	January 2012
Rusty Garren (Consumer)	January 2013
David Honey (Community)	January 2013
Samuel Major (Community)	January 2013
James Montgomery (Consumer)	January 2013
Richard Myers (Community)	January 2013
Lowell Streiker (Community)	January 2013
Sandra Tary (Community)	January 2013

(Health and Human Services Agency (HHS)-Adult Services)

(See Resolution Book No. 50)

Approved and authorized the Alcohol and Drug Program Administrator to sign the California Emergency Management Agency 2009 Recovery Act Justice Assistance Grant - Substance Abuse Offender Treatment Program Application in the amount of \$292,973 and any other necessary documents to provide substance abuse treatment for the grant period October 1, 2009 through March 31, 2011; and approved and authorized the Chairman to sign the Certificate of Assurance of Compliance. (HHS-Adult Services)

Approved and authorized the Chairman to sign a renewal lease with Parlay Investments, Inc. in the amount of \$10,125 per month (\$0.75 per square foot) for 13,500 square feet of office space at 1313 Yuba Street, Redding for the period January 1, 2010 through December 31, 2011, with three optional one-year renewals. (HHS-Children's Services)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with Mayers Memorial Hospital District increasing Shasta County's compensation by \$26,104.50 (for a new total not to exceed \$76,104.50) to provide Hospital Preparedness Program coordination activities effective January 1, 2009, which increases salary and benefit compensation from \$40 per hour to \$55 per hour for not more than 909 hours, for an amount not to exceed \$49,995.00; and effective July 1, 2009, which adds administrative compensation in an amount not to exceed \$18,842.50 for 15 percent of the total amount invoiced to the California Department of Public Health for agreement-related costs, adds annual compensation in an amount not to exceed \$7,267.00 to utilize EMResource services from EMSystems, adds completion of the Trust Fund report by Mayers, and extends the term of the agreement to June 30, 2010. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive agreement with EMSystems, LLC in the amount of \$7,208.56 (\$0.04 per County resident) to access a real-time communication and emergency preparedness resource management system for Hospital Preparedness Program activities from September 22, 2009 through September 21, 2010, with two automatic one-year renewals at an amount to be determined through a per-capita calculation. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive agreement, a Non-Supplantation Certification, and a Certification Regarding Lobbying with the California Department of Public Health to receive a maximum amount of \$366,121 in Public Health Emergency Response Phase III funds to prepare for and respond to pandemic H1N1 influenza from July 31, 2009 through July 30, 2010; approved and authorized the Director of Public Health to sign amendments which result in a net change of not more than 10 percent and other minor, non-monetary amendments; approved and authorized the Director of Public Health to sign the Contractor's Release upon completion and receipt of funds; and authorized the Auditor-Controller to pay claims related to the agreement. (HHSa-Public Health)

Approved and authorized the Chairman to sign an agreement with the California Department of Rehabilitation in an amount not to exceed \$52,043 to receive one-time American Recovery and Reinvestment Act funds to the Opportunity Center to provide enhanced vocational rehabilitation services for the period September 1, 2009 through September 30, 2010; and approved and authorized the HHSa Director to sign related contract documents and amendments which result in a net revenue change of not more than 20 percent and other minor, non-monetary amendments that do not result in a substantial or functional change in services. (HHSa-Public Health)

Approved a budget amendment increasing appropriations and revenue in the Sheriff's budget by \$35,230 to reflect budgetary modifications to Homeland Security grant projects and to rebudget prior-year projects not yet completed; approved a budget amendment increasing appropriations and revenue in the Public Health budget by \$4,074, to be offset with a Transfer-In from the Sheriff's budget; approved a budget amendment increasing appropriations and revenue in the County Fire budget by \$9,515, to be offset with a Transfer-In from the Sheriff's budget; and authorized the Auditor-Controller to pay claims for expenses that include participating agency costs related to the grant through subsequent fiscal years in which funds have been re-appropriated until all grant funds have been exhausted. (Sheriff)

Approved and authorized the Chairman to sign a corrected Equitable Sharing Agreement and Certification Affidavit outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2008-09. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Jail Painting Project within 10 days of actual completion of the work. (Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Kehoe recently attended a Local Area Formation Commission (LAFCO) meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

9:30 a.m.: Supervisor Moty recused on this item due to a personal relationship with a member of the Economic Development Corporation Board of Directors, and he left the chambers.

**AGREEMENT: ECONOMIC DEVELOPMENT CORPORATION
SHASTA METRO ENTERPRISE ZONE ADMINISTRATION**

Administrative Analyst Angela Richardson introduced Economic Development Corporation (EDC) President Greg O'Sullivan, who provided the EDC annual report, noting the EDC staff has already taken a 10 percent salary reduction to balance the EDC budget. The EDC focused on an aggressive Business Retention Program (with one dedicated full-time employee), conducted six business seminars throughout Shasta County, and served over 250 businesses (with an average of less than 25 employees) and approximately 20 businesses (representing over 197 jobs) in the unincorporated area.

EDC is working with Congressman Wally Herger to expand certain economic zones in Shasta County since only businesses located in those zones may apply for U.S. Forest Service contracts.

Mr. O'Sullivan introduced the EDC Board of Directors President Brad Frost, who stressed the importance of the benefits of tax vouchers to Shasta County.

Ms. Richardson presented the staff report and recommended approval of the agreement, a 61 percent decrease in compensation from the Fiscal Year 2008-09 agreement.

In response to a question by Supervisor Kehoe, CAO Lees recommend renewal of the Shasta Enterprise Zone administration and Economic Development Program in the amount of \$3,500 in order for the County to receive state benefits; however, due to poor economic times he does not recommend approval of the entire agreement. The full amount of the renewal agreement was presented for approval to the Board of Supervisors at the request of EDC in order for EDC to prepare their budget.

Supervisor Kehoe made a motion to approve the Shasta Metro Enterprise Zone - General Zone Administration portion of the agreement in the amount of \$3,500. The motion died for lack of a second.

By motion made, seconded (Hartman/Baugh), and carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with EDC in the amount of \$17,500 from the date of signing through June 30, 2010 to administer the Shasta Metro Enterprise Zone; Enterprise Zone retention, expansion, and outreach services; and Industrial Land Reuse (Brownfields) for Fiscal Year 2009-10. Supervisor Kehoe voted no.

9:56 a.m.: The Board of Supervisors recessed.

10:04 a.m.: The Board of Supervisors reconvened with all Supervisors present.

SUPPORT SERVICES

MEMORANDUM OF UNDERSTANDING: PROFESSIONAL PEACE OFFICERS ASSOCIATION RESOLUTION NO. 2009-122

Director of Support Services Michelle Schafer presented the staff report and explained that the recommendation before the Board of Supervisors is to extend the Memorandum of Understanding between the Professional Peace Officers Association (PPOA) and the County of Shasta through July 31, 2011 and to modify CalPERS pension benefits to pay up to 6 percent of their CalPERS pension beginning with 3 percent on December 20, 2009 and an additional 3 percent commencing on August 1, 2010. With this concession, the contract was extended for one year, through July 31, 2011. The County will save approximately \$44,000 through the remainder of Fiscal Year 2009-10 and will save approximately \$162,000 per year, beginning in Fiscal Year 2010-11.

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-122, which extends the Memorandum of Understanding with the Professional Peace Officers Association (PPOA) through July 31, 2011; and modifies how CalPERS pension benefits for the PPOA are funded.

(See Resolution Book No. 50)

HEALTH AND HUMAN SERVICES

HHS-REGIONAL SERVICES

GENERAL ASSISTANCE PROGRAM BUDGET AMENDMENT

Health and Human Services Agency Director Marta McKenzie presented the staff report and recommended approval of the budget amendment. The General Assistance Program is made up of three separate indigent client groups: those temporarily incapacitated for a period of time not anticipated to last more than six months; those on interim assistance for permanently incapacitated individuals and waiting for Supplemental Security Income (SSI) to be approved, and those who are employable but are currently unemployed.

At the current caseload, the funds will be exhausted by December 31, 2009 if additional resources are not transferred to the program. Request is made for a \$315,000 budget transfer to assist through June 30, 2010. Current law allows for a reduction of monthly grants by an amount not to exceed \$40 per month.

Supervisor Kehoe opposed reducing the monthly grant maximum amount as it would be incongruous with the Board's philosophy to do everything within reason to assist Shasta County citizens.

In response to questions by Supervisors, Ms. McKenzie explained the department has had a deficit of \$8 million dollars in the last two fiscal years. Residual fund balances are depleting as the department continues to provide state mandated programs and will not last through Fiscal Year 2010-11. Currently, the fund balance is estimated to be \$6 million. CAO Lees confirmed the General Assistance Program is state mandated but fully funded by the County's General Fund, and he recommended reduction of the monthly grant maximum due to the economic downturn.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations in the County Indigent Cases (GA) budget by \$315,000, to be offset by fund balance, to accommodate increased caseload and benefit cost in the General Assistance Program; and reduced the monthly grant maximum by an amount up to \$40 effective January 1, 2010 to offset a portion of the cost of medical care benefits provided through the County Medical Services Program that are paid by Shasta County. Supervisor Kehoe voted no.

LAW AND JUSTICE

SHERIFF

BUDGET AMENDMENTS

Sheriff Tom Bosenko stated that as a result of the continued decline in Proposition 172 receipts through Fiscal Year 2009-10, the Sheriff's Office has reduced appropriations and revenue.

Undersheriff Greg Wrigley advised that revenue derived from Proposition 172 has decreased; therefore, in order to pay expenses, budget reductions are necessary to be made. Efforts are made to make the reductions to avoid having to lay off employees.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved budget amendments decreasing appropriations by \$421,125 and revenues by \$414,242 by decreasing appropriations and revenues in the Sheriff's budget by \$251,068; decreasing appropriations and revenues in the Boating Safety budget by \$15,135; decreasing appropriations and revenues in the Jail budget by \$76,000; decreasing appropriations and revenues in the Burney Station budget by \$55,795; decreasing appropriations and revenues in the Coroner's budget by \$34,914; increasing appropriations and revenues in the Dispatch budget by \$18,670; and decreasing appropriations in the Animal Control budget by \$6,883.

SCHEDULED HEARINGS

PUBLIC WORKS

PRESENTATION: ENERGY EFFICIENCY CONSERVATION BLOCK GRANT PROGRAM

This was the time set to conduct a public hearing to receive a presentation regarding integrated energy services. Public Works Director Pat Minturn presented the board report and recommended approval to continue agreement negotiations with Beutler Corporation for the Energy Efficiency Conservation Block Grant Program. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Mr. Minturn said the Shasta County is potentially eligible for approximately \$400,000 in Energy Efficiency Conservation Block Grant funding from the California Energy Commission (CEC) to replace and upgrade aging mechanical and electrical systems.

Potential projects include replacement of air conditioning chillers and installation of demand controls on ventilation at the Justice Center, upgrading exit signs at various County facilities, and replacement 22 HVAC units in the Breslauer Campus.

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

By consensus, the Board of Supervisors continued the public hearing to January 5, 2010 at 9:00 a.m., or as soon thereafter as may be heard.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with its counsel to discuss existing litigation entitled *Kreger v. County of Shasta*, *Gutierrez v. County of Shasta*, and *Tehama County v. John Chiang, California State Controller, et al.*, pursuant to Government Code section 54956.9, subdivision (a); and
2. Consider public employee performance evaluations (County Administrative Officer and County Counsel), pursuant to Government Code section 54957.

11:21 a.m.: The Board of Supervisors recessed to Closed Session.

1:39 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, and County Counsel Mike Ralston present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss labor negotiations and existing litigation, as well as public employee performance evaluations. By a unanimous vote, the Board of Supervisors authorized the law office of Gary Brickwood to handle the defense in the matter of *Gutierrez v. County of Shasta*; and authorized County Counsel to handle the defense in the matter of *Tehama County v. John Chiang, California State Controller, et al.*

1:40 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy