

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 8, 2010

REGULAR MEETING

9:02 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 Hawes
 District No. 4 - Supervisor Hartman
 District No. 5 - Supervisor Baugh

County Administrative 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 John Roland, First Baptist Church of Cottonwood.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Construction Industry Force Account Council representative Sally Riley presented an Award of Excellence to Shasta County Regional Transportation Planning Agency (RTPA) Executive Director Dan Little for dedication and commitment in seeking and obtaining funding for regional transportation projects to meet the needs of the community.

Public Works Director Pat Minturn introduced Right-of-Way Agent Brandon Magby to the members of the Board of Supervisors.

REGULAR CALENDAR

PRESENTATIONS

**REDDING VETERANS HOME SUPPORT COMMITTEE
 PRESENTATION OF PLAQUE OF APPRECIATION**

Redding Veterans Home Support Committee member Major John Cleckner thanked the Shasta County Board of Supervisors, Supervisor Linda Hartman, and Public Works Director Pat Minturn for their steadfast support and tireless commitment and dedication and execution in

the project of the Northern California Veterans Home. He presented plaques of Certificates of Appreciation, acknowledging the May 21, 2010 historic groundbreaking ceremony.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: MEYERS NAVE RIBACK SILVER & WILSON CRAG VIEW WATER TREATMENT PLANT RELOCATION ELK TRAIL WATER SYSTEM IMPROVEMENT PROJECT

Chairman Kehoe announced that the item regarding the Meyers Nave contract for legal services for Crag View Water and Elk Trail Water was pulled for further discussion.

County Counsel Rubin E. Cruse, Jr. stated the law firm of Meyers Nave is to provide legal advice and transactional support for two separate projects: the Crag View Water Treatment Plant Relocation and the Elk Trail Water System Improvement Project. The contracts are to be effective as of May 5, 2010, for a period of five years, or until the matter or cases are terminated, whichever is later. The rate for Meyers Nave is \$300 per hour for Mr. Sperry's time and \$250 per hour for his associate. There is one contract; however, there are two separate matters which will be billed and tracked separately.

Peter Scales and Bert Stead spoke in opposition to the proposed contract of legal services with Meyers Nave for Crag View Water Treatment Plant Relocation and the Elk Trail Water System Improvement project.

Assistant County Counsel Jim Ross explained that Shasta County has worked previously with this firm, and their rates are very competitive.

Public Works Director Pat Minturn advised that PACE Civil, Inc. is preparing an engineering report for the formation of an assessment district to repay loans for construction of the water system improvements to serve Elk Trail residents. The assessments will be approximately \$78 per month per parcel. If the final assessment amount exceeds \$78 per month, the matter will return to property owners for another vote.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive agreement with Meyers Nave Riback Silver & Wilson to provide legal services for the Crag View Water Treatment Plant Relocation and Elk Trail Water System Improvement projects at an hourly rate of \$250-\$300, plus expenses, for the period May 5, 2010 through May 4, 2015 or until the matter or cases are terminated, whichever is later. (County Counsel)

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the item regarding pre-employment medical services was pulled for discussion. Director of Support Services Michelle Schafer advised that additional pre-employment medical tests were added to the physical exams for individuals prior to being hired, which increased the costs. For example, one test provides a baseline carpal tunnel test grip strength which can be used if a Workers' Compensation claim is filed at a later date.

Chairman Kehoe announced that the item regarding U.S. Forest Service (U.S.F.S.) Shasta-Trinity National Forest and U.S.F.S. Lassen Forest was pulled for discussion. In response to a question by Supervisor Kehoe, Sheriff Tom Bosenko confirmed that County travel will be reimbursed upon timely billings.

CONSENT CALENDAR

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

Approved the following Fiscal Year 2009-10 budget amendments: Decreasing appropriations by \$75,000 in the Miscellaneous General budget; increasing appropriations by \$79,000 and increasing revenues by \$31,365 in the Trial Courts (County Share) budget; and increasing appropriations and revenues by \$4,000 in the Courthouse Bonds budget. (Administrative Office)

Adopted Resolution No. 2010-047, which establishes the Shasta County Appropriations Limit for Fiscal Year 2010-11 in the amount of \$132,844,649; and sets the annual adjustment factors used to calculate the appropriations limit at: the change of -2.54 percent in County per capita personal income change over the prior fiscal year, and a factor of 0.63 percent reflecting the annual change in population within the local jurisdiction as provided by the Demographic Section of the Department of Finance. (Auditor-Controller)

(See Resolution Book No. 51)

Approved and authorized the Chairman to sign the County Claims List totaling \$728.28 requiring special board action. (Auditor-Controller)

Appointed Ken Gifford to the Economic Development Corporation Board of Directors for a term to January 2012. (Clerk of the Board)

Reappointed Diane Lucido to the Shasta County Arts Council for a term to June 2013. (Clerk of the Board)

Approved the minutes of the meeting held on May 18, 2010, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with RIOH Medical Clinic, Inc. in an amount not to exceed \$100,000 per year to provide pre-employment medical services from the date of signing through June 7, 2013, with two automatic one-year renewals. (Support Services-Personnel Division)

Approved a budget amendment recognizing revenue in the amount of \$15,000 in the Public Administrator budget and increase appropriations in Public Administrator-Contribution Non County Gov Agency by \$15,000 to be transferred to the Public Administrator Trust Fund to fully implement the establishment of a Public Administrator revolving fund approved on March 16, 2010; authorized the Auditor-Controller to make any technical adjustments within the Public Administrator budget and the Public Administrator Trust as necessary to establish the fund; and directed the Auditor-Controller to process authorized expenses and reimbursements for the revolving fund. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign an agreement with County of El Dorado through the El Dorado County Health Services Department, Mental Health Division, in an annual amount not to exceed \$100,000 during any County fiscal year to provide psychiatric inpatient hospital services to Shasta County residents from July 1, 2010 until the agreement is terminated. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign an amendment to the agreement with the California Department of Alcohol and Drug Programs decreasing compensation to Shasta County by \$161,132 (for a new total not to exceed \$5,913,217, of which a maximum compensation of \$1,888,241 is for Fiscal Year 2009-10) to provide alcohol and other drug treatment and prevention services and retaining the term of July 1, 2007 through June 30, 2010. (HHS-Adult Services)

Approved and authorized the Chairman to sign an agreement with the California Department of Alcohol and Drug Programs in an amount not to exceed \$5,750,220 (\$1,916,740 per fiscal year) for the County to provide alcohol and other drug treatment and prevention services for the period July 1, 2010 through June 30, 2013. (HHS-Adult Services)

Approved and authorized the Chairman to sign amendments to the following agreements with Northern California Youth and Family Programs: For the Independent Living Skills Program (ILP), revising the budgets to reflect the elimination of the Emancipated Youth Stipend allocation and decreasing compensation by \$25,848 (for Fiscal Year 2008-09 and 2009-10 totals not to exceed \$135,805 each), and approving and authorizing the Health and Human Services Agency (HHS) Director or his/her designee to sign amendments in the event of changes to the final maximum allocations received from the California Department of Social Services (CDSS); and for the Transitional Housing Placement-Plus Program, decreasing annual compensation by \$3,755 (for Fiscal Year 2009-10 compensation not to exceed \$196,817), extending the term through June 30, 2011, thereby increasing compensation by \$196,817 for Fiscal Year 2010-11 (for a final maximum not to exceed \$393,634), and approving and authorizing the HHS Director or his/her designee to sign amendments in the event of changes to the final maximum allocation received from the CDSS. (HHS-Children's Services)

Adopted Resolution No. 2010-048, which approves and authorizes the Director of the Department of Housing and Community Action Programs to sign and submit an application to the California Department of Housing and Community Development in the amount of \$600,000 for Proposition 1C funding through the CalHome Program for housing rehabilitation; approves and authorizes the Chairman to sign a grant agreement if one is awarded; and approves and authorizes the Director to sign additional application and participation documents. (Housing and Community Action Programs)

(See Resolution Book No. 51)

Adopted Resolution No. 2010-049, which authorizes the Chief Probation Officer to sign and submit an application for Juvenile Accountability Block Grant funding in the amount of \$14,371 for Fiscal Year 2010-11; and approved and authorized the Chief Probation Officer to sign the grant agreements, any subsequent amendments, or other related documents. (Probation)

(See Resolution Book No. 51)

Approved and authorized the Chairman to sign an agreement with the County of Solano in an amount not to exceed \$151,200 to provide three beds on a space-available basis at Fouts Springs Youth Facilities to court commitments for the period July 1, 2010 through June 30, 2011. (Probation)

Approved a budget amendment in the amount of \$9,055 increasing appropriations and revenue in the Sheriff's Cal-MMET budget recognizing additional federal asset forfeiture revenues received but not budgeted in Fiscal Year 2009-10. (Sheriff)

Ratified former Sheriff James Pope's signature on agreements with U.S. Forest Service (U.S.F.S.), Shasta-Trinity National Forest and U.S.F.S., Lassen Forest for Shasta County to provide law enforcement on national forest service lands for the period December 7, 2005 through September 30, 2010, and Federal Fiscal Year (FFY) 2006 Financial and Operating Plans for each cooperative agreement; ratified Sheriff Tom Bosenko's and County Administrative Officer Lawrence G. Lees' signatures on FFY 2007-2010 Financial and Operating Plans and subsequent modifications for each cooperative agreement; and approved and authorized the Chairman to sign a modification to the agreement with U.S.F.S., Shasta-Trinity National Forest increasing FFY 2010 funding by \$30,000 and carrying over FFY 2007 funding in the amount of \$0.49 (for a new total of \$55,000.49), a modification to the agreement with U.S.F.S., Lassen National Forest adding a paragraph on prior year funding to the end of the FFY 2010 Financial and Operating Plan, and a modification to the agreement with U.S.F.S., Lassen National Forest increasing FFY 2010 by \$3,502.83 in FFY 2007 carry over (for a new total of \$16,502.83). (Sheriff)

On behalf of County Service Area (CSA) No. 23 - Crag View Water, approved a budget amendment increasing appropriations by \$10,000, authorizing the use of Fund Balance for water system improvements; and selected PACE Engineering, Inc. to provide engineering services for the project. (County Service Area No. 23 - Crag View Water)

Awarded to the low bidder, International Surfacing Systems, Inc., on a unit-cost basis, the contract for construction of the 2010 Resurfacing Project in the amount of \$782,663. (Public Works)

Approved and authorized the Chairman to sign an agreement with Bella Vista Water District to reimburse County for the relocation of an existing waterline as part of the Swede Creek Road at Little Cow Creek Bridge Replacement Project from the date of signing to October 15, 2012 or the filing by County of a Notice of Completion of the Project. (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 update.

Supervisor Baugh recently attended an Area Agency on Aging, PSA II meeting.

Supervisors Moty and Hartman recently attended a California State Association of Counties (CSAC) meeting.

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

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES – FLEET MANAGEMENT DIVISION

ADMINISTRATIVE POLICY 8-103 **FLEET MANAGEMENT PROGRAM** **POLICY RESOLUTION NO. 2010-05**

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2010-05, which amends Administrative Policy 8-103, Fleet Management Program, to modify the procedure to purchase used vehicles.

(See Policy Resolution Book)

SUPPORT SERVICES – PERSONNEL DIVISION

MEMORANDUM OF UNDERSTANDING
UNITED PUBLIC EMPLOYEES OF CALIFORNIA (UPEC)
RESOLUTION NO. 2010-050

Director of Support Services Michelle Schafer explained that United Public Employees of California UPEC represents over 800 General Unit employees. Under the new Memorandum of Understanding (MOU), these employees will pay 100 percent of the CalPERS employees' share of pension contributions by January 1, 2011. The agreement provides over \$4.3 million for cost savings through June 30, 2012, rather than the \$1.75 million listed in the Board report.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-050, which extends the Memorandum of Understanding with the United Public Employees of California (UPEC) for the General Unit through April 30, 2012.

(See Resolution Book No. 51)

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 its counsel to discuss existing litigation entitled County of Shasta v. United States Forest Service and Tri-C Manufacturing, Inc. v. Shasta County Department of Resource Management, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. 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.

10:00 a.m.: The Board of Supervisors recessed to Closed Session.

10:49 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative 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, as well as labor negotiations.

In the matter of Tri-C Manufacturing, Inc. v. Shasta County Department of Resource Management and others, the Board of Supervisors, by a unanimous vote of 5-0, gave approval to the Shasta County Counsel's Office to defend the County of Shasta and Shasta County employee Shiloe Braxton in this breach of contract case. There was no further reportable action.

10:52 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy