

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 24, 2010

REGULAR MEETING

9:00 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 Envoy Tawnya Stumpf, The Salvation Army.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Director of Support Services Michelle Schafer introduced new employees to her department: Workers Compensation Analyst Steve Taylor and Agency Staff Services Analyst Stephanie Telles.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the County Claims List and the item regarding the relocation of one medical communications repeater to Bunchgrass Mountain were being pulled for discussion.

Supervisor Baugh announced that the item regarding an agreement with Kitchell CEM to provide construction management services for the new Shasta County Juvenile Rehabilitation Facility was pulled for discussion.

CONSENT CALENDAR

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

Approved the minutes of the meeting held on August 17, 2010, as submitted. (Clerk of the Board)

Appointed Ken Brown to the Assessment Appeals Board for a term to expire September 2013. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with Sutter-Yuba Mental Health Services in an amount not to exceed \$200,000 to provide psychiatric inpatient services for the period October 1, 2010 through June 30, 2012. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive revenue agreement with Shasta County Child Abuse Prevention Coordinating Council for Shasta County to receive \$75,000 for the period July 1, 2010 through June 30, 2011 to implement the South Shasta County Healthy Eating Active Communities Phase III project. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with the City of Anderson decreasing compensation by \$1,000 per month effective July 1, 2010 (for a new total not to exceed \$5,100 per month) for the Opportunity Center to provide janitorial services to the City and extending the term from June 30, 2010 to September 30, 2010. (HHS-Regional Services)

Approved and authorized the Chairman to sign an agreement with the City of Redding at a minimum monthly amount of \$25,799 for the Opportunity Center to provide recyclable sorting services for the period September 1, 2010 through August 31, 2011, with four automatic one-year renewals. (HHS-Regional Services)

Approved and authorized the Chairman to sign an Equitable Sharing Agreement and Certification Affidavit outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2009-10. (District Attorney)

Approved and authorized the Chairman to sign an Equitable Sharing Agreement and Certification Affidavit outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2009-10. (Sheriff)

Approved and authorized: The Chairman to sign an agreement with the U.S. Forest Service, Shasta-Trinity National Forest to receive partial reimbursement for cooperative law enforcement services provided by the Sheriff's Office on U.S. Forest Service lands for the period October 1, 2010 through September 30, 2015; the Chairman to sign an agreement with the U.S. Forest Service, Lassen National Forest to receive partial reimbursement for cooperative law enforcement services provided by the Sheriff's Office on U.S. Forest Service lands for the period October 1, 2010 through September 30, 2015; and the Sheriff to sign the Annual Operating and Financial Plans for each cooperative agreement, as well as any subsequent modifications, for the period October 1, 2010 through September 30, 2015. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Various Permanent Road Divisions project and record it within 10 days of actual completion of the work. (Public Works)

For the Deschutes Road Rehabilitation Project [American Recovery and Reinvestment Act (ARRA)], approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after September 9, 2010 at 11:00 a.m. (Public Works)

Approved the following budget amendments for the Burney Vets Hall Remodel, Fall River Mills Vets Hall Remodel, District Attorney Remodel, Balls Ferry Boat Ramp, Jail Closed Circuit Television, Anderson Library Roof, Roads, and Solid Waste projects: Increasing appropriations by \$186,339 and revenues by \$454,863 in the Land, Buildings & Improvements budget; increasing appropriations and revenues by \$81,768 in the Veterans Hall budget; increasing appropriations and revenues by \$81,768 in the Community Development Block Grant (CDBG) budget; increasing appropriations by \$301,856 and revenues by \$150,928 in the District Attorney/Accumulated Capital Outlay budget; increasing appropriations and revenues by \$97,759 in the Recreation & Parks budget; increasing appropriations and revenues by \$4,408 in the Jail budget; increasing appropriations and revenues by \$571,853 in the Facilities Management budget; increasing appropriations by \$120,000 in the Library budget, to be offset by use of fund balance; increasing appropriations and revenues by \$100,000 in the Facilities Management budget; increasing appropriations by \$120,000 in the Roads budget, to be offset by use of fund balance; and increasing appropriations by \$568,875 in the Solid Waste budget, to be offset by use of fund balance. (Public Works/Sheriff/District Attorney/Administrative Office-Library/Housing and Community Action Programs)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

COUNTY CLAIMS LIST

In response to questions by Supervisor Kehoe, County Administrator Officer (CAO) Larry Lees agreed to research the explanation for the lengthy approval process which delayed the renewal of the subject contract.

AGREEMENT: MOUNTAIN COMMUNICATIONS, INC.

AGREEMENT: VALLEY INDUSTRIAL COMMUNICATIONS, INC.

In response to questions by Supervisor Moty, Public Health Director Donnell Ewert explained that the repeater needs to be relocated and there are associated costs for the move. Administrative Analyst Elaine Grossman stated that the vendor leases the land, and the annual increases are for future increases of the leases and power costs, which are passed on to tenants. In response to questions by Supervisor Hawes, CAO Lees noted that it would be more costly to use a satellite system to maintain the repeater system. In response to questions by Supervisor Hartman, CAO Lees explained that, rather than delete the "optional renewal" language, he prefers to leave the language in the agreement as that will provide the County with the flexibility needed to renew or not the agreement, depending how advantageous it is for the County.

AGREEMENT: KITCHELL CEM

SHASTA COUNTY JUVENILE REHABILITATION FACILITY

In response to questions by Supervisor Baugh, Public Works Director Pat Minturn explained the budget was predicated upon a 35,000 square foot facility. Subsequent study has determined that at least 45,000 square feet are necessary to meet applicable regulations and to fulfill the terms of the grant. These changes were submitted to the California Department of Corrections and Rehabilitation (CDCR), who charges Shasta County for any review of the plans. In response to questions by Supervisor Hartman, Mr. Minturn advised that the budget for the Juvenile Rehabilitation Facility is \$15.2 million and the construction costs are the same. The furniture is not included in that amount. The construction manager is needed to review the plans, assist in the bidding process, and manage the construction.

COUNTY CLAIMS LIST

AGREEMENT: KITCHELL CEM

SHASTA COUNTY JUVENILE REHABILITATION FACILITY

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors took the following actions:

Approved and authorized the Chairman to sign the County Claims List totaling \$476.17 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign an agreement with Kitchell CEM in an amount not to exceed \$609,359 to provide construction management services for the new Shasta County Juvenile Rehabilitation Facility from the date of signing through December 31, 2012 or 30 days after the Notice of Completion is filed, whichever is first. (Public Works)

AGREEMENT: MOUNTAIN COMMUNICATIONS, INC.

AGREEMENT: VALLEY INDUSTRIAL COMMUNICATIONS, INC.

MEDICAL COMMUNICATIONS REPEATER SERVICES

By motion made, seconded (Hartman/Moty), and carried, the Board of Supervisors approved and authorized the Chairman to sign amendments to agreements with Mountain Communications, Inc. increasing the base amount by \$292.63 per month to provide space in the communications shelter located on Bunchgrass Mountain for one additional medical communications repeater effective September 1, 2010 and retaining the term of July 1, 2005 through June 30, 2010, with three optional five-year renewals and with 3.5 percent annual increases; and with Valley Industrial Communications, Inc. to: increase compensation by \$3,400 to relocate one medical communications repeater from Bear Springs to Bunchgrass Mountain, at no change in compensation for repeater maintenance, to update the location of one medical communications repeater to Bunchgrass Mountain for repeater maintenance, and retain the current term of July 1, 2009 through June 30, 2010, with four automatic one-year renewals and with 3 percent annual increases. (HHS-A-Public Health) (Supervisor Hawes voted no as he objects to the increasing costs in future renewals.)

9:35 a.m.: The Shasta County Board of Supervisors adjourned and convened as the Shasta County In-Home Supportive Services Public Authority Governing Board.

SHASTA COUNTY IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY GOVERNING BOARD

CONSENT CALENDAR

By motion made, seconded (Moty/Hawes), and unanimously carried, the Shasta County In-Home Supportive Services (IHSS) Public Authority Governing Board adopted IHSS Resolution No. 2010-01, which appoints the HHS-A Adult Services Director or his/her designee to act on behalf of the IHSS Public Authority with the California State Association of Counties-Excess Insurance Authority for routine administrative matters. (IHSS Public Authority)

(See IHSS Resolution Book)

9:36 a.m.: The Shasta County In-Home Supportive Services Public Authority Governing Board adjourned, and the Shasta County Board of Supervisors reconvened.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, including Assemblyman Nielson's attempt to return funds to California counties with a change in the Williamson Act.

Supervisor Baugh recently attended a Regional Council of Rural Counties (RCRC) meeting.

Supervisor Moty recently attended a Northern California Water Association (NCWA) meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-PERSONNEL

**AGREEMENT: REDDING RECORD-SEARCHLIGHT
ADVERTISING SERVICES**

Director of Support Services Michelle Schafer advised that negotiations with the Record-Searchlight brought a reduction in online advertising prices, removal of the previously proposed penalty clause, and reduction of the \$100,000 minimum dollar volume amount to \$70,000.

In response to questions by Supervisor Kehoe regarding one of staff's recommendations, CAO Lees opined that it should not be necessary to create a policy requiring departments to refer to specific statutes regarding posting requirements. By consensus, the Board of Supervisors directed that the CAO monitor online advertisements for appropriateness.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement with the Record Searchlight to provide advertising for County departments at various agreed upon rates for the period August 1, 2010 through July 31, 2011.

LAW AND JUSTICE

DISTRICT ATTORNEY

FISCAL YEAR 2009-10 REAL ESTATE FRAUD INVESTIGATIONS UNIT REPORT

District Attorney Gerald Benito presented the report on the Fiscal Year (FY) 2009-10 Real Estate Fraud Investigations Unit. In FY 2009-10, 49 referrals and investigations, affecting eight victims, and five cases were filed with the court. There was one felony conviction wherein the defendant was sentenced to make full restitution to the victim in the amount of \$6,500. The Investigation Unit is funded by additional fees charged when certain documents are recorded, and 10 percent of the fee is retained by the Assessor-Recorder.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES

HOUSING AND COMMUNITY ACTION PROGRAMS

**COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY
RESOLUTION NO. 2010-089**

This was the time set to conduct a public hearing to consider approval of submitting a Community Development Block Grant 2008 Disaster Recovery Initiative grant application to fund a sewer master plan and a fire facility feasibility study for the community of Cottonwood. Director of Housing and Community Action Programs Dr. Richard Kuhns presented the report and recommended approval of the request. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

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

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-089, which approves and authorizes the Chairman or Director of Housing and Community Action Programs to sign and submit a Community Development Block Grant 2008 Disaster Recovery Initiative grant application in the amount of \$150,000 to fund a sewer master plan and a fire facility feasibility study for the community of Cottonwood; approves and authorizes the County Administrative Officer to sign the Statement of Assurances and any amendments; approves and authorizes the Chairman to sign any grant agreements awarded for the program and any subsequent amendments; and approves and authorizes the Director of Housing and Community Action Programs to sign documents necessary for participation in the program.

(See Resolution Book No. 51)

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to Confer with its counsel to discuss existing litigation entitled California Sportfishing Protection Alliance v. City of Redding, et al., pursuant to Government Code section 54956.9, subdivision (a).

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

10:55 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; however, no reportable action was taken.

10:56 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy