

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 11, 2011

REGULAR MEETING

9:01a.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 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 Stace Rollefson, Trinity Lutheran Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Tami Orr opposed changes to health benefits for In-Home Supportive Services (IHSS) caregivers.

Glena Pryde, Laurie Damoth, Ken Foley, and Molly Frame opposed the possible use of SmartMeter™.

Susan Acaiza-Boys opposed illegal growth of medical marijuana within 1000 feet of schools.

REGULAR CALENDAR

BOARD MATTERS

**OCTOBER 2011 EMPLOYEE OF THE MONTH
ELIGIBILITY WORKER III MIKE BEHLING
RESOLUTION NO. 2011-110**

At the recommendation of Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert and by motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-110, which recognizes Eligibility Worker III Mike Behling as Shasta County's October 2011 Employee of the Month.

(See Resolution Book No. 52)

PROCLAMATION: FIRE PREVENTION WEEK

At the recommendation of Fire Chief Rick Kyle and by motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 9-15, 2011 as Fire Prevention Week in Shasta County.

CONSENT CALENDAR

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

Adopted Policy Resolution No. 2011-09, which amends Administrative Policy 6-101, *Shasta County Contracts Manual*; and authorized the County Administrative Officer to make non-substantive modifications to Administrative Policy 6-101 without the necessity of a policy resolution. (Administrative Office)

(See Policy Resolution Book)

Brought the Animal Control Facility Blue Ribbon Citizen's Committee (established as Animal Shelter Citizens' Advisory Committee) to a conclusion effective October 11, 2011. (Administrative Office)

Approved and authorized the Chairman to sign the County Claims List totaling \$11,488.43 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on September 27 and October 4, 2011, as submitted. (Clerk of the Board)

Reappointed Harold Bassett and James Ontano to the Fall River Mills Cemetery District Board of Directors to terms to expire November 2015. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the lease with Shasta Community Health Center for the premises located at 4215 Front Street, City of Shasta Lake, to extend the initial term one month to November 30, 2011 at no cost; and made technical adjustments to Section 5, Rent. (Health and Human Services Agency-Business and Support Services)

Approved and authorized the Chairman to sign the California Department of Veterans Affairs Certificates of Compliance to allow the Veterans Service Officer to participate in the County Subvention program; and to allow the Veterans Service Officer to participate in the Medi-Cal Cost Avoidance program. (Veterans Services)

Adopted Resolution No. 2011-111, which grants an extension of time on an agreement with Chae Moon to complete improvements for Tract Map No. 1926, Moon (west Redding area) by September 14, 2012; and approves and authorizes the Chairman to sign a retroactive agreement granting the extension. (Public Works)

(See Resolution Book No. 52)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Redding Regional Septage Impoundments Cleanout 2011 and record it within 10 days of actual completion of the work. (Public Works)

For East Redding Bike Lanes - Phase IIB Project, approved and authorized the Chairman to sign right-of-way contracts with Drollinger Family Trust (0.21 acres at \$11,600 for two right-of-way parcels), Kenneth and Joan Doelker (0.21 acres at \$4,600), Robert and Mary Nash (0.17 acres at \$2,200), Scott Family Trust (0.16 acres at \$8,500), Frank and Cynthia Shabarum (0.04 acres at \$3,300), and Williams Family Trust (0.02 acres at \$8,300); and accepted six easement deeds conveying seven parcels of project right of way. (Public Works)

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 a request to send a letter to the Administrative Office of the Courts (AOC) to consider the project of the Shasta County Courthouse ready to proceed with design. Following discussion and by consensus of the members of the Board of Supervisors, Mr. Lees was directed to send the proposed letter to the AOC.

Supervisors Baugh and Kehoe recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisors reported on issues of countywide interest.

PUBLIC WORKS

AGREEMENT: TICO CONSTRUCTION COMPANY INCORPORATED ELK TRAIL WATER IMPROVEMENT PROJECT

Public Works Director Pat Minturn presented the report and recommended approval. The Elk Trail Water Improvement Project (Project) will extend the system to serve approximately 200 parcels. On August 26, 2011, the bids for the Project were opened. Disney/Springline Joint

Venture (DSJV) was the apparent low bidder, with the second low bidder TICO Construction Company Incorporated (TICO).

DSJV's bid has been determined to be non-responsive for failure to submit the Disadvantaged Business Enterprise Information Form (EPA Form 6100-3) with the bid package, failure to demonstrate and document that DSJV used the services and assistance of the Small Business Administration and the U.S. Minority Business Development Agency to solicit bids from disadvantaged groups prior to submitting its bid, and failure to demonstrate in its bid that DSJV has five years' experience involving work of similar type and complexity. The second low bidder (TICO) met the specifications. Mr. Minturn requested TICO be awarded the contract for construction of the Elk Trail Water Improvement Project, conditioned upon approval by the Environmental Protection Agency.

By motion made, seconded (Kehoe/Hawes) and unanimously carried, the Board of Supervisors denied the protest of Sanco Pipelines, Inc. to award the contract to TICO Construction Company Incorporated (TICO) for the Elk Trail Water Improvement Project.

By motion made, seconded (Hawes/Moty) and unanimously carried, the Board of Supervisors found that Disney/Springline Joint Venture's (DSJV) bid for construction is non-responsive for failure to submit the Disadvantaged Business Enterprise Information Form (EPA Form 6100-3) with the bid package, failure to demonstrate and document that DSJV used the services and assistance of the Small Business Administration and the U.S. Minority Business Development Agency, as appropriate, prior to submitting its bid, and failure to demonstrate in its bid that DSJV has five years' experience involving work of similar type and complexity.

By motion made, seconded (Moty/Hawes) and unanimously carried, the Board of Supervisors awarded to the lowest responsive and responsible bidder, TICO, on a unit-cost basis, the contract for construction of the Elk Trail Water Improvement Project in the amount of \$7,129,400, including the Base Bid and Additive No. 1, conditioned upon approval by the Environmental Protection Agency.

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c).

10:07 a.m.: The Board of Supervisors recessed to Closed Session.

10:56 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 anticipated litigation.

In the matter of Estate of Jean Lysek, a probate case that involves a gift of two parcels of land to Shasta County, the Board of Supervisors, by a 5-0 vote, authorized the County Counsel's

Office to file an ancillary probate action and authorized the Shasta County Public Administrator to act as the administrator in the matter.

No other reportable action was taken.

10:57 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy