

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, November 13, 2012

**REGULAR MEETING**

9:02 a.m.: Chairman Moty 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 Executive Officer - Larry Lees  
County Counsel - Rubin E. Cruse, Jr.  
Administrative Board Clerk - Linda Mekelburg  
Typist Clerk III - Candice Martin

**INVOCATION**

Invocation was given by Pastor Dennis McGowan, Living Room Ministries International.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Helen Chambers informed the Board of Supervisors of the annual Charity Trail of Trees at the Mt. Shasta Mall, which is an event sponsored by several local non-profit agencies; profits go to local children's services.

Jane Steinhurst and Jane Bailey requested the Board of Supervisors consider employees and the sacrifices they have already made during the upcoming employee-employer labor negotiations.

Nancy and Larry Young discussed problems they recently encountered with the Sheriff's Office during a recent theft on their property.

Dolores Lucero discussed crime in Shasta County and issues with the Sheriff's and District Attorney's Offices.

**REGULAR CALENDAR**

**BOARD MATTERS**

**EMPLOYEE OF THE MONTH**  
**ELIGIBILITY WORKER III TRINA NUÑEZ**  
**RESOLUTION NO. 2012-125**

At the recommendation of Health and Human Services Agency (HHS)A)-Regional Services Branch Director Melissa Janulewicz and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-125, which recognizes Eligibility Worker III Trina Nuñez as Shasta County’s Employee of the Month for November 2012.

(See Resolution Book No. 53)

**CERTIFICATE OF RECOGNITION**  
**SHASCOM 9-1-1 SYSTEMS ADMINISTRATOR KATHY G. GALEY**

The Board of Supervisors presented a Certificate of Recognition to SHASCOM 9-1-1 Systems Administrator Kathy G. Galey upon her retirement after more than 33 years of public service.

**PROCLAMATION: SHASTA COUNTY COMMUNITY FOUNDATION WEEK**

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 12-18, 2012 as Shasta County Community Foundation Week in Shasta County. Shasta Regional Community Foundation Chairman Joe Tallerico accepted the proclamation.

**PRESENTATIONS**

**MENTAL HEALTH, ALCOHOL AND DRUG ADVISORY BOARD**  
**ANNUAL REPORT**

Mental Health, Alcohol and Drug Advisory Board Chairman Sandra Tary presented the Advisory Board’s 2011 Annual Report. Several projects and plans were completed in 2011, and priorities for 2012 include providing a forum for clients, family members, and other community members about needs and quality of service; promoting outreach and education regarding mental health and substance abuse services; monitoring the progress of the implementation of the Mental Health Services Act; collaborating with the National Alliance on Mental Illness Shasta County and other community organizations; and working with the HHS)A Director, Alcohol and Drug Administrator, and the Adult and Children’s Services Directors.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled the item regarding the proposed agreement with the City of Tucson for further discussion.

**CONSENT CALENDAR**

By motion made, seconded (Baugh/Hawes), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the proposed 2013 Board of Supervisors calendar):

Approved and authorized the Chairman to sign an agreement effective February 1, 2013 with the Cities of Anderson and Redding regarding the number of members on and composition of the Shasta County Air Pollution Control Board. (Administrative Office)

Rescinded the action taken on July 17, 2012 to approve a license agreement with Redding MSA Limited Partnership d.b.a. Verizon Wireless; and approved and authorized the Chairman to sign a retroactive license agreement with Redding MSA Limited Partnership d.b.a. Verizon Wireless in an annual amount of \$5,400 (paid in monthly installments) with five percent annual rent increases to provide space for existing radio communications equipment on Shasta Bally for a five-year period beginning July 1, 2010, with two optional five-year terms. (Administrative Office)

Adopted Policy Resolution No. 2012-07, which amends Administrative Policy 8-400, *Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Policy*; and Administrative Policy 8-410, *Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Policy*. (Administrative Office)

(See Policy Resolution Book)

Reappointed Charles Adamo, Robert Miller, and John Page to the Board of Building Appeals for a two-year term to December 2014. (Clerk of the Board)

Approved the proposed calendar for the Board of Supervisors meetings for 2013. (Clerk of the Board)

Approved and authorized the Tax Collector to sell up to 100 tax-defaulted properties during a public auction on February 22, 2013, and re-offer at a lower minimum bid amount any parcel that does not sell. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Victor Treatment Centers, Inc. in an amount not to exceed \$250,000 to provide day treatment, day rehabilitation, mental health, and medication management services for eligible children for the period July 1, 2012 through June 30, 2013. (Health and Human Services Agency (HHS)-Children's Services)

Adopted Resolution No. 2012-126, which ratifies the signature of the Sheriff on and the submission of the Fiscal Year 2012-13 Marijuana Suppression Program; and agrees to not supplant expenditures and abide by the statutes, regulations, and terms and conditions of the grant. (Sheriff)

(See Resolution Book No. 53)

Approved and authorized the Chairman to sign a renewal agreement with North State Security in an amount not to exceed \$330,000 to provide inmate security services off-site of the Shasta County Jail from the date of signing through June 30, 2015, with two automatic one-year renewals. (Sheriff)

Approved and authorized the Chairman to sign revised Equitable Sharing Agreement and Certification Affidavits outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2011-12 for the Sheriff's Office and the District Attorney's Office. (Sheriff/District Attorney)

Approved and authorized the Chairman to sign an amendment to the agreement with Bella Vista Water District extending the term to October 15, 2014 to relocate an existing waterline as part of the Swede Creek Road at Little Cow Creek Bridge Replacement Project; and revising the reimbursement timeline and termination clauses. (Public Works)

Adopted Resolution No. 2012-127, which authorizes Shasta County to recover its costs in the amount of \$12,982.70 to abate nuisance conditions on the following parcels by means of special assessments and liens:

Shirley Willott	Assessor's Parcel No. 206-270-004	\$5,829.44
Yukiko Walker	Assessor's Parcel No. 088-110-025	\$7,153.26

(Resource Management-Building Division)

(See Resolution Book No. 53)

### **ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

#### **AGREEMENT: CITY OF TUCSON**

#### **ONLINE SALE OF SHASTA COUNTY SURPLUS ITEMS**

In response to questions by Supervisor Kehoe, Department of Support Services Director Michelle Schafer explained that Shasta County has contracted with the City of Tucson to utilize their online auction site to sell specific surplus County property. Shasta County will receive a higher price than if the item were to be auctioned locally. The proposed contract has been updated to reflect recent changes to California law regarding collection of sales tax.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal contract with the City of Tucson in the amount of seven percent of the gross sale of surplus County equipment to utilize the Public Surplus website for online surplus sales for Shasta County effective the date of signing until terminated by either party. (Support Services-Purchasing)

10:02 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta Joint Powers Financing Authority.

### **SHASTA JOINT POWERS FINANCING AUTHORITY**

#### **ADMINISTRATIVE OFFICE**

#### **REFUNDING OF 2003 SERIES A COUNTY ADMINISTRATION**

#### **BUILDING PROJECT BONDS**

#### **SHASTA JOINT POWERS FINANCING AUTHORITY RESOLUTION NO. 2012-01**

Administrative Fiscal Chief Bebe Palin presented the staff report, explaining that current low interest rates will allow Shasta County to save an estimated \$1 million or more by refinancing the outstanding revenue bonds for the Shasta County Administration Center. In response to a question from Supervisor Hawes, Ms. Palin noted that, since the rate of smoking has gone down, Tobacco Settlement Funding does not completely cover the bond payments; the refinancing should assist in that regard. Mrs. Palin noted that current law requires a roll call vote.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Shasta Joint Powers Financing Authority adopted Shasta Joint Powers Financing Authority Resolution No. 2012-01, which authorizes the defeasance and refunding of the 2003 Series A County Administration Building Project Bonds and the indenture in an aggregate principal amount not to exceed \$40,000,000 with a lease term ending not later than April 1, 2033, under certain specified conditions; approves and authorizes the execution and delivery of an indenture, an assignment agreement, site lease, a lease, a bond purchase agreement, an official notice inviting bids, a termination agreement, and escrow instructions; approves and authorizes County officers and staff to sign documents to execute the site lease, the lease, the bond purchase agreement, the official notice inviting bids, continuing disclosure certificate, termination agreement, escrow instructions, and other necessary or advisable documents; approves the preliminary official statement; approves the procurement of municipal bond insurance or guaranty; ratifies all actions taken by any officers, employees, or agents of Shasta County regarding issuance, delivery, or sale of the refunding bonds or connected agreements, documents, instruments, and certificates; designates officers for the refunding; and approves and authorizes the designated officers to sign documents necessary for the issuance and sale of the refunding bonds.

The vote was as follows:

District No. 3 - Supervisor Hawes - Aye  
 District No. 5 - Supervisor Baugh - Aye  
 District No. 1 - Supervisor Kehoe - Aye  
 District No. 2 - Supervisor Moty - Aye  
 District No. 4 - Supervisor Hartman - Aye

(See Shasta Joint Powers Financing Authority Resolution Book)

10:07 a.m.: The Shasta Joint Powers Financing Authority adjourned, and the Shasta County Board of Supervisors reconvened.

## **REGULAR CALENDAR, CONTINUED**

### **GENERAL GOVERNMENT**

### **ADMINISTRATIVE OFFICE**

#### **REFUNDING OF 2003 SERIES A COUNTY ADMINISTRATION BUILDING PROJECT BONDS RESOLUTION NO. 2012-128**

Administrative Fiscal Chief Bebe Palin presented the staff report and noted that current law requires a roll call vote.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-128, which authorizes the defeasance and refunding of the 2003 Series A County Administration Building Project Bonds and the indenture in an aggregate principal amount not to exceed \$40,000,000 with a lease term ending not later than April 1, 2033, under certain specified conditions; approves and authorizes the execution and delivery of a site lease, a lease, a bond purchase agreement, an official notice inviting bids, a termination agreement, and escrow instructions; approves and authorizes County officers and staff to sign documents to execute the site lease, the lease, the bond purchase agreement, the official notice inviting bids, continuing disclosure certificate, termination agreement, escrow instructions, and other necessary or advisable documents; approves the preliminary official statement; approves the procurement of municipal bond insurance or guaranty; ratifies all actions taken by any officers, employees, or agents of Shasta County regarding issuance, delivery, or

sale of the refunding bonds or connected agreements, documents, instruments, and certificates; designates officers for the refunding; and approves and authorizes the designated officers to sign documents necessary for the issuance and sale of the refunding bonds.

The vote was as follows:

- District No. 5 - Supervisor Baugh - Aye
- District No. 3 - Supervisor Hawes - Aye
- District No. 1 - Supervisor Kehoe - Aye
- District No. 2 - Supervisor Moty - Aye
- District No. 4 - Supervisor Hartman - Aye

(See Resolution Book No. 53)

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Executive Officer (CAO) Larry Lees had no legislative update.

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

Supervisor Baugh recently attended a Local Agency Formation Commission (LAFCO) executive meeting.

Supervisor Moty recently attended a Sierra-Sacramento Valley Emergency Medical Services (SSV-EMS) meeting.

Supervisors reported on issues of countywide interest.

**PUBLIC WORKS**

**AGREEMENT: USA WASTE OF CALIFORNIA, INC.  
RESIDENTIAL AND COMMERCIAL WASTE COLLECTION  
INTRODUCTION OF ORDINANCE AMENDING  
SHASTA COUNTY CODE CHAPTER 8.32**

Public Works Director presented the staff report and recommended approval of the request. In response to questions by Supervisors, Supervising Engineer John Heath confirmed that USA Waste of California, Inc. provides a commercial and residential recycling program. USA Waste of California, Inc. Representative Matt Fryer clarified that, in reference to their vehicles operating on compressed natural gas (CNG), USA Waste plans to build a CNG fueling station that would eventually be available to the public for those people whose vehicles run on CNG.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends Shasta County Code Chapter 8.32, *Refuse Collection and Disposal*; and approved and authorized the Chairman to sign a franchise agreement with USA Waste of California, Inc. to provide residential and commercial waste collection in the unincorporated area of Shasta County (excluding the Castle Rock School District and Intermountain areas) for the period December 14, 2012 through July 1, 2022.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Executive 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.

10:37 a.m.: The Board of Supervisors recessed to Closed Session.

11:30 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 E. Rubin Cruse, Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Rubin E. Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

11:31 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy