

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 9, 2012

REGULAR MEETING

9:01 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
 Agency Staff Services Analyst - Amy Cavender

INVOCATION

Invocation was given by Pastor Nathan Blank, Little Country Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Salvation Army Advisory Board Member Murray Blake thanked the Board of Supervisors and other agencies for assisting them in their efforts to help victims of the recent fires and reminded them that there will be a kick-off meeting in the near future for the annual Red Kettle Project.

Delores Lucero questioned whether the Election Code allows a sitting Shasta Lake Council member to work in the polls on Election Day.

REGULAR CALENDAR

BOARD MATTERS

EMPLOYEE OF THE MONTH
DEPUTY PUBLIC GUARDIAN DEBRA CORNELL
RESOLUTION NO. 2012-120

At the recommendation of Health and Human Services Agency (HHS) Branch Director Dean True and by motion made, seconded (Hawes/Hartman), and unanimously carried, the

Board of Supervisors adopted Resolution No. 2012-120, which recognizes Deputy Public Guardian Debra Cornell as Shasta County's Employee of the Month for October 2012.

(See Resolution Book No. 53)

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Moty noted that the items regarding the short-term loan to Shasta Lake Fire Protection District and the approval of the minutes were pulled for public comment.

CONSENT CALENDAR

By motion made, seconded (Baugh/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 an agreement with Hawkins Delafield & Wood LLP in the amount of \$2,500 to provide bond counsel services relative to the Lease Revenue Bonds 2003 Series B (Justice Center Project) from the date of signing through the completion of services or June 30, 2013, whichever is earlier. (Administrative Office/County Counsel)

To re-budget the purchase of two replacement vehicles from Fiscal Year 2011-12 to Fiscal Year 2012-13, approved a budget amendment increasing appropriations in the amount of \$54,000 in the Agricultural Commissioner/Sealer of Weights and Measures budget in Trans Out Fleet Management, to be offset by General Fund contingency reserve; approved a budget amendment increasing revenues in the amount of \$54,000 in the Fleet Management budget in Trans In from the Agricultural Commissioner/Sealer of Weights and Measures budget; and authorized the Auditor-Controller to pay claims associated with the budget amendments. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved and authorized the Chairman to sign an amendment to the agreement with SunGard in the amount of \$33,370 from the date of signing through September 30, 2013, or earlier as the project is completed, to enable the conversion of the countywide IFAS integrated financial system from a UNIX-based system to a Windows-based system; and in the amount of \$24,750 for annual license and maintenance fees effective the date of signing. (Auditor-Controller)

Approved and authorized the Chairman to sign the County Claims List totaling \$2,700 requiring special board action. (Auditor-Controller)

Enacted Ordinance No. SCC 2012-08, which amends Shasta County Code Chapter 2.28, *Health and Human Services Agency*, as introduced September 25, 2012.

(See Shasta County Code Ordinance Book)

Adopt Salary Resolution No. 1412, which deletes one Chief Technology Officer position and adds one Chief Information Officer position in the Information Technology Department budget effective October 21, 2012; revised the job specifications for the position to change the title from Chief Technology Officer to Chief Information Officer and make other minor modifications; and adopted Resolution No. 2012-120, which amends the *Personnel Rules* to change references from Chief Technology Officer to Chief Information Officer. (Support Services)

(See Salary Resolution Book)

(See Resolution Book No. 53)

Adopted Resolution No. 2012-121, which repeals Resolution No. 2012-113 and notifies the Public Employees' Retirement System of the County's contribution to the 2013 group health insurance premium for the Mid-Management Bargaining Unit. (Support Services)
(See Resolution Book No. 53)

Approved and authorized the Chairman to sign an agreement and an acknowledgement with American Type Culture Collection at no cost to receive reagents for influenza testing purposes effective the date signed by both parties until terminated by either party; and approved and authorized the Director of Public Health or his/her designee to sign amendments (including retroactive) to the agreement and other agreement-related documents that do not result in substantive or functional changes. (Health and Human Services Agency (HHS)-Public Health)

Approved and authorized the Chairman, the Health and Human Services Agency (HHS) Branch Director, Public Health, and the HHS Branch Director, Business and Support Services to sign an agreement with the California Office of Traffic Safety (#20923) to pay Shasta County an amount not to exceed \$133,000 for Federal Fiscal Year 2013 to promote safe driving through the Shasta Teens Drive to Survive Program; approved and authorized the HHS Director or his/her designee to sign amendments (including retroactive) to the agreement and other agreement-related documents resulting in a net change of no more than \$20,000 and other minor, non-monetary amendments as necessary; and found the agreement categorically exempt in conformance with the California Environmental Quality Act (CEQA). (HHS-Public Health)

Approved and authorized the Chairman to sign retroactive agreements to reimburse Shasta County for software licenses and customization, consulting, implementation, and training services from Allvest, Inc. for the period January 1, 2012 through December 31, 2012 with the County of Lake (12 licenses) in an amount not to exceed \$5,176.36 plus \$120 per employee per day for staff training; and the County of Modoc (3 licenses) in an amount not to exceed \$10,735.16 plus \$120 per employee per day for staff training. (Probation)

Approved and authorized the Chairman to sign a retroactive agreement with the County of Tehama to reimburse Shasta County an amount not to exceed \$12,767 for coordination, consulting, and staff training services by Sam Leach LLC d.b.a. Candor Consulting for the period February 1, 2012 through January 31, 2013. (Probation)

Approved and authorized the Chairman to sign a memorandum of understanding with the County of Del Norte in the amount of \$80 per inmate per day to house sentenced Shasta County inmates in the Del Norte County Jail for one year from the date of the final signature, with three optional one-year renewals. (Sheriff)

Approved and authorized the Chairman to sign a memorandum of understanding with the County of Mendocino in the amount of \$80 per inmate per day to house sentenced Shasta County inmates in the Mendocino County Jail for one year from the date of the final signature, with three optional one-year renewals. (Sheriff)

Approved and authorized the Chairman to sign a retroactive amendment to the contract with the Bureau of Reclamation at no increase in total compensation to extend the term of the contract for patrol services at Shasta Dam to September 30, 2012. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Cove Road Slide Repair and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with PACE Engineering, Inc. increasing compensation by \$25,100 (for a new total not to exceed \$229,330) for additional design and inspection of the Crag View Water Treatment Plant Improvement Project. (County Service Area No. 23-Crag View Water)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

SHORT-TERM LOAN
SHASTA LAKE FIRE PROTECTION DISTRICT
RESOLUTION NO. 2012-122

County Executive Officer (CEO) Larry Lees explained that occasionally, special districts encounter financial difficulties and request a short-term loan from the General Fund. The loan is then repaid from the property tax apportionment provided to the district.

Delores Lucero questioned whether a loan should be made to the Fire Protection District when they have had to close two fire stations because of funding issues.

By motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-122, which approves a short-term loan in the amount of \$155,250 to the Shasta Lake Fire Protection District from the County General Reserve which will be repaid from the District's tax apportionment. (Administrative Office)

(See Resolution Book No. 53)

MINUTES: AUGUST 28, SEPTEMBER 11, 18, AND 25, AND OCTOBER 2, 2012

Delores Lucero suggested that Supervisor Hartman should recuse from voting on any issues which involve veterans because of her current employment with the California Department of Veterans Affairs.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on August 28, September 11, September 18, September 25, and October 2, 2012, as submitted. (Clerk of the Board)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Kehoe recently attended an Emergency Food and Shelter Program Committee meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

HEALTH AND HUMAN SERVICES AGENCY (HHSA) DIRECTOR APPOINTMENT
DONNELL EWERT, M.P.H.

Charles Alexander discussed the politicization of the Public Health Department and the move away from a department that provides traditional public health care and toward a department that implements policies promoting a healthy lifestyle.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors appointed Donnell Ewert, M.P.H. as the Health and Human Services Agency (HHS) Director effective November 18, 2012.

CLOSED SESSION ANNOUNCEMENT

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled Maynard v. County of Shasta, Jeremiah Brook v. County of Shasta, In re New Directions to Hope, and Esmeralda Sanchez Garcia, et al. v. Shasta County, et al., pursuant to Government Code section 54956.9, subdivision (a).

9:51 a.m.: The Board of Supervisors recessed to Closed Session.

10:30 a.m.: The Board of Supervisors recessed from Closed Session.

1:03 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Moty, Hawes, Hartman, and Baugh, County Executive Officer Larry Lees, County Counsel Rubin Cruse, Jr., Administrative Board Clerk Linda Mekelburg, and Agency Staff Services Analyst Amy Cavender present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation.

In the matter of Mary Maynard v. County of Shasta, a workers' compensation claim, the Board of Supervisors, by a 5-0 vote, approved the Stipulations with Request for Award for Mary Maynard at the level of 54 percent, totaling \$60,276.86.

In the matter of Jeremiah Brooke v. County of Shasta, a case that involves allegations of injuries received as a result of an incident between inmates, by a 5-0 vote, the Board of Supervisors gave approval to defend this action and authorized the County Counsel's Office to assign this case to Gary Brickwood, Esq.

1:04 p.m.: Supervisor Kehoe entered the Chambers.

In the matter of Esmeralda Sanchez Garcia, et al. v. County of Shasta, et al., a case that involves allegations of unlawful seizure of marijuana, by a 5-0 vote, the Board of Supervisors gave approval to the County Counsel's Office to defend this action.

No other reportable action was taken.

REGULAR CALENDAR, CONTINUED**GENERAL GOVERNMENT****AUDITOR-CONTROLLER INTERVIEWS
OFFER OF APPOINTMENT**

In preparation for conducting interviews of candidates for the position of Auditor-Controller, County Executive Officer (CEO) Larry Lees and Chairman Moty presented the rules that the Board must follow during the interview process. The interviews then began and were conducted over the following two-day period: Tuesday, October 9, 2012 and Wednesday, October 10, 2012. The Board of Supervisors recessed at 2:43 p.m. on Tuesday, October 9, 2012 and reconvened in Open Session at 8:33 a.m. on Wednesday, October 10, 2012.

Each candidate interviewed was given an opportunity to present an overview of his or her experience and qualification. Each candidate then answered individual, prepared questions by each Board Member, followed by additional questions regarding their application information or clarification of a previous answer. Following the formal question-and-answer session, the applicants presented closing statements. The following candidates were interviewed by the Board of Supervisors:

Jill Kathleen Ault
Gerald H. Martin
Kimberly A. Pickering
Laura Redwine

Nancy Warsinger
Brendon Farrar
Brian Muir

Candidates Forrest (Skip) A. Silva and Lorri Rossi withdrew their applications.

At the conclusion of the interview process, Board Members presented his or her list of their top two candidates and explained the basis for their recommendations. Following this discussion, and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors offered Brian Muir the appointment to fill the Auditor-Controller vacancy upon the retirement of the elected Auditor-Controller on December 31, 2012, conditioned on his satisfactory completion of a background investigation.

9:29 a.m.: The Board of Supervisors adjourned on Wednesday, October 10, 2012.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy