

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 11, 2013

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 Giacomini
District No. 4 - Supervisor Schappell
District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Candice Martin

INVOCATION

Invocation was given by Pastor Jeffrey Smith, St. Luke's Anglican Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

**SHASTA COUNTY TOTAL WORKER HEALTH PROGRAM
EMPLOYEE WELLNESS AND APPRECIATION DAY
RESOLUTION NO. 2013-048**

Interim Support Services Director Angela Davis provided a report regarding the success of the Shasta County Total Worker Health Program.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates June 18, 2013 as Employee Wellness and Appreciation Day in Shasta County.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-048, which repeals Resolution No. 2011-100, authorizes the Department of Support Services to make non-customary or normal expenditures and sign claims in an amount not to exceed \$2,500 per fiscal year for Employee Wellness and Appreciation event promotional items, authorizes the Auditor-Controller to pay claims associated with the activities supported by the Program, authorizes the Department of Support Services to accept and receive donations and reimbursements from vendors or other interested

parties, to be deposited into expenditure accounts and applied against County expenses, and authorizes the Department of Support Services to receive donations in compliance with Administrative Policy 2-401, *Acceptance of Donations*, and make advance payments to vendors in an amount not to exceed \$2,500 per fiscal year regarding Employee Wellness and Appreciation events.

(See Resolution Book No. 54)

PRESENTATIONS

UPDATE: WHISKEYTOWN NATIONAL PARK

Whiskeytown National Park Superintendent Jim Milestone said Whiskeytown Recreation Area is a national park site in a mountain lake setting, providing recreation opportunities while conserving the scenic, scientific, natural, and cultural values for the enjoyment and inspiration of present and future generations. Various activities include a kayak program, hikes, gold panning tours, swimming, horseback riding, and mountain bike riding.

PUBLIC COMMENT PERIOD - OPEN TIME

Dr. John Key stated he is a member of Heartland Institute, which addresses concerns over the global warming debate.

Integrity Project Chairman Wayne Paxton, as a consultant for Reverage Anselmo, stated that work has taken place with Resource Management to resolve the violations.

Peter Scales expressed concerns regarding the issues with the Reverage Anselmo lawsuit.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the item regarding the expenditure of purchases for first-time offenders supervised by the Probation Department had been pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Baugh/Giacomini), 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 a software maintenance and support agreement with Megabyte Systems, Inc. for the period July 1, 2013 through June 30, 2014 for a renewal agreement in an estimated amount of \$176,872.67; and web services addendum in the amount of \$5,154.70. (Assessor/Auditor-Controller/Treasurer-Tax Collector/Information Technology)

Approved and authorized the Chairman to sign the County Claims List totaling \$9,982.33 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on June 4, 2013, as submitted. (Clerk of the Board)

Adopted Resolution No. 2013-049, which approves hearing procedures for the Shasta County Board of Building Appeals. (Clerk of the Board)
(See Resolution Book No. 54)

Appointed Fred Ryness to the Burney Water District Board of Directors pursuant to Elections Code section 10515(b) for a term to expire December 2016. (Clerk of the Board)

Directed the Clerk of the Board to provide notice to Fall River Joint Unified School District, Gateway Unified School District, North Cow Creek Elementary School District, Pacheco Union Elementary School District, and Shasta Union High School District that the Board of Supervisors will not authorize issuance of tax and revenue anticipation notes on behalf of the Districts so the Districts can issue notes independent of Shasta County. (County Counsel)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2012, to the agreement (#10-NNA45) with the California Departments of Alcohol and Drug Programs (ADP) and Health Care Services (DHCS) for Shasta County to provide alcohol and other drug treatment and prevention services, extending the term through June 30, 2014 (from June 30, 2013); increasing maximum compensation by \$1,562,120 (for a new maximum of \$6,629,633) to add Fiscal Year 2013-14 funding; and implementing a contingency assignment of the agreement to DHCS should ADP be eliminated as a result of the Fiscal Year 2013-14 Budget Act. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Northern California Youth and Family Programs to revise the independent living program contract budgets for Fiscal Years 2012-13 and 2013-14, and approved and authorized the HHS Director or his/her designee to approve certain amendments to the agreement; and authorized the Auditor-Controller to pay claims associated with the agreement. (HHS-Children's Services)

Approved and authorized the Chairman to sign agreements to provide mental health services to eligible children for the period July 1, 2013 through June 30, 2014 with Youth for Change in an amount not to exceed \$200,000; Milhous Children's Services, Inc. in an amount not to exceed \$150,000; and FamiliesFirst, Inc. in an amount not to exceed \$100,000. (HHS-Children's Services)

Authorized the surplus of a former capital asset where relief of accountability was granted on May 17, 2011. (District Attorney)

Reviewed the application for the Fiscal Year 2013 Edward Byrne Memorial Justice Assistance Grant; approved and authorized the Sheriff to apply for the grant in the amount of \$41,057 for the period October 1, 2012 through September 30, 2016 to purchase up to 50 replacement computer workstations; and set a public hearing for June 25, 2013 at 9:00 a.m., or as soon thereafter as may be heard, as required by the U.S. Department of Justice, Bureau of Justice Assistance. (Sheriff)

Approved a budget amendment transferring appropriations in the amount of \$1,065 within the Fiscal Year 2012-13 Facilities Administration budget and increasing revenue in the Fleet Management Replacement budget by \$1,065 to purchase a surplus 2001 vehicle. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

INCENTIVE PROGRAM FOR PROBATION DEPARTMENT-SUPERVISORS LOW-LEVEL OFFENDERS

Chief Probation Officer Wes Forman explained the current resolution deals with juvenile offenders. The proposed resolution allows the addition of adult offenders to the program to

motivate positive change to reduce recidivism. A variety of incentives and rewards will be used to encourage low-level or first-time offenders in programs to change behavior.

In response to questions by Supervisor Kehoe, Mr. Forman confirmed that offenders that are supervised by the Probation Department staff must abide by the terms and conditions of the restrictions placed upon them.

Supervisor Baugh referred to the minutes of the August 21, 2012 Board of Supervisors meeting, where it was noted that accountability of the purchases made by the offenders should take place. Mr. Forman stated that he was not prepared to provide that information.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors continued the matter to a later date to allow specific time to provide a list of previous expenditures and accountability or effects on recidivism. (Probation)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

LAW AND JUSTICE

PROBATION

PROBATION DEPARTMENT FEE SCHEDULE **INTRODUCTION OF ORDINANCE**

This was the time set to conduct a public hearing to consider adopting revisions to the fee schedule for the Probation Department. Chief Probation Officer Wes Forman presented the staff report and recommended adoption of the revised fees. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In reply to questions by Supervisors, Senior Deputy County Counsel David Yorton stated that some of the fees require the approval of the presiding judge; however, the fee ordinance is adopted by the Board of Supervisors. The ordinance allows for the collection of fees.

By motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which repeals Resolutions No. 91-175, 92-256, 96-108, and 96-109 and revises the Probation Department fee schedule to reflect changes in certain amounts and establish new fees.

PUBLIC WORKS**ISSUANCE OF TAX-EXEMPT REVENUE BONDS
BY WASTE MANAGEMENT, INC.
RESOLUTION NO. 2013-050**

This was the time set to conduct a public hearing to consider approving the issuance of tax-exempt revenue bonds by Waste Management, Inc. (WM) to finance capital acquisition and improvement projects at various refuse collection, disposal, and recycling facilities located at the Anderson Landfill. Director of Public Works Pat Minturn presented the staff report and recommended approval of the project. The Notice of Public 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 agreement, and the public hearing was closed.

By motion made, seconded (Giacomini/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-050, which approves the issuance of tax-exempt revenue bonds by Waste Management, Inc. (WM) to finance capital acquisition and improvement projects at various refuse collection, disposal, and recycling facilities located across the State of California in the aggregate principal amount not to exceed \$100 million, of which an amount not to exceed \$40 million is for WM projects located within the territorial limits of the County of Shasta, of which \$5 million is for a WM project located at the Anderson Landfill.

(See Resolution Book No. 54)

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 legal counsel to discuss existing litigation entitled Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. Russ Mull, et al. and related cross-complaint; Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. County of Shasta, et al.; County of Shasta, et al. v. Reverage Anselmo, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with its Labor Negotiators, County Executive Officer Larry Lees, Interim Personnel Director Angela Davis, 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.

10:23 a.m.: The Board of Supervisors recessed to Closed Session.

11:35 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 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 and labor negotiations; however, no reportable action was taken.

11:36 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy