

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 10, 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 Phil Harper, Community of Christ.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

County Executive Officer (CEO) Larry Lees announced that 80 structures have been lost due to the Clover Fire. Shasta County Fire Warden and Shasta County CAL FIRE Unit Chief Rick Kyle is conducting the operations to get the fire under control. At this time, the fire is nearly 8,000 acres, and there has been significant damage to property. Sheriff's Office staff handled evacuations and traffic control, the Department of Public Works maintained road closures and began initial damage assessment. The fire may rise to the level of a state emergency.

Sheriff Bosenko said staff remain on scene and patrol the areas to prevent crimes.

Director of Resource Management Rick Simon stated that the Air Quality Management District is monitoring the air due to the smoke from the fire. It has not yet risen to the level of declaring a health hazard. There are plans to expedite the process of assisting those that have lost homes or structures.

David Anderson said numerous methamphetamine addicts are stealing personal property and acting in an aggressive manner in the community, and he requested action by law enforcement.

Sobering Choice Coalition Project Director Cathy Grindstaff said her son had been killed by a drunk driver and expressed continued concern regarding students involved in the sale of drugs.

Cheri Beck expressed appreciation for the bike lanes in Shasta County and issued invitations to the 75th anniversary celebration of the construction of Shasta Dam.

Joann Owen opposed the growth of medical marijuana.

CONSENT CALENDAR

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

Adopted Resolution No. 2013-084, which approves the Fiscal Year 2013-14 County Tax Rate; the Unitary Debt Service Rate; and the tax rates for bond sinking funds, state school building loan payments, and voter-approved debt. (Auditor-Controller)

(See Resolution Book No. 54)

Accepted the annual report of shortage reimbursements in the amount of \$1,837.09 for Fiscal Year 2012-13. (Auditor-Controller)

Approved the minutes of the meeting held on August 20, 2013, as submitted. (Clerk of the Board)

Approved a budget amendment increasing appropriations in the Economic Development Budget Unit by \$300 offset by the General Fund contingency reserve. (County Administrative Office)

Approved and authorized the Chairman to sign a retroactive agreement with the Regents of the University of California in the amount of \$1,250 to provide computer and software technical assistance associated with the Automated Vital Statistics System for the period July 1, 2013 through June 30, 2014; and approved and authorized the Health and Human Services Agency Director, or his/her designee, limited authority to execute prospective and retroactive amendments and other documents related to the agreement that result in a net change of no more than \$150, and other minor, non-monetary prospective and retroactive amendments as necessary. (Health and Human Services Agency (HHS)-Public Health)

Approved and authorized the Chairman, Health and Human Services Agency (HHS) Branch Director-Public Health Terri Fields Hosler, and HHS Branch Director-Business and Support Services Leanne Link to collectively sign revenue agreement #AL1415 in the amount of \$131,050 with the Office of Traffic Safety to promote safe driving through the Teens Drive Safe in Shasta program for the period October 1, 2013 through September 30, 2014; and authorized the HHS Director, or his/her designee, limited authority to execute prospective and retroactive amendments and other documents related to the agreement that result in a net change of no more than \$20,000, and other minor, non-monetary amendments as necessary. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive agreement with the City of Redding to compensate County of Shasta in the amount of \$20,000 to administer Homeless Continuum of Care activities for the period July 1, 2013 through June 30, 2014; and approved and authorized the Director of Housing and Community Action Programs to sign the expense reimbursement request and progress reporting forms and the anti-lobbying certification. (Housing and Community Action Programs)

Approved a budget amendment increasing appropriations by \$200,000 to provide interim financing to conclude the Elk Trail project in the Fiscal Year 2013-14 Community Services Area

(CSA) No. 6-Jones Valley Water budget and authorize the use of fund balance for this purpose. (Public Works-CSA #6-Jones Valley Water)

Awarded to the low bidder, J.F. Shea Construction, Inc., on a unit-cost basis, the contract for construction on the Palo Cedro Bike Lanes and Pedestrian Improvements Project in the amount of \$374,726. (Public Works)

For the Fall River Mills Airport, approved and authorized the Chairman to sign an agreement with Mead and Hunt, Inc. in the amount not to exceed \$99,500 to provide design and construction review services for five years; and adopted a Negative Declaration and authorize the Public Works Director to sign a Notice of Exemption for the first phase of the design work in conformance with the California Environmental Quality Act (CEQA). (Public Works)

Approved a budget amendment increasing appropriations by \$19,588 in the Community Services Area (CSA) No. 1 County Fire budget, to be offset with the use of fund balance to purchase one dispatch workstation; and re-budgeted a capital asset account in the amount of \$19,588 to purchase one dispatch workstation. (County Fire)

9:26 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SHASTA COUNTY WATER AGENCY

CONSENT CALENDAR

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Shasta County Water Agency approved a budget amendment increasing appropriations by \$200,000 to provide interim financing to conclude the Elk Trail project in the Fiscal Year 2013-14 Water Agency budget and authorize the use of fund balance for this purpose.

9:27 a.m.: The Shasta County Water Agency adjourned and convened as the Shasta County Board of Supervisors.

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees presented an update on specific legislation of importance to Shasta County, including a request to send a letter of support of House of Representatives Bill No. 1526 (Hastings), *Restoring Healthy Forests for Healthy Communities Act*.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter supporting House of Representatives Bill No. 1526 (Hastings), *Restoring Healthy Forests for Healthy Communities Act*.

Supervisor Moty recently attended a Butte County Water Quality Task Force, California State Association of Counties (CSAC), Northern California Water Association Governing Board (NCWA), and Northern Sacramento Valley Integrated Regional Water Management Governing Board meetings.

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

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SUBLEASE: JUVENILE REHABILITATION FACILITY RESOLUTION NO. 2013-085

At the recommendation of County Administrative Office Analyst Julie Hope and by motion made, seconded (Schappell/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-085, which approves the Juvenile Rehabilitation Facility (JRF) Sublease (in substantially the form hereby approved), beginning September 15, 2013 and terminating when the state bonds are fully retired; ratifies prior actions taken regarding the Project Documents for the JRF project; and authorizes the County Executive Officer to complete and execute remaining necessary actions and documents, including the Facility Sublease, on behalf of the Board of Supervisors in order to facilitate the state Lease Revenue Bond Sale for financing the construction of the JRF.

(See Resolution Book No. 54)

LAW AND JUSTICE

SHERIFF/PUBLIC WORKS-FACILITY MANAGEMENT

SHERIFF'S OFFICE FALL RIVER MILLS CITIZENS' VOLUNTEER PATROL USE OF COUNTY-OWNED VEHICLE

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors approved and authorized the use of one County-owned vehicle by the Sheriff's Office Fall River Mills Citizens' Volunteer Patrol (CVP) under the conditions that the vehicle will not be included in the County replacement program, the CVP will be responsible for fuel and maintenance costs, and the Sheriff's Office will be responsible for the semi-annual safety inspection expense of \$75.

PUBLIC WORKS

PUBLIC WORKS/SHERIFF

SENATE BILL 1022 FUNDING REAL ESTATE DUE DILIGENCE BUDGET AMENDMENT

Sheriff Tom Bosenko stated in February 2013 the Board of Supervisors authorized the submittal of an application from Senate Bill 1022, the state's financing program, in order to obtain information necessary to submit the funding proposal to the state for the new medium security adult rehabilitation facility. In order to meet the preference criteria for completion of Real Estate Due Diligence, additional funds are needed for consultant and staff work, and believe a budget amendment in the amount of \$10,000 should be sufficient to fund the real estate due diligence. The applications are due October 2013.

Charles Alexander stated the previous discussion of this facility was a minimum-security facility, and is now referred to as medium security.

Sheriff Bosenko clarified that the facility would serve as a medium-security facility, the jail is a maximum security facility.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$10,000 in the Jail budget, to be offset with the use of public safety fund balance, to fund the Real Estate Due Diligence work as part of the Sheriff's Senate Bill 1022 funding proposal.

SCHEDULED HEARINGS

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE

AB 1265 (NIELSEN) LOCAL GOVERNMENT: WILLIAMSON ACT CONVERSION OF WILLIAMSON ACT CONTRACTS RESOLUTION NO. 2013-086

This was the time set to conduct a public hearing regarding the implementing pursuant to Government Code section 16142(e), the provisions authorized in Assembly Bill 1265 (Nielsen) *Local Government Williamson Act* (AB 1265) and outlined in Government Code sections 51244(b) and 51244. Administrative Analyst Megan Dorney presented the report and recommended approval of the request. 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 project, and the public hearing was closed.

By motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-086, which finds that the subvention payment the County received from the State of California for Fiscal Year 2012-13 pursuant to the Open Space Subvention Act was less than one-half of the County's actual foregone general fund property tax revenue that resulted from Williamson Act contracts, and states the Board of Supervisors' decision to implement Government Code sections 51244(b) and 51244.3 effective January 1, 2014; directed staff to notify all Williamson Act contracted landowners of the final decision of the Board of Supervisors after the conclusion of the public hearing on whether to implement the AB 1265 provisions, and the landowner's right to prevent the reduction in the term of his or her contract due to the implementation of the AB 1265 provisions by serving notice of non-renewal; and directed the County Executive Officer, Assessor-Recorder, Auditor-Controller, Tax Collector, and Director of Resource Management to take all necessary steps to implement AB 1265.

(See Resolution Book No. 54)

HEALTH AND HUMAN SERVICES

HOUSING AND COMMUNITY ACTION PROGRAMS

COMMUNITY DEVELOPMENT BLOCK GRANT REUSE PLAN RESOLUTION NO. 2013-087

This was the time set to conduct a public hearing and consider approving the Community Development Block Grant (CDBG) Reuse Plan. Director of Housing and Community Actions

Programs Richard Kuhns, Psy.D. presented the staff report and recommended approval of the plan. 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/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-087, which approves the Community Development Block Grant (CDBG) Program Income Reuse Plan; approves and authorizes the Director of Housing and Community Action Programs to sign the CDBG Program Income Reuse Plan with Jurisdictional Certifications agreement and any additional documents necessary to administer the program; and approves the transfer of the balance of the closed revolving loan accounts to the business assistance revolving loan account.

(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 County of Shasta v. Maria De Jesus Castillo, et al., and California Department of Transportation v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (2) Significant exposure to litigation: one potential case (based on the receipt of a written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Government Code section 54957.5); and
3. Confer with its Labor Negotiators, County Executive Officer Larry Lees, 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.

10:20 a.m.: The Board of Supervisors recessed to Closed Session.

11:24 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 anticipated litigation, as well as labor negotiations; however, no reportable action was taken.

11:25 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy