

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 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 - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Royal Blue, Retired.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: BILL OF RIGHTS DAY

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 15, 2013 as Bill of Rights Day in Shasta County. Donna Ellis accepted the proclamation on behalf of the Daughters of the American Revolution.

PUBLIC COMMENT PERIOD - OPEN TIME

Russ Wade opposed the excessive air pollution emitted from the Sierra Pacific cogeneration plant.

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:

Approved and authorized the Chairman to sign the Certification Statement for the State Department of Education which appoints and reappoints members to the Shasta County Local Child Care Planning Council for the period January 1, 2014 through December 31, 2014. (Administrative Office)

Appointed Robert Nash and Lemoine Waite to the Bella Vista Water District Board of Directors for terms to expire December 2017. (Clerk of the Board)

Reappointed Lynda McDaniel to the Pine Grove Mosquito Abatement District Board of Trustees for a term to expire January 2016. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with Hibser Yamauchi Architects, Inc. extending the term of the agreement to December 31, 2015 and modifying the schedule of services to provide architectural design and construction review services for the Mental Health Facility Renovation project. (Health and Human Services Agency/Public Works)

Approved the purchase of a capital asset vehicle in the amount of \$44,000 in the Sheriff Patrol budget; and a budget amendment increasing appropriations by \$62,373 in the Sheriff budget, to be offset by use of prior-year Restricted Assembly Bill (AB) 109 funds for AB 109 expenditures in the Sheriff's Work Release and Patrol budgets to purchase the capital asset vehicle, pay for facility repairs related to the proposed Work Release building location on Breslauer Way, and restore funding to specific line items within the Work Release budget. (Sheriff)

For the Public Works Building Upper North Remodel project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications, and direct the Public Works Director to advertise for bids; and authorized the opening of bids on or after February 20, 2014 at 11:00 a.m. (Public Works)

Adopted Resolution No. 2013-139, which elects to receive the full payment of Secure Rural Schools and Community Self-Determination Act of 2000 funds, and allocates 15 percent of the full payment for Title II and Title III (timber receipt funds) projects; directed staff to circulate requests for Title III projects; and directed the Resource Advisory Committee to rank Title III projects. (Public Works)

(See Resolution Book No. 54)

REGULAR CALENDAR, CONTINUED

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 considering sending letters to supporting legislation making the use or possession of water without a legal right a criminal act. Supervisor Moty stated that the theft of the water causes creeks to dry up, be changed, or be diverted; a landowner's water rights must be protected. Supervisor Schappell requested that a copy of the

letter be sent to Senator Jim Nielsen, Sheriff Tom Bosenko requested a copy of the letter forwarded to the Sheriffs' Association, and Supervisor Baugh requested a copy of the letter be sent to the Rural County Representatives of California (RCRC).

By motion made, seconded (Moty/Schappell), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign letters to Senator Ted Gaines and Assemblyman Brian Dahle supporting legislation making the use or possession of water without a legal right a criminal act, with a copy to Senator Nielsen, Sheriff Bosenko, and RCRC.

CEO Lees suggested sending a letter submitting comments on the Public Review Draft of the California Water Action Plan. Supervisor Baugh requested the letter should be amended to include the importance of the water of origin and groundwater. Supervisor Schappell requested a copy of the letter be sent to the Army Corps of Engineers.

By motion made, seconded (Baugh/Schappell), and unanimously carried, as amended, the Board of Supervisors approved and authorized the Chairman to sign a letter to the California Natural Resources Agency, California Department of Food and Agriculture, and the California Environmental Protection Agency submitting comments on the Public Review Draft of the California Water Action Plan, with a copy to the Army Corps of Engineers.

Supervisor Schappell recently attended a Fire Safe Council meeting.

Supervisor Baugh recently attended a Rural County Representatives of California (RCRC) meeting.

Supervisor Giacomini recently attended a Sierra Nevada Conservancy meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-PERSONNEL

**AMENDMENT: COMPREHENSIVE MEMORANDUM OF UNDERSTANDING
UNITED PUBLIC EMPLOYEES OF CALIFORNIA (UPEC)-GENERAL UNIT
RESOLUTION NO. 2013-140
SALARY ADJUSTMENT: UNREPRESENTED CONFIDENTIAL AND
UPEC-GENERAL UNIT EMPLOYEES
SALARY RESOLUTIONS NO. 1439 AND 1440**

At the recommendation to Director of Support Services Angela Davis and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-140, which approves an amendment to the comprehensive memorandum of understanding with the United Public Employees of California (UPEC)-General Unit for the period May 1, 2012 through April 30, 2016; adopted Salary Resolution No. 1439, which repeals Salary Resolution No. 1430 and implements salary adjustments for all UPEC-General Unit employees in the amount of three percent effective June 29, 2014 and two percent effective June 28, 2015; and adopted Salary Resolution No. 1440, which repeals Salary Resolution No. 1431 and implements salary adjustments for all Unrepresented Confidential Employees in the amount of three percent effective June 29, 2014 and two percent effective June 28, 2015.

(See Resolution Book No. 54)

(See Salary Resolution Book)

AMENDMENT: COMPREHENSIVE MEMORANDUM OF UNDERSTANDING
UNITED PUBLIC EMPLOYEES OF CALIFORNIA (UPEC)-PROFESSIONAL UNIT
RESOLUTION NO. 2013-141
SALARY ADJUSTMENT: UPEC-PROFESSIONAL UNIT EMPLOYEES
SALARY RESOLUTION NO. 1441

At the recommendation to Director of Support Services Angela Davis and by motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-141, which approves an amendment to the comprehensive memorandum of understanding with the United Public Employees of California (UPEC)-Professional Unit for the period May 1, 2012 through April 30, 2016; and adopted Salary Resolution No. 1441, which repeals Salary Resolution No. 1432 and implements salary adjustments for all UPEC-Professional Unit employees in the amount of three percent effective June 29, 2014 and two percent effective June 28, 2015.

(See Resolution Book No. 54)
(See Salary Resolution Book)

GROUP HEALTH INSURANCE PREMIUM
UNITED PUBLIC EMPLOYEES OF CALIFORNIA (UPEC)-GENERAL UNIT
UNREPRESENTED CONFIDENTIAL EMPLOYEES
UPEC-PROFESSIONAL UNIT
RESOLUTIONS NO. 2013-142, 2013-143, AND 2013-144

At the recommendation to Director of Support Services Angela Davis and by motion made, seconded (Baugh/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-142, which repeals Resolution No. 2013-100 effective January 31, 2014 and notifies the Public Employees' Retirement System (PERS) of Shasta County's contribution to the 2014 group health insurance premium for the United Public Employees of California (UPEC)-General Unit effective February 1, 2014; Resolution No. 2013-143, which repeals Resolution No. 2013-103 effective January 31, 2014 and notifies PERS of Shasta County's contribution to the 2014 group health premium for Unrepresented Confidential Employees effective February 1, 2014; and Resolution No. 2013-144, which repeals Resolution No. 2013-109 effective January 31, 2014 and notifies PERS of Shasta County's contribution to the 2014 group health premium for the UPEC-Professional Unit effective February 1, 2014.

(See Resolution Book No. 54)
(See Salary Resolution Book)

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 County of Shasta, et al. v. Reverage Anselmo, et al. and related cross-complaint, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with its Labor Negotiators, County Executive Officer Larry Lees, and Personnel Director Angela Davis, 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; and

3. Conduct its annual review of pending civil cases, pursuant to Government Code section 54956.9, subdivision (a), as follows:

1. Alford, Thomas v. Carlton, Stephen
2. County of Shasta, et al. v. Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC
3. Carpenter, Camella v. County of Shasta, et al
4. County of Tehama v. State Controller, et al. (County of Shasta, Real Party in Interest)
5. Estill, Renee v. County of Shasta, et al.
6. Jayne, Michael Aaron v. Bosenko, Tom, et al.
7. King, Jesse v. Bosenko, et al.
8. Luera, Dreis v. County of Shasta, et al.
9. Massie, Scott v. Amaya, Arik, et al.
10. Medicine Man Collective Spiritual Center Corporation v. County of Shasta, et al.
11. Myrtle, Alexis, et al. v. County of Shasta
12. Pacific, Gas & Electric (Kilarc)
13. Raymond, Robert v. Cathy Darling Allen
14. Speck, Corey v. Shasta County Sheriff, et al.
15. Sprint Telephony PCS, LP v. State Board of Equalization
16. Towers, Roger and Catherine v. County of Shasta

9:44 a.m.: The Board of Supervisors recessed to Closed Session.

11:52 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, as well as labor negotiations; however, no reportable action was taken.

11:53 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy