

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 17, 2016

REGULAR MEETING

9:01 a.m.: Chairman Giacomini 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.
Administrative Board Clerk - Candice Marlar
Administrative Board Clerk - Camile Woodstrom

INVOCATION

Invocation was given by Pastor Art Ruiz, Grace Mountain Ministries

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

PRESENTATIONS

HIGH SCHOOL VOTER EDUCATION WEEKS, APRIL 18-29, 2016

At the recommendation of County Clerk/Registrar of Voters Cathy Darling Allen, the Board of Supervisors received a report of activities which took place during the April 18-29, 2016 "High School Voter Education Weeks" and recognized 16 high school students who became voter registration coordinators.

PUBLIC COMMENT PERIOD - OPEN TIME

Ashlee Hoffman, Shirley Martineau, Millie Martinez, Terry Jensen, and Sharane Stevenson requested support from the Board of Supervisors for increased wages for In-Home Supportive Services employees.

CONSENT CALENDAR

By motion made, seconded (Kehoe/Baugh), 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 Local Planning Council Priority Submittal for the California Department of Education which identifies local priorities as determined by the Shasta County Local Child Care and Development Planning Council in accordance with Education Code requirements. (County Administrative Office)

Adopted Resolution No. 2016-042, which endorses a State of California Budget Increase of \$5.4 million to senior nutrition programs, as defined in the Older Americans Act and the Older Californians Act, and publicly encourages the California Legislature to support such action. (County Administrative Office)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign a renewal lease with William Toth in the amount of \$12,870.00 per month (\$0.99 per square foot) for the initial period July 1, 2016 through June 30, 2017, plus an annual Consumer Price Index increase not to exceed 3 percent for the period July 1, 2017 through June 30, 2021, for 13,000 square feet of office space at 1643 Market Street, Redding with five one-year optional renewals. (County Clerk/Elections)

Approved and authorized the Chairman to sign a fifth amendment to the contract of April 11, 2000 with Brickwood Law Office increasing the hourly rate from \$220 to \$285 effective May 17, 2016 to provide legal services assigned to the firm by Shasta County. (County Counsel)

Approved and authorized the Chairman to sign a renewal agreement with Mid Valley Providers, Inc. in an amount not to exceed \$750,000 during the entire term of the agreement for the provision of residential care home services for the period July 1, 2016 through June 30, 2017, with two one-year automatic renewals. (Health and Human Services Agency (HHS)-Adult Services)

Took the following actions for the 2015-16 Fiscal Year (FY) Health and Human Services Agency budget: Approved the following mid-year budget amendments for the final prior period budget adjustments for FY 2014-15: decreased appropriations by \$74,194 for the prior period adjustment in the In-Home Supportive Services (IHSS) Public Authority budget, and decreased appropriations by \$39,225 for a prior period adjustment in the Alcohol and Drug Program budget; and approved the following budget amendments to align the FY 2015-16 budget to projected revenue and expenditures: a net zero transfer within appropriations in the amount of \$478,000 in the Mental Health budget, increased appropriations and Intergovernmental Transfer revenue by \$300,000 in the Mental Health Services Act budget, increased appropriations and Realignment revenue by \$328,000 and approved a new capital asset vehicle with accessories in the amount of \$25,000 which adds one vehicle to the County Fleet in the Public Health budget, increased Services and Supplies and Miscellaneous Revenue by \$50,000 in the General Assistance budget, a net zero transfer within appropriations in the amount of \$1,476,912 and decreasing Intergovernmental Revenue by \$400,000 offset with the use of fund balance in the Social Services Assistance budget, increased Services and Supplies and Intergovernmental Revenue by \$27,964 in the IHSS Public Authority budget, and a net zero transfer within appropriations in the amount of \$100,000 in the Alcohol and Drug Programs budget. (HHS)-Business and Support Services)

Approved and authorized the Chairman to sign a Memorandum of Understanding (MOU) with the California Department of Social Services (CDSS) with no compensation to access The Work Number® online employment verification services through the TALX Corporation from the date the MOU is approved by CDSS through September 30, 2017. (HHS)-Regional Services)

Approved and authorized the Chairman to sign a retroactive renewal lease with John P. Murphy Trust in the amount of \$6,783 (\$1.05 per square foot) per month for the period April 1, 2016 through March 31, 2018, with an increase to \$7,160 (\$1.11 per square foot) per month for the period April 1, 2018 through March 31, 2019 to provide 6,460 square feet of office space at 1405, 1415, 1421, and 1423 Court Street, Redding with two one-year optional renewals. (Probation)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta Union High School District in an amount not to exceed \$118,723 for the provision of a Deputy Sheriff School Resource Officer assigned to the Foothill High School campus during the 2016-17 school year for the period August 15, 2016 through June 1, 2017. (Sheriff)

Approved and authorized the Chairman to sign a renewal agreement with the Anderson Union High School District in an amount not to exceed \$118,444 for the provision of a Deputy Sheriff School Resource Officer assigned to the West Valley High School campus during the 2016-17 school year for the period August 15, 2016 through June 1, 2017. (Sheriff)

Adopted Resolution No. 2016-043, which recognizes that the circumstances and factors that led to the May 6, 2014 proclamation of a local emergency due to drought conditions have not been resolved and that there is a need to continue the proclamation. (Public Works)

(See Resolution Book No. 57)

Adopted Resolution No. 2016-044, which recognizes that circumstances and factors that led to the October 13, 2015 proclamation of a local emergency due to the closure of the Cassel-Fall River Road at Pit River Bridge have not been resolved and that there is a need to continue the proclamation. (Public Works)

(See Resolution Book No. 57)

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 Baugh recently attended an Area Agency on Aging, PSA 2, Executive Board meeting.

Supervisor Moty recently attended a Sierra-Sacramento Valley Emergency Medical System Board meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SHASTA COUNTY GRAND JURY REPORT
"THE QUARTER MILLION DOLLAR TYPO, WORDS MATTER"
PROPOSED RESPONSE

In response to questions by Supervisor Kehoe, CEO Lees stated that the findings and responses are as follows:

FINDINGS:

1) The word “appointed” in the Staff Recommendation was omitted from Resolution 2008-138 when it was prepared and signed. This resulted in the resolution later being interpreted to include both appointed and elected executive managers (department heads).

Response: The Board of Supervisors agrees wholly with the finding.

2) As long as Resolution 2008-138 remains in place, eligibility of elected department heads for longevity stipends will continue indefinitely at the expense of taxpayers.

Response: The Board of Supervisors agrees wholly with the finding.

RECOMMENDATIONS:

1) The Grand Jury recommends that, no later than September 30, 2016, the Board of Supervisors adopts a policy of proofreading draft resolutions to ensure that they accurately reflect the staff recommendations, and that the wording of final resolutions reflects the actual action taken by the Board of Supervisors.

Response: The Board of Supervisors agrees to implement the recommendation by September 30, 2016.

2) The Grand Jury recommends that the Board of Supervisors adopts a new resolution that clearly states that the longevity stipend is applicable for appointed executive managers (department heads), but not applicable for elected officials. The Grand Jury also recommends that all stipends end for elected officials effective at the conclusion of their respective terms of office, or December 31, 2018, whichever occurs first.

Response: The Board of Supervisors agrees to implement the recommendation within the next 30 days, terminating the longevity stipend for elected department heads upon the conclusion of their respective terms of office. The Board of Supervisors has not been and is not currently eligible for the longevity stipend. Therefore, the stipend will end upon the conclusion of the current terms of office of the Assessor-Recorder, Auditor-Controller, County Clerk, District Attorney, Sheriff-Coroner, and the Treasurer/Tax Collector/Public Administrator. Pursuant to Government Code section 24200, the current terms of office of these elected department heads will end at 11:59 a.m. on January 7, 2019.

Supervisor Kehoe motioned and Supervisor Baugh seconded to approve and authorize the Chairman to sign the proposed responses.

Supervisor Kehoe requested a roll call for clarity of the motion.

Administrative Board Clerk Candice Marlar read the following motion for a roll call vote: Approve and authorize the Chairman to sign the proposed response to the Fiscal Year 2015-16 Shasta County Grand Jury Report, “The Quarter Million Dollar Typo, Words Matter”, that is consistent with the Board’s direction of May 10, 2016.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the proposed response to the Fiscal Year 2015-16 Shasta County Grand Jury Report, “The Quarter Million Dollar Typo, Words Matter”, that is consistent with the Board’s direction of May 10, 2016.

SUPPORT SERVICES-PERSONNEL

**ADMINISTRATIVE POLICY 1-101, RULE 11(D) TEMPORARY SUSPENSION
AMENDING CHAPTER 15 OF THE SHASTA COUNTY PERSONNEL RULES
ADDING 39 OF THE SHASTA COUNTY PERSONNEL RULES
RESOLUTION NO. 2016-045**

Director of Support Services Angela Davis presented the staff recommendation, which is based off the Board's previous action from the May 10, 2016 Board of Supervisor meeting.

Supervisor Kehoe motioned to approve the staff recommendation and Supervisor Moty seconded the motion.

Supervisor Moty stated he wishes that the affected elected department heads would come forward and justify why they think they deserve the longevity stipend and back payment. In addition, Supervisor Moty expressed his disdain with the affected elected department heads keeping the money as well as their retirement benefits being increased because of it. Supervisor Moty called for the affected elected department heads to return the money that has been issued due to a mistake.

Supervisor Kehoe, supported Supervisor Moty's request for the return of the money that has been issued in error.

In response to questions by Supervisor Kehoe, Ms. Davis stated that Sheriff Tom Bosenko was paid \$40,004 and Treasurer-Tax Collector-Public Administrator Lori Scott was paid \$31,649 for retroactive payments, in addition to the five percent ongoing stipend.

Supervisor Kehoe noted that the Record Searchlight recently conducted a poll to determine if the public agreed with the Grand Jury Report; the results being 94 percent of those polled agreed with the Grand Jury. Supervisor Kehoe stated that elected officials awarding and accepting a longevity stipend is in opposition to the public good and is inconsistent with the American spirit of dedicated public service.

Supervisor Kehoe requested a roll call for clarity of the motion.

Administrative Board Clerk Candice Marlar read the following motion for a roll call vote: Temporarily suspend Rule 11(d) of Administrative Policy 1-101 concerning motions for reconsideration for the Board to again consider the matter of longevity stipends for elected department heads; adopt a resolution amending Chapter 15 of the Shasta County Personnel Rules concerning Management Benefits and establishing Chapter 39 of the Shasta County Personnel Rules concerning Benefits for Elected Department Heads and the Board of Supervisors to: make elected department heads no longer eligible to receive longevity stipends beginning at 12:00 noon on January 7, 2019, establish an Internal Revenue Code 401(a) Plan for elected department heads and the Board of Supervisors effective January 1, 2017, and make clarifying amendments designed to remove ambiguity and remain consistent with all other existing County practices and benefits for elected department heads and the Board of Supervisors; and introduce and waive the reading of an ordinance which establishes the employment benefits for the Board of Supervisors as those identified in Chapter 39 of the Shasta County Personnel Rules that pertain to the Board of Supervisors, with no change in the monthly salary for each member of the Board of Supervisors as currently established.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors took the following actions: Temporarily suspended Rule 11(d) of Administrative Policy 1-101 concerning motions for reconsideration for the Board to again consider the matter of longevity stipends for elected department heads; adopted Resolution No. 2016-045, which amends Chapter 15 of the Shasta County Personnel Rules concerning Management Benefits and establishing Chapter 39 of the Shasta County Personnel Rules concerning Benefits for Elected

Department Heads and the Board of Supervisors to: make elected department heads no longer eligible to receive longevity stipends beginning at 12:00 noon on January 7, 2019, establish an Internal Revenue Code 401(a) Plan for elected department heads and the Board of Supervisors effective January 1, 2017, and make clarifying amendments designed to remove ambiguity and remain consistent with all other existing County practices and benefits for elected department heads and the Board of Supervisors; and introduced and waived the reading of an ordinance which establishes the employment benefits for the Board of Supervisors as those identified in Chapter 39 of the Shasta County Personnel Rules that pertain to the Board of Supervisors, with no change in the monthly salary for each member of the Board of Supervisors as currently established.

CLOSED SESSION ANNOUNCEMENT

Chairman Giacomini 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 Angela Davis, and Labor Consultant Leibert Cassidy Whitmore, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Management Council-Mid Management Unit, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, 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.

9:55 a.m.: The Board of Supervisors recessed to Closed Session.

10:20 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 E. 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.

10:21 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy