

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 5, 2008

REGULAR MEETING

9:01 a.m.: Chairman Hartman 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 Cibula
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Karen Jahr
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Ron Mellor, Palo Cedro Seventh-Day Adventist Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Parkview Neighborhood Association Chair Elin Klaseen presented a resolution of the Parkview Neighborhood Association, including Parkview, Wyndham, and Cerro Vista neighborhoods, opposing the proposed state re-entry facility within the City of Redding.

C. Doug Laird, Richard Johnson, and George Passidakis spoke in opposition to the proposed state re-entry facility due to the inadequate funding and adverse affects it will have on Shasta County.

Robert Pearce stated the Shasta-Tehama County Watermaster District Steering Committee has failed to provide information to water-rights holders and requested the Watermaster Board be comprised of land owners and water-rights holders.

BOARD MATTERS

FEBRUARY 2008 EMPLOYEE OF THE MONTH
LEGAL SECRETARY EVE KETCHUM
RESOLUTION NO. 2008-019

At the recommendation of Chief Probation Officer Brian Richart, and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-019, which recognizes Legal Secretary Eve Ketchum as Shasta County's February 2008 Employee of the Month.

(See Resolution Book No. 49)

PLAQUE OF RECOGNITION
PROBATION DIVISION DIRECTOR PAUL BURDETT

In recognition of more than 32 years of service to Shasta County, the Board of Supervisors presented Probation Division Director Paul Burdett with a plaque of recognition upon his retirement.

PROCLAMATION: WEAR RED DAY FOR WOMEN

At the recommendation of Mercy Medical Center Marketing Director Carolyn Helfenstein and by motion made, seconded, and unanimously carried, the Board of Supervisors adopted a proclamation which designates February 1, 2008 as Wear Red Day for Women in Shasta County.

CHAIRMAN'S 2008 APPOINTMENTS

By motion made, seconded (Kehoe/Cibula), and unanimously carried, the Board of Supervisors approved the Chairman's appointments, other Board of Supervisors appointments, and liaison assignments for the year 2008, as follows:

Supervisor Kehoe, District 1

County Functional Area - Health and Human Services
 CSAC Committee - Health and Human Services
 Superior California Economic Development District
 Redding Area Bus Authority
 Mental Health Board
 Local Agency Formation Commission (LAFCO)
 Community Action Board
 Northern Rural Training and Employment Consortium Governing Board (NoRTEC), Alternate
 Indian Gaming Local Community Benefit Committee
 Emergency Food and Shelter Program

Supervisor Cibula, District 2

County Functional Area - General Government
 CSAC Committee - Housing, Land Use, and Transportation
 Regional Transportation Planning Agency, Alternate
 Regional Council of Rural Counties
 Northern California Supervisors Association
 Solid Waste Hearing Panel
 California State Association of Counties (CSAC), Alternate
 Airport Land Use Commission (ALUC), Alternate
 Sacramento River Conservation Area Forum, Alternate
 Northern Rural Training and Employment Consortium Governing Board (NoRTEC)
 Redding Area Water Council's Policy Water Resources Master Plan

Northern California Water Association (NCWA)
Turtle Bay Advisory Committee

Supervisor Hawes, District 3

County Functional Area - Land Use
CSAC Committee - Agriculture and Natural Resources
Regional Transportation Planning Agency
Regional Council of Rural Counties, Alternate
Sacramento Valley Basinwide Air Pollution Control Council
California State Association of Counties (CSAC)
Sacramento River Conservation Area Forum
Fire Department Qualifications Review Commission
Indian Gaming Local Community Benefit Committee

Supervisor Hartman, District 4

County Functional Area - Administration of Justice and Veterans Affairs
CSAC Committee - Administration of Justice
Regional Transportation Planning Agency
Northern California Supervisors Association, Alternate
Superior California Economic Development District, Alternate
Redding Area Bus Authority, Alternate
Area Agency on Aging, PSA II Executive Board, Alternate
Shasta County Children and Families First Commission
Local Agency Formation Commission (LAFCO), Alternate
Airport Land Use Commission (ALUC)
Remote Access Network Board

Supervisor Baugh, District 5

County Functional Area - Land Use
CSAC Committee - Government Finance and Operations
Regional Transportation Planning Agency
Area Agency on Aging, PSA II, Executive Board
Sacramento Valley Basinwide Air Pollution Control Council, Alternate
Mental Health Board, Alternate
Local Agency Formation Commission (LAFCO)
Airport Land Use Commission (ALUC)
Indian Gaming Local Community Benefit Committee, Alternate

PLANNING COMMISSION NOMINATION

Supervisor Cibula announced the appointment of a Planning Commissioner has been deferred to the next meeting.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced the appointment to the Shasta Community Services District Board of Directors was pulled at the request of the department.

Supervisor Kehoe pulled for discussion the California Department of Agriculture and the Wright Education Services agreements.

Supervisor Baugh pulled for discussion the agreement with the State of California Environmental Protection Agency.

CONSENT CALENDAR

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Baugh abstained from the ordinance approving Zone Amendment No. 04-016, Burns, as he was not in office when the ordinance was first introduced.):

Approved and authorized the Chairman to sign the County Claims List totaling \$123.07 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on January 15 and 22, 2008, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1974, which approves Zone Amendment No. 04-016, Burns (northeast Redding area), as introduced January 4, 2005. (Clerk of the Board)
(See Zoning Ordinance Book)

Appointed Allen Albaugh to the McArthur Fire Protection District Board of Directors to a two-year term to December 2009. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with the Shasta Family Young Men's Christian Association (YMCA) to pay the County \$61,000 to fund a project manager position to oversee the planning of the Healthy Student Initiative for the period December 15, 2007 through September 30, 2008. (Public Health)

Approved and authorized the Chairman to sign an agreement with Catholic Social Services of Southern Illinois, Diocese of Belleville in an amount not to exceed \$17,008 to provide case management and services for two Juvenile Court dependents currently placed in Illinois for the period August 13, 2007 through April 30, 2008, with one optional one-year renewal. (Social Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Wright Education Services, Thomas R. Wright, L.C.S.W. increasing compensation by \$20,880 (for a new total not to exceed \$75,880) to provide additional violence/anger management training and counseling for minors and retaining the term of July 1, 2007 through June 30, 2008. (Probation)

Released the security guaranteeing maintenance of public improvements in the amount of \$75,000 for Tract Map No. 1874, Palo Cedro Oaks subdivision (Palo Cedro area). (Public Works)

Approved the requested culvert, paving, and bridge projects at an estimated total cost of \$4,380,000 to be funded by Proposition 1B revenue. (Public Works)

Adopted Resolution No. 2008-020, which approves and authorizes the Director of Resource Management to sign and submit an application to the California Integrated Waste Management Board on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake for a Waste Tire Amnesty Event grant for Fiscal Year 2007-08; and approved and authorized the Director of Resource Management to sign all necessary grant-related documents, including the grant agreement and payment requests. (Community Education Section)
(See Resolution Book No. 49)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: CALIFORNIA DEPARTMENT OF AGRICULTURE
LIGHT BROWN APPLE MOTH DETECTION PROGRAM REIMBURSEMENT**

In response to a question by Supervisor Kehoe, Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer confirmed no light brown apple moths were found in Shasta County.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the California Department of Agriculture in the amount of \$6,557.14 to reimburse Shasta County for Light Brown Apple Moth Detection Program work for the period March 1, 2007 through June 30, 2007. (Agricultural Commissioner/Sealer of Weights and Measures)

**AGREEMENT: L. ROSS CLARK, M.D.
PSYCHIATRIC SERVICES**

In response to a question by Supervisor Kehoe, Director of Mental Health Dr. Mark Montgomery stated L. Ross Clark, M.D. will have client contact and will provide training of staff. He anticipates he advanced clinic access system to be implemented in approximately four months.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with L. Ross Clark, M.D. increasing compensation by \$50,000 per fiscal year (for a total not to exceed \$100,000 per fiscal year) to provide additional psychiatric services and extending the original term to June 30, 2009. (Mental Health)

**AGREEMENT: STATE OF CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
ABOVEGROUND PETROLEUM STORAGE ACT IMPLEMENTATION
RESOLUTION NO. 2008-021
BUDGET AMENDMENT**

In response to a question by Supervisor Baugh, Environmental Health Division Manager Jim Smith explained the Aboveground Petroleum Storage Act outlines the correct storage of petroleum containers and spill containment.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-021, which approves and authorizes the Director of Resource Management to sign an agreement and any subsequent amendments with the State of California Environmental Protection Agency to implement the Aboveground Petroleum Storage Act, authorizes program expenditures, and authorizes the Auditor-Controller to pay claims associated with the program; and approved a budget amendment increasing revenues in the amount of \$83,508 in the Environment Health budget to provide 80 percent advance funding for the program. (Environmental Health)

(See Resolution Book No. 49)

REGULAR CALENDAR**GENERAL GOVERNMENT****ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS****LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, including concern over the California State budget deficit, estimated at \$20 billion, which will affect State allocations to counties. All County departments have been asked to supply a mid-year budget status report that will be presented to the Board of Supervisors later this year.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE**AGREEMENTS: VARIOUS COMMUNITY GROUPS****DEED OF GIFT: CALIFORNIA STATE PARKS MUSEUM COLLECTION****GRANT AGREEMENT: SHASTA UNION HIGH SCHOOL DISTRICT****GRANT AGREEMENT: CITY OF REDDING****ANTIQUES, COMPUTERS, SURPLUS FURNITURE**

In response to a question by Supervisor Kehoe, County Administrative Staff Services Analyst Megan Dorney confirmed that the antique furniture will be preserved.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the following documents in accordance with Government Code section 25365: Lease agreements with the Shasta County Public Law Library; Siskiyou County Library; Shasta Historical Society; The Eaton Gift, Inc.; Whitmore Community Library; Youth Violence Prevention Council; Oak Run Community Library; Help, Inc.; and Shasta Cascade Rail Preservation Society, Inc. at no cost to lease various library surplus furniture and equipment from the date of signing through July 31, 2027; a Deed of Gift to the California State Parks Museum Collection transferring ownership of library surplus furniture for use at the Old Shasta Museum; a grant agreement with the Shasta Union High School District for six chairs; and a grant agreement with the City of Redding for several antiques, computers, and other surplus items.

CLERK OF THE BOARD**PINE GROVE MOSQUITO ABATEMENT DISTRICT****BIENNIAL AUDIT**

Chief Deputy Clerk of the Board Glenda Tracy presented the board report and introduced Pine Grove Mosquito Abatement District President Dennis Jacobsen. In response to questions by Supervisor Cibula, Mr. Jacobsen stated the justification of a biennial audit is the anticipated savings of \$200 every two years. In response to questions by Supervisor Kehoe, Mr. Jacobsen confirmed the District's budget for Fiscal Year 2006-2007 was \$75,412.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved the request of the Pine Grove Mosquito Abatement District to replace the annual audit with a biennial audit in accordance with Government Code section 26909(f).

SUPPORT SERVICES - HUMAN RESOURCES

PRACTICES AND PROCEDURES REORGANIZATION POLICY RESOLUTION NO. 2008-01

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2008-01, which repeals Policy Resolution Nos. 98-1 and 98-5; and adopts a revised policy establishing and clarifying the practices and procedures for reorganizations, reclassifications, and salary and benefit changes.

(See Policy Resolution Book)

PERSONNEL RULES RESOLUTION NO. 2008-022

Director of Support Services Michelle Schafer presented the board report and recommended approval of the revisions and updates. In response to questions by Supervisor Kehoe, Ms. Schafer and County Counsel Karen Jahr explained County employees have the right to accept outside employment as long as the outside employment does not conflict with Shasta County business or their position with Shasta County.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-022, which repeals Resolution No. 2007-152 and revises and updates the Personnel Rules.

(See Resolution Book No. 49)

HEALTH AND HUMAN SERVICES

MENTAL HEALTH

AGREEMENT: CALIFORNIA DEPARTMENT OF MENTAL HEALTH MENTAL HEALTH SERVICES

Director of Mental Health Dr. Mark Montgomery presented the board report and recommended approval of the agreement. In response to questions by Supervisors, Dr. Montgomery explained the reserve requested is for monies allocated to Shasta County and will not affect future grant monies issued. State funding rules currently require documentation of monies paid under the Mental Health Services Act. The reserve will increase annually due to interest generated, and the interest can only be utilized for the same program.

Supervisors discussed the advantages and disadvantages of allowing the CAO to sign amendments of up to 30 percent of the contract total versus having amendments approved by the Board of Supervisors. CAO Lees assured the Board of Supervisors his consideration and review of proposed contract amendments would be prudent.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the California Department of Mental Health in the amount of \$5,547,085 to implement enhanced mental health services, authorize acquisitions, provide training, and make infrastructure improvements for the period July 1, 2006 through June 30, 2008; directed that contract amendments will be considered by the Board of Supervisors unless the Board of Supervisors at a later date invests the County Administrative Officer with the authority to approve amendments; and directed the Auditor-Controller to establish and maintain a prudent reserve within the Mental Health Services Act budget and direct up to \$569,757 into the reserve following State approval of the agreement and receipt of funds.

AGREEMENT: THOMAS R. SWANSON, M.D.
PSYCHIATRIC SERVICES

At the recommendation of Director of Mental Health Dr. Mark Montgomery and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Thomas R. Swanson, M.D. in an amount not to exceed \$130,000 per year to provide psychiatric services on an extra-help basis from the date of signing through February 4, 2009, with two automatic one-year renewals.

LAW AND JUSTICE

PROBATION

YOUTHFUL OFFENDER BLOCK GRANT
JUVENILE JUSTICE DEVELOPMENT PLAN FOR FISCAL YEAR 2007-08
RESOLUTION NO. 2008-023
MENTAL HEALTH CLINICIAN I/II
SALARY RESOLUTION NO. 1346

Chief Probation Officer Brian Richart presented the board report and recommended approval of the project. In response to questions by Supervisor Kehoe, Mr. Richart explained that a Mental Health Clinician position dedicated to the Probation Department would be preferable in order to avoid staffing conflicts with Mental Health.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors accepted the Youthful Offender Block Grant in the amount of \$90,595 from the California Department of Corrections and Rehabilitation, Corrections Standards Authority division to fund the County's Juvenile Justice Development Plan for Fiscal Year 2007-08; adopted Resolution No. 2008-023, which approves and authorizes the Chief Probation Officer to sign and submit the Plan, Youthful Offender Block Grant application, and related documents; adopted Salary Resolution No. 1346, which adds one Mental Health Clinician I/II in the Probation budget; and approved a budget amendment increasing appropriations and revenue in the amount of \$90,595 in the Probation budget.

(See Resolution Book No. 49)
 (See Salary Resolution Book)

CLOSED SESSION ANNOUNCEMENT

Chairman Hartman announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with its counsel to discuss existing litigation entitled Love v. Blue Cross/Blue Shield and Nunnelley v. County of Shasta, pursuant to Government Code section 54956.9(a); and
2. Confer with its counsel to discuss anticipated litigation pursuant to Government Code section 54956.9(c).

10:56 a.m.: The Board of Supervisors recessed to Closed Session.

12:26 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, and Deputy Clerk of the Board Valerie Ibarra present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Hartman reported that the Board of Supervisors met in Closed Session to discuss existing and anticipated litigation; however, no reportable action was taken.

12:27 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy