

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 6, 2008

REGULAR MEETING

9:03 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 - Diane Colson
 Chief Deputy Clerk of the Board - Glenda Tracy

INVOCATION

Invocation was given by Pastor Harold Johnson, Twin View Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Mel Fisher.

BOARD MATTERS

MAY 2008 EMPLOYEE OF THE MONTH
GROUP COUNSELOR II DAVID HEVNER
RESOLUTION NO. 2008-045

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. 2008-045, which recognizes Group Counselor II David Hevner as Shasta County's May 2008 Employee of the Month.

(See Resolution Book No. 49)

PROCLAMATION: FOSTER CARE AWARENESS MONTH

At the recommendation of Social Services Director Jane Work and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2008 as Foster Care Awareness Month in Shasta County. Foster Parents Association President Mickey Harris discussed the foster parent mentoring program and recognized Foster Parents of the Year Jason and Amanda Carcello.

PROCLAMATION: VETERANS APPRECIATION MONTH

At the recommendation of Veterans Service Officer Dave Lanford and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2008 as Veterans Appreciation Month in Shasta County. Employment Development Department Veterans Employment Services Specialist Kevin Marshall thanked the Board of Supervisors for adopting the proclamation.

PROCLAMATION: MENTAL HEALTH MONTH

At the recommendation of Director of Mental Health Services Dr. Mark Montgomery and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2008 as Mental Health Month in Shasta County. Sherrie Allen, Monica Baxter, and Marge Hall spoke of events scheduled for Mental Health Month.

PROCLAMATION: PEACE OFFICERS MEMORIAL WEEK

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 11-17, 2008 as Peace Officers Memorial Week and May 15, 2008 as Peace Officers Memorial Day in Shasta County.

**CERTIFICATE OF RECOGNITION
TEEN CHALLENGE INTERNATIONAL**

The Board of Supervisors presented a Certificate of Recognition to Teen Challenge International Community Service Director Reverend Jack Lauritzen on behalf of Teen Challenge International in recognition of their 50th anniversary.

PUBLIC COMMENT PERIOD - OPEN TIME

Jerry Hurley spoke on the water crisis and the need to protect and conserve water.

Charles Alexander spoke in opposition to the impact fees.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe pulled for discussion the agreement with AT&T correcting the billing rate and the resolution to dissolve the Solid Waste Hearing Panel. Supervisor Baugh pulled for discussion the agreement with CHG Companies, Inc. d.b.a. CompHealth for temporary psychiatric services.

CONSENT CALENDAR

By motion made, seconded (Baugh/Kehoe), 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 letter amending the agreement with the U.S. Department of Agriculture increasing compensation by \$4,000 (for a new total of \$30,943) to provide additional noxious weed control and extending the term to December 31, 2008. (Agricultural Commissioner)

Approved the minutes of the meeting held on April 22, 2008, as submitted. (Clerk of the Board)

Appointed Rod Miranda and reappointed J. Dean Franks to the Millville Masonic & Odd Fellows Cemetery District Board of Directors for four-year terms to March 2012. (Clerk of the Board)

Enacted Ordinance No. 378-1976, which approves Zone Amendment No. 06-046, Cassel Ridge, Inc. (Cassel area), as introduced December 18, 2007. (Clerk of the Board)
(See Zoning Ordinance Book)

Enacted Ordinance No. 665, which sets public facilities fees for all new development within the county, outside the incorporated areas, as introduced April 22, 2008. (Clerk of the Board)
(See General Ordinance Book)

Approved and authorized the Chairman to sign an amendment to the agreement with the California Department of Alcohol and Drug Programs increasing compensation by \$110,857 (for a new total not to exceed \$2,016,383 for Fiscal Year 2007-08) to provide additional alcohol and other drug treatment and prevention services and retaining the term of July 1, 2007 through June 30, 2010. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2008-046, which repeals Resolution No. 98-137 and updates the records retention schedule for the District Attorney's Office. (District Attorney)
(See Resolution Book No. 49)

Approved a budget amendment increasing appropriations by \$5,150 in the Castella Water Bond Sinking Fund to retire a portion of the County Service Area's bonded indebtedness offset by fund balance. (Public Works)

Approved and authorized the Chairman to sign an agreement with Caltrans authorizing the exchange of \$672,168 in Federal Regional Surface Transportation Funds for an equal amount of State Highway Account funds in Fiscal Year 2007-08. (Public Works)

For Tract Map No. 1898, Waterleaf Estates subdivision (Shingletown area): For the proposed Waterleaf Estates Permanent Road Division: adopted Resolution No. 2008-047, which forms the Division; adopted Resolution No. 2008-048, which confirms the annual parcel charge report for Fiscal Year 2008-09; and received the annual parcel charge report; and for the final map: accepted the final map for filing; accepted on behalf of the public offers of dedication for public road rights of way, slope easements, and public utility easements; and adopted Resolution No. 2008-049, which consents to but does not accept offers of dedication for drainage easements; and approved and authorized the Chairman to sign an agreement with Steve Szakal guaranteeing workmanship on Waterleaf Lane and Emergency Fire Escape Road, and accept security for maintenance in the amount of \$29,625. (Public Works)

(See Resolution Book No. 49)

For Tract Map No. 1890, Foxwood Estates (west Redding area), released securities guaranteeing faithful performance in the amount of \$122,000 and guaranteeing payment in the amount of \$61,000; approved and authorized the Chairman to sign an agreement with Signature Northwest Partnership guaranteeing workmanship for one year; and accepted security for faithful performance in the amount of \$78,400. (Public Works)

Adopted Resolution No. 2008-050, which authorizes the Department of Resource Management to apply for City/County Payment Program funds from the California Department of Conservation for beverage container recycling and litter abatement programs in the amount of \$28,739 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake, appoints the Director of Resource Management as the agent for Shasta County for the purposes of the Program, authorizes the Department of Resource Management to include program expenditures

and revenues in the Fiscal Year 2008-09 budget, and authorizes the Auditor-Controller to pay claims for said expenditures. (Resource Management)

(See Resolution Book No. 49)

Adopted Resolution No. 2008-051, which authorizes the Director of Resource Management to apply for a Solid Waste Enforcement Assistance Grant for Fiscal Year 2008-09 in an approximate amount of \$43,545. (Resource Management)

(See Resolution Book No. 49)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: AT&T BILLING RATE CORRECTION

In response to questions by Supervisor Kehoe, Chief Technology Officer Charlie Haase explained that AT&T did not recognize certain language in the original agreement. The original contract was for \$1,249.60 per month. AT&T overbilled the County having interpreted the amount to be different. The amended contract provides clarification. The new contract will supersede the other agreement.

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 AT&T correcting the billing rate to \$1,249.60 per month to provide maintenance of two data circuits in the Burney area for 36 months from the date of signing. (Information Technology)

AGREEMENT: CHG COMPANIES, INC. d.b.a. COMPHEALTH TEMPORARY PSYCHIATRIC SERVICES

In response to questions by Supervisor Baugh, Director of Mental Health Services Dr. Mark Montgomery noted that there is not enough money remaining on the original contract to provide for services necessary through the end of the term.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with CHG Companies, Inc. d.b.a. CompHealth to provide temporary psychiatric services in an amount not to exceed \$300,000 per fiscal year from the date of signing through June 30, 2009. (Mental Health)

SOLID WASTE HEARING PANEL AND OFFICER RESOLUTION NO. 2008-052

In response to questions by Supervisors, Director of Resource Management Russ Mull stated he is requesting disbanding the Solid Waste Hearing Panel and hiring a Solid Waste Hearing Officer because the panel has never met, and if the services are ever needed, the use of a hearing officer will be a better use of resources.

By motion made, seconded (Hawes/Baugh), and carried the Board of Supervisors adopted Resolution No. 2008-052, which amends Resolution No. 92-76 to dissolve the Solid Waste Hearing Panel and establishes a Solid Waste Independent Hearing Officer Supervisor Kehoe voted no as he prefers to maintain citizen involvement through a volunteer panel rather than a paid hearing officer. (Resource Management)

(See Resolution Book No. 49)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: 2007 ACTIVITIES OF THE CALIFORNIA HIGHWAY PATROL

California Highway Patrol (CHP) Captain Jerry Godnick introduced CHP Sergeant Bill East who updated the Board of Supervisors on the 2007 activities of the California Highway Patrol. Sgt. East discussed programs and their successes in 2007, including a 35 percent reduction in auto theft from 2006 to 2007, a 45 percent reduction in alcohol related collisions since 2003, and a 27 percent reduction in fatal collisions since 2003.

By consensus, the Board of Supervisors directed that a letter of appreciation be sent from the Board of Supervisors to the Highway Patrol.

10:20 a.m.: The Board of Supervisors recessed

10:28 a.m.: The Board of Supervisors reconvened.

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 Assembly Bill 2447 (Jones) regarding CAL FIRE approval of subdivision maps and Senate Bills 1500 (Kehoe) and 1617 (Kehoe) regarding CAL FIRE State Responsibility Areas.

By motion made, seconded (Hawes/Baugh), and unanimously carried the Board of Supervisors approved and authorized the Chairman to sign letters opposing Assembly Bill 2447, regarding CAL FIRE approval of subdivision maps, opposing Senate Bill 1500 regarding CAL FIRE State Responsibility Area residential density, and opposing Senate Bill 1617 regarding CAL FIRE State Responsibility Area fees for fire-related services.

CAO Lees stated that the State budget gap has been revised to \$15-20 billion.

In response to a question from Supervisor Kehoe, CAO Lees replied that Assemblyman La Malfa's and Senator Aanestad's offices have been contacted. Assemblyman La Malfa would like to discuss state budget problems with the Board of Supervisors but is unable to come at this time. Senator Aanestad is not currently available.

Supervisor Kehoe recently attended a National Alliance for the Mentally Ill of California (NAMI) meeting on a Mental Health Criminal Justice Community Collaboration project.

Supervisor Baugh recently attended meetings at Regional Transportation Planning Agency (RTPA) and Local Agency Formation Commission (LAFCO).

Supervisor Cibula recently attended Northern Rural Training and Employment Consortium (NoRTEC) and Northern California Supervisors Association meetings.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-HUMAN RESOURCES DEPARTMENT

**FISCAL YEAR 2007-08 CLASSIFICATION MAINTENANCE PROGRAM
SALARY RESOLUTION NO. 1348**

At the recommendation of Assistant Director of Support Services Marty Bishop and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding the Fiscal Year 2007-08 Classification Maintenance Program: Adopted Salary Resolution No. 1348, which reclassifies various positions and makes certain salary adjustments effective May 11, 2008; deleted four job classifications; and approved three new job classifications.

(See Salary Resolution Book)

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

QUARTERLY REPORT OF INVESTMENTS

At the recommendation of Treasurer-Tax Collector/Public Administrator Lori Scott and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the period ending March 31, 2008.

INVESTMENT POLICY STATEMENT OF THE SHASTA COUNTY TREASURER

Treasurer-Tax Collector/Public Administrator Lori Scott presented the staff report and recommended approval. She explained that a Disaster/Business Continuity Plan had been added to the Investment Policy Statement to address banking and investment functions in the event of an occurrence which disrupts normal operations. Ms. Scott discussed the possibility of replacing older computers with laptop computers to enable staff to continue business away from County buildings in such an event. She reviewed security measures currently in place.

Supervisor Cibula and Baugh expressed concern for security purposes when laptops are used outside the County facilities. Ms. Scott advised the information is protected by multiple passwords.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved the revised Investment Policy Statement of the Shasta County Treasurer.

HEALTH AND HUMAN SERVICES

**AGREEMENT: CALIFORNIA DEPARTMENT OF MENTAL HEALTH
STATE HOSPITAL BED USAGE**

At the recommendation of Director of Mental Health Services Dr. Mark Montgomery and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the California Department of Mental Health for State Hospital bed usage on a fee-for-service basis for the period July 1, 2007 through June 30, 2008.

LAW AND JUSTICE**PROBATION****REPORT ON THE PURCHASE OF PREPAID BANK CARDS**

Chief Probation Officer Brian Richart provided an update on a departmental program where prepaid bank cards are used to pay for foster care-related emergency expenses. By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved the continuation of the pilot program until the CAL-Card program can be implemented countywide.

SCHEDULED HEARINGS**PUBLIC WORKS****COUNTY SERVICE AREA NO. 3 - CASTELLA WATER
WATER SHORTAGE EMERGENCY**

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which declares a water shortage emergency for CSA No. 3 - Castella Water. Public Works Director and Water Agency Chief Engineer Pat Minturn presented the staff report and recommended approval of the ordinance. The Affidavit of Publication and Notice of Public Hearing are on file with the Clerk of the Board.

Mr. Minturn recently received a phone call from the attorney for the McConnell Foundation, offering the use of 1000 acre feet of water at \$85/acre foot.

On May 5, the Bureau of Reclamation announced 25 percent cutbacks for domestic water use and 55 percent cutbacks for agricultural use. Staff has developed a drought management plan with a proposed fee which would limit customers to 80 percent of median 2007 use and would impose monetary penalties through an ordinance. The County is contractually obligated to meet the mandated cutbacks, and the Board of Supervisors could impose a fine that exceeds the cost from the McConnell Foundation.

Mr. Minturn recently met with Keswick residents, and they understand the situation but requested a sunset date of August 31, 2008 unless there is a documented need to continue the restrictions.

In response to a question from Supervisor Kehoe, Mr. Minturn stated residents who wish to exceed the usage limits may do so, but they will pay monetary penalties. However, the excessive use should not adversely impact the other residents.

The public hearing was opened, at which time no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried the Board of Supervisors introduced and waived the reading of an ordinance which declares a water shortage emergency for County Service Area No. 3 - Castella Water; restricts maximum water consumption; and establishes penalties for water consumption in excess of the established maximum, with a sunset date of August 31, 2008.

COUNTY SERVICE AREA NO. 6 - JONES VALLEY WATER
WATER SHORTAGE EMERGENCY

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which declares a water shortage emergency for CSA No. 6 - Jones Valley Water. Public Works Director and Water Agency Chief Engineer Pat Minturn presented the staff report and recommended approval of the ordinance. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

The public hearing was opened.

Corwin Myers expressed his concerned about fire protection. Steve Boyd stated that the Elk Trail area needs a separate county service area. Peter Scales suggested postponing the vote to obtain more input from residents of the affected areas.

No one else spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which declares a water shortage emergency for County Service Area No. 6 - Jones Valley Water; restricts maximum water consumption; and establishes penalties for water consumption in excess of the established maximum, with a sunset date of August 31, 2008.

COUNTY SERVICE AREA NO. 23 - CRAG VIEW WATER
WATER SHORTAGE EMERGENCY

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which declares a water shortage emergency for CSA No. 23 - Crag View Water. Public Works Director and Water Agency Chief Engineer Pat Minturn presented the staff report and recommended approval of the request. 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 proposal, and the public hearing was closed.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which declares a water shortage emergency for County Service Area No. 23 - Crag View Water; restricts maximum water consumption; and establishes penalties for water consumption in excess of the established maximum, with a sunset date of August 31, 2008.

COUNTY SERVICE AREA NO. 25 - KESWICK WATER
WATER SHORTAGE EMERGENCY

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which declares a water shortage emergency for CSA No. 25 - Keswick Water. Public Works Director and Water Agency Chief Engineer Pat Minturn presented the staff report and recommended approval of the request. 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 proposal, and the public hearing was closed.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which declares a water shortage emergency for County Service Area No. 25 - Keswick Water; restricts maximum water consumption; and establishes penalties for water consumption in excess of the established maximum, with a sunset date of August 31, 2008.

CLOSED SESSION ANNOUNCEMENT

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

1. Consider a public employee appointment (County Counsel), pursuant to Government Code section 54957.6; and
2. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, 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.

12:22 p.m.: The Board of Supervisors recessed to Closed Session.

1:03 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Hawes, Hartman, and Baugh, County Administrative Officer Larry Lees, Deputy Clerk of the Board Diane Colson, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

Supervisor Hartman 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.

FIELD TRIP

The proposed field trip for the 2008 Shasta County Agriculture Tour was pulled from the agenda due to lack of a quorum who will attend.

1:04 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy