

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 3, 2008

REGULAR MEETING

9:02 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 Paul Schmidt, Liberty Hill Christian Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Robert Pearce requested the Shasta-Tehama County Watermaster District Board of Directors selection committee review its process to assure that members are property owners only and to require a Statement of Economic Interests Form 700 for every member.

Sheriff Tom Bosenko thanked the Sheriff's Office volunteers for their invaluable services and assistance to the citizens of Shasta County.

BOARD MATTERS

PLAQUE OF APPRECIATION
COUNTY COUNSEL KAREN JAHR

Chairman Hartman presented County Counsel Karen Jahr with a plaque of appreciation upon the occasion of her retirement. Ms. Jahr described the diverse legal services provided by County Counsel and thanked the department staff for their diligence.

JUNE 2008 EMPLOYEE OF THE MONTH
PUBLIC HEALTH CLINIC SERVICES COORDINATOR DELIA FARIAS
RESOLUTION NO. 2008-064

At the recommendation of Director of Public Health Donnell Ewert and by motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-064, which recognizes Public Health Clinic Services Coordinator Delia Farias as Shasta County's June 2008 Employee of the Month.

(See Resolution Book No. 49)

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Baugh pulled for discussion the California Department of Boating and Waterways contract.

Supervisor Kehoe pulled for discussion the lease with Stillwater Properties, LLC.

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 minutes of the meeting held on May 20, 2008 as he was not in attendance at that meeting.):

Adopted Resolution No. 2008-065, which delegates the authority to approve cash management policies for the Inter-Mountain Fair to the County Administrative Officer. (Administrative Office)

(See Resolution Book No. 49)

Approved and authorized the Chairman to sign an amendment to the lease with Mountain Communications, Inc. (formerly Towers, Antennas & Repeater Sites, Inc.) increasing the base amount by \$300 per month (for a new base rent total of \$2,595 per month) to add additional radio repeater equipment for the JPS Interoperability System and retaining the term of July 1, 2005 through June 30, 2010, with three optional five-year extensions. (Administrative Office/Sheriff)

Approved and authorized the Chairman to sign a software maintenance and support agreement with Megabyte Systems, Inc. in the following amounts for the period July 1, 2008 through June 30, 2009: a renewal agreement in the amount of \$116,142.44; and a web services addendum in the amount of \$4,647. (Assessor/Auditor-Controller/Treasurer-Tax Collector/Information Technology)

Approved the minutes of the meeting held on May 20, 2008, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1977, which approves Zone Amendment No. 06-014, Poulos (Cottonwood area), as introduced March 18, 2008. (Clerk of the Board)

(See Zoning Ordinance Book)

Adopted Resolution No. 2008-066, which repeals Resolution No. 2007-55 and updates the records retention schedule for the County Counsel's office. (County Counsel)

(See Resolution Book No. 49)

Approved the following budget transfers reflecting state and federal funding allocations and actual projected totals for Fiscal Year 2007-08 which align the budgets with the

Auditor-Controller's General Ledger: Adjusted the Alcohol and Drug Program budget to increase appropriations and revenues by \$101,725; adjusted the Substance Abuse and Crime Prevention budget to decrease appropriations and revenues by \$3,391; and adjusted the Perinatal Program budget to decrease appropriations and revenues by \$48,240. (Mental Health-Alcohol and Drug Programs)

For Tract Map No. 1910, Sterling Ranch, Phase I (west Shingletown area): For the proposed Sterling Ranch, Phase I Permanent Road Division: adopted Resolution No. 2008-067, which forms the Division, adopted Resolution No. 2008-068, which confirms the annual parcel charge report for Fiscal Year 2008-09, and received the annual parcel charge report; and for the final map: approved the final map for filing, accepted on behalf of the public offers of dedication for public road rights of way, public utility easements, and relinquished access rights, and approved and authorized the chairman to sign an agreement with SutterBrown Properties, LLC guaranteeing workmanship on Sterling Ranch Road, and accepted security for maintenance in the amount of \$19,500. (Public Works)

(See Resolution Book No. 49)

Adopted Resolution No. 2008-069, which certifies that the County maintains 1,191.189 miles of road, required as a condition for State funding. (Public Works)

(See Resolution Book No. 49)

Adopted Resolution No. 2008-070, which designates Matheson Road as a combined-use highway in accordance with section 38026 of the California Vehicle Code. (Public Works)

(See Resolution Book No. 49)

Adopted Resolution No. 438 of Ordinance No. 413-1, which authorizes stop signs on River Ranch Road at its intersection with River Crest Drive (south Redding area). (Public Works)

(See Stop Sign Ordinance Book)

Awarded to the low bidder, Charlie's Custom Excavating, on a unit-cost basis, the contract for construction on the Platina Road Embankment Repair Project in the amount of \$91,255. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: STILLWATER PROPERTIES, LLC 1400 AND 1550 CALIFORNIA STREET, REDDING BUILDING RENOVATIONS

In response to questions by Supervisor Kehoe, Social Services Director Jane Work and County Administrative Analyst Elaine Grossman explained that the landlord agreed to complete the Americans with Disabilities (ADA) modifications, but were unable to explain why some modifications would take the landlord up to five years to complete. The additional \$4,000 in the contract represents interest for renovations to the offices, which would save the Department from seeking an outside loan for the same. The capped five-year lease will save the County over \$100,000.

By consensus, the Board of Supervisors continued the matter to a future meeting to allow staff to consult with the landlord regarding the ADA modification completion schedule.

AGREEMENT: CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS SHASTA COUNTY WATERWAYS BOATING SAFETY AND ENFORCEMENT

In response to questions by Supervisor Baugh, Sheriff Tom Bosenko confirmed that the County is legally required to perform boating safety and enforcement activities on Shasta County waterways either internally or by contract with another agency. Sheriff's Office Chief Fiscal

Officer Carol Patton and County Administrative Office (CAO) Larry Lees explained that \$100,000 of the contract is from General Fund.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal contract with the California Department of Boating and Waterways in an amount not to exceed \$584,990 to perform boating safety and enforcement activities on Shasta County waterways (except Whiskeytown Lake) for the period July 1, 2008 through June 30, 2009; and approved and authorized the Auditor-Controller or her designee to sign the quarterly reimbursement request forms processed by the Sheriff's Office for the period July 1, 2008 through June 30, 2009. (Sheriff)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: WHISKEYTOWN NATIONAL RECREATION AREA ACTIVITIES

Park Superintendent Jim Milestone discussed the aggressive education and prevention program to keep Quagga and Zebra Mussels from contaminating Shasta County lakes. Lakes throughout California are being contaminated by recreational boats. He also discussed the marijuana eradication and hiking opportunities at Whiskeytown Lake.

In response to a question by Supervisor Cibula, CAO Lees agreed to contact Shasta Lake officials to prepare a joint mussels prevention program with the National Park Service and present it to the Board of Supervisors in the future.

PRESENTATION: SHASTA COUNTY MENTAL HEALTH BOARD ANNUAL REPORT

Mental Health Board Chairman Dr. Lowell Streiker presented the 2008 Shasta County Mental Health Board Annual Report and discussed the programs, services, and goals of the Board. He also outlined each of the subcommittees' objectives and activities.

GENERAL GOVERNMENT

SUPPORT SERVICES-PERSONNEL

WORKFORCE SUCCESSION PLANNING

SLOGAN WINNER ASSESSOR/RECORDER CLERK III LYNN MILLER

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors recognized Assessor/Recorder Clerk III Lynn Miller as the winner of the logo/slogan contest ("Where Careers Build Community Service") sponsored by the Workforce Succession Planning Committee; approved the expenditure of Personnel funds to purchase a shirt with the winning logo for the contest winner; and authorized the Auditor-Controller to pay claims for the expenditure.

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

CAO Larry Lees had no legislative report.

Supervisor Hawes recently attended the California State Association of Counties Board of Directors meeting in Sacramento, California.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES

SOCIAL SERVICES-OPPORTUNITY CENTER

CALIFORNIA DEPARTMENT OF TRANSPORTATION WHEELCHAIR-ACCESSIBLE VEHICLES GRANT RESOLUTION NO. 2008-071

This was the time set to conduct a public hearing to consider the request to apply for grant funds for wheelchair-accessible vehicles through the California Department of Transportation. Opportunity Center Manager Del Lockwood presented the board report and recommended approval of the application. The Affidavit of Publication and Notice of Hearing 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 (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-071, which certifies that there are no nonprofit agencies readily available to provide the transportation services proposed in the Opportunity Center's grant application, and approves and authorizes the Opportunity Center Manager to sign grant documents.

(See Resolution Book No. 49)

PUBLIC WORKS

TRACT MAP NO. 1959 COSTALOTTA LANE PERMANENT ROAD DIVISION CASSEL AREA

This was the time set to conduct a public hearing regarding the formation of the proposed Costalotta Lane Permanent Road Division (Cassel area). Supervising Engineer Al Cathey presented the staff report and recommended approval of the project. The Affidavit and Publication and the Notice of Hearing 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. Mr. Cathey noted that in accordance with Proposition 218, the property owners must approve the requested parcel change, and he delivered one ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR:	1
AGAINST:	0
BLANK BALLOTS:	0

By consensus, the Board of Supervisors continued the matter to a future Board of Supervisors meeting to consider formation of the Permanent Road Division.

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 Pirritano v. City of Redding, pursuant to Government Code section 54956.9(a); and
2. Consider a public employee appointment (County Counsel), pursuant to Government Code section 54957.6; and
3. 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.

11:07 a.m.: The Board of Supervisors recessed to Closed Session.

1:30 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Karen Jahr, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation and a public employee appointment, as well as labor negotiations. By a unanimous vote, the Board of Supervisors authorized the law firm of Gary Brickwood to handle the defense in the matter of Pirritano v. City of Redding. Also by unanimous vote, the Board of Supervisors named Michael A. Ralston as Interim County Counsel effective June 9, 2008.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL OF PARCEL MAP NO. 06-070A2

MITCH CHUCK

BURNEY AREA

RESOLUTION NO. 2008-072

This was the time set to conduct a public hearing regarding the appeal by Mitch Chuck of certain conditions of Parcel Map No. 06-070A2 in the Burney area. The Affidavit of Publication and Notice of Public Hearing are on file with the Clerk of the Board. Chairman Hartman stated that the appellant has requested a continuance of this matter to the July 15, 2008 Board of Supervisors meeting.

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

Supervisor Kehoe stated a letter from Samuel A. Chuck, attorney for Appellant Mitch Chuck, was received requesting a continuance of the hearing pursuant to “assurances from Supervisor Glenn Hawes and representations and assurances from Lynn Miller from the Burney Fire District.”

In response to questions by Supervisor Kehoe, Supervisor Hawes stated that he had made no assurances to the appellant. Director of Resource Management Russ Mull confirmed that, to his knowledge, no assurances have been given from either the Burney Fire Department or Shasta County. There is no evidence of any agreement between the appellant and Supervisor Hawes and/or Lynn Miller.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors continued the appeal to July 15, 2008 at 1:30 p.m.

1:41 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy