

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 17, 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
Interim County Counsel - Mike Ralston
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Dr. Andrea Asebedo, Spiritual Enrichment Center.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Pacific Forest & Watershed Lands Stewardship Council Regional Land Conservation Manager Chantz Joyce announced that he was hired as the Shasta County regional manager. He stated that 17 donees responded to the McArthur Swamp Collaborative Group Easement request for applications. The Council plans to publish a public list of the donees and a schedule of public meetings by the end of June.

BOARD MATTERS

PROCLAMATION: SAFETY MONTH

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates June 2008 as Safety Month in Shasta County.

REGULAR CALENDAR

PRESENTATIONS

**VICTORY ENSURED THROUGH SERVICE (VETS)
PRESENTATION OF PLAQUE OF APPRECIATION TO LINDA HARTMAN**

Victory Ensured Through Service (VETS) Vice Chair John Cleckner stated VETS is a philanthropic organization in Shasta County who supports veterans' hospitals in California, Arizona, and Washington. He presented a plaque of appreciation to Supervisor Hartman for her dedication and contributions in support of Northern California Veterans.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced that the request for Authorization of Discharge of Accountability, the agreement with Jackson & Coker Locumentenens, LLC, the Juvenile Accountability Block Grant application, and the Fall River Mills Airport aviation fuel purchase were pulled for discussion. She also announced that the County claims list was pulled at the request of the department.

CONSENT CALENDAR

By motion made, seconded (Baugh/Hawes), 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 retroactive lease agreement amendment effective April 10, 2008, with the Judicial Council of California, Administrative Office of the Courts to redefine the commencement date of the agreement to the first day of the first month after the County building permit for the modular installation is issued (instead of April 30, 2008), and retaining the term of ten years with two three-year optional renewals. (Administrative Office)

Approved the minutes of the meeting held on June 10, 2008, as submitted. (Clerk of the Board)

Appointed Marjorie Lewis (as recommended by District 2 Supervisor Cibula) to the Commission on Aging to fill an unexpired term to January 2009. (Clerk of the Board)

Appointed Ronald Rourke to the Millville Masonic & Odd Fellows Cemetery District Board of Directors for a four-year term to March 2012. (Clerk of the Board)

Reappointed Page Halvarson and Terry O'Neill to the Fall River Mills Community Services District Board of Directors for four-year terms to December 2011. (Clerk of the Board)

Adopted Resolution No. 2008-077, which approves and authorizes the Director of Housing and Community Action Programs to sign and submit an application to the California Department of Housing and Community Development for funding in the amount of \$600,000 for housing rehabilitation, approves and authorizes the Chairman to sign a grant agreement if one is awarded, approves and authorizes the Director to sign additional application and participation documents, and authorizes the Auditor-Controller to pay expenses budgeted with the grant; and authorized the Auditor-Controller to establish Budget Unit 591 and a special revenue fund for open grant funds. (Housing and Community Actions Programs)

(See Resolution Book No. 49)

Reappointed Marjorie Hall and Dianna Branch to the Shasta County Mental Health Board for three-year terms to January 2011. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Home Health Care Management, Inc., clarifying responsibilities and compensation to continue providing comprehensive health assessments and retaining the term of July 1, 2006 through June 30, 2009. (Public Health)

Approved and authorized the Chairman to sign an agreement with the California Department of Public Health in an amount not to exceed \$137,237 in revenue to provide continuing Childhood Lead Poisoning Prevention Program activities for the period July 1, 2008 through June 30, 2011; and granted the Public Health Director limited contract authority to execute future amendments to this contract which will result in a net change of no more than ten percent of the dollar value of the current contract, and other minor, non-monetary amendments as necessary. (Public Health)

Approved an amendment to the Opportunity Center Fiscal Year 2007-08 budget increasing revenues and appropriations in the amount of \$70,000 for increased postage costs. (Social Services-Opportunity Center)

For Tract Map No. 1907, Amesbury Village (Cottonwood area), released the security in the amount of \$14,250 guaranteeing maintenance of public improvements. (Public Works)

For the Coram Road and Keswick Dam Road Parking Lot Project, designated the Public Works Director as the County's agent to negotiate and sign a cooperative agreement with the U.S. Bureau of Reclamation in an amount not to exceed \$20,000, to cost-share an asphalt concrete overlay on Coram Road; designated the Public Works Director as the County's agent to negotiate and sign a cooperative agreement with the U.S. Bureau of Land Management in an amount not to exceed \$100,000, to cost-share an asphalt concrete overlay on Coram Road and to pave a parking lot off Keswick Dam Road; and approved a budget amendment for the Recreation and Parks Budget, increasing appropriations and revenue by \$50,000 for the Keswick parking lot paving project. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AUTHORIZATION OF DISCHARGE OF ACCOUNTABILITY UNPAID UNSECURED PROPERTY TAXES

In response to questions by Supervisors, Treasurer-Tax Collector Lori Scott provided an overview of the board report, noting that the total amount requested to be discharged is \$138,087.43, yet Shasta County's discharge percentage is lower than the State's percentage. She explained that liens are filed for the unpaid unsecured property taxes for 10 years, and the records are perpetually maintained.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved a request for Authorization of Discharge of Accountability in the amount of \$138,087.43 for uncollectible assessments made in calendar years 1994 and 1995, plus \$13,803.93 in penalties, and \$2,360 in costs on the unpaid unsecured property taxes, pursuant to Revenue and Taxation Code section 2611.1. (Treasurer-Tax Collector-Public Administrator)

AGREEMENT: JACKSON & COKER LOCUMENTENENS, LLC TEMPORARY PSYCHIATRIC SERVICES

In response to questions by Supervisor Baugh, Director of Mental Health Dr. Mark Montgomery presented the board report and confirmed that there has been no use of the current agreement for Fiscal Year 2007-08. He also explained that the Department is suffering a major loss of revenue due to the State of California budget cuts. Although he

recommended to the Shasta County Mental Health Board to cut funding for Sierra Center, he agreed to continue to search for funding to keep the Center open. He added that Sierra Center is funded solely by the State.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with Jackson & Coker Locumtenens, LLC in an amount not to exceed \$200,000 for the provision of temporary psychiatric services for the period July 1, 2008 through June 30, 2009. (Mental Health)

JUVENILE ACCOUNTABILITY BLOCK GRANT APPLICATION
RESOLUTION NO. 2008-078

In response to questions by Supervisors, Chief Probation Officer Brian Richart explained that the State of California requires the Probation Department to maintain a case management system, which is currently completed by hand, and to submit statistical reports. Grant funds will be used to purchase a software program to prepare reports and to analyze data. The new program will decrease fiscal staff time and will allow probation officers to spend more one-on-one time with juveniles in their caseload.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-078, which approves and authorizes the Chief Probation Officer to sign and submit a Juvenile Accountability Block Grant application and any subsequent amendments to provide funding in the amount of \$12,551 for Fiscal Year 2008-09. (Probation)

(See Resolution Book No. 49)

FALL RIVER MILLS AIRPORT AVIATION FUEL PURCHASE
BUDGET AMENDMENT

In response to a question by Supervisor Kehoe, Public Works Director Pat Minturn confirmed that the purchase of aviation fuel for the Fall River Mills Airport is profitable for Shasta County, and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$22,000 in the Fall River Mills Airport Budget to pay for needed aviation fuel. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

MAYORS MEMORIAL HOSPITAL DISTRICT FINANCIAL UPDATE

Mayers Memorial Hospital Chief Executive Officer Katharine Ann Campbell, F.A.C.H.E. stated that the Hospital is 90 percent funded by Medicare and Medi-Cal, and skilled nursing facilities attached to rural hospitals are most targeted for State funding cuts. The Hospital is experiencing severe financial hardship. According to State specifications, of the skilled nursing facility at Mayors Memorial Hospital, a significant number of patients treated are elderly and 93 percent are ineligible for discharge. Nearly 20 nursing homes have been closed in eastern Shasta County. She stated that if the Hospital continues to receive budget cuts, the skilled nursing facility may be closed.

DECREASE EARLY CHILDHOOD EXPOSURE TO VIOLENCE INITIATIVE

Director of Public Health Donnell Ewert presented an overview of the joint initiative with Shasta Children and Families First Commission to decrease early childhood exposure to violence. He said the objective is to decrease early childhood exposure to violence in the home, classroom, and community.

10:13 a.m.: The Board of Supervisors recessed.

10:19 a.m.: The Board of Supervisors reconvened.

Chairman Hartman announced that the proposed transfer of ownership of the Redding Main Library to the City of Redding was pulled at the request of the department.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Hawes recently attended the Sacramento River Conservation Area Forum meeting.

Supervisor Baugh recently attended the Local Agency Formation Committee meeting.

Supervisor Kehoe recently attended the Local Agency Formation Committee meeting and the Shasta County Mental Health Board meeting.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

PINE GROVE CEMETERY DISTRICT BIENNIAL AUDIT

Chief Deputy Clerk of the Board Glenda Tracy presented the board report. In response to questions by Supervisor Kehoe, Pine Grove Cemetery District Board Member Adelle Maricich stated that the Pine Grove Cemetery District's annual budget is \$80,000, of which \$1,535 is spent on the annual audit. The District's bookkeeper has agreed to perform a biennial audit for \$2,000. Interim County Counsel Mike Ralston confirmed that a biennial audit is legally permissible.

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

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES AGENCY PERSONNEL CONSOLIDATION SALARY RESOLUTION NO. 1350

In response to questions by Supervisors, Health and Human Services Agency (HHS) Director Marta McKenzie explained that personnel consolidation is administrative and fiscally efficient, which has increased client services throughout the County. The consolidation will not negatively affect employee's tenure. She continues to meet with other California HHS Directors to identify areas within the Agency to streamline.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions effective July 6, 2008: Adopted Salary

Resolution No. 1350, which deletes various administrative positions from the Departments of Public Health, Mental Health, and Social Services and adds various positions to the centralized Health and Human Services Agency Administrative budget; and deleted one position in the HHS Administrative budget and added one alternatively-staffed position.

(See Salary Resolution Book)

LAW AND JUSTICE

SHERIFF-CUSTODY DIVISION

AGREEMENT: LEGAL RESEARCH ASSOCIATES, LLC
SHASTA COUNTY JAIL INMATE LEGAL RESEARCH MATERIALS SERVICE
DISMANTLE JAIL LAW LIBRARY

Sheriff Tom Bosenko presented the board report, noting that the Board of Supervisors approved a pilot program with Legal Research Associates, LLC (LRA) for six months prior to executing a full agreement. In response to a question by Supervisor Hawes, Sheriff Tom Bosenko stated that dismantling the jail law library and using LRA to provide legal research materials to Shasta County Jail inmates will reduce staff's time and security issues in transporting inmates to and from the law library.

Supervisor Cibula stated that he will not be supporting the agreement since the Sheriff's Office cannot control the continuing costs of renewal agreements in the future.

In response to questions by Supervisors, Sheriff Bosenko and Captain Don Van Buskirk stated that they do not foresee excessive LRA rate increases in the future; however, they do expect cost increases in maintaining and purchasing new law books. Captain Van Buskirk added that 22 other counties are contracting with LRA and are thoroughly satisfied with the legal research provided and the cost of the contract. He added that the pilot program was not to save money but to provide cost-effective services to the inmates.

By motion made, seconded (Hawes/Kehoe), and carried, the Board of Supervisors approved Legal Research Associates, LLC to continue to provide legal research materials to inmates of the Shasta County Jail pursuant to the May 15, 2007 agreement; approved dismantling of the current jail law library; found that a portion of the Jail's law library collection is no longer required for County use; and authorized donation of the unneeded portions of the collection to the Shasta County Public Law Library. Supervisor Cibula voted no.

SHERIFF-PROBATION

AGREEMENT: CALIFORNIA FORENSIC MEDICAL GROUP
SHASTA COUNTY JAIL, JUVENILE HALL, AND CRYSTAL CREEK BOYS' CAMP
COMPREHENSIVE MEDICAL SERVICES AND SUPPORT

At the recommendation of Sheriff Tom Bosenko and Chief Probation Officer Brian Richart and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a contract with California Forensic Medical Group for a minimum amount of \$8,089,948 for the provision of Comprehensive medical services and support to the Shasta County Jail, Juvenile Hall, and Crystal Creek Boys' Camp for the period July 1, 2008 through June 30, 2011 with two automatic one-year renewals.

PUBLIC WORKS

AGREEMENT: J. F. SHEA CONSTRUCTION, INC. **2008 ASPHALT OVERLAY PROJECT**

At the recommendation of Public Works Director and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors awarding to the low bidder, J. F. Shea Construction, Inc., on a unit-cost basis, the contract for construction on the 2008 Asphalt Concrete Overlay Project.

SCHEDULED HEARINGS

ZONE AMENDMENT NO. 06-048 **FAITH COMMUNITY CHURCH** **SOUTH REDDING AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-048, Faith Community Church, which would rezone approximately 10.23 acres of a 64.86 acre parcel in the south Redding area from a Commercial-Light Industrial (C-M) District to a Community Commercial (C-2) District. Assistant Director of Resource Management Rick Simon presented the board report and recommended approval of the project. 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 project, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-048, Faith Community Church, south Redding area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2008-053;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-053;
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-048, as requested.

CLOSED SESSION ANNOUNCEMENT

Chairman Hartman announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Bowman v. County of Shasta, Public Works Department, pursuant to Government Code section 54956.9(a).

11:26 a.m.: The Board of Supervisors recessed to Closed Session.

11:36 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, Interim County Counsel Mike Ralston, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

REPORT OF CLOSED SESSION ACTIONS

Interim County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. By a unanimous vote, the Board of Supervisors authorized the law firm of Larry Moss to handle the defense in the matter of Bowman v. County of Shasta, Public Works Department. No other reportable action was taken.

11:37 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy