

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 15, 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 - Mike Ralston
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Charles Clark, St. Marks Missionary Baptist Church.

PLEDGE OF ALLEGIANCE

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

BOARD MATTERS

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
SHASTA COUNTY FIRES UPDATE

Sheriff Tom Bosenko presented the board report and recommended renewal of the Proclamation of Existence of a Local Emergency.

Shasta National Forest Supervisor J. Sharon Heywood provided an update of the wildland fires and advised that fire suppression efforts have been successful in many areas. In response to questions by Supervisors, Ms. Heywood noted that more supplemental fire resources are needed.

Whiskeytown National Park Superintendent Jim Milestone gave a detailed overview of forest fires in the Park, including fire growth and merger, fire suppression, and the advance burning of suppression lines over the last 20 years, which has kept the fire inside the Park's boundaries.

CAL FIRE Shasta-Trinity Unit Chief and County Fire Warden Mike Chuchel discussed the containment of several large fires. Protection of full-time residences are priority.

In response to questions by Supervisors, Chief Probation Officer Brian Richart confirmed the Crystal Creek Boys Camp is in no immediate danger, and there is no need to evacuate at this time.

Sheriff Bosenko stated that 16 areas have been evacuated, and Animal Control has assisted in evacuating animals.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors found that the circumstances and factors that led to the proclamation of a local emergency due to wildland fires have not been totally resolved and that there is a need for the continuance of this proclamation.

CERTIFICATE OF APPRECIATION
SENIOR DEPUTY DISTRICT ATTORNEY BRENT LEDFORD

In recognition of more than 16 years of service to Shasta County, the Board of Supervisors presented Senior Deputy District Attorney Brent Ledford with a certificate of appreciation upon the occasion of his retirement. District Attorney Jerry Benito thanked Mr. Ledford for his services and outstanding dedication.

PROCLAMATION: PROBATION SUPERVISION WEEK

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors designated July 13-19, 2008 as Probation Supervision Week in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced that the Attorney's Diversified Services agreement and the Ono Fire Station Building Project were pulled for discussion.

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:

Approved and authorized the Chairman to sign a mutual termination of agreement with the Shasta Genealogy Society to house genealogical materials for public access as the City of Redding provides access at the Redding Library. (Administrative Office-Library)

Approved and authorized the Chairman to sign assignments of joint cooperative agreements to transfer services to the City of Redding with the Shasta Union High School District to provide shared electronic library services; and with the Redding School District to provide joint-use library services consisting of a family literacy center and associated services. (Administrative Office-Library)

Approved and authorized the Chairman to sign the County Claims List totaling \$5,196.60 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on June 24, 2008, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with the Law Office of Larry B. Moss increasing attorney hourly rates by \$10 per hour (for a new total of

\$170 per hour) and paralegal hourly rates by \$5 per hour (for a new total of \$90 per hour) to provide legal services. (County Counsel)

Adopted Resolution No. 2008-088, which adjusts the County contribution toward dental insurance premiums for Confidential Employees until the General Unit successor Memorandum of Understanding is negotiated. (Support Services)

(See Resolution Book No. 49)

Approved the Fiscal Year 2008-09 Shasta County Substance Abuse and Crime Prevention Act of 2000 County Plan for drug treatment, probation supervision, and other supportive services; and approved and authorized the Alcohol and Drug Program Administrator to sign and submit the Plan and the Offender Treatment Program Application. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the County Alcohol and Drug Program Administrator to sign the Drug Court Partnership Act of 2002 Notice of Grant Award with the California Department of Alcohol and Drug Programs in the amount of \$126,270 for Fiscal Year 2008-09 to provide services to the participants in the Addicted Offender Program. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the County Alcohol and Drug Program Administrator to sign the Comprehensive Drug Court Implementation Notice of Grant Award with the Department of Alcohol and Drug Programs in the amount of \$111,434 to provide intensive case management and outpatient counseling for the Addicted Offender Program for the period January 1, 2009 through December 31, 2009. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Gen-Probe in the amount of \$48,213.60 per year to purchase reagents and to use testing equipment from the date of signing through June 30, 2013; approved and authorized the Director of Public Health to sign amendments that result in a net change of no more than 10 percent of the total dollar value of the current contract or that make other minor, non-monetary amendments; and authorized the Auditor-Controller to pay claims associated with the contract. (Public Health)

Adopted Resolution No. 2008-089, which authorizes public outreach expenditures by the Department of Child Support Services, and directs the Auditor-Controller to pay claims associated with the expenditures. (Child Support Services)

(See Resolution Book No. 49)

Released the security guaranteeing maintenance of public improvements in the amount of \$59,025 for Tract Map No. 1912, Cottonwood Creek Meadows Subdivision (Cottonwood area). (Public Works)

Released the security guaranteeing maintenance of public improvements in the amount of \$28,750 for Tract Map No. 1880, Canto Del Lupine subdivision (Centerville area). (Public Works)

For the Canyon Road Bike Lanes Project, approved and authorized the Chairman to sign right-of-way contracts with the Richard M. Chambers and Lois E. Chambers, Co-Trustees of the Richard M. Chambers and Lois E. Chambers Living Trust (0.10 acres at \$3,000), Preston Avery and Lois Avery (0.06 acres at \$1,500), and Robert W. Jones, Douglas Kalin Jones, Russel Alexander Jones, Julie Michelet Jones, and Sonja F. Jones, as Trustee of the Sonja F. Jones Trust, (2.60 acres at \$21,000); and accepted three easement deeds from these owners conveying parcels of project right of way. (Public Works)

Approved and authorized the Chairman to sign a retroactive lease agreement with the U.S. Forest Service for the U.S. Forest Service to pay approximately \$33,672.49 to use the Inter-Mountain Fairgrounds as an emergency fire camp during the Peterson fire. (Inter-Mountain Fair)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: ATTORNEY'S DIVERSIFIED SERVICES
LEGAL DOCUMENTS SERVICE**

In response to questions by Supervisors, Director of Child Support Services Terri Love explained that Attorney's Diversified Services contacted Child Support Services in May 2008 to renegotiate compensation to include a \$4 per service fuel surcharge, and in order for the contract to renew, both parties must agree to the changes in compensation.

In response to questions by Supervisors Baugh and Kehoe regarding the possibility of initiating a Request for Proposal (RFP), County Counsel Mike Ralston and County Administrative Officer (CAO) Larry Lees said that if an RFP were issued and all responses came in at a higher cost, ADS has the right to opt out of the existing contract. Ms. Love agreed that the fuel surcharge should only apply to the first service and not to subsequent services, and she will negotiate with ADS to add a clause to the contract to include a reduction of the fuel surcharge should fuel prices decline.

By consensus, the Board of Supervisors continued this matter to a future meeting to allow staff to seek clarification from the vendor as to when the fuel surcharge would be charged and about adding a fuel decline clause to the contract.

ONO FIRE STATION BUILDING PROJECT

Public Works Director Pat Minturn presented the Board report and recommended approval of the project, noting that the project would be funded by the fire budget and not the roads budget, as listed in the Board report.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors found the Ono Fire Station Building Project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after August 28, 2008 at 11:00 a.m. (Public Works)

10:38 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA COUNTY WATER AGENCY

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced that the Shasta-Tehama County Watermaster District item was pulled to allow a member of the public to comment.

**SHASTA-TEHAMA WATERMASTER DISTRICT
BOARD OF DIRECTORS**

Shasta County Water Agency Chief Engineer Pat Minturn presented the board report and recommended approval, noting that the rescission of the appointment of Matt Magnuson as the Burney Creek representative is because he is not a landowner. The North Fork Cottonwood Creek is managed by the Igo-Ono Community Services District and the Bee Ditch Diversion, which both own the water rights and not property owners. The North Fork

Cottonwood Creek representative must be an officer through election designated by the District's Board of Directors.

Robert Pearce supported the rescinding of the appointment of Matt Magnusen as the Burney Creek representative on the Shasta-Tehama Watermaster District Board of Directors. He asked how the District's Board of Directors would pay for expenses without any form of funding, and he will take the matter to the Superior Court to oppose landowners being subject to the District.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors rescinded the appointment of Matt Magnusen, the appointed Director for the Burney Creek adjudicated area Shasta-Tehama County Watermaster District; directed staff to re-solicit for nominees for the Burney Creek adjudicated area and for the North Fork Cottonwood Creek adjudicated area; and reconvened the selection committee to consider nominees for the Burney Creek and North Fork Cottonwood Creek adjudicated areas.

10:50 a.m.: The Shasta County Water Agency adjourned, and the Board of Supervisors reconvened.

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

CAO Larry Lees had no legislative report.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES

MENTAL HEALTH

AGREEMENT: CALIFORNIA DEPARTMENT OF MENTAL HEALTH MENTAL HEALTH SERVICES PERFORMANCE CRITERIA MENTAL HEALTH CARE DELIVERY

At the recommendation of Director of Mental Health Dr. Mark Montgomery and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the California Department of Mental Health to establish performance criteria in the provision of mental health services and allow access to certain federal and state resources and local realignment funds to support mental health care delivery for the period July 1, 2007 through June 30, 2010.

CLOSED SESSION ANNOUNCEMENT

County Administrative Officer Larry Lees announced that the Closed Session was cancelled.

11:05 a.m.: The Board of Supervisors recessed.

1:35 p.m.: The Board of Supervisors reconvened with all Supervisors, County Administrative Officer Larry Lees, Assistant County Counsel John Loomis, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

AFTERNOON CALENDAR

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL OF PARCEL MAP NO. 06-070A2
MITCH CHUCK
BURNEY AREA

This was the time set to conduct a public hearing continued from the June 3, 2008 Board of Supervisors meeting 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 a letter was received from the appellant withdrawing the appeal.

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

1:36 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
 Clerk of the Board of Supervisors

By _____
 Deputy