

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 18, 2008

REGULAR MEETING

9:00 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 - Linda Mekelburg
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Harold Luke, First Baptist Church of Central Valley.

PLEDGE OF ALLEGIANCE

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

INTRODUCTION

Supervisor Baugh introduced Teresa Sorensen and her daughter, Teena, who visited the Board of Supervisors meeting as part of a home-schooling assignment.

BOARD MATTERS

PROCLAMATION: PEARL HARBOR REMEMBRANCE DAY

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 7, 2008 as Pearl Harbor Remembrance Day in Shasta County. Mel Fisher accepted the proclamation on behalf of Pearl Harbor Survivors Association, Chapter 28.

**RECOGNITION OF 2008 WALKING CHALLENGE
TEAM AND INDIVIDUAL WINNERS**

Director of Support Services Michelle Schafer recognized the winners of the 2008 Walking Challenge. Sandy Albrecht (first place) will receive a \$75 gift certificate to the Foot Locker as the individual winner; Lori Beyelia was the second-place winner, and

Donna McGowan was the third-place winner. The Child Support Services Department was presented the perpetual plaque as the departmental champions, along with t-shirts; the Information Technology Department was the second-place winner, and the CalWORKS Division of the Social Services Department was the third-place winner.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Hartman announced that the items regarding the County Claims List and benefits for executive management and unrepresented management employees would be 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 a budget amendment increasing appropriations by \$5,950 for a new total of \$28,000 in the Economic Development budget and decreasing Contingency Reserve by a like amount to provide for an increase in compensation to the renewal agreement with Shasta Cascade Wonderland Association as approved November 4, 2008. (Administrative Office)

Approved the minutes of the meeting held on November 4, 2008, as submitted. (Clerk of the Board)

Appointed Larry Mower to the Board of Building Appeals as a Citizen at Large member for a two-year term to December 2010. (Clerk of the Board)

Approved the proposed calendar for the Board of Supervisors meetings for 2009. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the employment contract with Lawrence G. Lees as County Administrative Officer to reflect changes to the Personnel Rules (chapter renumbering) and to include a \$416.67 monthly automobile allowance. (County Counsel/Support Services).

Approved and authorized the Chairman to sign an agreement with Thomas J. Andrews, M.D., Inc. in an amount not to exceed \$100,000 to provide psychiatric services from the date of signing through June 30, 2009. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with the County of Butte in an amount not to exceed \$10,000 to provide psychiatric inpatient services to Shasta County residents for the period December 1, 2008 through June 30, 2009. (Mental Health)

Approved and authorized the Chairman to sign a Declaration of Intent notifying the California Department of Public Health (CDPH) of the County's intent not to administer Fiscal Year 2008-09 Emergency Medical Services Appropriation Program funding in favor of continuing CDPH's disbursement of funds directly to area hospitals and physicians for a portion of their indigent medical care costs. (Public Health)

Approved and authorized the Chairman to sign an agreement with Pacific Gas & Electric Company in an approximate amount of \$124,540 to relocate utility facilities for the Airport Road at Sacramento River Bridge Replacement Project. (Public Works)

For Tract Map No. 1926, Moon (west Redding area), adopted Resolution No. 2008-137, which grants an extension of time to the developer for completion of improvements by September 14, 2009; and approved and authorized the Chairman to sign an amendment to the agreement with Chae Moon extending the time of completion to September 14, 2009. (Public Works)

(See Resolution Book No. 49)

For the proposed Parcel Map No. 07-004, Squaw Carpet Fire Access Permanent Road Division (Shingletown area), received the petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, and parcel charge report; and set a public hearing for January 6, 2009 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Castella Water System Improvement Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Gas Point Road at I-5/Rhonda Road Traffic Signals Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Hat Creek Park Improvements and record it within 10 days of actual completion of the work. (Public Works)

Directed staff to circulate a Request for Projects for eligible Title III (timber receipt funds) projects. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

COUNTY CLAIMS LIST

In response to a question from Supervisor Kehoe, Auditor-Controller Connie Regnell confirmed that procedures have been implemented to avoid the use of verbal agreements to perform work for the County.

In response to questions from supervisors, County Administrative Officer (CAO) Larry Lees and Administrative Analyst Angela Richardson noted that although a contract maximum was exceeded by a vendor, the work provided was performed at the request of a department; however, there was an opportunity beforehand to amend the contract which was missed. By motion made, seconded (Baugh/Hawes), and carried, the Board of Supervisors approved and authorized the Chairman to sign the County Claims List totaling \$2,790.24 requiring special board action. Supervisor Kehoe voted no. (Auditor-Controller)

BENEFITS FOR EXECUTIVE AND UNREPRESENTED MANAGEMENT EMPLOYEES RESOLUTION NO. 2008-138

In response to a question from Supervisor Cibula, CAO Larry Lees explained that the approval of administrative leave sellback is still an option which must be approved by the manager's department head. By motion made, seconded (Hawes/Baugh), and carried, the Board of Supervisors adopted Resolution No. 2008-138, which provides administrative leave sellback and longevity stipend benefits to appointed executive management employees (department heads) and unrepresented non-executive managers similar to those provided to represented managers. Supervisor Cibula voted no as he did not support conversion of administrative leave into an economic benefit to the employee. (Support Services-Personnel)

(See Resolution Book No. 49)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Kehoe recently attended a Redding Area Bus Authority meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE/AUDITOR-CONTROLLER/TREASURER-

TAX COLLECTOR/SUPPORT SERVICES

**IRREVOCABLE TRUST AGREEMENT: PUBLIC AGENCIES RETIREMENT SYSTEM
OTHER POST EMPLOYMENT BENEFITS (OPEB)
RESOLUTIONS NO. 2008-139, 2008-140, AND 2008-141**

Auditor-Controller Connie Regnell presented the staff report and recommended approval of the staff recommendation. In response to questions by supervisors, CAO Larry Lees noted that after the September 23, 2008 Board of Supervisors meeting, CAO staff received presentations from the Public Employee Retirement System (CalPERS) and the Public Agency Retirement System (PARS) regarding the Other Post Employment Benefits (OPEB) programs and decided to recommend diversification of investments between CalPERS and PARS. The investments will be long term (30 years) and should not be adversely affected by the current economy. CalPERS employs an aggressive investment strategy; PARS offers three strategies: conservative, moderate, and aggressive, and staff recommends the moderate investment strategy.

In response to questions from Supervisor Kehoe, Ms. Regnell explained that the agreement with CalPERS approved in September has not been finalized, so there is no impediment in going forward with diversification of the investments between CalPERS and PARS. In response to questions regarding administrative costs, Administrative Fiscal Chief Bebe Palin noted that administrative fees for the CalPERS investment are usually between 40 and 60 basis points (0.40-0.60 percent), and the investments are managed internally. Administrative fees for the PARS investment are approximately 57 basis points this year (0.57 percent) but may decrease in the future. Investment returns are projected to be 7 percent for PARS with a moderate investment strategy and 7.75 percent with CalPERS.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors:

1. Approved and authorized the County Administrative Officer to enter into an additional Irrevocable Trust Agreement for Other Post Employment Benefits (OPEB);
2. Adopted Resolution No. 2008-139, which repeals Resolution No. 2008-117, maintains the OPEB funding methodology, and amends the County's contribution to the CalPERS Retiree Benefit Trust (CERBT), decreasing the contribution from \$12 million to \$6 million;
3. Adopted Resolution No. 2008-140, which appoints the Administrative Officer and the Auditor-Controller as Co-Plan Administrators, and authorizes the Auditor-Controller to

request on behalf of Shasta County disbursements from the CalPERS Other Post Employment Prefunding Plan and to certify as to the purpose for which the disbursed funds will be used; and

4. Adopted Resolution No. 2008-141, which declares the County's intent to participate in the PARS Public Agencies Post-Retirement Health Care Plan effective November 18, 2008, appoints the Administrative Officer and Auditor-Controller or their designees as Co-Plan Administrators for the Program, approves and authorizes the Co-Plan Administrators to sign the PARS legal documents and to take any additional actions necessary to maintain the County's participation in the Program and to maintain compliance, and authorizes either Co-Plan Administrator to request disbursements from the Plan.

(See Resolution Book No. 49)

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

AGREEMENT: CALIFORNIA DEPARTMENT OF PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE ACTIVITIES

At the recommendation of Director of Public Health Donnell Ewert and by motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the California Department of Public Health (CDPH) for the County to receive Centers for Disease Control and Prevention (CDC) funding for emergency preparedness and response activities in an amount not to exceed \$487,875 for CDC base and laboratory allocations for the period August 10, 2008 through August 9, 2009, and in an amount not to exceed \$66,226 for a pandemic influenza allocation for the period July 1, 2008 through June 30, 2009; approved and authorized the Chairman to sign "Non-Supplantation Certifications" for receipt of funding and as required during the contract year to allow for bioterrorism funding; approved and authorized the Director of Public Health to sign the "Certification Regarding Lobbying" form; and directed the Auditor-Controller to pay claims related to the agreement.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

GENERAL PLAN AMENDMENT NO. 08-003

ZONE AMENDMENT NO. 08-004

AGNES WILLIAMS TRUST

PALO CEDRO AREA

RESOLUTION NO. 2008-142

This was the time set to conduct a public hearing and consider the request to approve General Plan Amendment No. 08-003 and Zone Amendment No. 08-004, Agnes Williams Trust, which would change approximately 2.1 acres in the Palo Cedro area from a Rural Residential A (RA) land use designation to a Commercial (C) land use designation and rezone approximately 2.1 acres from a Rural Residential (R-R) District to a Community Commercial combined with a Design Review (C-2-DR) District. Assistant Director of Resource Management Rick Simon presented the staff 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 applicant's representative Chris Young explained that the applicant had inherited the property and plans to sell the property once it is rezoned.

No one else 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 took the following actions regarding General Plan Amendment No. 08-003 and Zone Amendment No. 08-004, Agnes Williams Trust, Palo Cedro area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as set forth in Planning Commission Resolutions No. 2008-107 and 2008-108;
2. Adopted Resolution No. 2008-142, which approves General Plan Land Use Element map changes for General Plan Amendment No. 08-003 from a Rural Residential A (RA) land use designation to a Commercial (C) land use designation, as recommended by the Planning Commission;
3. Made the rezoning findings; and
4. Introduced and waived the reading of an ordinance which approves Zone Amendment No. 08-004, as requested.

CLOSED SESSION ANNOUNCEMENT

Chairman Hartman announced that Closed Session had been pulled from the Regular Calendar.

10:17 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy