

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 7, 2009

REGULAR MEETING

9:00 a.m.: Chairman Hawes 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 Moty
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Mike Ralston
Chief Deputy Clerk of the Board - Glenda Tracy
Deputy Clerk of the Board - Linda K. Mekelburg
Agency Staff Services Analyst II - Megan Dorney

INVOCATION

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

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

County Fire Warden Mike Chuchel warned members of the public to be cautious with control burns. Enforcement actions will be taken.

BOARD MATTERS

APRIL 2009 EMPLOYEE OF THE MONTH
CHILD SUPPORT PROGRAM MANAGER EMMA POST
RESOLUTION NO. 2009-020

At the recommendation of Department of Child Support Services Terri Love and by motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-020, which recognizes Child Support Program Manager Emma Post as Shasta County's April 2009 Employee of the Month.

(See Resolution Book No. 50)

PROCLAMATION: FAIR HOUSING MONTH

At the recommendation of Director of Housing/Community Actions Programs Dr. Richard Kuhns and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2009 as Fair Housing Month in Shasta County.

PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH

At the recommendation of District Attorney Jerry Benito and by motion made, seconded (Baugh/Hartman), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2009 as Sexual Assault Awareness Month in Shasta County. Shasta Women's Refuge Executive Director Maggie John was present to accept the proclamation.

CONSENT CALENDAR

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar:

Approved and authorized the Auditor-Controller to make budget adjustments and approve invoices and purchase orders as necessary due to an increase in the State sales tax. (Administrative Office)

Approved the minutes of the meeting held on March 17 and 24, 2009, as submitted. (Clerk of the Board)

Appointed Ken Burns (District 3) to the Economic Development Corporation to fill an unexpired term to January 2010. (Clerk of the Board)

Approved and authorized the Chairman to sign a lease with Shastique Holdings, LLC in the amount of \$6,127 per month for 12,636 square feet of office space (\$0.485/square foot) at 1810 Market Street, Redding from the date of signing through September 30, 2014, with annual increases of three percent during the initial period and increases equal to consumer price index increases limited to three percent per year for two optional one-year extensions. (Health and Human Services)

Approved and authorized the Director of Public Health or his designee to sign California Department of Public Health and California Department of Health Care Services Contractor's Release forms for 12 previously approved agreements. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Right Road Recovery Programs, Inc. in an amount not to exceed \$470,000 per fiscal year to provide nonresidential alcohol and other drug treatment services from the date of signing through June 30, 2010, with two automatic one-year renewals. (Mental Health-Alcohol and Drug Programs)

Found the Jail Roof Project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after May 7, 2009 at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign an agreement with Interwest Consulting Group, Inc. in an amount not to exceed \$210,000 to provide plan review and inspection services for the Hatchet Ridge Wind Project for the period April 7, 2009 through April 6, 2010; approved a budget amendment increasing revenues by \$210,000 in the Building Inspection budget; and authorized the Auditor-Controller to pay claims associated with the agreement and budget amendment. (Planning Division)

Approved and authorized the Chairman to sign an amendment to a lease with Corder Farms reducing compensation to \$5,150 per year to lease 53 acres of farmland in exchange for transferring responsibility to Corder Farms for payment of possessory interest tax due and retaining the term through October 31, 2010. (Inter-Mountain Fair)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: SHASTA PUBLIC LIBRARY SYSTEM

City of Redding Community Services Director Kim Niemer provided an update on the Shasta Public Library System, outlining the information available in many forms, which provides members of the public the ability to research and to interact with others in the community. "Homework Help" is provided for students, and community rooms are available to profit and nonprofit groups.

Library Director Jan Ericksen introduced herself, as she is new to the position and the community.

PRESENTATION: TARGET SAFETY TARGET SAFETY/CSAC-EIA 2009 LEADERSHIP AWARD

Director of Support Services Michelle Schafer introduced Target Safety Account Executive Michael Butler who presented online safety program awards to Ms. Schafer and Risk Management Analyst III Jonathan Hill due to Shasta County having delivered 2,000 online safety courses in the last eight months.

10:02 a.m. The Board of Supervisors recessed.

10:12 a.m. The Board of Supervisors reconvened.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Hawes addressed a need for a letter of support for Senate Bill 295 (Dutton), California Global Warming Solutions Act of 2006. By consensus, the Board of Supervisors directed County Administrative Officer Larry Lees to have County staff review the legislation and return to the Board of Supervisors for possible further action.

Supervisor Baugh recently attended the Local Agency Formation Commission (LAFCO) meeting and the California Association of LAFCOs (CALAFCO) meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SHASTA PUBLIC LIBRARY SYSTEM
TRANSFER REMAINING LIBRARY PROJECT FUNDS TO THE CITY OF REDDING
BUDGET AMENDMENT

At the recommendation County Administrative Senior Analyst Julie Hope and by motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations in the amount of \$424,595, to be offset with use of project fund balance, in the Library Building Construction budget in order to increase A-87 Central Service charges and to transfer remaining library project funds to the City of Redding to fund the Shasta Public Library System pursuant to the ownership and operation agreement.

COUNTY COUNSEL

PACHECHO UNION ELEMENTARY SCHOOL DISTRICT
ELECTION OF 2008 GENERAL OBLIGATION BONDS, SERIES A
RESOLUTION NO. 2009-021

At the recommendation Assistant County Counsel John Loomis and by motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-021, which authorizes the issuance and sale of bonds designated as Pacheco Union Elementary School District (Shasta County, California) Election of 2008 General Obligation Bonds, Series A in an amount not to exceed \$4,000,000 to construct, upgrade, renovate, and equip facilities of the Pacheco Union Elementary School District.

(See Resolution Book No. 50)

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

VARIOUS APPOINTMENTS TO THE PUBLIC HEALTH ADVISORY BOARD (PHAB)
PHAB ACTIVITIES AND HEALTHY SHASTA COUNTY 2010 UPDATES

Director of Public Health Donnell Ewert provided the information about the requested appointments to members of the Public Health Advisory Board (PHAB), and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors reappointed Susan Osborne (general), Paula Percy (general), and Cathleen Wyatt (general) for three-year terms to expire March 2012; appointed Julia DeLaRosa-Blair (general) and E. Colleen Hopper (general) for three-year terms to expire March 2012; and appointed Diane Burke (general) and Barbara Jackson (District 2) to fill unexpired terms to March 2011 and March 2010, respectively.

PHAB Chairman Jim Holdridge gave the year-end report on the activities of PHAB. Mr. Ewert addressed the 2009 Strategic Plan Progress Report, outlining focus areas and the 2020 goals to promote healthy development and behaviors across all stages of life.

SCHEDULED HEARINGS**LAW AND JUSTICE****DISTRICT ATTORNEY****REAL ESTATE DOCUMENTS FEES****REAL ESTATE FRAUD PROSECUTION TRUST FUND AND COMMITTEE****RESOLUTION NO. 2009-022****CONSUMER PROTECTION UNIT****ILLEGAL DUMPING UNIT RESTRUCTURING****RESOLUTION NO. 2009-023**

This was the time set to conduct a public hearing and consider the request to approve a real estate documents fee, the establishment of a Real Estate Fraud Prosecution Trust Fund and the Real Estate Fraud Prosecution Trust Fund Committee, consumer fraud prosecution through the Consumer Protection Unit, and the restructuring of the Illegal Dumping Unit. District Attorney Jerry Benito presented the staff report and recommended approval. 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 Robert Lake, Mary Hansen, and Jean Hall spoke in support of the establishment of the Real Estate Fraud Prosecution Trust Fund Committee. No one else spoke for or against the project, and the public hearing was closed.

In response to a question by Supervisor Moty, Mr. Benito clarified that the requested committee member need not be a member of the Board of Supervisors, and that the appointment can be deferred to a later meeting.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors took the following actions:

1. Adopted Resolution No. 2009-022, which provides for a fee on real estate documents recorded in Shasta County, directs the establishment of a Real Estate Fraud Prosecution Trust Fund, establishes the Real Estate Fraud Prosecution Trust Fund Committee to direct the use of funds and to monitor the program, and directs the Board of Supervisors to appoint a member to the Committee;
2. Adopted Resolution No. 2009-023, which repeals Resolution No. 2005-165, supports the District Attorney's efforts to investigate and prosecute consumer fraud through the Consumer Protection unit, and directs that penalties and fees received be placed in the County's General Fund;
3. Approved the restructuring of the Illegal Dumping unit and direct the continued use of County Miscellaneous general funds to support the unit; and
4. Directed the Auditor-Controller to set up the Real Estate Fraud Prosecution Trust fund and pay claims related to all three programs.

(See Resolution Book No. 50)

PUBLIC WORKS

TRACT MAP NO. 1900
SILVERBRIDGE HIGHLANDS PERMANENT ROAD DIVISION
MILLVILLE AREA

This was the time set to conduct a public hearing regarding the formation of the proposed Silverbridge Highlands Permanent Road Division (Millville area). Supervising Engineer Al Cathey presented the staff report and recommended approval of the project.

The public hearing was opened, at which time no one spoke for or against the formation of the permanent road division, 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 the 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.

PARCEL MAP NO. 05-081
JENNIFER DRIVE EMERGENCY FIRE ESCAPE ROAD PERMANENT ROAD DIVISION
NORTHEAST REDDING AREA
ANNUAL PARCEL CHARGE REPORT FOR FY 2009-10
RESOLUTION NOS. 2009-024 AND 2009-025

This was the time set to conduct a public hearing regarding the proposed Jennifer Drive Emergency Fire Escape Permanent Road Division (northeast Redding area). Supervising Engineer Al Cathey presented the staff report and recommended approval of the project. 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 formation of the permanent road division, 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 the 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 motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding Parcel Map No. 05-081, Jennifer Drive Emergency Fire Escape Permanent Road Division (northeast Redding area):

1. Adopted Resolution No. 2009-024, which forms the Division;
2. Adopted Resolution No. 2009-025, which confirms the annual parcel charge report for Fiscal Year 2009-10; and
3. Received the annual parcel charge report.

(See Resolution Book No. 50)

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes 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 Redd v. Redding Area Bus Authority; DeLarge v. J.P. Morgan, Foland v. Shasta County Department of Child Support Services; and King v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a);
2. Confer with its Real Property Negotiator Public Works Director Pat Minturn and Woodridge Mutual Water Company to negotiate price and terms of payment regarding Assessor's Parcel No. 096-270-006, pursuant to Government Code section 54954.2;
3. Confer with its Real Property Negotiator County Administrative Officer Larry Lees and Mr. and Mrs. Horn to negotiate price and terms of payment regarding 2650 Breslauer Way, Redding, pursuant to Government Code section 54954.2; and
4. 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.

11:24 a.m.: The Board of Supervisors recessed to Closed Session.

1:10 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 Mike Ralston, Chief Deputy Clerk of the Board Glenda Tracy, and Agency Staff Services Analyst II Megan Dorney present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as real property and labor negotiations. By a unanimous vote, the Board of Supervisors directed the office of County Counsel to handle the defense of County defendants in the matters Redd v. Redding Area Bus Authority, DeLarge v. J.P. Morgan, and Foland v. Shasta County Department of Child Support Services. No other reportable action was taken.

1:10 p.m.: The Board of Supervisors recessed.

3:30 p.m.: The Board of Supervisors reconvened at the Redding City Council Chambers, 777 Cypress Avenue, Redding.

THURSDAY, APRIL 9, 2009**JOINT WORKSHOP WITH REGIONAL TRANSPORTATION PLANNING AGENCY,
REDDING CITY COUNCIL, ANDERSON CITY COUNCIL, AND
SHASTA LAKE CITY COUNCIL**

3:30 p.m.: The Board of Supervisors reconvened in Open, Joint Session with the Anderson City Council, the City of Shasta Lake City Council, and the Redding City Council in the City of Redding Council Chambers with Supervisors Leonard Moty, Glenn Hawes, Linda Hartman, and Les Baugh, County Administrative Officer Larry Lees, County Counsel Mike Ralston, and Chief Deputy Clerk of the Board Glenda Tracy present. Chairman Hawes presided for the Board of Supervisors. Present for the City of Anderson were: City Council Members Norma Comnick, Melissa Hunt, Keith Webster, and James Yarbrough. Present for the City of Shasta Lake were: Council Members Rod Lindsay and Gracious Palmer. Present for the City of Redding were: Council Members Rick Bosetti, Dick Dickerson, Patrick Jones, Missy McArthur, and Mary Stegall.

Shasta County Regional Transportation Planning Agency (RTPA) Executive Director Dan Little advised that the joint workshop is to address ideas to avoid future traffic congestion on Interstate 5 (I-5).

Caltrans Director Will Kempton discussed various options to cover costs of possible future expansion and maintenance costs of I-5. As revenues are limited and costs are increasing, he spoke of the value of community partnership and the State working together, determining a way to obtain revenue when the amount being collected is less than the cost of repairs.

California Transportation Commission Commissioner (CTC) James Earp stated the last gas tax increase was in 1994. This is possibly not a good time to seek a tax increase due to the economy. He noted CTC is willing to assist with a poll to determine where the community stands with the challenges of raising funds.

Sonoma County Transportation Authority Executive Director Suzanne Smith told of methods used in Sonoma County when attempting to obtain consensus with the community to determine methods and the eventual success of raising funds for projects.

Phil George, Gary Cadd, Gail Rich, Ron Largent, and Ron Reese provided input as to the issues on possible future projects and the raising of funds for payment.

5:35 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy