

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, April 21, 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 - Valerie Ibarra

**INVOCATION**

Invocation was given by Pastor Perry Peterson, Crossroads Bible Fellowship.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Assessor-Recorder Leslie Morgan stated that many Shasta County property owners are receiving advertisements from a firm in Los Angeles, offering to research their property value for a fee for a possible reassessment appeal. She advised that the Assessor's Office provides this service at no charge.

Health and Human Services Agency Director Marta McKenzie spoke of a recent report produced by California State Association of Counties (CSAC) regarding the economic impacts and the state and federal dollars expended on behalf of the demands for services provided by Department of Social Services.

**BOARD MATTERS****PROCLAMATION: CRIME VICTIMS' RIGHTS WEEK**

At the recommendation of District Attorney Jerry Benito and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 26-May 2, 2009 as Crime Victims' Rights Week in Shasta County.

Crime Victims' Assistance Center Victim Coordinator Angela Fitzgerald accepted the proclamation.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Hawes announced that the agreements with U.S. Department of Interior and Caltrans were pulled for further discussion.

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

**AGREEMENT: U.S. DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION  
SHASTA DAM PATROL SERVICES**

In response to questions by Supervisors, Sheriff Tom Bosenko and Chief Fiscal Officer Carol Patton explained that no Shasta Dam patrol services have been provided since the expiration of the previous agreement, while waiting for the approval of the new agreement. It is prudent for the Sheriff's Office to handle the patrol services in the event a crime is discovered in the area.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with U.S. Department of Interior, Bureau of Reclamation in the amount of \$508,369 for the Sheriff's Office to provide patrol services at Shasta Dam from date of signing through February 28, 2014. (Sheriff's Office-Patrol)

**AGREEMENT: CALTRANS  
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM IMPLEMENTATION  
RESOLUTION NO. 2009-028**

Supervisor Hartman stated that although she is in opposition to the requirement of using only "Disadvantaged Business Enterprises," not allowing all qualified businesses to be used, she will agree to allow Shasta County to receive federal aid for road and bridge projects.

By motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2009-028, which approves and authorizes the Public Works Director to sign an agreement, subsequent agreements, amendments, and other documents with Caltrans to implement a state-approved Disadvantaged Business Enterprise Program. (Public Works)

(See Resolution Book No. 50)

**CONSENT CALENDAR**

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Baugh abstained on the minutes of the meeting held on April 14, 2009 as he was not in attendance at that meeting):

Approved and authorized the Chairman to sign the County Claims List totaling \$10,368.93 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on April 14, 2009, as submitted. (Clerk of the Board)

Appointed Shawn Watts (Alternate) to the Board of Employee Appeals for a term to expire January 3, 2011. (Clerk of the Board)

Accepted a donation of five printers valued at \$4,272.78 from the Dell Corporation. (Information Technology)

Approved and authorized the Chairman to sign a letter approving the In-Home Supportive Services Public Authority Rate Modification Application, which increases provider's wages by \$0.45 per hour, decreases the administration cost by \$0.02 per hour, and increases the payroll tax by \$0.05 per hour for submission to the California Department of Social Services. (In-Home Supportive Services Public Authority)

Approved and authorized the Chairman to sign an amendment to the agreement and an amendment to the Memorandums of Understanding with the California Department of Public Health decreasing compensation by \$96,092 (for a new maximum compensation of \$374,929) to provide HIV/AIDS prevention and education for the period July 1, 2007 through June 30, 2010; and approved and authorized the Director of Public Health to sign amendments to the program budget(s) which result in a net change of no more than 10 percent of the total budget and other minor, non-monetary amendments as necessary. (Public Health)

Approved and authorized the Chairman to sign a retroactive grant agreement with the Shasta Regional Community Foundation for Shasta County to receive \$5,000 to help fund the Healthy Shasta Partnership's 2009 "Walk This Way" event for the period November 12, 2008 through November 18, 2009. (Public Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Stericycle, Inc. to provide disposal of sharps and other medical waste which increases compensation by \$10,000 (for a new total of \$25,000); changes the contractor's name from Sanitec USA, Inc. to Stericycle, Inc.; changes the contractor's address; adds an additional contractor responsibility for service to Shasta County Mental Health; and retains the term of November 9, 2007 to June 30, 2008, with two optional additional one-year terms at the end of the initial term. (Public Health)

Approved and authorized the Chairman to sign an amendment to the Memorandum of Understanding with the California Statewide Automated Welfare System Consortium IV (C-IV) to transfer title of equipment to respective Counties to streamline inventory controls effective the date of signing, conditioned on C-IV entering into the same amendment with county and other migrating consortium member counties. (Social Services)

Approved and authorized the Chairman to sign an amendment to the agreement with The National Council on Crime and Delinquency to provide SafeMeasure child welfare data reporting services which changes the renewal period from one year to two years; and exercises the option to renew the agreement for two years in the amount of \$74,250 for the period July 1, 2009 through June 30, 2011. (Social Services)

Approved Resolution No. 2009-029, which certifies that the County maintains 1,191.189 miles of road. (Public Works)

(See Resolution Book No. 50)

Regarding the Groundwater Monitoring Wells and Gas Monitoring Wells Project, found the 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 28, 2009 at 11:00 a.m. (Public Works)

**REGULAR CALENDAR****PRESENTATIONS****PRESENTATION: HERGER-FEINSTEIN QUINCY LIBRARY GROUP PILOT PROJECT**

County Forester Frank Stewart discussed the Herger-Feinstein Quincy Library Group (QLG) Pilot Project which covers eight counties and three national forests. Seven western states have had wildfires that have set records. It is important to treat the overstocked stands by removing dead, dying, and the weakest trees and improving roads for travel and drainage. Since the Pilot Project started, for every acre thinned, there has been a loss of five acres due to fire. The QLG Pilot Project began in 2000 as a five-year plan, and has been extended to 2012 because of 557 appeals and nine lawsuits filed by environmental organizations, which is causing 39 projects to be on hold.

**GENERAL GOVERNMENT****ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS****LEGISLATIVE UPDATE****MEMORANDUM OF UNDERSTANDING: FALL RIVER WATERSHED SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, including the request to send a letter to Senator Aanestad regarding an analysis of the lightning fires in Shasta County in 2008.

By consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter to Senator Aanestad regarding an analysis the 2008 lightning fires in Shasta County; and approved and authorized the Chairman to sign a Memorandum of Understanding for the Fall River Watershed.

Supervisor Baugh recently attended the Regional Council of Rural Counties (RCRC) meeting. Deputy Regional Forester Jim Pena had stated that the information as to how the stimulus funds from the federal government are being spent by the Forest Service is unavailable to members of the public. Supervisor Kehoe stated that a formal invitation should be extended to Mr. Pena and Shasta National Forest Supervisor J. Sharon Heywood to clarify their responses. Supervisor Baugh will extend the invitations.

Supervisor Kehoe recently attended the Redding Area Bus Authority (RABA) Board meeting.

Supervisor Moty recently attended via teleconference the Northern California Water Association meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE****IDENTITY THEFT "RED FLAGS"  
POLICY RESOLUTION NO. 2009-02**

Senior Administrative Analyst Julie Hope presented the staff report and stated that the goal is to curtail identity theft. In response to questions by Supervisor Kehoe, Ms. Hope

confirmed that anticipated costs to the County would be staff time to formulate a work group to identify, implement measures to detect, and to respond to relevant “red flags.”

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopting Policy Resolution No. 2009-02, which adds a policy to the Administrative Policy Manual regarding Identity Theft “Red Flags.”

(See Policy Resolution Book)

## LAW AND JUSTICE

### PROBATION

#### JUVENILE HALL CONSTRUCTION CAPITAL PROJECT

Chief Probation Officer Brian Richart presented the staff report. In response to questions by Supervisors, Mr. Richart stated that in October 2006 a Feasibility Study was presented which identified the need for the replacement of the existing Juvenile Hall, in December 2008 the Board of Supervisors authorized the submission of an application for construction funding pursuant to Senate Bill 81, and in March 2009 the Corrections Standards Authority Board approved the recommendations, and Shasta County ranked second among applications received by five small counties. This recommended that Shasta County receive \$14,000,000 in funds for toward the construction of a new 90-bed Juvenile Rehabilitation and Detention Center.

County funds will need to be expended for Request for Proposals for architectural services; however, agreements will first be signed agreeing that the construction funds will be issued to the County. The project budget total is \$16,493,000. \$14,000,000 is for construction, including contingency. The remaining costs include architectural services (contract); CEQA (contract); construction management (contract); grant audit (County Auditor); County administration (Department of Public Works); transition planning (Probation); furnishings and equipment (General Fund); and permits, fees, and testing. The County would make payments to contractors, submit the invoices to the State for reimbursement, and receive the reimbursement in approximately 3 weeks.

In response to questions by Supervisor Baugh, County Administrative Officer (CAO) Larry Lees advised that the State will selling bond as the source of these funds. Mr. Richart stated that the bonds cannot be sold until the construction of the facility is near completion. The initial financing will come from a loan out of the pooled investment account.

CAO Lees stated his support, yet pointed out liabilities and risks with the project. Shasta County will be required to give the land to the state who will own it until the loan has been paid in full. There is a need to identify where the County will obtain the additional funds over the \$14,000,000. CAO Lees recommends that additional money be placed in a separate pool for security while waiting for the funds from the State that are said to be reimbursed in 3 weeks. The facility will need to be operational within 90 days of completion, which will require additional annual operating expense from the County. It is mandatory that it be identified where these additional funds will be found.

By motion made, seconded (Baugh/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding the Juvenile Hall Construction Capitol Project:

1. Accepted a funding award from the Corrections Standards Authority in the amount of \$14,000,000 from the Local Youthful Offender Rehabilitative Facility Construction Funding Program;
2. Approved and authorized the Chief Probation Officer to send a letter to the Corrections Standards Authority confirming acceptance of the funding;

3. Established a capital project fund and a project budget in the amount of \$16,493,000;
4. Authorized the Auditor-Controller to create the necessary accounts for payment of costs related to construction; and
5. Directed staff to circulate a Request for Proposals for architectural services for the project.

10:55 a.m.: The Board of Supervisors recessed.

11:03 a.m.: The Board of Supervisors reconvened.

### **SCHEDULED HEARINGS**

### **RESOURCE MANAGEMENT**

### **PLANNING DIVISION**

#### **ZONE AMENDMENT NO. 06-021** **STAN LEACH** **FRENCH GULCH AREA**

This was the time set to conduct a public hearing to consider the request to rezone approximately 72 acres from an Unclassified (U) District to a Timber Production (TP) District. Associate Planner Lio Salazar 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.

In response to questions by Supervisors, Mr. Salazar and Assistant Director of Resource Management Rick Simon explained that notices were mailed prior to the Planning Commission hearing; however, the one sent to Dan and Teresa Donnelly was returned by the postal service, damaged. The notice was not resent; yet the public hearing information was also published in the newspaper.

The public hearing was opened, at which time applicant Stan Leach stated that because neighbor Dan Donnelly is present with concerns he is in agreement to have the matter continued so that Mr. Donnelly may receive the information. He would like to designate the land for timber production.

Adjacent Property Owner Dan Donnelly requested a continuance to determine all the plans.

No one else spoke for or against the project, and the public hearing was closed.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors continued the hearing to May 12, 2009 at 9:00 a.m. to allow property owners time to discuss the request.

### **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 Toroni v. Lee, pursuant to Government Code section 54956.9, subdivision (a); and

2. Confer with its Real Property Negotiator County Administrative Officer Larry Lees and the Administrative Office of the Courts to negotiate price and terms of payment regarding 1500 Court Street, Redding, pursuant to Government Code section 54954.2;

11:31 a.m.: The Board of Supervisors recessed to Closed Session.

12:10 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, and Chief Deputy Clerk of the Board Glenda Tracy 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 negotiations. By a unanimous vote, the Board of Supervisors directed the office of County Counsel to handle the defense of County defendants in the matter of Toroni v. Lee. No other reportable action was taken.

12:11 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy