

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, April 6, 2010

**REGULAR MEETING**

9:05 a.m.: Chairman Kehoe 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 - Rubin E. Cruse, Jr.  
 Chief Deputy Clerk of the Board - Glenda Tracy  
 Administrative Board Clerk - Linda Mekelburg

**INVOCATION**

Invocation was given by Pastor Tom Winslow, Family Celebration Center.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**BOARD MATTERS**

**APRIL 2010 EMPLOYEE OF THE MONTH**  
**ASSESSOR/RECORDER CLERK III PATRICIA MACIAS**  
**RESOLUTION NO. 2010-026**

At the recommendation of Assessor-Recorder Leslie Morgan and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-026, which recognizes Assessor/Recorder Clerk III Patricia Macias as Shasta County's April 2010 Employee of the Month.

(See Resolution Book No. 51)

**PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH**

At the recommendation of District Attorney Jerry Benito and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2010 as Sexual Assault Awareness Month in Shasta County.

Shasta Women's Refuge Executive Director Maggie John gave information regarding the 15th annual Take Back the Night, and accepted the proclamation. Shasta Regional Medical Center Chief Executive Officer Randall Hempling stated that the medical center is institutionalizing funding for the Sexual Assault Response Team (SART).

### **PRESENTATIONS**

#### **PRESENTATION: SHASTA PUBLIC LIBRARY SYSTEM**

City of Redding Community Services Director Kim Niemer provided an update on the Shasta Public Library System. In 2009, the Redding Library had 582,158 visits. The circulation for the Redding, Anderson, and Burney libraries was 550,273. High-speed internet usage provides a program for tutoring. Public space is provided for groups to meet and interact with others in the community.

#### **2009 SHASTA COUNTY FIRE DEPARTMENT ANNUAL REPORT**

County Fire Warden Doug Wenham gave the 2009 Shasta County Fire Department Annual Report. The Fire Department is operated with paid staff and over 200 volunteer firefighters. The volunteer firefighters worked over 16,000 hours in 2009 of certified and emergency training and fire fighting and responded to nearly 3,000 calls in 2009.

### **ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Kehoe announced that the item regarding the intent to lease the rooftop and ground space at Shasta County Main Jail was pulled for further discussion. In response to questions by Supervisor Kehoe, Administrative Analyst Elaine Grossman stated that there will be a competitive bidding process to allow proposals to be submitted. Security protocol will be part of the contract to allow for safe access to secure areas at the Jail. In addition, costs associated with granting access to the roof will be billed by the Sheriff's Office to the lessee on a monthly basis. Sheriff Tom Bosenko advised that staff from vendors provide identification upon entering the Jail. These individuals are subject to search and are escorted to the area of work.

Chairman Kehoe announced that the item regarding the Notice of Non-Issuance of Tax Revenue on behalf of school districts was pulled for discussion at the request of the department. County Counsel Rubin E. Cruse, Jr. advised that the Board of Supervisors was requested not to authorize issuance of tax and revenue anticipation notes on behalf of the three school districts so the districts can issue notes independent of Shasta County. County Counsel's Office was contacted by the consultant assisting the school districts, advising that Pacheco Union Elementary School District has withdrawn its request. The notices requested for the public school districts are now only Cottonwood Union Elementary School District and Grant Elementary School District.

### **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:

Pursuant to Government Code section 25526, adopted Resolution No. 2010-027, which declares the Board of Supervisors' intent to lease rooftop and ground space at the Shasta County

Main Jail for cellular panel and related equipment installation and function, declares that the Board of Supervisors intends to lease the space for a minimum rent of \$2,000 per month with 4 percent annual increases for an initial term of five years and three five-year options to extend the lease, and authorizes the opening and consideration of sealed proposals to lease the property at the Board of Supervisors meeting on May 4, 2010; designated the Sheriff's Office to administer and collect the rent for the lease; and authorized the Auditor-Controller to identify an account in the Sheriff's budget for rent deposits to be used for jail maintenance and improvements if a lease is finalized. (Administrative Office/Sheriff-Coroner/Public Works-Facilities Management)

(See Resolution Book No. 51)

Approved and authorized the Chairman to sign the County Claims List totaling \$40.48 requiring special board action. (Auditor-Controller)

Introduced and waived the reading of an ordinance which amends County Code Section 2.04.10, *Meeting Days*, to revise the method by which the Board of Supervisors sets the time and place for holding regular meetings; and adopted Policy Resolution No. 2010-01, which amends Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*, to make various changes to the rules and conduct of business by the Board of Supervisors. (Clerk of the Board)

(See Policy Resolution Book)

Directed the Clerk of the Board to provide notice to Cottonwood Union Elementary and Grant Elementary School Districts that the Board of Supervisors will not authorize issuance of tax and revenue anticipation notes on behalf of the school districts so the districts can issue notes independent of Shasta County. (County Counsel)

Adopted Resolution No. 2010-028, which repeals Resolution No. 2005-5 and approves an amended records retention schedule for the Information Technology Department. (Information Technology)

(See Resolution Book No. 51)

Approved a budget amendment in the amount of \$50,000 in the Information Technology budget to transfer funds between fixed asset accounts to allow for the purchase of two additional network switches; and authorized the Auditor-Controller to transfer appropriations between the two accounts. (Information Technology)

Adopted Resolution No. 2010-029, which revises the *Personnel Rules*, Section 18.1, *Salary Range Steps*, to allow appointment of employees at salary steps above 'C' step upon recommendation of the Personnel Director and approval of the County Administrative Officer; and adopted Policy Resolution No. 2010-02, which repeals Policy Resolution No. 2008-01 and revises the practices and procedures for reorganizations, reclassifications, and salary and benefit changes to conform with the proposed revision to the *Personnel Rules*. (Support Services/Administrative Office)

(See Resolution Book No. 51)

(See Policy Resolution Book)

Adopted Salary Resolution No. 1376, which repeals Salary Resolution No. 1362 and makes technical corrections to the Fiscal Year 2008-09 Classification Maintenance Program; and adopted Salary Resolution No. 1377, which repeals Salary Resolution No. 1365 and makes technical corrections to the 2009-10 County Position Allocation and the County Salary Plan. (Support Services/Administrative Office)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign an amendment to the agreement with the Shasta County Office of Education increasing compensation by \$378,128 (for a total not to

exceed \$4,456,312) to provide CalWORKs Stage 1 Child Care services and retaining the term through June 30, 2010. (Health and Human Services Agency (HHS)-Regional Services)

Authorized the Public Works Director to enter into negotiations with Northern California Power Agency for the sale of landfill gas generated by the Richard W. Curry West Central Landfill. (Public Works)

Adopted Resolution No. 2010-30, which elects to receive the full payment of Secure Rural Schools and Self-Determination Act of 2008 funds, and allocates 15 percent of the full payment for Title II and Title III (timber receipt funds) projects; directed staff to circulate requests for Title III projects; and authorized the Resource Advisory Committee to rank Title III projects. (Public Works)

(See Resolution Book No. 51)

For the East Redding Bike Lanes Project - Phase 2, approved and authorized the Chairman to sign right-of-way contracts with Brad Armstrong (0.21 acres at \$7,200), the Weatherill Family Trust (0.02 acres at \$1,400), Jacquelyn Chafty (0.56 acres at \$26,000), and Denottler Corporation (0.57 acres at \$31,800); and accepted four easement deeds from these owners conveying parcels of project right of way. (Public Works)

Approved and authorized the Chairman to sign an agreement with Paul Maurer Shows, LLC for Shasta County to receive a minimum amount of \$115,000 to rent the carnival acreage during the 2010, 2011, and 2012 Inter-Mountain Fairs. (Inter-Mountain Fair)

Adopted Resolution No. 2010-031, which establishes a records retention schedule for the Inter-Mountain Fair. (Inter-Mountain Fair)

(See Resolution Book No. 51)

## **REGULAR CALENDAR, CONTINUED**

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

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

Supervisor Baugh recently attended a Regional Council of Rural Counties (RCRC) meeting.

Supervisor Hawes recently attended a California State Association of Counties (CSAC) meeting.

Supervisors reported on issues of countywide interest.

**COUNTY CLERK/REGISTRAR OF VOTERS**

**AGREEMENT: CALIFORNIA SECRETARY OF STATE  
UTILIZATION OF HELP AMERICA VOTE ACT OF 2002 (HAVA) FUNDS**

At the recommendation of County Clerk/Registrar of Voters Cathy Darling and by motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the California Secretary of State to grant Shasta County the ability to utilize HAVA (Help America Vote Act of 2002) grant funds for a maximum amount of \$5,000 for polling site accessibility training and enhancement from the date of approval by the California Department of General Services through December 31, 2010.

**AMENDMENT TO AGREEMENT: CALIFORNIA SECRETARY OF STATE  
UTILIZATION OF HELP AMERICA VOTE ACT OF 2002 (HAVA) FUNDS**

At the recommendation of County Clerk/Registrar of Voters Cathy Darling and by motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with the California Secretary of State extending the term of the agreement to December 31, 2011 to allow Shasta County to utilize HAVA (Help America Vote Act of 2002) funds for additional time and purposes.

**SCHEDULED HEARINGS**

**RESOURCE MANAGEMENT**

**PLANNING DIVISION**

**URGENCY ORDINANCE NO. 683  
MEDICAL MARIJUANA EXTENDED MORATORIUM**

This was the time set to conduct a public hearing regarding Medical Marijuana Dispensaries (Countywide area) and consider the request to enact an urgency ordinance which extends the current moratorium on medical marijuana dispensaries. Assistant Director of Resource Management Rick Simon presented the staff report and recommended enacting the urgency ordinance. 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 matter, and the public hearing was closed.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors introduced, waived the reading of, and adopted Ordinance No. 683, which extends the current moratorium on medical marijuana dispensaries for an additional 10 months and 15 days; and directed staff to continue monitoring current litigation regarding medical marijuana and report to the Board of Supervisors prior to the expiration of the moratorium.

(See General Ordinance Book)

**CLOSED SESSION ANNOUNCEMENT**

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c); and
2. 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.

10:07 a.m.: The Board of Supervisors recessed to Closed Session.

11:25 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss anticipated litigation, as well as labor negotiations. By a unanimous vote of 5-0, the Board of Supervisors directed that the County of Shasta file an administrative appeal of Forest Supervisor Sharon Heywood’s record of decision and the final environmental impact statement prepared in connection with the motorized travel management plan for the Shasta-Trinity National Forest. No other reportable action was taken.

11:27 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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