

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 5, 2010

REGULAR MEETING

9:00 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
 Assistant County Counsel - James Ross
 Chief Deputy Clerk of the Board - Glenda Tracy
 Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor John Wiseman, Risen King Community Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

OCTOBER 2010 EMPLOYEE OF THE MONTH
RISK MANAGEMENT ASSISTANT - CONFIDENTIAL TAMMY FRYE
RESOLUTION NO. 2010-097

At the recommendation of Director of Support Services Michelle Schafer and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-097, which recognizes Risk Management Assistant - Confidential Tammy Frye as Shasta County's October 2010 Employee of the Month.

(See Resolution Book No. 51)

PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2010 as Domestic Violence Awareness Month in Shasta County. District Attorney Jerry Benito and Women's Refuge Executive Director Maggie John were present to accept the proclamation

PRESENTATIONS

PRESENTATION: HEALTHY SHASTA ACTION HEROES

Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert stated the Healthy Shasta coalition was created to encourage healthy eating and physical activity. Healthy Shasta Coordinator Amy Pendergast introduced Joanne Bosetti, Pam Bates, Bridgett Brick-Wells, Beth Wyman, and Bill Kuntz as the 2010 Healthy Shasta Action Heroes award winners.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe advised the County Claims List and the proposed retroactive agreement with the California Office of Traffic Safety were pulled for discussion.

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:

Appointed Argent Hale to the Fall River Mills Cemetery District Board of Directors to fill an unexpired term to November 2013. (Clerk of the Board)

Adopted Salary Resolution No. 1382, which increases the position allocation for one Occupational Therapist/Physical Therapist in the Public Health-California Children's Services (CCS) budget from 0.5 Full-Time Equivalent (FTE) to 1.0 FTE effective October 10, 2010. (Health and Human Services Agency (Health and Human Services Agency (HHS)-Public Health)

(See Salary Resolution Book)

Adopted Salary Resolution No. 1383, effective September 30, 2010, which extends the sunset date from September 30, 2010 to September 30, 2011 for one Deputy District Attorney I/II/III position. (District Attorney)

(See Salary Resolution Book)

Approved budget amendments increasing appropriations and revenues by \$36,925 in the Office of Emergency Services budget and increasing appropriations and revenues by \$10,000 in the Marijuana Enforcement Team budget, both to be offset by previously approved additional federal revenue. (Sheriff)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

COUNTY CLAIMS LIST

In reply to questions by Supervisor Kehoe, Auditor-Controller Connie Regnell stated that there is a policy that allows a Personal Services Agreement (PSA) for a "not to exceed amount" that may be executed prior to knowing the total amount that will be needed. Inter-Mountain Fair Manager Bob Macfarlane advised that he will use that process in the future.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the County Claims List totaling \$7,920.90 requiring special board action. (Auditor-Controller)

AGREEMENT: CALIFORNIA OFFICE OF TRAFFIC SAFETY

Supervisor Kehoe recognized Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert because of the Grant Goals, listed on page 2 of the agreement. The reduction of in drivers who had been drinking will have a great impact.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-098, which supports the efforts of HHS-Public Health to continue providing traffic safety activities, and approves and authorizes the Chairman to sign a retroactive agreement with the California Office of Traffic Safety in an amount not to exceed \$138,061 to fund Shasta County's Drive Safe and Sober Education Program for the period October 1, 2010 through September 30, 2011; and approved and authorized the Director of Public Health or his/her designee to sign future amendments to the agreement that result in a net change of no more than 10 percent of the total dollar value of the agreement and other minor, nonmonetary amendments. (HHS-Public Health)

(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 update.

Supervisor Baugh recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisors reported on issues of countywide interest.

PUBLIC WORKS**COUNTY SERVICE AREA (CSA) NO. 23****CRAG VIEW WATER ASSESSMENT DISTRICT****RESOLUTION NO. 2010-099**

Supervising Engineer Al Cathey presented the staff report and recommended approval of the requested action. Chief Deputy Clerk of the Board Glenda Tracy stated, as required by Proposition 218, the results of the tabulation of the proposed assessment ballots are \$56,720 of proposed assessments in favor of the assessment and \$56,720 of proposed assessments protesting the proposed assessment. Mr. Cathey explained that because there is not a majority protest, the Board of Supervisors has the ability to move forward, and he recommended that they do so.

In reply to questions by Supervisors Moty and Baugh, Mr. Cathy explained that the votes of protest may possibly be from homeowners who believe water may be provided by Dunsmuir Water, which is not available.

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-099, which overrules ballot protests, approves the Engineer's Report, levies assessments, and orders the improvements for Crag View Water System Assessment District No. 2010-1; and approved and authorized the Chairman to sign an

agreement with PACE Engineering, Inc. in an amount not to exceed \$204,230 to provide engineering design and construction inspection services from the date of signing through December 31, 2012.

(See Resolution Book No. 51)

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 10-001 **KEVIN BOBAN (COTTONWOOD AREA)**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 10-001, Kevin Boban, which would rezone approximately 2.86 acres in the Cottonwood area to a One-Family Residential, minimum lot area as shown by final map (R-1-BSM) District, to facilitate a parcel map resulting in four 0.61-acre parcels and a 0.42-acre remainder parcel. Senior Planner Kent Hector 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 project, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 10-001, Kevin Boban, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as set forth in Planning Commission Resolution No. 2010-039; and
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2010-039; and
3. Made the rezoning findings; and
4. Introduced and waived the reading of an ordinance which approves Zone Amendment No. 10-001.

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 existing litigation entitled Dellamaria v. County of Shasta, et al., pursuant to Government Code section 54956.9, subdivision (a); 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.

10:04 a.m.: The Board of Supervisors recessed to Closed Session.

10:35 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 Assistant County Counsel James Ross. present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel James Ross reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations. In the case of *Dellamaria v. County of Shasta, et al.*, which involves allegations of personal injury and property damage arising out of an auto accident, the Board of Supervisors, by a unanimous 5-0 decision, gave approval to defend against this action and assigned the defense to Larry Moss, Esq. There was no further reportable action.

10:37 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy