

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 23, 2013

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 Giacomini
District No. 4 - Supervisor Schappell
District No. 5 - Supervisor Baugh

County Executive 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 Reverend Mauricio Hurtado, Our Lady of Mercy Catholic Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

**COMMENDING SHERIFF'S OFFICE DEPUTY K-9 MAXIMUS
RESOLUTION NO. 2013-066**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-066, commending Sheriff's Office Deputy K-9 Maximus for his service to Shasta County and honoring his discharge from duty after eleven years of service.

(See Resolution Book No. 54)

**CERTIFICATE OF RETIREMENT
SHASTA COUNTY UC COOPERATIVE EXTENSION
SHASTA-LASSEN FARM ADVISOR DAN MARCUM**

At the recommendation of Farm Advisor Larry Forero, the Board of Supervisors recognized Dan Marcum on the occasion of his retirement after more than 37 years of service to the Shasta County UC Cooperative Extension.

PROBATION SUPERVISION WEEK
JULY 21-27, 2013

At the recommendation of Chief Probation Officer Wes Forman and by motion made, seconded (Schappell/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 21-27, 2013 as Probation Supervision Week in Shasta County.

COORDINATION EFFORTS WITH U.S. FOREST SERVICE

Supervisor Baugh stated that Sylvia Milligan and U.S. Forest Service (USFS) continue to work together to assure that forest areas remain accessible. Subpart A of the Travel Management Rule addresses possible road closures. Volunteers with varied experience who are capable and able to work in navigating the possibilities of Subpart A have formed a coordination committee to address various coordination concerns.

Shasta County Coordination Committee Chairperson Dick Wright explained the Coordination Committee is a volunteer citizens' group, formed to assist local agencies in dealing with resolution and implementation of issues such as the Shasta-Trinity National Forest (STNF) Travel Management Plan Subpart A. Subpart A identifies the minimum road system needed for safe travel and roads scheduled for decommissioning by closure of the roads.

Recreation Outdoors Coalition Chair Sylvia Milligan explained that the Coordination Committee desires to work with the U.S. Forest Service to assist in developing maps that are understandable to the public regarding which roads are proposed to be closed.

Coordination Committee member Greg Watkins has traveled roads that the USFS proposes to decommission, which should be left open for Off Highway Vehicle (OHV) and motorcycle travel.

Mr. Wright noted that, although some roads have had no maintenance performed for years, they remain in good condition. Proper water-barring of the roads is far less expensive than decommissioning and would extend their life for years to come.

Sheriff Tom Bosenko said that a landslide off of Fenders Ferry Road has caused blockage of the roadway, which causes the emergency response teams to travel an alternate, causing significant delays.

Acting Forest Service Supervisor Al Olsen advised they are aware of numerous sites that need repair, and Fenders Ferry Road will be open as soon as the damage is repaired. There will be posting to indicate road closures.

Ms. Milligan discussed citations issued to individuals inadvertently traveling on closed roads. The USFS needs to advise the public of inaccessible areas by maps and signs. She requested the Board of Supervisors officially recognize the committee. Supervisor Kehoe directed Ms. Milligan to work with County Executive Officer Larry Lees to provide information about the committee.

In response to a question by Supervisor Moty, County Counsel Rubin E. Cruse, Jr. offered to research to what extent the County may delegate authority to the Coordination Committee and provide direction for any Brown Act requirements.

By motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors requested staff to research and return for discussion regarding formal adoption of the Coordination Committee.

PRESENTATIONS

MENTAL HEALTH, ALCOHOL AND DRUG ADVISORY BOARD 2012 ANNUAL REPORT

Mental Health, Alcohol and Drug Advisory Board (MHADAB) Chairman David Honey presented the Advisory Board's 2012 Annual Report. Numerous agencies provided presentations at the MHADAB meetings, assisting with the assessment of the impact of the community's mental health, alcohol, and/or drug treatment needs and services.

10:34 a.m.: The Board of Supervisors recessed.

10:43 a.m.: The Board of Supervisors reconvened.

PUBLIC COMMENT PERIOD - OPEN TIME

Dolores Lucero alleged that illegal activity has occurred in local government.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign the County Claims List totaling \$3,100 requiring special board action. (Auditor-Controller)

Appointed Richard Kuhns, Psy.D to the PSA Area 2 Agency on Aging - Executive Board. (Clerk of the Board)

Adopted Resolution No. 2013-067, which approves the Conflict of Interest Code for the Buckeye Fire Protection District. (Clerk of the Board)

(See Resolution Book No. 54)

Adopted Salary Resolution No. 1425, effective July 28, 2013, which deletes two Information Technology (IT) Network Engineer I/II, positions, one IT Datacenter Support Specialist position, and one IT Computer System Specialist position, and adds four IT Infrastructure Support Engineer I/II positions in the Information Technology budget; and approved the specifications for the IT Infrastructure Support Engineer I and II job classifications. (Support Services-Personnel/Information Technology)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive renewal agreement with CPS HR Consulting at various rates to use Board of State and Community Corrections pre-employment examinations for the period July 1, 2013 through June 30, 2014. (Support Services-Personnel)

Adopted the Mental Health Services Act FY 2013-14 Annual Update to programs and expenditures for submission to the Mental Health Services Oversight and Accountability Commission. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Okechukwu Nwangburuka, M.D. in an amount not to exceed \$249,600 per County fiscal year to provide psychiatry services for children and adolescents for the period July 1, 2013 through June 30, 2014, with two automatic one-year renewals. (HHS-Children's Services)

For the Opportunity Center Transit Shelter 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; authorized opening of bids on or after August 15, 2013 at 11:00 a.m.; and authorized the Auditor-Controller to allow the Opportunity Center cash balance to become negative as necessary to make expenditures in anticipation of grant reimbursement, which will be subject to interest at the pooled treasury rate and will be repaid when receipts are received no later than June 30, 2014. (Public Works/HHSA-Regional Services)

For the Olinda Road Widening Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved and authorized the Chairman to sign right-of-way contracts with Patricia E. Cormier (0.34 acres at \$1,800), Christopher Michael Jones and Paula Elizabeth Jones (0.02 acres at \$500), the Keith W. and Kristin L. Conger Revocable Trust 2007 (0.71 acres at \$16,700 for two right-of-way Parcels), Lydia Hussey (0.11 acres at \$700), William W. and Lisa D. Weber (0.61 acres at \$3,800), the Kristine & Doug Brooks 2013 Trust (0.41 acres at \$3,400), and Jose Mario and Eufemia Baires (0.05 acres at \$2,100); and accepted seven easement deeds conveying eight parcels of project right of way. (Public Works)

For the Smith Bottom Road at ACID Canal Bridge Replacement Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved and authorized the Chairman to sign right-of-way contracts with Ronald L. and Karen R. Banwarth, and Cindee L. Spurgeon (Banwarth) (0.01 acres at \$800), and Robert E. and Vivian Lee (0.01 acres at \$500); accepted two easement deeds conveying two parcels of project right of way; and approved and authorized the Chairman to sign contracts to provide temporary construction easements with Larry L. and Angela L. Brown (0.13 acres at \$500 for six months and \$90 for each additional 30 days), and Rodger E. and Teresa A. McClure (0.07 acres at \$500 for six months and \$90 for each additional 30 days). (Public Works)

For the Palo Cedro Bike Lanes and Pedestrian Improvements Project, approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after August 22, 2013 at 11:00 a.m. (Public Works)

For the Hawthorne Avenue Widening Project, approved and authorized the Chairman to sign right of way contracts with Carla J. Jackson (0.14 acres at \$15,110) and Jason Clifford Meek and Joanna Tsahaye Meek (2.50 acres at \$11,200 for four right-of-way parcels); accepted two easement deeds conveying five parcels of project right of way; and adopted Resolution No. 2013-068, which accepts the parcels for public use purposes in conformity with the terms of the original offer of dedication shown on the recorded maps. (Public Works)

(See Resolution Book No. 54)

Accepted land patents for 160.03 acres (Assessor's Parcels No. 045-020-010 and 045-020-011) adjoining the West Central Landfill and for 3.11 acres (a portion of Assessor's Parcel No. 065-250-020) to transfer the Old Shasta Transfer Site to the County of Shasta from the Bureau of Land Management. (Public Works)

Approved a budget amendment increasing revenue by \$42,365 and increasing appropriations by \$29,050 in the Environmental Health Division budget to continue the process of implementing Assembly Bill 2286, state-mandate electronic reporting requirements for underground tanks and hazardous materials permitting and inspection programs. (Environmental Health)

Approved and authorized the County Purchasing Division to purchase a breathing support vehicle for the Shasta County Fire Department; and awarded the purchase to E.J. Metals for a total of \$274,132.87. (County Fire)

10:50 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SHASTA COUNTY WATER AGENCY

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe advised that the matter regarding a letter which supports the draft Northern Sacramento Valley Integrated Regional Water Management Plan has been pulled for discussion.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**LETTER SUPPORTING THE DRAFT
NORTHERN SACRAMENTO VALLEY
INTEGRATED REGIONAL WATER MANAGEMENT PLAN**

Charles Alexander questioned the support of regulatory commitments because of the possibility of losing control over the local water.

Supervisor Moty stated that Water Code section 10549 provides that water rights will not be affected. Supervisor Schappell questioned whether Shasta County would lose water rights in the future.

Shasta Water Agency Supervising Engineer Eric Wedemeyer explained the Groundwater Management Plan has been proposed for the North Fork Battle Creek Groundwater Basin project. The Water Agency Board approved the grant application on June 19, 2012. Support of the plan may be withdrawn at any time.

Supervisor Moty related that the plan focuses on using water wisely.

In response to questions by Supervisor Baugh, Mr. Wedemeyer clarified that the draft plan is not to be used to build the peripheral canal or tunnels.

Supervisor Giacomini explained that Shasta County is not giving away water rights, yet is protecting water rights by participating in the plan.

By motion made, seconded (Moty/Giacomini), and carried, the Shasta County Water Agency approved and authorized the Chairman to sign a letter which supports the draft Northern Sacramento Valley Integrated Regional Water Management Plan. Supervisor Schappell voted no.

11:00 a.m.: The Shasta County Water Agency adjourned and convened as the Board of Supervisors.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

CEO Lees presented a letter for the Chairman's signature to the U.S. Bureau of Reclamation submitting comments regarding the Environmental Impact Statement in the plan in raising Shasta Dam.

Supervisor Kehoe directed staff to send copies of the letter to Regional Forester Randy Moore and the Chief of the Forest Service Tom Tidwell.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors authorized the Chairman to sign a letter to the U.S. Bureau of Reclamation submitting comments regarding the June 2013 Draft Shasta Lake Water Resources Investigation Environmental Impact Statement.

Supervisors Baugh and Giacomini recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisor Giacomini recently attended a Superior California Economic Development District (SCEDD) meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES

MEMORANDUM OF UNDERSTANDING
UNITED PUBLIC EMPLOYEES OF CALIFORNIA (UPEC)
RESOLUTION NO. 2013-069

At the recommendation of Director of Support Services Angela Davis and by motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-069, which approves a successor comprehensive Memorandum of Understanding with United Public Employees of California (UPEC) for the General Unit for the period May 1, 2012 through April 30, 2015.

(See Resolution Book No. 54)

NOTICE OF LAYOFF
AMENDMENTS OF SHASTA COUNTY PERSONNEL RULES
RESOLUTION NO. 2013-070

At the recommendation of Director of Support Services Angela Davis and by motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-070, which amends Shasta County Personnel Rules, *Chapter 17, Section 17.13, Notice of Layoff*.

(See Resolution Book No. 54)

RESOURCE MANAGEMENT

PLANNING

**PROPOSED CHANGES TO COUNTY CODE TITLE 17, ZONING
RESOLUTION NO. 2013-071**

At the recommendation of Director of Resource Management Rick Simon and by motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-071, which expresses Shasta County’s intent to consider amending the Shasta County Code Title 17, *Zoning*, to revise the provisions for temporary family care residences, including, but not limited to, the term of the administrative permit; criteria to establish a family care residence; and timeline to remove the family care residence after expiration of the permit or when the residence is no longer needed.

(See Resolution Book No. 54)

SCHEDULED HEARINGS

PUBLIC WORKS

**REPORTS OF DELINQUENT FEES
DISCHARGE OF ACCOUNTABILITY
COUNTY SERVICE AREAS
RESOLUTION NO. 2013-072**

This was the time set to conduct a public hearing to consider Reports of Delinquent Fees for various County Service Areas (CSAs), discharges of accountability for uncollectable water and sewer service accounts. Deputy Public Works Director Scott Wahl presented the staff report and recommended its approval. 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 Dolores Lucero opposed the time in which the hearing is held.

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

Mr. Wahl confirmed that no written protests were received.

By motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-072, which confirms the Reports of Delinquent Fees for various County Service Areas (CSAs), and directs that the annual liens be placed on the tax bills for Fiscal Year 2013-14; and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible in CSAs under the administration of the Public Works Department in the amount of \$2,622.28.

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|--------------------------|-----------------------------|-------------------------|
| CSA No. 2 - Sugarloaf | CSA No. 8 - Palo Cedro | CSA No. 17 – Cottonwood |
| CSA No. 3 - Castella | CSA No. 11 - French Gulch | CSA No. 23 - Crag View |
| CSA No. 6 - Jones Valley | CSA No. 13 - Alpine Meadows | CSA No. 25 - Keswick |
- (See Resolution Book No. 54)

**ANNUAL PARCEL CHARGE REPORTS
COUNTY SERVICE AREAS
RESOLUTION NO. 2013-073**

This was the time set to conduct a public hearing to consider confirming the Annual Parcel Charge Reports for various County Service Areas in Shasta County and direct that the

parcel charges be placed on the property tax bills for Fiscal Year 2013-14. Deputy Public Works Director Scott Wahl presented the staff report and recommended its approval. 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 Dolores Lucero opposed the scheduling of public hearings during a time when members of the public may not easily attend.

Elk Trail residents Steve Boyd and Peter Scales opposed the parcel charge in Jones Valley.

Mr. Wahl explained every County Service Area (CSA) is charged a standby fee which is a small amount, to generate revenue to maintain the water systems. In Jones Valley, the monthly charge is \$5. In 1988, the parcel charge was placed on the property tax bill.

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 adopted Resolution No. 2013-073, which confirms the Annual Parcel Charge Reports for the various County Service Areas in Shasta County in the same amount as currently charged; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2013-14.

Amber Ridge	Bally View	Blackstone Estates
Circle C Manor	Cody Addition No. 1	Cody Addition No. 2
Construction Way	Country Fields Estates	Danish Lane
Foothill Vista 1	Foothill Vista 2	Hollywood Drive
Manor Crest	Marianas Way	Montgomery Hills
Palo Cedro Manor	Palo Cedro Oaks (Tr. 1874)	Rhonda View
Rolland Country Estates	Santa Barbara Estates 1	Santa Barbara Estates 2
Santa Barbara Estates 3 & 4	Ski Way	Sombrero Court
Sylvan Trails Heights	Timber Hills Drive	Valparaiso Way
Victoria Highlands Estates	Winchester Manor 1	Winchester Manor 2

(See Resolution Book No. 54)

ANNUAL PARCEL CHARGE REPORTS
PERMANENT ROAD DIVISIONS
RESOLUTION NO. 2013-074

This was the time set to conduct a public hearing to consider the Annual Parcel Charge Reports for various Permanent Road Divisions in Shasta County. Deputy Public Works Director Scott Wahl presented the staff report and recommended its approval. 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 Dolores Lucero opposed the scheduling of public hearings during a time when members of the public may not easily attend.

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

In response to a question by County Counsel Rubin E. Cruse, Jr., Mr. Wahl confirmed that no written comments have been received.

By motion made, seconded (Moty/Schappell), and unanimously carried, the Board of Supervisors adopted Resolution No. 2013-074, which confirms the Annual Parcel Charge Reports for the various Permanent Road Divisions in Shasta County in the same amount as currently charged, except where noted; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2013-14.

Aegean Way	Honeybee Acres	Rolland Country Estates
Aiden Park	Intermountain Road	Santa Barbara Estates, Unit 1
Alpine Way	Jennifer Drive EFER	Santa Barbara Estates, Unit 2
Amber Lane	Jordan Manor	Santa Barbara Estates, Units 3 & 4
Amber Ridge	L & R Estates	Scenic Oak Court
Amesbury Village	Lark Court	Shasta Lake Ranchos
Blackstone Estates	Laverne Lane	Shasta Meadows Drive
Butterfield Lane EFER	Logan Road	Shelly Lane
Canto Del Lupine	Los Palo Drive EFER	Silver Saddle Estates
China Gulch	Los Palo Drive EFER No. 2	Ski Way
Clover Road	Manor Crest	Sleeping Bull Estates
Coloma Drive	Manton Heights	Sonora Trail
Cottonwood Creek Meadows	Manzanillo Orchard	Squaw Carpet Fire Access
Country Fields Estates	Marianas Way	Squaw Carpet Fire Access No. 2
Craig Lane	Millville Way	Sterling Ranch
Crowley Creek Ranchettes	Mountain Gate Meadows	Stillwater Ranch
Crowley Creek Ranchettes No. 2	Mt. Lassen Woods	Terri Lee Terrace EFER
Deer Flat Road	Mule Mountain Parkway	Timber Ridge
Diamond Ridge Estates	North Chapparral Drive	Valparaiso Way
Dusty Oaks Trail	Nunes Ranch	Vedder Road
East Stillwater Way	Old Stagecoach Road	Victoria Highlands Estates
Equestrian Estates	Palo Cedro Oaks	Village Green
Fore Way Lane	Ponder Way/Carriage Lane	Waterleaf Estates
Foxwood Estates	Ritts Mill Road	Westview Drive EFER
Fullerton Way	River Hills Estates	White Oak Manor
Garth Drive EFER	Robledo Road	Wisteria Estates
Holiday Acres	Rocky Ledge Estates	Woggon Lane

Resolution Book No. 54)

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 legal counsel to discuss existing litigation entitled Dennis Hollingsworth, et al. v. Patrick O'Connell, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with its Real Property Negotiator County Executive Officer Larry Lees and Thomas and Judy Semingson regarding Assessor Parcel Number 057-520-015, pursuant to Government Code section 54964.8; and
3. Confer with its Labor Negotiators, County Executive Officer Larry Lees, Interim Personnel Director Angela Davis, 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.

12:15 p.m.: The Board of Supervisors recessed to Closed Session.

1:20 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive 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 existing litigation, real property negotiations, and labor negotiations; however, no reportable action was taken.

1:21 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy