

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 21, 2005

REGULAR MEETING

9:02 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 Cibula
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Deputy Clerk of the Board - Linda Mekelburg
Deputy Clerk of the Board - Elaine Grossman

INVOCATION

Invocation was given by Pastor Barry McGee, Cow Creek Community Church.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

Introductions of the Members of the Board, County staff, elected officials, and County department heads were made.

PUBLIC COMMENT PERIOD - OPEN TIME

Jim Bremer invited the Board of Supervisors to visit the annual Field Day event hosted by the Amateur Radio Club of Anderson and the Shasta Cascade Amateur Radio Society in Hat Creek.

Paul Edgren encouraged the Board of Supervisors to support future walking trails and open spaces.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Clarke pulled for recognition the item regarding the \$75,000 grant from Mercy Medical Center, noting that it is important that people be made aware of services

available through non-profit, tax-exempt hospitals such as Mercy Medical Center. Public Health Director Marta McKenzie noted that she will prepare a memorandum to the Board of Supervisors providing further information on the process and timelines for applying for funds, as well as the availability of funds. She also explained that a complete copy of the community needs assessment may be obtained on the Internet.

Supervisor Cibula pulled for later action the item regarding the sale of the former Balls Ferry Park site, noting that he objected to the sale of the property.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$10,509.65 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on June 7 and 14, 2005, as submitted. (Clerk of the Board)

Enacted Ordinance No. 636, which repeals Ordinance No. 624 and establishes a revised Public Health fee schedule, as introduced June 7, 2005. (Clerk of the Board)
(See General Ordinance Book)

Approved and authorized the Chairman to sign an amendment to the agreement with Angelo, Kilday & Kilduff to increase the billing rates from \$150 to \$165 per hour for partners, from \$125-\$130 to \$155 per hour for senior associates and \$140 per hour for associates, and from \$75 to \$80 per hour for paralegals and law clerks for work on matters assigned to the firm by Shasta County effective June 1, 2005. (County Counsel)

Approved and authorized the Chairman to sign an amendment to the agreement with Brickwood Law Office to increase the billing rates from \$135 to \$150 per hour for work on matters assigned to the firm by Shasta County effective June 1, 2005. (County Counsel)

Approved and authorized the Chairman to sign a renewal software maintenance and support agreement with Megabyte Systems, Inc. in the amount of \$102,850 and a web services license addendum in the amount of \$4,212 to provide a property tax system to the Assessor-Recorder, Auditor, and Tax Collector for Fiscal Year 2005-06. (Information Technology)

Approved and authorized the Chairman to sign a renewal agreement with Empire Recovery Center, Inc. in an amount not to exceed \$105,000 to provide alcohol and other drug residential treatment and detoxification services for the period July 1, 2005 through June 30, 2006. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Mayers Memorial Hospital in an amount not to exceed \$100,000 to provide nonresidential alcohol and other drug treatment services for the period July 1, 2005 through June 30, 2006. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Thomas J. Andrews, M.D., Inc. in an amount not to exceed \$65,000 to provide nonresidential alcohol and other drug treatment services for the period July 1, 2005 through June 30, 2006. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Public Health Department to accept a grant from Mercy Medical Center in the amount of \$75,000 to coordinate and target obesity-prevention efforts on a

county-wide basis; and adopted Salary Resolution No. 1272, which adds one Community Development Coordinator. (Public Health)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign an agreement with the Shasta County Office of Education in an amount not to exceed \$63,535 to provide foster youth services to clients of the Children and Family Services Division program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Family Service Agency of Shasta County, Inc. in an amount not to exceed \$248,563 to provide a visitation and parenting center for clients of the Children and Family Services Division program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with the Shasta County Office of Education in an amount not to exceed \$1,750,000 to provide CalWORKs Stage I child care services for the period July 1, 2005 through June 30, 2006. (Social Services)

Adopted Resolution No. 2005-69, which approves and authorizes the Chairman to sign an agreement with the California Department of Social Services in an amount not to exceed \$160,000 to accept state adoption funds and continue the Shasta County Adoption Support Program for Shasta County families for the period July 1, 2005 through June 30, 2007. (Social Services)

(See Resolution Book No. 46)

Approved and authorized the Chairman to sign an agreement with Redding Psychotherapy Group in an amount not to exceed \$13,000 to provide psychological evaluations and consultation services for the Children and Family Services Division's Adoption and Adoption Support Programs for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Ray Carlson, Ph.D. in an amount not to exceed \$20,000 to provide psychological evaluations and consultation services for the Children and Family Services Division's Adoption and Adoption Support Programs for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Linda Lafferty, MFT in an amount not to exceed \$5,000 to provide counseling and mental health services for the clients of the Children and Family Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Shasta County Women's Refuge in an amount not to exceed \$42,256 to provide a domestic violence specialist to provide domestic violence support services for the clients of the Children and Families Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Golden Umbrella, Inc. in an amount not to exceed \$91,515 to administer the Adult Services Consolidated Intake Project for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with the City of Redding increasing compensation by \$30,000 (for a total not to exceed \$117,848) for the Police Department to investigate elder crimes and abuse for the period July 1, 2004 through June 30, 2005. (Social Services)

Approved and authorized the Chairman to sign an agreement with Shasta County Private Industry Council, Inc. DBA SMART Business Resource Center in an amount not to exceed \$460,000 to provide work experience coordination services for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a contract with the National Council on Crime and Delinquency in an amount not to exceed \$67,500 to provide SafeMeasures child welfare reporting services to the Children and Family Services Division for the period June 21, 2005 through June 20, 2007. (Social Services)

Accepted a donation of \$15,000 from the Manton Heights Homeowners Association for the Manton Heights Permanent Road Division. (Public Works)

Approved and authorized the Chairman to sign a maintenance agreement with Jeff Matthews to maintain a sewer line extension (County Service Area #17 - Cottonwood Sewer, Building Permit No. 03-01884 - Matthews) for one year, and accepted security guaranteeing workmanship in the amount of \$10,500; and adopted Resolution No. 2005-70, which accepts sewer system improvements for operation and maintenance. (Public Works)

(See Resolution Book No. 46)

Awarded to the low bidder, Forman Construction, on a unit-cost basis, the contract for construction of the French Gulch Park Restrooms project in the amount of \$36,864.85. (Public Works)

Adopted Resolution No. 2005-71, which declares a 0.09 acre portion of right of way on Rhonda Road as surplus property and no longer necessary for County or other public purposes and sets the sale price as \$3,200; and approved and authorized the Chairman to sign a purchase agreement and quitclaim deed to transfer that interest to the adjacent land owner. (Public Works)

(See Resolution Book No. 46)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

SALE OF FORMER BALLS FERRY PARK PROPERTY **RESOLUTION NO. 2005-72**

By motion made, seconded (Hawes/Clarke), and carried, the Board of Supervisors adopted Resolution No. 2005-72, which accepts the oral bid of Judy Semingson in the amount of \$301,345.51 for the sale of the Balls Ferry Park parcel of real property (Assessor's Parcel No. 057-020-002), and approves and authorizes the Chairman to sign a deed for the real property purchase. Supervisor Cibula voted no as he objected to the sale of park property without a plan in place to replace the parkland. (Public Works)

(See Resolution Book No. 46)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on specific legislation of importance to Shasta County, noting that very little is occurring at the state level.

At Supervisor Hawes' request, Senior Administrative Analyst Julie Hope announced that the Indian Gaming Local Community Benefit Committee recently awarded \$466,234 in grants to the following agencies:

1. City of Redding: \$100,000 for the South Bonnyview Road Improvement Project;
2. City of Redding Police Department: \$20,000 for the South Redding Traffic Safety Project;
3. City of Redding: \$60,00 toward the Westside Road Water Main Project;
4. Shasta County Sheriff's Office: \$80,000 for one full-time Deputy Sheriff position;
5. Shasta County District Attorney's Office: \$70,734 for one part-time Investigator and one part-time Misdemeanor Attorney, both dedicated to the Bad Check unit;
6. Happy Valley Fire Protection District: \$86,000 to retrofit one fire engine; and
7. Burney Fire Protection District: \$49,500 toward a fire-suppression vehicle, seasonal firefighter personnel, and an ambulance chassis remount.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

MEDICAL MARIJUANA IDENTIFICATION CARD APPLICATION FEE SCHEDULE ORDINANCE NO. 637

By motion made, seconded (Clarke/Hawes), and carried, the Board of Supervisors enacted Ordinance No. 637, which establishes a Medical Marijuana Identification Card application fee schedule, as introduced June 7, 2005. Supervisor Cibula voted no for reasons as stated on June 7, 2005.

(See General Ordinance Book)

HEALTH AND WELFARE

PUBLIC HEALTH

AGREEMENT: SHASTA COUNTY OFFICE OF EDUCATION PHYSICAL EDUCATION CURRICULUM IN ELEMENTARY SCHOOLS AGREEMENT: HEALTH IMPROVEMENT PARTNERSHIP COUNTYWIDE YOUTH DEVELOPMENT ASSETS ACTIVITIES

At the recommendation of Director of Public Health Marta McKenzie and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the Shasta County Office of Education in an amount not to exceed \$127,065 to implement a physical education curriculum in area elementary schools for the period June 22, 2005 through June 21, 2006; and approved and authorized the Chairman to sign an agreement with the Health Improvement Partnership in an amount not to exceed \$120,000 to fund grants and sustain countywide youth development assets activities for the period of June 22, 2005 through June 21, 2006, with two optional one-year renewals.

LAW AND JUSTICE**SHERIFF/PROBATION****AGREEMENT: PRISON HEALTH SERVICES
COMPREHENSIVE MEDICAL SUPPORT TO THE SHASTA COUNTY JAIL,
JUVENILE HALL, AND CRYSTAL CREEK REGIONAL BOYS' CAMP**

Undersheriff Larry Schaller and Chief Probation Officer Jim Kuhn presented the staff report and recommended approval of the agreement. In response to a question from Supervisor Cibula regarding the involvement of the Mental Health Department in providing mental health services rather than including it in the contract, Jail Captain Don Van Buskirk explained that mental health services occasionally overlap with medical services and must be handled at the same time, rather than waiting to obtain an appointment for mental health services; additionally, there are liability and oversight issues involved in having separate providers handle the services. CAO Latimer observed that in counties that have tried to blend in-house mental health services with contracted medical services, the patient sometimes becomes a pawn, with disagreements occurring as to whether the services needed are mental health services or medical services.

Following further discussion and questions from Supervisors Cibula and Kehoe regarding the involvement of the Mental Health Department in the initial Request for Proposal (RFP) process, CAO Latimer noted that had the Mental Health Department had an opportunity to review the RFP, it is unlikely they would have made a different recommendation. Deputy Chief Probation Officer Brian Richart also explained that the Mental Health Department is involved in the operations of the Juvenile Hall and the Crystal Creek Regional Boys' Camp and that the Mental Health Department was aware that an RFP would be issued and that there was a possible change of providers. Public Health Director Marta McKenzie noted that the Public Health Department was made part of the early RFP process and decided to resolve any issues they had, such as communicable disease control when jail inmates are released, with the successor provider.

Following further discussion and by motion made, seconded (Hawes/Clarke), and carried, the Board of Supervisors approved and authorized the Chairman to sign a contract with Prison Health Services in the amount of \$6,210,483 to provide comprehensive medical support to the Shasta County Jail, Juvenile Hall, and Crystal Creek Regional Boys' Camp for the period July 1, 2005 through June 30, 2008, with the option to renew for three additional one-year terms. Supervisor Kehoe voted no.

RESOURCE MANAGEMENT**COMMUNITY EDUCATION SECTION****WASTE TIRE AMNESTY DAY GRANT
RESOLUTION NO. 2005-73**

At the recommendation of Director of Resource Management Russ Mull and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-73, which authorizes the Director of Resource Management to accept a Waste Tire Amnesty Day grant for Fiscal Year 2004-05 in an amount not to exceed \$75,000 on behalf of Shasta County and the Cities of Anderson and Shasta Lake; appointed the Director of Resource Management as the agent for Shasta County for the purposes of this program; authorized program expenditures; and authorized the Auditor-Controller to pay claims for said expenditures.

(See Resolution Book No. 46)

ENVIRONMENTAL HEALTH DIVISION

**FARM AND RANCH SOLID WASTE CLEANUP AND ABATEMENT GRANT
RESOLUTION NO. 2005-74**

At the recommendation of Director of Resource Management Russ Mull and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-74, which authorizes the Environmental Health Division to apply for a Farm and Ranch Solid Waste Cleanup and Abatement Grant for Fiscal Year 2005-06 in an approximate amount of \$20,633.

(See Resolution Book No. 46)

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

**ZONE AMENDMENT NO. 05-012
IVAR AMEN
COTTONWOOD AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-012, Ivar Amen, which would rezone approximately 9.5 acres in the Cottonwood area from a Planned Development (PD) District to a Commercial-Light Industrial (C-M) District. Senior Planner Zach Bonnin presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-012, Ivar Amen, Cottonwood area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2005-051;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2005-051; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-012 as requested.

10:30 a.m.: Supervisor Cibula recused himself due to the nature of his family's relationship with the applicant, and he left the room.

**ZONE AMENDMENT NO. 04-017
DANE WIGINGTON
INGOT AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-017, Dane Wigington, which would rezone approximately 1,898 acres

in the Ingot area from an Unclassified (U) District to a Limited Residential combined with a Building Site Minimum (R-L-BSM) District and to reconfigure and recognize 23 parcels. Senior Planner Zach Bonnin presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-017, Dane Wigington, Ingot area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2005-046;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2005-046; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-017 as requested.

10:37 a.m.: Supervisor Cibula returned to the room.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to consider a public employee appointment, pursuant to Government Code section 54957.

10:38 a.m.: The Board of Supervisors recessed to Closed Session.

11:00 a.m.: The Board of Supervisors recessed from Closed Session.

11:05 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, CAO Doug Latimer, County Counsel Karen Jahr, and Deputy Clerk of the Board Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

CAO Latimer reported that the Board of Supervisors met in Closed Session to discuss a public employee appointment, and on a unanimous vote, the Board of Supervisors approved the appointment of Terri Love as Director of Child Support Services effective immediately. No other reportable action was taken.

11:07 a.m.: The Board of Supervisors recessed.

1:31 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Cibula, Hawes, Hartman, and Clarke, CAO Doug Latimer, County Counsel Karen Jahr, and Deputy Clerks of the Board Linda Mekelburg and Elaine Grossman present.

AFTERNOON CALENDAR

BOARD MATTERS

1:32 p.m.: Supervisor Kehoe recused himself due to his association with the U.S. Forest Service, and he left the room. Vice-Chairman Clarke presided.

UPDATE: QUINCY LIBRARY GROUP/SIERRA NEVADA FRAMEWORK PROJECT DONATION: LAWSUIT CONTINGENCY FUND

County Forester Frank Stewart presented an update on accomplishments of the Quincy Library Group (QLG) Pilot Project/Sierra Nevada Framework Project. The Herger-Feinstein Quincy Library Group Act has been reauthorized for another five years. Favorable court decisions have been received in three lawsuits, including the Meadow Valley Defensible Fuel Profile Zone (DFPZ) in Plumas County, and Mr. Stewart was optimistic that the courts will eventually rule in the QLG's favor in the remaining lawsuits. Legal expenses for Fiscal Year 2005-06 are projected to be approximately \$120,000, of which \$9,000 is Shasta County's pro-rated share.

In response to questions by Supervisor Cibula regarding environmental group participation in the QLG, Mr. Stewart explained that Senator Dianne Feinstein, a recognized environmental supporter, is a sponsor of the Act. A few groups, such as the Sierra Club, Wilderness Society, and the Audubon Society, do oppose the efforts of the QLG; however, many local environmental groups and some of the more moderate environmental groups support the Act. Additionally, the QLG's attorney is a well-recognized attorney who works for the QLG at a reduced cost.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved a donation of \$9,000 to the Fiscal Year 2005-06 Quincy Library Group Lawsuit Fund.

1:59 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy