

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 24, 2006

REGULAR MEETING

9:00 a.m.: Chairman Clarke 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 - Larry Lees
County Counsel - Karen Jahr
Deputy Clerk of the Board - Elaine Grossman
Deputy Clerk of the Board - Tazina Otis

INVOCATION

Invocation was given by Pastor Dennis Tucker, Word of Life Ministries.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Deputy Sheriffs Association Representative Steve Allen advised that negotiations are at an impasse and discussed salary and benefit comparisons to Butte County.

County Clerk/Registrar of Voters Cathy Darling explained that the voting machines in Shasta County have not been certified for the June 2006 Primary Election as software testing is still being conducted at the federal level. She will provide a more in-depth report at the February 7, 2006 Board of Supervisors meeting.

Jim Travis requested to continue to park four business trucks on his property; Chairman Clarke referred the issue to staff for follow-up.

Jim Gray thanked the agency representatives that participated in the recent Igo Community Forum.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Hawes pulled for clarification the item regarding the appointment to the Pine Grove Cemetery District. Deputy Clerk of the Board Elaine Grossman confirmed that a Notice of Vacancy was posted for the Pine Grove Cemetery District vacancy. Supervisor Cibula asked if there were any speakers for the James Maxwell DBA Shasta Regional Development agreement amendments; there were none.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$2,301.46 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on January 17, 2006, as submitted. (Clerk of the Board)

Reappointed Walter Caldwell, Chad Arseneau, and Matt Magnuson to the Burney Basin Mosquito Abatement District Board for two-year terms to January 2008. (Clerk of the Board)

Appointed Adelle Maricich to the Pine Grove Cemetery District to fill an unexpired term to March 2009. (Clerk of the Board)

Adopted Resolution No. 2006-11, which approves and authorizes the Chairman to sign an agreement and any subsequent amendments with the California Secretary of State in the amount of \$19,843.13 to reimburse the County of Shasta for funds expended for the Help America Vote Act of 2002 (HAVA) Elections Assistance for Individuals with Disabilities Program for the period September 9, 2005 through June 30, 2007. (County Clerk/Elections)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign an amendment to the California State Association of Counties (CSAC) Excess Insurance Authority (EIA) Joint Powers Agreement to provide for the expansion of the voting membership of EIA to include up to 20 percent non-county public entities. (Support Services-Risk Management Division)

Approved and authorized the Chairman to sign a renewal agreement with the California State Department of Mental Health which provides access to state hospital services for patients referred by Shasta County for Fiscal Year 2005-06. (Mental Health-Administration)

Approved and authorized the Chairman to sign a renewal agreement with the California State Department of Mental Health establishing the Shasta County Mental Health Department as the community mental health services provider to the citizens of Shasta County for Fiscal Year 2005-06. (Mental Health-Administration)

Approved and authorized the Chairman to sign an agreement with Northern California Youth and Family Programs, Inc. in the amount of \$52,000 to provide family team meeting facilitators/coordinators to Children and Family Services clients from the date of signing through June 30, 2006. (Social Services-Children and Family Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Kitt Murrison, Ph.D. increasing maximum compensation by \$10,000 annually (for a total not to exceed \$20,000 annually) to provide additional pre-employment psychological evaluations and retaining the term of December 7, 2004 through June 30, 2005, with two additional one-year renewals. (Probation)

Authorized the Public Works Director to sign a Notice of Completion for the Wildcat Road at North Fork Battle Creek bridge replacement project and record it within 10 days of actual completion of the work. (Public Works)

For the Bear Mountain Road at Daniels Lane Reconstruction Project, approved and authorized the Chairman to sign right-of-way contracts with James and Sarah Fawnsforth (0.15 acres at \$3,700), Steve and Janet Shields (0.07 acres at \$3,400), Wakefield Trust (0.13 acres at \$4,000), Robert E. Miller Trust (0.16 acres at \$3,830), Jeffery and Linda Latvala (0.02 acres at \$1,000), and Sioson, Padilla, and Flores (0.08 acres at \$800); accepted five easement deeds conveying parcels of project right of way; and accepted five quitclaim deeds releasing any of the adjoining properties' interest in the current Bear Mountain Road alignment. (Public Works)

Approved and authorized the Chairman to sign amendments to agreements with James Maxwell DBA Shasta Regional Development, increasing the maximum amount by \$43,307 (for a total of \$172,724, including \$1,000 in County staff costs) for the preparation by a consultant of an Environmental Impact Report (EIR), a Mitigation Monitoring Plan (MMP), and staff costs related to document production and processing of related land use permits for the Regional Auto Mall Project, and amending the payment schedule requirements of the contract; and with Quad Knopf, Inc. increasing the maximum amount by \$43,307 (for a total of \$171,724) and amending the Transportation and Circulation analysis to the Scope of Work for the preparation of an EIR and MMP. (Resource Management-Planning Division)

REGULAR CALENDAR

BOARD MATTERS

CHAIRMAN'S 2006 APPOINTMENTS

Chairman Clarke presented the recommended 2006 Chairman's appointments. By motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors approved the Chairman's appointments and liaison assignments for the year 2006, as follows:

Supervisor Kehoe, District 1

County Functional Area - Health and Human Services
 CSAC Committee - Health and Human Services
 Redding Area Bus Authority
 Northern California Supervisors Association
 Superior California Economic Development Corporation
 Regional Council of Rural Counties, Alternate

Supervisor Cibula, District 2

County Functional Area - General Government
 CSAC Committee - Government Finance and Operations
 Regional Transportation Planning Agency, Alternate

Supervisor Hawes, District 3

County Functional Area - Land Use
 CSAC Committee - Agriculture and Natural Resources
 Regional Transportation Planning Agency

Supervisor Hartman, District 4

County Functional Area - Veterans Affairs/Land Use
CSAC Committee - Housing, Land Use, and Transportation
Regional Transportation Planning Agency
Children and Families First Commission
Area Agency on Aging, PSA II, Executive Board, Alternate
Northern California Supervisors Association, Alternate
Redding Area Bus Authority, Alternate
Superior California Economic Development Corporation, Alternate

Supervisor Clarke, District 5

County Functional Area - Administration of Justice
CSAC Committee - Administration of Justice
Area Agency on Aging, PSA II, Executive Board
Regional Transportation Planning Agency
Regional Council of Rural Counties
Airport Land Use Commission; renew four-year term to May 2009

QUINCY LIBRARY GROUP
NATIONAL ENVIRONMENTAL POLICY ACT UPDATE

Chairman Clarke advised that Quincy Library Group Forester Frank Stewart could not be present; however, he requests a resolution before the end of January 2006 and there is no Board of Supervisors meeting on January 31.

A motion was made and seconded (Hawes/Hartman) to adopt a resolution which calls upon Congress and the Administration to adopt the findings and recommendations of the National Environmental Policy Act Task Force dated December 21, 2005 on improving and updating the National Environmental Policy Act.

Supervisor Cibula expressed his concern that the Board of Supervisors would adopt unspecified findings when there is legislation forthcoming. He requested the matter postponed until a later date or else amend three sections of the resolution. Supervisors Hawes and Hartman did not agree with the proposed resolution amendments as it would make the resolution language too general, so they did not amend the motion.

The matter was continued to the end of the morning agenda to allow County Counsel to advise on the amendment request protocol.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County including upcoming proposals related to Governor Schwarzenegger's bond issues.

Supervisor Hawes explained that a resolution encouraging continued support and participation in the efforts of the Sacramento River Conservation Area Forum was recently passed by the Tehama County Board of Supervisors. By consensus, the Board of Supervisors directed staff to bring a similar resolution for Shasta County Board of Supervisors approval at a later date.

Supervisors reported on issues of countywide interest.

STATE OF THE COUNTY EVENT

Senior Administrative Analyst Leanne Link presented the staff report and recommended approval of a future State of the County event. Chairman Clarke and Supervisor Hawes commented that the event was a viable expenditure of County funds to educate the public about County services.

In response to a question by Supervisor Kehoe, Ms. Link replied that staff could come back to report the citizen questionnaire results and whether sponsors will support an annual or biennial event.

By consensus, the Board of Supervisors directed staff to bring back the matter at a later date to report on sponsor support and citizen questionnaire results.

TAX COLLECTOR-TREASURER-PUBLIC ADMINISTRATOR**QUARTERLY REPORT OF INVESTMENTS**

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the quarter ending December 31, 2005.

HEALTH AND WELFARE**SOCIAL SERVICES****ADULT SERVICES-IN-HOME SUPPORTIVE SERVICES****AGREEMENT: ALLODIUM CORPORATION, INC.
DBA DEADLINE CREATIVE SERVICES
MEDIA CONSULTANT SERVICES**

Social Services Director Sher Huss presented the staff report and recommended approval. In response to questions by Supervisor Kehoe, Ms. Huss replied that radio and television media allow information to reach listeners during specific time periods. There is less control with the release of Public Service Announcements. Press releases will continue to be sent to print, radio, and television media.

By motion made, seconded (Cibula/Hawes), and carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Allodium Corporation, Inc. DBA Deadline Creative Services in an amount not to exceed \$60,000 to provide media consultant services, with the encouragement to utilize print media, from the date of signing through June 30, 2006. Supervisor Kehoe voted no as the campaign does not specify the use of print media.

SCHEDULED HEARINGS**PUBLIC WORKS****DIAMOND RIDGE ESTATES TRACT NO. 1895**
PERMANENT ROAD DIVISION

This was the time set to conduct a public hearing and consider taking action regarding Tract No. 1895, Diamond Ridge Estates (Centerville area) Permanent Road Division. Public Works Deputy Director Scott Wahl 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 formation of the proposal, and the public hearing was closed. Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the requested parcel charge, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR: 1
AGAINST: 0

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors continued the matter to a future Board of Supervisors meeting to consider formation of the Permanent Road Division.

SQUAW CARPET FIRE ACCESS PERMANENT ROAD DIVISION
RESOLUTION NOS. 2006-12 AND 2006-13

This was the time set to conduct a public hearing and consider taking action regarding the Squaw Carpet Fire Access (Shingletown area) Permanent Road Division. Public Works Deputy Director Scott Wahl 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 formation of the proposal, and the public hearing was closed. Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the requested parcel charge, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR: 1
AGAINST: 0

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding the Squaw Carpet Fire Access (Shingletown area) Permanent Road Division:

1. Adopted Resolution No. 2006-12, which forms the Squaw Carpet Fire Access Permanent Road Division;
2. Adopted Resolution No. 2006-13, which confirms the annual parcel charge report for Fiscal Year 2006-07; and
3. Received the annual parcel charge report.

(See Resolution Book No. 47)

PUBLIC EASEMENT ABANDONMENT
RESOLUTION NO. 2006-14

This was the time set to conduct a public hearing and consider adopting a resolution approving the abandonment of two public easements in the town of Keswick. Public Works Director Pat Minturn presented the staff report and recommended approval of the abandonment. 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 proposal, and the public hearing was closed.

By motion made, seconded (Cibula/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-14, which approves the abandonment of two undeveloped public easements on Truman Street and an unnamed alley in Block 23 in the town of Keswick.

(See Resolution Book No. 47)

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 05-021
ROBERT AND BARBARA MASON
COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-021, Robert and Barbara Mason, which would rezone approximately 26.87 acres in the Cottonwood area from an Unclassified (U) combined with the Restrictive Flood (F-2) District to a Limited Agricultural (A-1) combined with the Restrictive Flood (F-2) District. Associate Planner Brandon Rogers 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 proposal, and the public hearing was closed.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-021, Robert and Barbara Mason, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2005-167;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2005-167; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-021, as requested.

REGULAR CALENDAR (CONTINUED FROM EARLIER)**BOARD MATTERS****QUINCY LIBRARY GROUP****NATIONAL ENVIRONMENTAL POLICY ACT UPDATE****RESOLUTION NO. 2006-15**

County Counsel Karen Jahr advised that when there is a motion pending, another member can make a motion for an amendment. Each amendment should be considered separately, then the members can vote on the original motion as amended.

The original motion (Hawes/Hartman) was to approve the resolution.

By motion made, seconded (Cibula/Kehoe), and unanimously carried, the Board of Supervisors approved an amendment to strike “through frivolous appeals, costly litigation, and agency efforts to ‘build a bullet proof NEPA document’” from the resolution.

A motion was made and seconded (Cibula/Kehoe), to amend the resolution to strike “the proposed recommendations for” and replace with “working towards” in the resolution. The motion failed by the following vote:

AYES: Supervisors Kehoe and Cibula.

NOES: Chairman Clarke, Supervisor Hawes, and Supervisor Hartman.

By motion made, seconded (Cibula/Kehoe), and carried, the Board of Supervisors approved an amendment to strike “(Attachment A)” from the resolution. Supervisor Hartman voted no.

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors adopted Resolution No. 2006-15, which calls upon Congress and the Administration to adopt the findings and recommendations of the National Environmental Policy Act Task Force dated December 21, 2005 on improving and updating the National Environmental Policy Act. Supervisors Kehoe and Cibula voted no.

(See Resolution Book No. 47)

CLOSED SESSION ANNOUNCEMENT

Chairman Clarke 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 Sutherland v. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a). The matter of Kent v. County of Shasta was pulled at the request of the department.
2. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Joann 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.

10:32 a.m.: The Board of Supervisors recessed to Closed Session.

11:30 a.m.: The Board of Supervisors recessed from Closed Session.

11:31 a.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Counsel Karen Jahr, County Administrative Officer Larry Lees, and Deputy Clerks of the Board Elaine Grossman and Tazina Otis present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations.

In the matter of Sutherland v. County of Shasta, by unanimous vote, the Board of Supervisors approved a Compromise and Release for William Sutherland in the amount of \$70,000, less credit for previously paid permanent disability in the amount of \$33,728.

No other reportable action was taken.

11:32 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy