

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 14, 2006

REGULAR MEETING

9:01 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
Chief Deputy Clerk of the Board - Glenda Tracy
Deputy Clerk of the Board - Elaine Grossman

INVOCATION

Invocation was given by Pastor Heather Hennessey, First Christian Church.

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$5,875.36 requiring special board action.
(Auditor-Controller)

Approved the minutes of the meeting held on March 7, 2006, as submitted. (Clerk of the Board)

Enacted Ordinance No. 647, which repeals Resolution No. 2003-74 and increases the basic bi-monthly water rate from \$24 to \$29 effective March 1, 2006 for County Service Area No. 6 - Jones Valley Water, as introduced February 28, 2006. (Clerk of the Board)
(See Ordinance Book)

Appointed Bob Valentine as an alternate member to the Board of Employee Appeals for a term to expire January 2007. (Clerk of the Board)

Adopted Salary Resolution No. 1286, which recreates a 5 percent salary footnote and adds it to the classifications of Administrative Analyst II/I, Senior Administrative Analyst, and Principal Administrative Analyst in the County Administrative Office so that the Administrative

Officer may assign any one of them to supervise the Clerk of the Board function. (Support Services - Human Resources Division)

(See Salary Resolution Book)

Approved and authorized the Interim Director of Housing and Community Action Programs to sign and submit a grant application, and any subsequent certifications and amendments, to the Tarjan Center at the University of California, Los Angeles in the amount of \$2,493 to provide volunteer opportunities for disabled individuals for the period April 15, 2006 to November 30, 2006. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign an agreement with John Muir/Mt. Diablo Behavioral Medicine Corporation in an annual amount not to exceed \$40,000 to provide psychiatric inpatient hospital services to Shasta County residents from the date of signing through June 30, 2006, with two additional one-year renewals; and adopted Resolution No. 2006-32, which designates John Muir/Mt. Diablo Behavioral Medicine Corporation as a facility to provide 72-hour treatment and evaluation and 14-day intensive treatment pursuant to the Lanterman-Petris-Short Act. (Mental Health)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign renewal agreements with BHC Heritage Oaks Hospital and BHC Sierra Vista Hospital in an annual amount not to exceed \$100,000 each to provide psychiatric inpatient hospital services from the date of signing through June 30, 2006, with an automatic renewal for two additional one-year periods. (Mental Health)

Approved and authorized the Chairman to sign a renewal employment agreement with Aravind Pai, M.D., to serve as Psychiatrist/Medical Director for the Shasta County Department of Mental Health from the date of signing and continue until terminated by either party under terms set forth in the agreement. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Remote Support Services, Inc. in an amount not to exceed \$20,000 to provide electronic collection, storage, and submission of data to the California Department of Alcohol and Drug Programs from the date of signing through December 31, 2006, with two optional one-year renewals. (Mental Health - Alcohol and Drug Programs)

Reappointed Brad Tillson, Doyle Turner, and Jim Middleton to the Shasta County Alcohol and Drug Advisory Board to three-year terms expiring March 2009. (Mental Health - Alcohol and Drug Programs)

Approved a budget amendment transferring a total of \$57,000 from Professional and Specialized Services to Client Payroll (\$55,000) and Interest (\$2,000). (Mental Health - Alcohol and Drug Programs)

Adopted Resolution No. 2006-33, which authorizes the purchase of specialty items and services for staff training and employee recognition approved by the Chief Probation Officer pursuant to the *Shasta County Personnel Manual*; and authorized the Auditor-Controller to pay the claims associated with their purchase. (Probation)

(See Resolution Book No. 47)

For North Chaparral Drive Permanent Road Division (Centerville area) found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after April 20, 2006 at 11:00 a.m. (Public Works)

For Title II/III (timber receipt funds) projects, reserved 15 percent of the full payment amount for forest projects; approved requests received from the County Fire Department and from the Western Shasta Resource Conservation District for Fiscal Year 2006-07 Title III projects; and reserved the remainder of the 15 percent for Title II projects to be selected by the Resource Advisory Committee. (Public Works)

For Shelley Lane Permanent Road Division (Anderson area), received the petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, and parcel charge report; and set a public hearing for May 9, 2006 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

Adopted Resolution No. 2006-34, which authorizes the Environmental Health Division to apply for a Solid Waste Enforcement Assistance Grant for Fiscal Year 2006-07 in the approximate amount of \$42,400. (Resource Management - Environmental Health)

(See Resolution Book No. 47)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: SHERIFF'S OFFICE **2005 ANNUAL REPORT**

Undersheriff Larry Schaller presented the Sheriff's Office 2005 Annual Report and mid-year status report. Undersheriff Schaller spoke of the crime summary in Shasta County. This past year, the violent crimes were down 33 percent, crimes against persons were down 5 percent, and property crimes were down 15 percent. He told of the many agencies and volunteer support groups in Shasta County that assist the Sheriff's Office to do their job.

In response to questions by Supervisor Kehoe, Undersheriff Schaller stated that there are approximately 4,600 concealed weapon permits in Shasta County, and the receipts from asset forfeitures is currently \$110,000.

In response to a question by Supervisor Hartman, Undersheriff Schaller replied that he was not aware of the City of Redding's statistics regarding a possible decrease in crime; however, he will obtain the information and advise the Board of Supervisors.

BOARD MATTERS

PROCLAMATION: RED CROSS MONTH

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2006 as "Red Cross Month" in Shasta County.

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, advising that the deadline to present bond issues has been extended.

Supervisors reported on issues of countywide interest.

AUDITOR-CONTROLLER/SUPPORT SERVICES

FINANCIAL SYSTEM UPGRADE **BI-TECH IFAS 7i**

Assistant Auditor-Controller Connie Regnell presented the staff report, advising that the IFAS 7i system will provide many services that will allow efficient input of information. In response to questions by Supervisor Cibula, Ms. Regnell advised that departments will be able to do direct input of claims, scanning and backup documentation. There will be a savings in processing the County payroll due to the efficient program. In response to a question by Supervisor Kehoe, Ms. Regnell stated that County staff will have more available time to assist citizens. CAO Larry Lees also supported the upgrade, advising that the speed of any payments due to citizens or vendors would increase.

By motion made, seconded (Hartman/Hawes) and unanimously carried, the Board of Supervisors authorized the upgrade of the current financial information system to the latest version of Bi-Tech's IFAS 7i for financial accounting and human resources; approved a project budget request of \$900,000 and authorized the County Administrative Officer to approve necessary budget amendments; and authorized the Auditor-Controller to prepare a Request for Proposal for a project manager.

SUPPORT SERVICES - FLEET MANAGEMENT DIVISION

FLEET MANAGEMENT REPLACEMENT VEHICLES **BUDGET AMENDMENT**

At the recommendation of Support Services Director Joann Davis and by motion made, seconded (Kehoe/Hawes) and unanimously carried, the Board of Supervisors approved a budget amendment, authorizing the use of \$53,597 in replacement funds and increase Fleet Management fixed assets to account for the purchase of three replacement vehicles; approved budget transfers of \$6,910 (Adult Probation) and \$7,664 (Boys Camp) from services and supplies to fixed asset lines to allow for the purchase of two Probation replacement vehicles; and approved the recognition of revenue of up to \$14,574 in the form of an inter-fund transfer from Probation and increase the corresponding fixed asset line to complete the purchase of replacement vehicles.

PUBLIC WORKS

BRESLAUER WAY RIVERFRONT PROPERTY **BUDGET AMENDMENT**

Public Works Director Pat Minturn presented the staff report and recommended approval of the budget amendment to survey and appraise the Breslauer Way riverfront property. He advised that 70 acres of land in the Breslauer Complex is County-owned property, yet a survey was never done on the land.

Six departments have facilities on a section of this property. Twenty acres of undeveloped property along the river remain vacant. The only use at this time is by the Sheriff's Office for canine training. Exact property boundaries, easements, floodplain limits, acreage, and appraised value will be defined.

Because the property was never surveyed, there is a dispute of over 100 feet at the northerly boundary. A proposal from a local engineering firm has provided an estimate in the

amount of \$10,000 to provide the survey. An estimate has been given in the amount of \$4,600 for an appraisal from a local firm.

In response to a question by Supervisor Kehoe, Mr. Minturn advised that an adjoining property owner with a 10-acre parcel is land-locked and issues remain regarding access.

Redding resident Chris Young stated that if the County should decide to sell the subject property, assurance should be made that the value of the property should not be underestimated.

Chairman Clarke stated that there is a need to know the size of the property and its value. Supervisor Cibula stated that there is a need to survey the property, yet stated opposition to obtaining an appraisal at this time as there has been no decision to sell the property and the appraisal can become quickly outdated. Supervisor Kehoe stated he agrees with having a survey done but not an appraisal.

CAO Lees clarified that this matter came before the Board of Supervisors because a neighboring private property owner wants to purchase a portion of the County-owned property to put in their own driveway. The appraisal would give the Board of Supervisors the value of the land should they choose to give or sell a portion of the property to the private property owner.

By motion made, seconded (Kehoe/Cibula) and carried, the Board of Supervisors approved a budget amendment increasing the Lands, Buildings, and Improvements Fund by \$20,000 to survey the Breslauer Way riverfront property (not do the appraisal). Supervisor Hawes voted no.

Supervisor Hawes moved approval of a budget amendment increasing the Lands, Buildings, and Improvements Fund by \$25,000 to survey and appraise the Breslauer Way riverfront property. Supervisor Hartman seconded the motion. The motion failed by the following vote (a 4/5 vote is required):

AYES:	Supervisors Hawes, Hartman, and Clarke
NOES:	Supervisors Kehoe and Cibula

OTHER DEPARTMENTS

COUNTY FIRE

AWARD OF BID

FOUTS BROTHERS FIRE EQUIPMENT

3,000 GALLON WATER TENDER PURCHASE

At the recommendation of County Fire/CDF Division Chief Warden Scott Holmquist and by motion made, seconded (Hartman/Kehoe) and unanimously carried, the Board of Supervisors awarded the bid to Fouts Brothers Fire Equipment and authorized the Shasta County Fire Warden to purchase one 3,000-gallon water tender in the amount of \$158,837.25, including taxes and delivery.

AWARD OF BID

FOUTS BROTHERS FIRE EQUIPMENT

2,000 GALLON WATER TENDER PURCHASE

At the recommendation of County Fire/CDF Division Chief Warden Scott Holmquist and by motion made, seconded (Hawes/Cibula) and unanimously carried, the Board of Supervisors awarded the bid to Fouts Brothers Fire Equipment and authorized the Shasta County Fire Warden to purchase two 2,000-gallon water tenders in the amount of \$292,587.00, including taxes and delivery.

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 Ballard v. County of Shasta, Berlinghoff v. Shasta County, Shasta County Deputy Sheriffs Association v. County of Shasta, Adams v. Jones, pursuant to Government Code section 54956.9, subdivision (a); and
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.

Chairman Clarke announced that Closed Session for the In-Home Supportive Services Public Authority (IHSS) Governing Board had been pulled at the direction of the IHSS representative.

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

1:30 p.m.

AFTERNOON CALENDAR

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, Assistant County Counsel Michael Ralston, County Administrative Officer Larry Lees, and Deputy Clerks of the Board Linda Mekelburg and Elaine Grossman present.

REPORT OF BOARD OF SUPERVISORS

CLOSED SESSION ACTIONS

EXISTING LITIGATION

BALLARD V. COUNTY OF SHASTA

DENIAL OF INDUSTRIAL DISABILITY RETIREMENT

RESOLUTION NO. 2006-35

ADAMS V. JONES

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

In the matter of Ballard v. County of Shasta, by unanimous vote, the Board of Supervisors adopted Resolution No. 2006-35, which denies the application of Rae Ballard for an industrial disability retirement.

By unanimous vote, the Board of Supervisors assigned the matter of Adams v. Jones to the Law Firm of Gary Brickwood.

No other reportable action was taken.

WORKSHOP

LAW AND JUSTICE

SHERIFF - ANIMAL CONTROL

2004 ANIMAL SERVICES FACILITY NEEDS ASSESSMENT

Undersheriff Larry Schaller introduced George Miers of George Miers & Associates, who discussed the needs assessment made of the Shasta County Animal Control Facility. Mr. Miers also presented a slide show showing several animal care facilities designed by his firm and described the process he used for completing the assessment: staff completed a questionnaire, which he reviewed and from which he tabulated results; he performed an analysis of incoming animals; and he developed a series of charts based on his calculations. In order to provide an adequate animal care, a facility of approximately 26,000-27,000 square feet would be needed. He developed a site plan and a projected budget of approximately \$5 million.

Mr. Miers explained that animal care facilities cost more to build than normal office space, because they have to be designed more like a laboratory than an office; costs can run as high as \$200-\$250 per square foot, depending on the geographical area.

REGULAR CALENDAR

LAW AND JUSTICE

SHERIFF - ANIMAL CONTROL

**JOINT-USE ANIMAL SERVICES FACILITY
REQUEST FOR PROPOSAL**

Undersheriff Larry Schaller presented the staff report and recommended approval of the Request for Proposal.

Jo Donato stated that a new animal shelter facility is a priority.

Haven Humane Society Board of Directors Chairman Roger Janis expressed his belief that a collaborative effort between animal care entities makes sense for both the community and for animals.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors authorized the Sheriff to issue a Request for Proposal to hire a consultant to study the feasibility of a joint-use animal services facility.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT - PLANNING DIVISION****APPEAL: TRACT MAP NO. 1924**
KEITH GARDNER (EAST REDDING AREA)

This was the time set to hear the appeal of conditions placed on Tract Map No. 1924, Keith Gardner (east Redding area). Mr. Gardner has appealed the requirement for a two-year monitoring period before recordation of the map. Assistant Director of Resources Management Rick Barnum explained that Mr. Gardner's attorney has proposed alternatives to the condition which staff would like to explore; therefore, he requested the matter be continued. Bart Flaherty, attorney for Mr. Gardner, confirmed that he agreed with the request for continuance. By consensus, the Board of Supervisors directed that the appeal of Tract Map No. 1924, Keith Gardner (east Redding area) be continued to the April 4, 2006 Board of Supervisors meeting.

ZONE AMENDMENT NO. 05-042
WILLIAM AND VAMA VERNON
COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-042, William and Vama Vernon, which would rezone approximately 23 acres in the Cottonwood area from an Unclassified (U) District to a Limited Agricultural (A-1) 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 hearing was closed.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-042, William and Vama Vernon, Cottonwood area:

1. Adopted the CEQA determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2006-021;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-021; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-017 as requested.

APPEAL: TRACT MAP NO. 1906
MAX JENKINS (OAK RUN AREA)

This was the time set to consider an appeal by Cynthia L. Cornelius of the Planning Commission's approval of certain conditions to Tract Map No. 1906, Max Jenkins (Oak Run area).

Chairman Clarke announced that a letter had been received from Ms. Cornelius withdrawing her appeal.

ZONE AMENDMENT NO. 05-002
MAX JENKINS
OAK RUN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-002, Max Jenkins, which would rezone approximately 23 acres in the Cottonwood area from an Unclassified (U) District to a Limited Agricultural (A-1) 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 hearing was closed.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-042, William and Vama Vernon, Cottonwood area:

1. Adopted the CEQA determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2006-021;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-021; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-017 as requested.

2:42 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
 Clerk of the Board of Supervisors

By _____
 Deputy