

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 23, 2006

REGULAR MEETING

9:04 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 - Linda Mekelburg
Deputy Clerk of the Board - Tazina Otis

INVOCATION

Invocation was given by Captain Wayne Wetter, Salvation Army.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Jon Ruiz discussed the state of labor negotiations between Shasta County management and the Deputy Sheriffs Association.

California Land Surveyors Association representative John Bettes opposed the proposed fee ordinance for the Department of Public Works, noting that the fee to review a Record of Survey will increase by 333 $\frac{1}{3}$ percent--from \$90 to \$300.

Nancy Hodges, Therese Standridge, Abbie Ides, Nancy Greer, Beth Field, Terry Carrel, Cindi Bither-Bradley, Sharon Mosley, Monica Somers Baxter, Ann Hill, and Rachael Self related the impacts that cutbacks in the local mental health system have had on them and their families and requested the Board of Supervisors to reconsider layoffs in the Mental Health Department.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Cibula pulled for later discussion the Child Support Services item regarding the contract with Attorney's Diversified Services.

CONSENT CALENDAR

By motion made, seconded (Hawes/Kehoe), 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 \$12,426.10 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on May 16, 2006, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal lease with William Toth in the amount of \$5,430.55 per month for approximately 6,500 square feet of office space (\$0.835/square foot) at 1643 Market Street, Redding for the period July 1, 2006 through June 30, 2007. (County Clerk/Elections)

Denied the request to present a late claim filed by Kip Lee. (County Counsel)

Directed the Clerk of the Board to provide notice to the Shasta County Office of Education and seven school districts (Black Butte Union Elementary, Cascade Union Elementary, Columbia Elementary, Pacheco Union Elementary, Mountain Union Elementary, Gateway Unified, and Shasta Union High School Districts) that the Board of Supervisors will not authorize issuance of tax and revenue anticipation notes on behalf of the school districts so the Office of Education and the districts can issue notes independent of Shasta County. (County Counsel)

Approved and authorized the Chairman to sign a renewal software maintenance and support agreement with Megabyte Systems, Inc. in the amount of \$108,847 and a web services license addendum in the amount of \$12,521 to provide a property tax system to the Assessor-Recorder, Auditor-Controller, and Treasurer-Tax Collector for the period July 1, 2006 through June 30, 2007. (Information Technology)

Took the following actions to provide continued services and to allow the purchase of necessary office furnishings for the Shasta Lake regional office: Approved a budget amendment transferring \$75,000 from Salaries and Benefits to Services and Supplies (\$43,425) and Fixed Assets (\$31,575) in the California Childrens Services Budget Unit; approved a budget amendment transferring \$30,000 from Services and Supplies to Fixed Assets in the Public Health Budget Unit; and authorized the Auditor-Controller to pay claims associated with fixed asset purchases. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Thomas Wright, DBA Wright Education Service to provide anger management and domestic violence treatment services for the period July 1, 2006 through June 30, 2007. (Social Services-Children and Family Services)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Child Abuse Prevention Coordinating Council in the amount of \$75,000 to provide a Child Abuse Prevention, Intervention, and Treatment Afternoon Childcare, Structured Activity, and Parent Mentoring Program for the period July 1, 2006 through June 30, 2007. (Social Services-Children and Family Services)

Approved and authorized the Chairman to sign a renewal agreement with New Directions to Hope to provide anger management and domestic violence treatment services for the period July 1, 2006 through June 30, 2007. (Social Services-Children and Family Services)

Adopted Resolution No. 2006-62, which approves and authorizes the Chief Probation Officer to sign and submit an application for Juvenile Accountability Block Grant funding in the amount of \$13,603 for Fiscal Year 2006-07. (Probation)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign a renewal contract with the California Department of Boating and Waterways in a maximum amount of \$523,567 for the Sheriff's Office to provide boating safety and enforcement activities on Shasta County waterways for the period July 1, 2006 through June 30, 2007. (Sheriff-Administration)

Found that the circumstances and factors that led to the proclamation of a local emergency due to crop damage from recent winter storms and subsequent flooding have been resolved and that there is no need to continue the proclamation. (Sheriff-Office of Emergency Services)

For Tract No. 1922 (Manzanillo Orchard) subdivision (northeast Redding area), approved the final map for filing; accepted on behalf of the public offers of dedication for public roads and public utility easements; adopted Resolution No. 2006-63, which consents to but does not accept offers of dedication for drainage easements and reciprocal driveway easements; approved and authorized the Chairman to sign an agreement with Gold Bear Mountain L.P. for completion of improvements within one year, and accepted performance security in the amount of \$22,440 and payment security in the amount of \$11,220; and approved and authorized the Chairman to sign an agreement with Gold Bear Mountain L.P. guaranteeing workmanship for one year, and accepted security for maintenance in the amount of \$27,000. (Public Works)

(See Resolution Book No. 47)

For the Zogg Mine Road at Achilles Creek Bridge Replacement Project, approved and authorized the Chairman to sign a right-of-way contract with Mark D. and Barbara J. Condon (0.26 acres at \$6,000); and accepted a grant deed conveying one parcel of project right of way. (Public Works)

For Parcel Map No. 04-041, Roberts (Shingletown area), approved and authorized the Chairman to sign an agreement with Bobby and Christine Roberts for completion of improvements within one year; and accepted securities for faithful performance in the amount of \$8,000 and for labor and materials in the amount of \$8,000. (Public Works)

Adopted Resolution No. 2006-64, which authorizes the Department of Resource Management to apply for City/County Payment Program funds from the California Department of Conservation for beverage container recycling and litter abatement programs in the amount of \$28,540 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake; appoints the Director of Resource Management as the agent for Shasta County for the purposes of the Program; authorizes the Department of Resource Management to include program expenditures and revenues in the Fiscal Year 2006-07 budget; and authorizes the Auditor-Controller to pay claims for said expenditure. (Resource Management-Community Education Section)

(See Resolution Book No. 47)

Adopted Resolution No. 2006-65, which authorizes the Department of Resource Management to apply for the Used Oil Recycling Block Grant, Fiscal Year 2006-07 in the amount of \$28,076 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake. (Resource Management-Community Education Section)

(See Resolution Book No. 47)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: ATTORNEY'S DIVERSIFIED SERVICES PROCESS SERVICE

In response to a question from Supervisor Cibula, Director of Child Support Services Teri Love explained a Request for Proposal (RFP) was issued three years ago with only one response, by a local, inexperienced business. A Request for Proposal was not issued at this time as the State of California is researching a statewide contract for future implementation.

In response to a question from Supervisor Kehoe, Ms. Love replied that the original contract with Attorney's Diversified Services was the result of an RFP, and the current contract could be considered an extension of the previous contract.

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with Attorney's Diversified Services in an amount not to exceed \$70,000 to provide process service for the period July 1, 2006 through June 30, 2007. Supervisor Cibula voted no. (Child Support Services)

9:55 a.m.: The Board of Supervisors recessed and reconvened as the In-Home Supportive Services Public Authority Governing Board.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY GOVERNING BOARD

By motion made, seconded (Hartman/Hawes), and unanimously carried, the In-Home Supportive Services Public Authority Governing Board took the following action, which was listed on the Governing Board Consent Calendar:

Approved the initial segment of the In-Home Supportive Services (IHSS) Public Authority *Policies and Procedures Manual* concerning the IHSS provider registry. (IHSS Public Authority)

9:56 a.m.: The In-Home Supportive Services Public Authority Governing Board adjourned, and the Board of Supervisors reconvened.

REGULAR CALENDAR

BOARD MATTERS

PRESENTATION: HERGER-FEINSTEIN QUINCY LIBRARY GROUP PROJECT UPDATE CONTRIBUTION RATE APPROVAL

County Forester Frank Stewart presented an update on several Herger-Feinstein Quincy Library Group (QLG) lawsuits, noting that the QLG and U.S. Forest Service have prevailed in the Meadow Valley Defensible Fuel Profile Zone (DFPZ) on Plumas National Forest lawsuit at both the District Court and Ninth Circuit Court of Appeals level. There are four lawsuits in process and five potential lawsuits. Of these, the Creeks DFPZ and North 49er DFPZ affect Shasta County. In some of the lawsuits, the QLG has filed as an intervener. The QLG attorney has estimated that approximately \$125,000 will be needed to defend the active and potential lawsuits; of this, \$7,000 is Shasta County's share, based on a 50-50 split between counties and private industry, with the counties' shares being divided proportionally according to each county's acreage in the QLG Project.

In response to a question from Supervisor Cibula regarding the lawsuit fund, Mr. Stewart replied that Shasta County's contribution would not be earmarked specifically for lawsuits involving Shasta County but would go into one fund from which lawsuit expenses will be paid as the lawsuits are filed and defended.

In response to questions from Supervisor Cibula, County Counsel Karen Jahr noted that the QLG attorney has provided updates on the lawsuits to the California County Counsel Association but has not requested the Association to provide any input. She also explained that an intervener is a person or entity who has an interest in a litigation matter and joins the litigation by making an application to the court. The impact of an intervener can be substantial as the intervener may come to the court with information not otherwise available.

Supervisors discussed the possibilities of closer communication with the County Forester and review of the litigation by County Counsel. Supervisor Cibula noted that although he is supportive of the Quincy Library Group, he would like County Counsel to review this litigation and make specific recommendations regarding participation in specific lawsuits.

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors approved Shasta County's continued participation in and approved an appropriation for a multi-agency lawsuit regarding the Herger-Feinstein Quincy Library Group project in the amount of \$7,000 for Fiscal Year 2006-07. Supervisors Kehoe and Cibula voted no.

RETIRED AND SENIOR VOLUNTEER PROGRAM VOLUNTEER OF THE YEAR

The Board of Supervisors recognized Richard D. Novelli, Jr. as the Retired and Senior Volunteer Program's 2005 Volunteer of the Year.

PROCLAMATION: AIRPORT DAY

At the recommendation of Shasta County Flying Posse Team Leader Wayne Robinson and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates June 4, 2006 as Airport Day 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, noting that CSAC has requested that counties send letters supporting a legislative initiative to refund counties for special election costs; Shasta County's share of the refund would be approximately \$280,000. By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to the Budget Committee supporting a legislative initiative to refund counties for special election costs.

Supervisor Kehoe recently attended a Mental Health Advisory Board meeting; he requested that CAO Lees distribute to Supervisors an analysis of the Mental Health Department which was presented at the meeting.

Supervisors reported on issues of countywide interest.

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

U.S. DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT HEALTH INSPECTION SERVICES, WILDLIFE SERVICES ANNUAL WORK AND FINANCIAL PLAN

At the recommendation of Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the Annual Work and Financial Plan with the U.S. Department of Agriculture, Animal and Plant Health Inspection Services, Wildlife Services in the amount of \$83,781 for the period July 1, 2006 through June 30, 2007.

COUNTY CLERK/ELECTIONS

**AGREEMENT: CALIFORNIA SECRETARY OF STATE
HELP AMERICA VOTE ACT OF 2002 SECTION 301 VOTING SYSTEMS PROGRAM
RESOLUTION NO. 2006-66**

At the recommendation of County Clerk/Registrar of Voters Cathy Darling and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-66, which approves and authorizes the Chairman to sign an agreement with the California Secretary of State in the amount of \$1,156,557.13 to be reimbursed for the HAVA (Help America Vote Act of 2002) Section 301 Voting Systems Program for the period December 19, 2005 through June 30, 2007.

(See Resolution Book No. 47)

SUPPORT SERVICES

HUMAN RESOURCES DIVISION

**COMPREHENSIVE MEMORANDUM OF UNDERSTANDING
PROFESSIONAL UNIT
RESOLUTION NO. 2006-67
SALARY RESOLUTION NO. 1293**

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following action regarding the United Public Employees of California Professional Unit: Adopted Resolution No. 2006-67, which approves a comprehensive Memorandum of Understanding for the period May 1, 2006 through April 30, 2010; and adopted Salary Resolution No. 1293, which implements salary adjustments in the amount of 4 percent effective April 30, 2006, 3 percent effective April 29, 2007, 4 percent effective April 27, 2008, and 3 percent effective April 26, 2009.

(See Resolution Book No. 47)

(See Salary Resolution Book)

OTHER DEPARTMENTS

COUNTY FIRE

**GRANT: SHASTA COUNTY PUBLIC HEALTH
STAFF WAGES FOR SAFETY PRESENTATIONS
BUDGET AMENDMENT**

At the recommendation of County Fire Division Chief Scott Holmquist and by motion made, seconded (Cibula/Hartman), and unanimously carried, the Board of Supervisors accepted a grant from Shasta County Public Health in the amount of \$14,400 to fund staff wages for safety presentations; authorized the expenditure of grant funds for salaries and benefits; and approved a budget amendment increasing revenue and appropriations by \$14,400.

SCHEDULED HEARINGS

LAW AND JUSTICE

SHERIFF

**SUPPLEMENTAL LOCAL LAW ENFORCEMENT
CITIZENS OPTION FOR PUBLIC SAFETY
BUDGET AMENDMENT**

This was the time set to conduct a public hearing and consider taking action regarding the Supplemental Local Law Enforcement Citizens Option for Public Safety (COPS) Program. 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 request, and the public hearing was closed.

At the recommendation of Chief Fiscal Officer Margie Stolze and by motion made, seconded (Kehoe/Cibula), and unanimously carried, the Board of Supervisors took the following action regarding the Supplemental Local Law Enforcement Citizens Option for Public Safety (COPS) Program: Approved a request from the Sheriff for front-line law enforcement services funding in the amount of \$100,000; and approved a budget amendment increasing appropriations and revenues in the amount of \$100,000 from funds made available under the COPS Program.

PUBLIC WORKS

**FEE INCREASE
PUBLIC WORKS FEES**

This was the time set to conduct a public hearing and consider increasing fees for services provided by the Department of Public Works. Public Works Director Pat Minturn presented the staff report and recommended approval of the increase. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

In response to questions from Supervisor Cibula regarding comments made previously during the Public Comment Period, Mr. Minturn replied that the average amount of staff time to review a Record of Survey is approximately four hours, and this is reflected in the proposed \$300 fee, an increase over the current \$90 fee; a fee reflecting a three-hour review would be \$225. Chairman Clarke reminded those present that when a survey map is recorded, it affects not only the property owner but also any adjacent property owners, so it is important the map be reviewed extensively. Mr. Minturn also noted that the fee for a Corner Record is \$7 for the first page and \$3 for each subsequent page and reflects the recording cost; this is set by the State Legislature.

The public hearing was opened, at which time John Bettes pointed out that a Corner Record is not recorded but is kept in the Public Works office. As to the Record of Survey, he noted that the County is limited by the Land Surveyor Act as to what they can review.

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

Supervisors Kehoe and Cibula expressed their concerns that the proposed fees should show a proportionate or incremental increase. Supervisors Hartman and Hawes noted that the last fee increases were in 1994, and the review of fees for possible necessary increases should be done on a more frequent basis.

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors introduced and waived the reading of an ordinance which repeals Ordinance No. 582 and increases fees for various services provided by the Department of Public Works effective July 1, 2006. Supervisors Kehoe and Cibula voted no.

CLOSED SESSION ANNOUNCEMENT

Chairman Clarke announced that the Board of Supervisors would recess to a Closed Session to 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.

11:25 a.m.: The Board of Supervisors recessed to Closed Session.

12:18 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, and Deputy Clerk of the Board Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Clarke reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

12:19 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy