

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, June 6, 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

**MOMENT OF SILENCE**

A moment of silence was observed for Shasta County Planning Director Rick Barnum.

**INVOCATION**

Invocation was given by Pastor Pauline Bowen, Trinity United Methodist Church.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Marcene Cramer, Jeanene Allen, and Rachael Self spoke of the negative impact the Mental Health layoffs, including Dr. Krause, will have on the children in the community.

Deputy Sheriff's Association President Jon Ruiz stated that supporting the cause for better pay and benefits for deputies is a priority.

**CONSENT CALENDAR**

By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisors Kehoe and Cibula voted no on the Public Works Department fee increases item, as they voted no on the ordinance introduction):

Approved and authorized the Chairman to sign the County claims list in the amount of \$15,867.95, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on May 23, 2006, as submitted. (Clerk of the Board)

Adopted Salary Resolution No. 1294, which establishes salary adjustments for specific County unrepresented professional classifications 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. (Support Services-Human Resources Division)  
(See Salary Resolution Book)

Approved and authorized the Chairman to sign an agreement with C. Kirby Griffin, M.D. in an amount not to exceed \$4,497 to provide Medical Review Officer services from the date of signing through June 30, 2007 with two automatic one-year extensions. (Support Services-Human Resources Division)

Adopted Salary Resolution No. 1295, which implements salary adjustments for Confidential Employees in the amount of 1 percent effective May 14, 2006, 3 percent effective April 29, 2007, 4 percent effective April 27, 2008, and 3 percent effective April 26, 2009; and adopted Resolution No. 2006-68, which updates employment terms and conditions in Chapter 17 of the *Shasta County Personnel Rules* regarding Confidential Employees. (Support Services-Human Resources Division)  
(See Salary Resolution Book)

Adopted Policy Resolution No. 2006-3, which authorizes a temporary waiver of portions of the *Shasta County Personnel Rules* to facilitate placement of employees displaced by layoffs for the period May 1, 2006 through January 10, 2007. (Support Services-Human Resources Division)  
(See Policy Resolution Book)

Adopted Resolution No. 2006-69, which amends the *Shasta County Personnel Rules*. (Support Services-Personnel Division)  
(See Resolution Book No. 47)

Approved and authorized the Chairman to sign an agreement with North State Security, Inc., in an amount not to exceed \$136,644 to provide security services at five Shasta County facilities for the period July 1, 2006 through June 30, 2007. (Social Services-Administration)

Adopted Resolution No. 2006-70, which relieves the Department of Social Services of accountability for a fixed asset, an old chair, with no value assigned to it and is no longer in possession of the department. (Social Services-Administration)  
(See Resolution Book No. 47)

Approved and authorized the Chairman to sign an agreement with the City of Redding Police Department in the amount of \$117,848 to provide investigation of elder crimes and abuse for the period July 1, 2006 through June 30, 2007. (Social Services-Adult Services)

Approved and authorized the Chairman to sign an amendment to the agreement with the Shasta County Private Industry Council, Inc., DBA Smart Business Resource Center increasing the compensation by \$13,450 (for a maximum compensation of \$479,050) to provide Job Development Services, Job Services, and a CalWORKs Business Advocate, retaining the period of July 1, 2005 through June 30, 2006. (Social Services-CalWORKs)

Approved and authorized the Chairman to sign a renewal agreement with Thomas Wright, DBA Wright Education Services in an amount not to exceed \$95 per assessment to provide counseling and mental health services to clients 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 Women's Refuge in the amount of \$42,256 to provide a Domestic Violence Specialist for the period July 1, 2006 through June 30, 2007. (Social Services-Children and Family Services)

Enacted Ordinance No. 463-21, which establishes a load limit of 14,000 pounds on a portion of Lone Tree Road in the Anderson area, as introduced May 9, 2006. (Clerk of the Board)

(See Weights of Vehicles and Loads Ordinance Book)

Enacted Ordinance No. 650, which repeals Ordinance No. 582 and increases fees for various services provided by the Department of Public Works effective July 1, 2006, as introduced May 23, 2006. (Clerk of the Board)

(See General Ordinance Book)

Approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after July 13, 2006, at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign an agreement with Pacific Gas & Electric (PG&E) in the amount of \$46,897.62 to relocate utility facilities for the Bear Mountain Road at Daniels Lane Reconstruction Project. (Public Works)

For the Bear Mountain Road Curve Correction Project, found the project categorically exempt in conformance with CEQA, approved plans and specifications and directed the Public Works Director to advertise for bids, and authorized the opening of bids on or after June 29, 2006 at 11:00 a.m. (Public Works)

Awarded to the low bidder, R.B. Aldrich Construction, Inc., on a unit-cost basis, the construction contract for the Gas Point Road Median Project in the amount of \$320,511.86. (Public Works)

Adopted Resolution No. 2006-71, which designates a portion of Brokeoff Meadows Road as a Combined-Use Roadway in accordance with California Vehicle Code section 38026. (Public Works)

(See Resolution Book No. 47)

Enacted Ordinance No. 378-1929, which approves Zone Amendment No. 06-001, Bruce (East Redding/Redding Municipal Airport area), as introduced May 16, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

## **REGULAR CALENDAR**

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Hawes recently attended a Sacramento Valley Basinwide Air Pollution Control Council meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE****SHASTA COUNTY DISPLAY AT STATE CAPITOL**

County Administrative Officer (CAO) Larry Lees presented the staff report and requested direction from the Board of Supervisors regarding the status of the Shasta County display at the State Capitol.

By motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors directed that CAO Lees contact municipal partners in Shasta County to solicit participation and obtain funding options to update the State Capitol display for Shasta County.

**TREASURER-TAX COLLECTOR****TRANSFER OF UNCLAIMED MONIES  
CHILD SUPPORT SERVICES TRUST FUND**

Treasurer/Tax Collector/Public Administrator Lori Scott presented the staff report and noted that some listed clients have claimed monies, so the revised transfer total is \$29,263.09 to be spent on local child support enforcement activities.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors authorized the Auditor-Controller to transfer \$29,263.09 in unclaimed monies from the Child Support Services Trust Fund to the General Fund, and authorized the Auditor-Controller to subsequently transfer the same amount as revenue from unclaimed monies to the Local Child Support Fund 0192.

**HEALTH AND WELFARE****PUBLIC HEALTH****DISEASE PREVENTION DEMONSTRATION PROJECT**

Public Health Department Director Marta McKenzie discussed the proposed Syringe Exchange Program and pharmacy syringe sales for communicable disease control. Her presentation illustrated that contaminated needles, whether by accidental needle sticks or shared needles for drug use, can transmit Hepatitis B and C and Human Immunodeficiency Virus (HIV).

California's Syringe Exchange Law allows for a program that includes information about substance abuse treatment and testing so it can increase the rate of substance abusers receiving assistance and treatment. The Pharmacy Syringe Sales Law in California supports a program which allows pharmacists to sell up to ten syringes per transaction to persons 18 years of age or older without a prescription. The costs associated with treating accidental needle sticks and people with Hepatitis B or C, and HIV can be reduced by implementing these programs.

Bradford Tillson, R.N., on behalf of the Shasta County Alcohol and Drug Advisory Board, BloodSource in Redding, and the Infectious Disease Committee, expressed their support of the proposed programs.

North Valley Medical Association Board member Dr. Ronald Reece said the programs will reduce the number of local residents who are affected by these diseases and reduce the taxpayer's burden of treating them.

Janet Tyrrel spoke in opposition to the needle exchange program as it endorses illegal behavior.

Sally Riley discussed the danger that used needles pose to the public and the associated costs. Theresa Daily stated she had no choices for clean needles as a previous drug user. James Gray requested no restriction on the number of purchased needles.

District Attorney Jerry Benito opposed the proposal, explaining that the current message to children and the general public is not to use drugs, so offering methods to obtain clean needles promotes illegal activity.

Undersheriff Larry Schaller, on behalf of the California Peace Officers' Association and California Narcotic Officers Association, supported the proposed programs as needle disposal is a Public Health issue and concerns law enforcement staff.

Public Health Officer Dr. Andrew Deckert supported the proposal as it reduces the spread of disease, increases the number of substance abusers receiving treatment, decreases the use of contaminated needles and accidental needle sticks, and does not change the number of drug users or the frequency of drug use.

Supervisor Hawes moved that the Board of Supervisors authorize a Disease Prevention Demonstration Project in Shasta County, which would include syringe exchange and pharmacy syringe sales.

Under discussion, Supervisor Hartman stated that she would not support a recommendation that makes more syringes/needles available to the public for illicit use.

In response to questions by Supervisor Kehoe, Ms. McKenzie replied that the programs should not attract clients from nearby counties without programs and that other California counties have adopted the programs in stages, leaving the effect unevaluated. She added that the sunset date of December 31, 2010 only applies to the Pharmacy Sales Program, not the Syringe Exchange Program.

Chairman Clarke said she might support the Syringe Exchange Program but not the Pharmacy Sales Program.

Supervisor Hawes mentioned that the proposal provides monetary savings from treating substance abusers.

Supervisor Cibula expressed a need for input from Shasta County's municipalities. He said there are other methods to reduce illegal drug activity and communicable diseases, and he would not support the proposal.

The motion by Supervisor Hawes died for lack of a second.

Supervisor Kehoe said youth are encouraged to follow a no-drugs policy and he does not want to make an easier path for substance abuse.

Supervisor Hartman stated that community leaders can slow the progression of substance abuse and allow abusers to recognize the consequences. Chairman Clarke agreed and supported a zero-tolerance message.

Supervisor Kehoe moved to approve a two-year Disease Prevention Demonstration Project and direct the Public Health Director to provide project guidelines; Supervisor Hawes seconded the motion. The motion failed by the following vote:

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

There being no alternate motions, no action was taken on the consideration of adopting a resolution authorizing a Disease Prevention Demonstration Project in Shasta County.

## LAW AND JUSTICE

### PROBATION

#### BUDGET AMENDMENT

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved an amendment to the Probation Fiscal Year 2005-06 budget to reflect increases in administrative, training, personnel, and vehicle expense budget units.

### SHERIFF'S OFFICE-ANIMAL CONTROL

#### AGREEMENT: CITYGATE ASSOCIATES, LLC ANIMAL SERVICES FACILITY FEASIBILITY STUDY

Undersheriff Larry Schaller presented the staff report and recommended approval of the proposed agreement. In response to questions by Supervisor Kehoe, Undersheriff Schaller replied that funding issues will be discussed with the County Administrative Officer. Supervisor Kehoe stated that he does not support an advance payment to the consultant.

Citygate Associates consultant David DeRoos explained the reason for the ten percent advance payment request is that they are a small business.

In response to questions by Chairman Clarke and Supervisor Cibula, Mr. DeRoos stated that the criteria evaluation will consider all entities involved, and the scope of work suggests being mindful of funding options, which include staff interviews for funding alternatives.

By motion made, seconded (Hartman/Hawes), and carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Citygate Associates, LLC for an amount not to exceed \$50,000 to provide project management for a future animal services facility feasibility study from the date of signing through December 7, 2006, and authorized the Auditor-Controller to advance Citygate Associates, LLC \$4,995 to fund initial services to be provided pursuant to this agreement. Supervisor Kehoe voted no as he does not support advance payment to the consultant.

## SCHEDULED HEARINGS

### PUBLIC WORKS

#### SHELLY LANE PERMANENT ROAD RESOLUTION NOS. 2006-72 AND 2006-73

This was the time set to continue the public hearing for formation and consider taking action regarding the proposed Shelly Lane Permanent Road Division (Anderson area). Public Works Supervising Engineer Al Cathey presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Chairman Clarke requested the clerk to announce the results of the vote on the formation of the proposed Shelly Lane Permanent Road Division as required by Proposition 218; the vote was as follows:

|                |      |
|----------------|------|
| FOR:           | 41.5 |
| AGAINST:       | 10.5 |
| BLANK BALLOTS: | 0    |

The public hearing was opened, at which time no one spoke for or against the formation, and the public hearing was closed.

At the recommendation of Public Works Supervising Engineer Al Cathey and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved the following actions regarding Shelly (aka Shelley) Lane Permanent Road Division (Anderson area):

1. Adopted Resolution No. 2006-72, which forms the Shelly Lane Permanent Road Division;
2. Adopted Resolution No. 2006-73, which confirms the annual parcel charge report for Fiscal Year 2005-06; and
3. Directed the Public Works Director to perform maintenance to the road as needed.  
(See Resolution Book No. 47)

**FORMATION OF MILLVILLE WAY PERMANENT ROAD DIVISION  
BALLOT TABULATION**

This was the time set to conduct a public hearing and consider taking action regarding the formation of the proposed Millville Way Permanent Road Division in the Millville area. Public Works Supervising Engineer Al Cathey presented the staff report. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board. Chairman Clarke announced the date, time, and location of the proposed tabulation of ballots regarding the proposed parcel charge.

The public hearing was opened, at which time no one spoke for or against the formation of the proposal. Chairman Clarke noted for the record that Mr. and Mrs. Larry Mack were present earlier, but departed. The public hearing was closed.

By consensus, the Board of Supervisors directed the Clerk of the Board to tabulate the results of the vote to consider formation of the proposed Millville Way Permanent Road Division as required by Proposition 218; and continued the matter until June 20, 2006, at 9:00 a.m., or as soon thereafter as may be heard, at which time the results of the vote will be announced.

**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 Kent v. County of Shasta, Adams v. County of Shasta, Chatrue v. County of Shasta, and Pickrell v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a).

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.

11:28 a.m.: The Board of Supervisors recessed into Closed Session and convened as the In-Home Supportive Services (IHSS) Public Authority Governing Board.

**IN-HOME SUPPORTIVE SERVICES**

**PUBLIC AUTHORITY GOVERNING BOARD**

**CLOSED SESSION ANNOUNCEMENT**

Chairman Clarke announced that the In-Home Supportive Services (IHSS) Public Authority Governing Board would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, IHSS Public Authority Program Manager Ken Field, and Labor Consultant Becker and Bell to discuss the United Domestic Workers of America, pursuant to Government Code section 54957.6.

11:29 a.m.: The IHSS Public Authority Governing Board recessed to Closed Session.

12:27 p.m.: The IHSS Public Authority Governing Board recessed from Closed Session and reconvened in Open Session with all Members, County Counsel Karen Jahr, County Administrative Officer Larry Lees, and Deputy Clerk of the Board Elaine Grossman present.

**REPORT OF IN-HOME SUPPORTIVE SERVICES**

**PUBLIC AUTHORITY GOVERNING BOARD**

**CLOSED SESSION ACTIONS**

County Counsel Karen Jahr reported that the IHSS Public Authority Governing Board met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

12:28 p.m.: The IHSS Public Authority Governing Board adjourned, and the Board of Supervisors reconvened.

**REPORT OF BOARD OF SUPERVISORS**

**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 Kent v. County of Shasta, on a unanimous vote, the Board of Supervisors approved a Compromise and Release in the amount of \$138,500.00, less credit for previously paid permanent disability in the amount of \$10,328.87. In the matter of Pickrell v. County of Shasta, on a unanimous vote, the Board of

Supervisors approved assignment of defense of the action to the Law Firm of Gary Brickwood. No other reportable action was taken.

12:30 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy