

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 5, 2006

REGULAR MEETING

9:03 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. 2 - Supervisor Cibula
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Clarke

District No. 1 - Supervisor Kehoe - Absent

County Administrative Officer - Larry Lees
Assistant County Counsel - Mike Ralston
Deputy Clerk of the Board - Elaine Grossman
Deputy Clerk of the Board - Amy Spencer

INVOCATION

Invocation was given by Father Michael Hebda, Our Lady of Mercy Catholic Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Mike Quinn spoke in support of acquiring available Pacific Gas & Electric lands in Shasta County to help preserve fish and wildlife; the lands are invaluable to the economy and history.

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 (Supervisor Hawes recused on Ordinance No. 378-1948 due to land ownership):

Approved the minutes of the meetings held on November 14 and 21, 2006, as submitted. (Clerk of the Board)

Reappointed James Holdridge, Sid Riley, and Russell Tollefson as members and Charles Byard, James Finck, Wes Reynolds, Charles Ryan, and Bob Valentine as alternates to the Board of Employee Appeals for two-year terms to January 5, 2009. (Clerk of the Board)

Appointed Randy Armstrong to fill an unexpired term on the Cottonwood Cemetery District Board of Trustees to February 2007. (Clerk of the Board)

Enacted Ordinance No. 378-1947, which approves Zone Amendment No. 06-023, Harris (Igo area), as introduced November 14, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1948, which approves Zone Amendment No. 06-027, Hawes (east Anderson area), as introduced November 14, 2006. (Clerk of the Board)

(See Zoning Ordinance Book)

Approved the proposed calendar for the Board of Supervisors meetings for 2007 and for January 1, 2008. (Clerk of the Board)

Adopted Resolution No. 2006-187, which accepts the County Clerk/Registrar of Voters' Official Canvass of the November 7, 2006 Gubernatorial General Election. (County Clerk/Registrar of Voters)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign an amendment to the agreement with Right Road Recovery Programs, Inc. increasing compensation by \$135,000 (for a new maximum of \$300,000) to provide nonresidential alcohol and other drug treatment services and retaining the term of July 1, 2006 through June 30, 2007. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2006-188, which authorizes the submission of an application in the amount of \$69,000 for ongoing California Department of Health Services Children's Dental Disease Prevention Program funding, and approves and authorizes the Public Health Director to sign any resultant contract and amendments. (Public Health)

(See Resolution Book No. 47)

Took the following actions regarding Tract Map No. 1856, Equestrian Estates (north Redding area): For the Equestrian Estates Permanent Road Division, adopted Resolution No. 2006-189, which forms the Division, received the annual parcel charge report, and adopted Resolution No. 2006-190, which confirms the annual parcel charge report for Fiscal Year 2007-08; and for the final map, approved the final map for filing, and accepted on behalf of the public offers of dedication for public roads and public utility easements. (Public Works)

(See Resolution Book No. 47)

Took the following actions regarding Certificate of Compliance No. 05-012, Manley (Happy Valley area): Adopted Resolution No. 2006-191, which grants an extension of time to the developer for completion of improvements by November 15, 2007; and approved and authorized the Chairman to sign an amendment to the agreement with Dennis Manley extending the time of completion to November 15, 2007. (Public Works)

(See Resolution Book No. 47)

Took the following actions regarding Parcel Map No. 05-046, Ecenbarger (Cottonwood area): Approved and authorized the Chairman to sign an agreement with Kathryn E. Ecenbarger and Mark E. Ecenbarger for completion of improvements within one year; and accepted securities for faithful performance in the amount of \$33,000 and for labor and materials in the amount of \$16,500. (Public Works)

Took the following actions regarding the proposed Tract Map No. 1933, Silver Saddle Estates Permanent Road Division (Cottonwood 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 January 23, 2007 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: PARLIAMENTARY PROCEDURE TEAM

Received a demonstration from the McArthur Future Farmers of America Advanced Parliamentary Procedure Team from Fall River Mills High School, who recently won second place in a national competition. The team consisted of Chairman Esther Dolman, Secretary Kelsey Sloat, Jenna Shuler, Hannah Moyer, John McArthur, and Amanda Holscher.

BOARD MATTERS

DECEMBER 2006 EMPLOYEE OF THE MONTH
KILE KOSCHNICK, INFORMATION TECHNOLOGY SUPERVISOR
RESOLUTION NO. 2006-192

At the recommendation of Chief Technology Officer Charlie Haase and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-192, which recognizes Information Technology Supervisor Kile Koschnick as Shasta County’s December 2006 Employee of the Month.

(See Resolution Book No. 47)

PLAQUE OF APPRECIATION
LIBRARY DIRECTOR CAROLYN CHAMBERS

In recognition of more than 22 years of service to Shasta County, the Board of Supervisors presented Library Director Carolyn Chambers with a plaque of appreciation upon the occasion of her retirement. Shasta Library Foundation Executive Director Peggy O’Lea thanked Ms. Chambers for her services and advocacy for the public library system. Ms. Chambers expressed appreciation to the community for their efforts, and the Board of Supervisors members individually noted their appreciation of Ms. Chambers.

PROCLAMATION: PEARL HARBOR REMEMBRANCE DAY

At the recommendation of Redding Chapter 28 Pearl Harbor Survivors Association representative Richard Lamb and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 7, 2006 as Pearl Harbor Remembrance Day in Shasta County. Chairman Clarke announced the annual Pearl Harbor Remembrance Ceremony to be held December 7, 2006 at 9:55 a.m. in front of the World War II Veterans Memorial located next to the courthouse.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS’ REPORTS

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

Supervisors Cibula, Hawes, and Hartman recently attended the California State Association of Counties Annual Meeting.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

SHERIFF

AGREEMENT: CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS BUDGET AMENDMENT

Chairman Clarke stated that this item has been pulled at the request of the department.

RESOURCE MANAGEMENT

AGREEMENT: LOUIS BERGER GROUP, INC. PACIFIC GAS & ELECTRIC STEWARDSHIP COUNCIL CONTINGENCY RESERVE BUDGET TRANSFER

At the request of Assistant County Counsel Mike Ralston, Resource Management Director Russ Mull advised that a correction to the purpose of the agreement was made in the "Responsibilities of Consultant" section of the contract.

Mr. Mull stated that pursuant to a bankruptcy agreement, the Pacific Gas & Electric (PG&E) Stewardship Council intends to formalize and adopt management plans for certain PG&E lands to be maintained in the public interest; if the lands are under one ownership, such as Shasta County, the revenue from some land can pay to maintain other land under the same ownership.

By motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors authorized the Chairman to sign an agreement with The Louis Berger Group, Inc. in an amount not to exceed \$59,000 to provide liaison services between the County of Shasta and the PG&E Stewardship Council from the date of signing through December 4, 2007; and approved a budget transfer in the amount of \$59,000 from the Contingency Reserve.

SCHEDULED HEARINGS

PUBLIC WORKS

TIMBER RIDGE PERMANENT ROAD DIVISION TRACT MAP NO. 1908 BALLOT TABULATION

This was the time set to conduct a public hearing regarding the formation of the proposed Tract Map No. 1908, Timber Ridge Permanent Road Division in the Burney area. 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 and the public hearing was closed.

Deputy Public Works Director Scott Wahl presented the staff report and requested the clerk to announce the results of the vote on the formation of the proposed Timber Ridge Permanent Road Division as required by Proposition 218; the vote was as follows:

FOR:	1
AGAINST:	0
BLANK BALLOTS:	0

By consensus, the Board of Supervisors directed that the matter be continued to a future Board of Supervisors meeting to consider formation of the proposed Timber Ridge Permanent Road Division.

CLOSED SESSION ANNOUNCEMENT

Assistant County Counsel Mike Ralston announced that the Board of Supervisors would recess to a Closed Session to take the following actions and noted that the existing litigation entitled Shasta County v. Shasta County Superior Court has been pulled as it is not ready for consideration:

1. Confer with its counsel to discuss existing litigation entitled Carey v. Shasta County and Pineda v. Shasta County 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.

URGENCY ITEMS

FINDING OF URGENCY

EAST VALLEY LAND PRESERVATION ASSOCIATION V. COUNTY OF SHASTA AND THREATENED LITIGATION

Assistant County Counsel Mike Ralston requested a Finding of Urgency for the following items and that they be added to the Closed Session agenda as they both have time frames not conducive to waiting to a future agenda:

1. Existing litigation entitled East Valley Land Preservation Association vs. County of Shasta pursuant to Government Code section 54956.9, subdivision (a).
2. Threatened litigation pursuant to Government Code section 54956.9, subdivisions (b)(1) and (b)(1)(C) and (E).

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors approved a Finding of Urgency in the case of East Valley Land Preservation Association v. County of Shasta and a case of threatened litigation.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors added the two urgency items to the Closed Session agenda.

9:56 a.m.: The Board of Supervisors recessed to Closed Session.

10:59 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Clarke, Cibula, Hawes, and Hartman, County Administrative Officer Larry Lees, Assistant County Counsel Mike Ralston, and Deputy Clerk of the Board Elaine Grossman present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation, labor negotiations, and two urgency items. In the matter of East Valley Land Preservation Association v. County of Shasta with the real party named as Mr. and Mrs. Dill, by a unanimous vote, with Supervisor Kehoe absent, the Board of Supervisors authorized the Chairman to sign a letter of agreement with the subject parties.

No other reportable action was taken.

Supervisor Cibula abstained on the item entitled Pineda v. Shasta County as he had contact with Mr. Pineda prior to the matter.

11:02 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy