

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 9, 2007

REGULAR MEETING

9:01 a.m.: The Regular Session of the Board of Supervisors was called 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 - Amy Spencer

INVOCATION

Invocation was given by Pastor Robert Brown, First Baptist Church of Redding.

PLEDGE OF ALLEGIANCE

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

PRESENTATIONS TO OUTGOING SUPERVISOR CLARKE

**2006 CHAIRMAN PLAQUE
RETIREMENT AWARD**

Vice Chairman Cibula presented a plaque to Supervisor Clarke in recognition of her dedicated service to Shasta County as Chairman of the Board of Supervisors during 2006.

County Administrative Officer Larry Lees presented an award to Supervisor Clarke in recognition of more than sixteen years of service to Shasta County on the occasion of her retirement.

SWEARING-IN CEREMONY

County Administrative Officer Larry Lees performed the swearing-in ceremony for Cathy Darling, County Clerk/Registrar of Voters. County Clerk/Registrar of Voters Cathy Darling performed the swearing-in ceremony for Tom Armelino, County Superintendent of Schools; Les Baugh, District 5 Supervisor; Gerald "Jerry" C. Benito, District Attorney; Tom Bosenko, Sheriff-Coroner; David A. Kehoe, District 1 Supervisor; Leslie Morgan, Assessor-Recorder; Connie Regnell, Auditor-Controller; and Lori J. Scott, Treasurer-Tax Collector-Public Administrator.

9:33 a.m.: The Board of Supervisors recessed.

9:44 a.m.: The Board of Supervisors reconvened. Vice Chairman Cibula presided.

ELECTION OF 2007 CHAIRMAN

Deputy Clerk of the Board Elaine Grossman called for nominations for the position of Chairman of the Board for the year 2007. By motion made, seconded (Hawes/Kehoe), and carried unanimously, the Board of Supervisors elected Supervisor Cibula to the position of 2007 Chairman.

ELECTION OF 2007 VICE CHAIRMAN

Deputy Clerk of the Board Elaine Grossman called for nominations for the position of Vice Chairman of the Board for the year 2007. By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors elected Supervisor Hartman to the position of 2007 Vice Chairman.

PUBLIC COMMENT PERIOD - OPEN TIME

Churn Creek Bottom Homeowners and Friends Association President Rod Evans stated that there is insufficient time to address 89 comments on the draft Environmental Impact Report for the proposed Auto Mall at Knighton Road and Interstate 5 prior to the Planning Commission's January 31, 2007 meeting.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Cibula pulled for later action the Northern Valley Catholic Social Service agreement to expand housing services and the Notice of Completion for the Shasta County Library - Redding Main.

Supervisor Baugh pulled for action the Telecare Corporation agreement and both Northern Valley Catholic Social Service agreements.

Supervisor Baugh pulled for discussion the appointments/reappointments of members to the Shasta County Local Child Care Planning Council. In response to a question by Supervisor Baugh, Senior Administrative Analyst Leanne Link stated that it is typical to receive recommendations for appointments/reappointments from the Department of Education.

Supervisor Baugh noted that although he was not a Board member on December 19, 2006, he reviewed the material for the County Service Area No. 11 bi-monthly water rates and speed zone ordinances and was prepared to vote on those items with County Counsel Karen Jahr's consent, which was granted.

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, as amended (Supervisor Baugh abstained from the December 19, 2006 minutes as he was not a Board member during that meeting):

Approved and authorized the Chairman or his/her designee to sign the County Claims list when Board of Supervisors meetings are canceled during the year 2007 and for the canceled January 1, 2008 Board of Supervisors meeting. (Board of Supervisors)

Gave the annual authorization to the Registrar of Voters to conduct election duties during the year 2007. (Board of Supervisors)

Adopted Resolution No. 2007-1, which authorizes the execution of the Fiscal Year 2007-08 California Arts Council Grant State/Local Partnership Programs. (Board of Supervisors)

(See Resolution Book No. 48)

Approved and authorized the Chairman to sign the Certification Statement for the State Department of Education which appoints and reappoints members to the Shasta County Local Child Care Planning Council for the period January 1, 2007 through December 31, 2007. (Board of Supervisors)

Approved and authorized the Chairman to sign the County Claims List totaling \$676.21 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on December 19, 2006, as submitted. (Clerk of the Board)

Enacted Ordinance No. 653, which repeals Ordinance No. 627 and establishes new bi-monthly water rates for County Service Area No. 11 - French Gulch Water effective February 1, 2007, as introduced December 19, 2006. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 408-201, which establishes a 50-mile-per-hour speed zone on Day Road from State Route 299 to the Modoc County line, as introduced December 19, 2006. (Clerk of the Board)

(See Speed Restriction Ordinance Book)

Appointed Amy French and Kathy Ontano to fill unexpired terms on the Fall River Mills Cemetery District Board of Directors to expire November 2007 and November 2009 respectively. (Clerk of the Board)

Dropped from the agenda the Pine Grove Cemetery District's recent request for a biennial rather than annual audit as the District has withdrawn its request (continued from the December 19, 2006 meeting). (Clerk of the Board)

For the Blue Jay Lane at Anderson Creek Bridge Replacement Project, approved and authorized the Chairman to sign a right-of-way contract with John Hancock Life Insurance Company (0.06 acres at \$2,000), and accepted an easement deed conveying a public easement. (Public Works)

Appointed various property owners to two-year terms on their Community Advisory Boards within their respective County Service Areas. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with Critical Solutions, Inc. increasing compensation by \$28,118 (for a total not to exceed \$912,212) to pay for increased reimbursable expenses on the Shasta County Library - Redding Main project. (Public Works)

Awarded to the low bidder, Robert D. Nichol Construction, on a lump-sum basis, the contract for construction on the Placer Office Building Restroom Project in the amount of \$148,500. (Public Works)

Approved and authorized the Chairman to sign the following amendments to agreements: with James Maxwell DBA Shasta Regional Development increasing the maximum amount by \$37,700 (for a total of \$210,424, 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 with Quad Knopf, Inc. increasing the maximum amount by \$37,700 (for a total of \$209,424) for the preparation of an EIR and MMP. (Resource Management-Planning Division)

Approved the appointment of Kent Hector at Step 'F' of the Senior Planner classification. (Resource Management)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: TELECARE CORPORATION PSYCHIATRIC INPATIENT HOSPITAL SERVICES

In response to a question by Supervisor Baugh, Director of Health and Human Services Marta McKenzie stated that the County is only obligated to pay for days that a patient is in the Solano County Psychiatric Health Facility for acute psychiatric care. By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Telecare Corporation in an amount not to exceed \$75,000 per fiscal year to provide psychiatric inpatient hospital services from the date of signing through June 30, 2007, with two automatic one-year renewals. (Mental Health)

AGREEMENT: NORTHERN VALLEY CATHOLIC SOCIAL SERVICE EXPANDED HOUSING SERVICES TO PERSONS WITH MENTAL ILLNESS

In response to questions by Supervisor Kehoe, Director of Health and Human Services Marta McKenzie indicated that mentally ill clients need support during transitional housing and the Northern Valley Catholic Social Service provides expertise in a community with limited resources. In response to a question by Supervisor Baugh, Ms. McKenzie explained that the salary portion of the budget supports case managers and others who directly assist clients with services.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with Northern Valley Catholic Social Service increasing maximum compensation by \$150,000 per fiscal year (for a new maximum of \$275,000 per fiscal year) to expand housing services to persons with mental illness who are homeless or at risk of becoming homeless and retaining the term of July 1, 2006 through June 30, 2007, with two automatic one-year renewals. (Mental Health)

**AGREEMENT: NORTHERN VALLEY CATHOLIC SOCIAL SERVICE
SUPPORTIVE HOUSING PROGRAM**

In response to a question by Supervisor Baugh, Director of Health and Human Services Marta McKenzie replied that this is a new housing program and several clients are waiting to enter the program, which may increase the expenditure during the first year as compared to subsequent years. By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service in an amount up to \$9,396 per fiscal year (for a total not to exceed \$28,184) to provide a supportive housing program from the date of signing through June 30, 2007, with two automatic one-year renewals. (Mental Health)

**SHASTA COUNTY LIBRARY - REDDING MAIN
NOTICE OF COMPLETION**

In response to questions by Supervisor Kehoe, Public Works Director Pat Minturn explained that the completion date of work on the Shasta County Library - Redding Main could occur as soon as this week or as late as a month; in order to sign the Notice of Completion within ten days of project completion to avoid 90-day lien extensions, he is requesting approval at this time to be the authorized signatory.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Public Works Director to sign a Notice of Completion for the Shasta County Library - Redding Main and record it within 10 days of actual completion of the work. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

**2006 EMPLOYEE OF THE YEAR
INFORMATION TECHNOLOGY SUPERVISOR KILE KOSCHNICK
RESOLUTION NO. 2007-2**

At the recommendation of Chief Technology Officer Charlie Haase and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-2, which recognizes Information Technology Supervisor Kile Koschnick as Shasta County's 2006 Employee of the Year.

(See Resolution Book No. 48)

**NOMINATION: SHIRLEY EASLEY
PLANNING COMMISSIONER, DISTRICT 5**

Supervisor Baugh placed into nomination the name of Shirley Easley to fill the District 5 vacancy on the Shasta County Planning Commission. Along with the nomination, Supervisor Baugh presented a printed list of Ms. Easley's qualifications. Action on the appointment will take place at the January 16, 2007 Board of Supervisors meeting.

**REGIONAL COUNCIL OF RURAL COUNTIES REPRESENTATIVE
PACIFIC GAS & ELECTRIC STEWARDSHIP COUNCIL**

By motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors appointed Supervisor Hawes as the Shasta County representative to the Regional Council of Rural Counties to sit as an alternate on the Pacific Gas & Electric Stewardship Council.

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 the possible impact of the loss of realignment dollars pending the Governor's budget approval this week.

CAO Lees discussed the possibility of \$4 billion being distributed to California counties for capital improvements to jails and juvenile halls; he added that the distribution schedule and percentage to each county is unknown at this time.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

**ANNUAL/BIENNIAL AUDIT
BURNEY CEMETERY DISTRICT**

Chairman Cibula noted that correspondence from the Burney Cemetery District dated January 5, 2007 requests a 30-day continuance of the item to allow receipt of further information for the requested replacement of the annual audit of the Burney Cemetery District with a biennial audit in accordance with Government Code section 26909(f). By consensus, the Board of Supervisors continued the item to an undetermined date.

**ANNUAL/BIENNIAL AUDIT
HALCUMB CEMETERY DISTRICT**

Chief Deputy Clerk of the Board Glenda Tracy stated that no one was present from the Halcumb Cemetery District to address any questions of the Board of Supervisors. Supervisor Hawes indicated that he will attend the February 2007 Halcumb Cemetery District Board of Directors meeting and suggested continuing the item. By consensus, the Board of Supervisors continued the request to replace the annual audit of the Halcumb Cemetery District with a biennial audit to an undetermined date.

LAW AND JUSTICE

SHERIFF/OFFICE OF EMERGENCY SERVICES

**VALLEY INDUSTRIAL COMMUNICATIONS, INC.
ADVANCE PAYMENT**

Sheriff Tom Bosenko presented the staff report and noted that the state Office of Grants and Training granted an extension for reimbursement if the equipment was delivered by mid-January 2007. In response to questions by Supervisor Kehoe, Sheriff Bosenko explained that the extension is dependent on an advance payment or issuance of a check, but the check can be held until the equipment is received and successfully installed.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors authorized the Auditor-Controller to make an advance payment to Valley Industrial Communications, Inc. in the amount of \$8,966.00 (against the total purchase price of \$70,000.01) to purchase and install a radio frequency combiner which expands Redding Fire Department's tactical communication capability under the FY04 Homeland Security Grant, as approved on August 10, 2004.

SHERIFF

NORTH STATE INITIATIVE **MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM** **BUDGET AMENDMENT**

Sheriff Tom Bosenko presented the staff report. In response to questions by Supervisor Kehoe, Accounting Technician Kathleen Fontes defined several account number descriptions from the budget amendment worksheet and stated that the adjustments are made at a local level, even though they are related to a multi-jurisdictional agency.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors authorized the Chairman to accept and the Sheriff to administer the North State Initiative of the California Multi-jurisdictional Methamphetamine Enforcement Team (NSI CAL-MMET) grant in the amount of \$1,976,575 for Fiscal Year 2006-07; approved a budget amendment increasing appropriations and revenues which will net a \$152,919 positive variance in the Public Safety fund balance; authorized the Purchasing Division to collect quotes, issue formal bids, and make purchases in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to pay claims for expenses related to the grant, including expenses reappropriated in subsequent fiscal years.

PUBLIC WORKS

PRESENTATION: WESTERN SHASTA RESOURCE CONSERVATION DISTRICT **LOWER CLEAR CREEK PARKWAY PROJECT** **COOPERATIVE AGREEMENT ADVANCE PAYMENT**

Public Works Director Pat Minturn presented the staff report requesting advance payment of \$75,000 so Western Shasta Resource Conservation District (WSRCD) staff can begin the process of project design as the state grant of \$1.1 million is not available until late 2007.

Bureau of Land Management Assistant Field Manager Francis Berg discussed the Clear Creek restoration project and making the area accessible to the public. Mr. Berg said there is a curve on Clear Creek Road near the Lower Clear Creek Bridge that has limited traffic sight distance; shaving the hillside will create a safer public gathering area.

Mary Mitchell, District Manager of the Western Shasta Resource Conservation District stated there are twenty-five segments to the project plan and presented a map of the proposed three-mile trail system in the Lower Clear Creek area. In addition to shaving the hillside, Ms. Mitchell said that a pedestrian walkway will be added to Lower Clear Creek bridge.

In response to questions by Supervisor Kehoe, Mr. Minturn stated that the advance funds will be used by WSRCD staff to hire an engineer to redesign the project as needed so a public staging area can be created near the bridge; a Request for Proposals (RFP) process will be initiated by WSRCD. Ms. Mitchell added that invoices can be provided to assure the Board of Supervisors that the payment will not be used for administrative costs.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors designated the Public Works Director as the County's agent to negotiate a cooperative agreement with WSRCD to facilitate road improvements along Clear Creek Road, with County participation not to exceed \$75,000; and authorized advance payment of the County's participation pursuant to the cooperative agreement with WSRCD to facilitate the road improvements.

**WEST CENTRAL LANDFILL UNIT 4A EXPANSION PROJECT
BUDGET AMENDMENT**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$310,000 in the Solid Waste Fund for the West Central Landfill Unit 4A Expansion Project.

SCHEDULED HEARINGS

PUBLIC WORKS

**ROCKY LEDGE ESTATES PERMANENT ROAD DIVISION
TRACT MAP NO. 1897
BALLOT TABULATION**

This was the time set to conduct a public hearing regarding the formation of the proposed Tract Map No. 1897, Rocky Ledge Estates Permanent Road Division in the Johnson Park 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.

Public Works Supervising Engineer Al Cathey presented the staff report and requested the clerk to announce the results of the vote on the formation of the proposed Rocky Ledge Estates 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 Rocky Ledge Estates Permanent Road Division.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula 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 *AIG Life Insurance Company v. Chatreau, et al.*, pursuant to Government Code section 54956.9(a); and
2. Confer with its counsel to discuss one potential case of anticipated litigation pursuant to Government Code section 54956.9(b).

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

12:16 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Cibula, Hawes, Hartman, Baugh, County Administrative Officer Larry Lees, County Counsel Karen Jahr, and Deputy Clerk of the Board Elaine Grossman present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing and anticipated litigation. By a unanimous vote, the Board of Supervisors authorized County Counsel to represent the County in the matter of AIG Life Insurance Company v. Chatreau, et al. No other reportable action was taken.

12:17 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy