

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 27, 2007

REGULAR MEETING

9:01 a.m.: Chairman Cibula 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 Baugh

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 Jim Dahl, Good News Rescue Mission.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Molly Baugh.

INTRODUCTIONS

Introductions of the Members of the Board, County staff, elected officials, and County department heads were made. Molly Baugh, granddaughter of Supervisor Baugh, was in attendance for a civics lesson in local government.

PUBLIC COMMENT PERIOD - OPEN TIME

Wendy Peet and Kathy Jalquin spoke in opposition to the proposed water project for residents of the Elk Trail East area. They advised that Elk Trail Water Association is scheduled to sign a 40-year contract on March 1, 2007 with the Anderson-Cottonwood Irrigation District (ACID) for future water rights, with a non-refundable deposit. Ms. Peet and Ms. Jalquin asserted that a number of the Elk Trail East residents are opposed to the project as only 50 of 131 property owners have stated they are in favor.

CONSENT CALENDAR

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

Adopted Resolution No. 2007-18, which approves a short-term loan in the amount of \$100,000 to the Mayers Memorial Hospital District from the County General Reserve. (Administrative Office)

(See Resolution Book No. 48)

Reappointed Karen Jahr as County Counsel to serve a four-year term to March 2011. (Administrative Office)

Approved and authorized the Chairman to sign the County Claims List totaling \$8,662.39 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign an amendment to the agreement with Remi Vista, Inc., decreasing the maximum compensation for Fiscal Year 2006-07 by \$34,104 (for a new total of \$564,000), increasing rates for services, and adjusting total budgeted costs by category retroactive to July 1, 2006 to provide mental health services to Medi-Cal eligible children and youth and retaining the term through June 30, 2007. (Mental Health)

Approved and authorized the Chairman to sign a County Medical Services Program (CMSP) participating physician group agreement with Blue Cross effective upon the date of signing to allow Mental Health to receive reimbursement for psychiatric services provided to CMSP clients. (Mental Health)

Approved and authorized the use of a County-owned Ford pickup by the Sheriff's Office Citizens' Volunteer Patrol (CVP) in Burney under the following conditions: (1) The vehicle will not be included in the County replacement program; (2) the Burney CVP will be responsible for fuel and maintenance costs; and (3) the Sheriff's Office will be responsible for the semi-annual safety inspection expense of \$75. (Sheriff's Office/Support Services-Fleet Management)

For the proposed Tract Map No. 1911, Irish Creek Subdivision Permanent Road Division (west Redding 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 April 17, 2007 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

For Tract Map No. 1890, Foxwood Estates (west Redding area): For the Foxwood Estates Permanent Road Division, adopted Resolution No. 2007-19, which forms the Division, received the annual parcel charge report, and adopted Resolution No. 2007-20, which confirms the annual parcel charge report for Fiscal Year 2007-08; and for the final map: approved the final map for filing, accepted on behalf of the public offers of dedication for public roads, public utility easements, and slope easements, and approved and authorized the Chairman to sign an agreement with Signature Northwest for completion of improvements within one year, and accept a performance security in the amount of \$122,000 and a payment security in the amount of \$61,000. (Public Works)

(See Resolution Book No. 48)

For Parcel Map No. 05-013, Chase & Taylor, Inc. (Shasta area), approved and authorized the Chairman to sign an agreement with Chase & Taylor, Inc. for completion of improvements within one year and accepted securities for faithful performance in the amount of \$19,500 and for labor and materials in the amount of \$9,750. (Public Works)

Approved and authorized the Chairman to sign the following agreements for environmental consulting services on various Public Works road and bridge projects, each in an amount not to exceed \$20,000 per undertaking (for an individual contract maximum of \$200,000) from the date of signing through February 26, 2010: With Randy Hauser dba Enplan to provide biological/wetland consulting services; with North State Resources, Inc. to provide biological/wetland consulting services; with Randy Hauser dba Enplan to provide archaeological consulting services; and with North State Resources, Inc. to provide archaeological consulting services. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: MARCH TO END HUNGER MONTH

By motion made, seconded (Hawes/Kehoe) and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2007 as March to End Hunger Month in Shasta County. Shasta Food Group Chair Christine Haggard stated that at the monthly coalition meetings, nutrition education is a component for staff and volunteers to provide food safety information to members of the community. Good News Rescue Mission Director of Operations Bob Pierce stated that the nutritionists provide training to volunteers who help teach those that are in need. Public Health Nutritionist Mary Messier told of information-sharing regarding nutritious foods that assist individuals in avoiding sicknesses and diseases.

PROCLAMATION: WEIGHTS AND MEASURES WEEK

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 1-7, 2007 as Weights and Measures Week in Shasta County. Deputy Agricultural Commissioner/Sealer of Weights and Measures Paul Kjos explained how the department monitors the accuracy in stores for the many items sold by weights, measures, and count.

CERTIFICATE OF RECOGNITION

AGENCY STAFF SERVICES ANALYST II BONNIE SANDERSON

At the recommendation of Deputy Agricultural Commissioner/Sealer of Weights and Measures Paul Kjos and in recognition of more than 20 years of service to Shasta County, the Board of Supervisors presented Agency Staff Services Analyst II Bonnie Sanderson with a Certificate of Recognition on the occasion of her retirement.

CERTIFICATE OF RECOGNITION

HUMAN RESOURCES ASSISTANT-CONFIDENTIAL BETTY SANDERSON

At the recommendation of Director of Support Services Joann Davis and in recognition of more than 28 years of service to Shasta County, the Board of Supervisors presented Human Resources Assistant-Confidential Betty Sanderson with a Certificate of Recognition on the occasion of her retirement.

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 issues raised due to prison population issues and the impact on the County with the proposed early release of inmates from State prisons, sent to the counties to complete their term.

CAO Lees stated that as Governor Schwarzenegger had been unaware of the benefits of the use of the property at Crystal Creek, it had been listed on properties owned by the State as being used by others at no cost. Assemblyman Doug LaMalfa is authoring a bill to transfer ownership of the property to the County of Shasta.

CAO Lees advised that the Corridor Mobility Improvement Account (CMIA) funds corridor improvements. It has been recommended to fund the Cottonwood Hills truck climbing lanes area to expand the lanes. A recommendation is being made to have the project funded at 100 percent. By consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter of support to the California Transportation Commission, requesting full funding.

CAO Lees informed the Board that purchases made by County employees with the Tax Increase Prevention Reconciliation Act of 2011 would cause the County to become the tax collector on sales tax on items purchased, the filing of Form 1099, and other requirements that would reduce the time County staff has available for other needs and services. Congressman Herger is authoring a bill to repeal this act.

Supervisor Baugh stated that the Environmental Impact Report (EIR) for the Shasta Ranch Project is to be released March 15, 2007. The Planning Commission meeting to review approximately 600 responses is scheduled for March 22, 2007. He urged a continuance of at least two weeks prior to the meeting to allow time for adequate review.

Supervisor Hawes attended the California State Association of Counties (CSAC) meeting on February 22, 2007, and issues regarding prisons and juvenile issues and eminent domain were discussed.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

ORDINANCE NO. 655

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors enacted Ordinance No. 655, which repeals Ordinance No. 640 and establishes a revised County Clerk/Registrar of Voters fee schedule, as introduced February 13, 2007.

MINUTES: FEBRUARY 13, 2007

By motion made, seconded (Hawes/Kehoe), and carried, the Board of Supervisors approved the minutes of the meeting held on February 13, 2007, as submitted. Supervisors Hartman and Baugh abstained as they were not present at the February 13, 2007 meeting.

HEALTH AND HUMAN SERVICES

MENTAL HEALTH-ALCOHOL AND DRUG PROGRAMS

BUDGET TRANSFERS

At the recommendation of Alcohol and Drug Program Administrator David Reiten and by motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors approved the following budget transfers reflecting state and federal funding allocations and actual projected totals for Fiscal Year 2006-07 which align the budgets with the Auditor-Controller's General Ledger: Adjusted the Alcohol and Drug Program Budget Unit 422 to increase appropriations by \$147,824, increase revenues by \$209,227, and adjust various line items; adjusted the Substance Abuse and Crime Prevention Budget Unit 424 to increase appropriations by \$107,998, increase revenues by \$46,595, and adjust various line items; and adjusted the Perinatal Program Budget Unit 425 to decrease appropriations by \$15,000, decrease revenues by \$15,000, and adjust various line items.

LAW AND JUSTICE

SHERIFF'S OFFICE-ANIMAL REGULATION

PRESENTATION: ANIMAL REGULATION FACILITY FEASIBILITY STUDY

Sheriff Tom Bosenko stated that a Feasibility Needs Assessment Study was done by Citygate Associates, LLC (Citygate) regarding the Shasta County Animal Control Facility. He advised that the facility currently being used is in need of constant repair and maintenance, is not compliant with ADA issues, the housing units for the animals are overcrowded, cleanliness is an issue, and additional staffing is necessary.

Sheriff Bosenko introduced Citygate President David DeRoos who advised their firm had completed the feasibility study and prepared the 200-page final report. Mr. DeRoos introduced Citygate Senior Associate Mike Ross, who stated that the report offers three options regarding the animal control facility:

1. Build a professional architecturally-designed shelter in accordance with the size needed for the County of Shasta due to the number and types of animals as calculated by George Miers Design.
2. Contract with the Haven Humane Society to build a shelter to house the County's animals at a cost savings to the County.
3. Utilize prefabrication construction. Although this would provide cost-savings, it is not recommended as it compromises many of the design features contained in the Miers study.

Mr. Ross stated the study regarding Haven Humane included hypothetical data as Haven Humane had failed to provide the requested information. He stated that due to the passage of the Hayden Law in 1998, many humane societies in California have abandoned their animal control contracts because they would not be able to recover the increased costs. He stated that should the County decide to use the option of contracting with Haven Humane Society, caution should be used to assure the contract is carefully constructed.

In response to questions by Supervisor Cibula, Mr. Ross reaffirmed that enough data was not provided by Haven Humane to allow Citygate to make a recommendation. An action plan is

included in the report, directing the County to meet with Haven Humane to determine the contract information of duties and costs.

CAO Lees stated there is a need to receive information from Haven Humane. He requested the Board of Supervisors to receive the report and not take specific action until he returns on March 13, 2007 with the rest of the County's capital prioritization list.

In response to questions by Supervisor Cibula, CAO Larry Lees said that Haven Humane will be questioned as to why they have failed to fulfill the requirements of the contract. County Counsel Karen Jahr said that Citygate may be willing to have further contact with Haven Humane to obtain the information required and she will review the contract to determine if there has been a breach.

Haven Humane President Joel Warner stated that he was contacted to provide information based on a 2002 Citygate report. He stated that Haven Humane was unwilling to provide an amount for services and proposed new facility costs as the current number of animals and County field officers was not provided.

Haven Humane Board of Directors Vice-Chairperson Larry Jackson noted that the shelter was built approximately 20 years ago. He stated that Haven Humane is willing to meet and discuss the current statistics and determine accurate costs.

Maudie Gregory stated that she raises horses and faces problems with neighbor dogs. She would not want Haven Humane to maintain the animal control services for Shasta County as they would want to obtain a larger facility at a cost to the County, with the possibility that they could withdraw from the contract at a later date. Shasta County Animal Control provides a good response and provides various tasks and requirements for County animals and their owners.

Shasta County Cattlemen's Association President Bill Gregory commended Citygate on the report. He said the County Animal Control can handle the responsibilities better than Haven Humane as Shasta County handles emergencies in all areas of the County.

Retired Shasta County Undersheriff Larry Schaller stated that when working with the committee on this issue, discussions took place with the City of Redding regarding a partnership in building a facility used by all agencies. He commended the County's services as public records are easily available. A community nonprofit agency does not have the responsibility to provide the information to members of the public. He stated that Citygate worked diligently to fulfill the terms of the scope of their project.

Veterinarian Dr. Antoinette Markin spoke regarding her confidence in the County to notify her of any outbreaks of diseases. The County has assisted in evacuating animals at times of fire, relocating them to places safely out of danger.

Veterinarian Dr. Merilee King of Anderson Veterinary Clinic praised Shasta County Animal Control for their care of injured animals and handling of animal cruelty cases. She stated that the County is hampered by the Haven Humane facility.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors directed the County Administrative Officer and County Counsel to provide an opinion as to the sufficiency of the Feasibility Needs Assessment Study; the development of a complete financial plan as to the planning, construction, maintenance, and operation of any proposed facility changes; declaration to make no decision at this time without information on other capital needs, which is scheduled to come before the Board of Supervisors on March 13, 2007; and formed a citizens committee to be made up of two members of the public from each supervisorial district.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Ristemi v. County of Shasta, pursuant to Government Code section 54956.9(a).

11:15 a.m.: The Board of Supervisors recessed to Closed Session. Supervisor Cibula recused due to possible conflict of interest.

11:30 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Counsel Karen Jahr, Deputy Clerk of the Board Elaine Grossman, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation. She advised that by a 4-0 vote, with Supervisor Cibula recusing, the Board of Supervisors authorized the law firm of Gary Brickwood to handle the defense in the matter of Ristemi v. County of Shasta. No other reportable action was taken.

11:31 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy