

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 5, 2007

REGULAR MEETING

9:00 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
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Nancy Rupert

INVOCATION

Invocation was given by Pastor Paul Manwaring, Bethel Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Assessor-Recorder Leslie Morgan.

INTRODUCTIONS

Introductions of the Members of the Board, County staff, elected officials, and County department heads were made.

PUBLIC COMMENT PERIOD - OPEN TIME

Shasta Mosquito and Vector Control District Biologist John Albright discussed a video production about West Nile Virus in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Cibula announced that the request for payment to Cingular Wireless was pulled from the County claims list at the request of the department. Supervisor Cibula pulled the County claims list for discussion.

Supervisor Kehoe pulled for discussion the Support Services-Personnel Division resolution proposal regarding the Mid-Management Bargaining Unit Memorandum of Understanding.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

COUNTY CLAIMS LIST

In response to a question by Supervisor Kehoe, County Administrative Officer (CAO) Larry Lees explained the claims audit process which results in the County claims list. By motion made, seconded (Hartman/Baugh), and carried, the Board of Supervisors approved and authorized the Chairman to sign the County claims list totaling \$11,496.30 requiring special board action. Supervisor Kehoe voted no due to a substantial number of claims continuing to appear on the claims list each week. (Auditor-Controller)

MANAGEMENT BARGAINING UNIT MEMORANDUM OF UNDERSTANDING PERSONNEL RULES DEPUTY DIRECTOR OF PUBLIC HEALTH PUBLIC HEALTH PROGRAM MANAGER RESOLUTION NOS. 2007-51 AND 2007-52

Director of Support Services Joann Davis explained that the request to modify the Personnel rules retroactively would allow reimbursement for employees who had temporarily acted in higher management positions, specifically during the Health and Human Services Agency formation and recommended approval of the request. By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-51, which modifies the Mid-Management Bargaining Unit Memorandum of Understanding regarding the current method of setting pay for promotions and work-out-of-class pay; adopted Resolution No. 2007-52, which modifies Personnel Rules, Chapter 16, *Management Benefits*, and Chapter 19, *Salary Plan*; appointed Melissa Janulewicz as Deputy Director of Public Health; and approved "Y rating" the salary of David Maron and appointed him as Public Health Program Manager, a position that is classified at a lower salary level than his current position.

(See Resolution Book No. 48)

CONSENT CALENDAR

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Hawes recused on the matter relating to the SHASTEK Redevelopment Project consistent with his prior vote.):

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 \$89,645.40 for the period July 1, 2007 through June 30, 2008. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved the minutes of the meeting held on May 22, 2007, as submitted. (Clerk of the Board)

Enacted Ordinance No. 657, which adopts a description of the eminent domain program for the development plan for the SHASTEK Redevelopment Project, as introduced May 15, 2007. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 658, which adopts a description of the eminent domain program for the development plan for the Buckeye Redevelopment Project, as introduced May 15, 2007. (Clerk of the Board)

(See General Ordinance Book)

Approved and authorized the Chairman to sign an amendment to the agreement with DFM Associates to provide election management software at a monthly cost of \$0.048 per registered voter for the period July 1, 2007 through June 30, 2012. (County Clerk/Registrar of Voters)

Approved and authorized the Chairman to sign an amendment to the agreement with the California Secretary of State extending the term through June 30, 2008 to allow Shasta County the ability to utilize grant funds for additional purposes in accordance with the Help America Vote Act of 2002 (HAVA) Section 301 Voting Systems Program; and approved and authorized the County Clerk to sign a letter to the California Secretary of State detailing the \$400,000 in funds available for Fiscal Year 2007-08, retaining the cumulative grant amount of \$1,156,557.13. (County Clerk/Registrar of Voters)

Approved and authorized the Chairman to sign an agreement with the Shasta Children and Families First Commission in the amount of \$50,000 for the Public Health Branch to provide ongoing support of the Healthy Shasta Initiative for the period July 1, 2005 through June 30, 2010. (Public Health)

Approved and authorized the Chairman to sign an agreement with the City of Anderson to operate and maintain the facility jointly owned with the City located at 2041 Howard Street, Anderson, for the City's Teen Center and the County's satellite location for public health and other services. (Public Health)

Approved and authorized the Chairman to sign renewal agreements to provide anger management and domestic violence treatment services for the period July 1, 2007 through June 30, 2008 with Thomas Wright d.b.a. Wright Education Services in an amount not to exceed \$150 per assessment, and with New Directions to Hope, Inc. in an amount not to exceed \$145 per assessment. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with North State Security, Inc. in an amount not to exceed \$168,504 to provide security services at eight Shasta County facilities for the period July 1, 2007 through June 30, 2008. (Social Services)

Approved and authorized the Sheriff to sign an agreement with the National Park Service to provide concurrent criminal jurisdiction at the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area from the date of signing through June 4, 2012. (Sheriff)

For Tract Map No. 1880, Canto Del Lupine (Centerville area), approved and authorized the Chairman to sign an agreement with Canto de las Lupine, L.L.C. guaranteeing workmanship on Canto de las Lupine-Emergency Fire Access Escape Road, and accept security for maintenance in the amount of \$28,750; and released securities guaranteeing faithful performance in the amount of \$620,000 and guaranteeing payment in the amount of \$310,000. (Public Works)

Released the following securities for Tract Map No. 1922, Manzanillo Orchard subdivision (northeast Redding area): Performance of subdivision improvements, in the amount of \$22,440; payment, in the amount of \$11,220; and maintenance of public improvements, in the amount of \$27,000. (Public Works)

For Tract Map No. 1918, Viola Tract subdivision (Viola area), approved the final map for filing; and accepted on behalf of the public offers of dedication for public road rights of way and public utility easements as shown on the final map. (Public Works)

For Parcel Map No. 05-007, Butterfield Lane Emergency Fire Escape Road (EFER) Permanent Road Division (Happy Valley 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 August 14, 2007 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

For the Airport Road at Sacramento River Bridge Project, approved and authorized the Public Works Director to sign a Streambed Alteration Agreement with the California Department of Fish and Game from the date of signing through December 31, 2011; approved and authorized the Chairman to sign right-of-way contracts with the Anderson Church of Christ (0.17 acres at \$44,850) and the City of Redding (3.73 acres at \$74,600); accepted an easement deed from the Anderson Church of Christ conveying parcels of project right of way; and authorized the Clerk of the Board to accept an easement deed from the City of Redding pursuant to Government Code §27281 conveying a parcel of project right of way upon receipt. (Public Works)

For construction in various Permanent Road Divisions, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after July 12, 2007 at 11:00 a.m. (Public Works)

For the Redding Regional Septage Ponds Expansion projection, adopted Resolution No. 2007-53, which makes a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration subject to certain findings; approved plans and specifications and directed the Public Works Director to advertise for bids; authorized opening of bids on or after July 12, 2007 at 11:00 a.m.; and approved a budget amendment transferring appropriations of \$800,000 within the FY 2006-07 Solid Waste budget unit. (Public Works)

(See Resolution Book No. 48)

9:20 a.m.: The Board of Supervisors recessed and convened 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 (Kehoe/Hawes), and unanimously carried, the In-Home Supportive Services Public Authority Governing Board took the following action, which was listed on the Consent Calendar:

Approved and authorized the Chairman to sign a renewal agreement with Refined Technologies, Inc. in an amount not to exceed \$33,000 to provide Care Tracker Software for the period July 1, 2007 through June 30, 2010. (In-Home Supportive Services Public Authority)

9:21 a.m.: The In-Home Supportive Services Public Authority Governing Board adjourned and the Shasta County Board of Supervisors reconvened.

REGULAR CALENDAR

PRESENTATIONS

PRESCRIPTION DISCOUNT DRUG CARD PROGRAM

Director of Public Health Donnell Ewert provided an update on the Shasta County Prescription Discount Drug Card Program and indicated that the Program provides on average

20 percent discounts on prescription drugs through local Shasta County pharmacies. All Shasta County residents are eligible.

BOARD MATTERS

JUNE 2007 EMPLOYEE OF THE MONTH
DEPUTY SHERIFF CALEB MacGREGOR
RESOLUTION NO. 2007-54

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Baugh/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-54, which recognizes Deputy Sheriff Caleb MacGregor as Shasta County's June 2007 Employee of the Month.

(See Resolution Book No. 48)

PLAQUE OF APPRECIATION
MENTAL HEALTH MEDICAL DIRECTOR ARAVIND K. PAI, M.D.

In recognition of more than 28 years of service to Shasta County, the Board of Supervisors presented Mental Health Medical Director Aravind K. Pai, M.D. with a plaque of appreciation upon the occasion of his retirement. Health and Human Services Agency Director Marta McKenzie, Mental Health Services Director Mark Montgomery, and Supervisor Kehoe thanked Dr. Pai for his services, commitment, and outstanding dedication.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

CAO Larry Lees presented an update on specific legislation of importance to Shasta County, including the City of Shasta Lake's request for a letter of support for an application for the Churn Creek Trail grant, the Williamson Act, and the California state budget. By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors authorized the Chairman to sign a letter in support for the City of Shasta Lake's application for the Churn Creek grant. CAO Lees also discussed Assembly Bill 1640 (LaMalfa), which would delete certain demeaning terminology, referring to mental incapacity. By consensus, the Board of Supervisors directed the Chairman to sign a letter to Assemblyman LaMalfa supporting AB1640.

Supervisor Baugh recently attended the PSA Area 2 Advisory Council meeting.

Supervisor Hartman reported that the vote for Senate Bill 630 (Aanestad), Veteran's Homes, passed through the Senate and will be heard by the U.S. Senate Committee on Veterans Affairs later this month.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE**BUDGET AMENDMENT**
CONFLICT PUBLIC DEFENSE

County Administrative Office Chief Fiscal Officer Bebe Palin presented the staff report and recommended approval. Public Defender Neal Pereira explained that outside counsel is required when a conflict of interest exists. By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment in the amount of \$250,000 increasing appropriations in the Conflict Public Defense budget unit, offset by a reduction in the Contingency Reserve.

ASSESSOR-RECORDER/AUDITOR-CONTROLLER/**INFORMATION TECHNOLOGY/TREASURER-TAX COLLECTOR****AGREEMENT: MEGABYTE SYSTEMS, INC.**
SOFTWARE MAINTENANCE AND SUPPORT

At the recommendation of Assessor-Recorder Leslie Morgan, and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a software maintenance and support agreement with Megabyte Systems, Inc. in the following amounts for the period July 1, 2007 through June 30, 2008: a renewal agreement in the amount of \$111,568.10, a web services addendum in the amount of \$12,834, and a dot net software upgrade license addendum in the amount of \$61,050.

SUPPORT SERVICES-FLEET MANAGEMENT DIVISION**BUDGET TRANSFER**

Support Services Director Joann Davis presented the staff report and recommended approval of the budget transfer. In response to questions by Supervisors Hawes and Kehoe, Ms. Davis explained that no misuse was reported of the vehicle being replaced. By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved a budget transfer recognizing the use of \$19,205 in replacement funds; approved a budget transfer increasing the fixed asset account by \$19,205 to purchase a replacement vehicle for the Sheriff's Office; and authorized the Auditor-Controller to process the transfer and pay related claims.

SUPPORT SERVICES-FLEET MANAGEMENT DIVISION/SHERIFF**BUDGET TRANSFER**

At the recommendation of Sheriff Tom Bosenko, and by motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors approved an appropriation in the amount of \$79,500 for a fixed asset in the Sheriff's Office budget unit to purchase an Americans-With-Disabilities-Act-enabled van; approved a budget transfer in the amount of \$79,500 to the Fleet Management budget unit; approved an increase in the amount of \$79,500 in the Fleet Management budget unit for vehicle replacement fixed assets, and recognized revenue in the form of an inter-fund transfer of \$79,500; authorized the Purchasing and Fleet Management Divisions to make the purchase in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to process related claims for payment and inter-fund transfers.

COUNTY COUNSEL

RECORDS RETENTION SCHEDULE UPDATE
RESOLUTION NO. 2007-55

At the recommendation of County Counsel Karen Jahr, and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-55, which repeals Resolution No. 2004-26 and updates the records retention schedule for the County Counsel's Office.

(See Resolution Book No. 48)

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

RECORDS RETENTION SCHEDULE UPDATE
RESOLUTION NO. 2007-56

Public Health Director Donnell Ewert presented the staff report and recommended approval. In response to questions by Supervisor Cibula, Mr. Ewert indicated that requests for records have been received after records have been destroyed, and notification of destruction is not provided. By motion made, seconded (Baugh/Hawes), and carried, the Board of Supervisors adopted Resolution No. 2007-56, which repeals Resolution No. 88-26 and updates the records retention schedule for Public Health. Supervisor Cibula voted no as he stated public documents should be maintained.

(See Resolution Book No. 48)

LAW AND JUSTICE

SHERIFF

RECORDS RETENTION SCHEDULE UPDATE
RESOLUTION NO. 2007-57

At the recommendation of Sheriff Tom Bosenko, and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-57, which repeals Resolution No. 91-121 and updates the records retention schedule for the Sheriff's Office.

(See Resolution Book No. 48)

SCHEDULED HEARINGS

PUBLIC WORKS

PARCEL MAP NO. 06-013
WISTERIA ESTATES PERMANENT ROAD DIVISION
ANDERSON AREA

This was the time set to conduct a public hearing and tabulate the ballot results for the proposed Wisteria Estates Permanent Road Division (Anderson area). Public Works Director Pat Minturn presented the staff report and recommended approval. 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 formation of the permanent road division, and the public hearing was closed.

Mr. Minturn requested the Clerk to tabulate the ballots and announce the results of the vote on the formation of the permanent road division as required by Proposition 218; the vote was as follows:

FOR:	2
AGAINST:	0
BLANK BALLOTS:	0

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors continued the matter to a future Board of Supervisors meeting to consider formation of the proposed Wisteria Estates Permanent Road Division.

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 McCaskill v. County of Shasta, pursuant to Government Code section 54956.9(a).

10:54 a.m.: The Board of Supervisors recessed to Closed Session. Supervisor Cibula recused himself due to a professional transaction and did not attend the Closed Session.

11:08 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Cibula, Hawes, Hartman, and Baugh, County Administrative Officer Larry Lees, Assistant County Counsel Mike Ralston, and Deputy Clerks of the Board Valerie Ibarra and Nancy Rupert 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; however, no reportable action was taken.

11:07 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy