

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 11, 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
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson
Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by Maj. Wayne Wetter, The Salvation Army.

PRESENTATION OF COLORS

In recognition of the sixth anniversary of September 11, 2007, the Sons of the American Revolution Color Guard presented the American and California Flags.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by retired U.S. Air Force Chief Master Sergeant Bob Dunlap, Jr.

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Darla Baldwin and Chris De Pape requested Kathy Jalquin read e-mail correspondence between Elk Trail Water Association representatives and Public Works staff regarding water access negotiations.

BOARD MATTERS

PROCLAMATION: CONSTITUTION DAY AND CONSTITUTION WEEK

At the recommendation of James Rose, on behalf of the Daughters of the American Revolution, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 17, 2007 as Constitution Day and September 17-23, 2007 as Constitution Week in Shasta County.

SEPTEMBER 2007 EMPLOYEE OF THE MONTH
STAFF NURSE II SCOTT CHAMNESS
RESOLUTION NO. 2007-109

At the recommendation of Director of Mental Health Dr. Mark Montgomery and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-109, which recognizes Staff Nurse II Scott Chamness as Shasta County's September 2007 Employee of the Month.

(See Resolution Book No. 48)

PROCLAMATION: YOUTH PEER COURT MONTH

At the recommendation of Youth Violence Prevention Council of Shasta County Director Charles Menoher and by motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 2007 as Youth Peer Court Month in Shasta County.

PROCLAMATION: SHASTA COUNTY EMPLOYEE RECOGNITION WEEK

At the recommendation of Assistant Director of Support Services Marty Bishop and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 16-22, 2007 as Shasta County Employee Recognition Week in Shasta County; authorized the Director of Support Services to sign claims related to expenses for the Shasta County employee recognition luncheon picnics in Redding and Burney; and directed the Auditor-Controller to make payments based upon the claims.

PROCLAMATION: RECOVERY HAPPENS MONTH

At the recommendation of Empire Recovery Center Director Patty Nealy and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 2007 as Recovery Happens Month in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Baugh pulled for discussion the item regarding the use of real property for the Redding Library.

CONSENT CALENDAR

By motion made, seconded (Hartman/Baugh), 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 meeting minutes of August 28, 2007 as he was not in attendance):

Approved and authorized the Chairman to sign the County Claims List totaling \$38.50 requiring special board action. (Auditor-Controller)

Adopted Resolution No. 2007-110, which approves the Fiscal Year 2007-08 Countywide Tax Rate, the Unitary Debt Service Rate, and the tax rates for bond sinking funds, state school building loan payments, and voter-approved debt. (Auditor-Controller)

(See Resolution Book No. 48)

Approved the minutes of the meeting held on August 28, 2007, as submitted. (Clerk of the Board)

Enacted Ordinance No. 462-116, which establishes "No Parking" zones on Grand Estates Drive and Deschutes Road in the Palo Cedro area, as introduced August 14, 2007. (Clerk of the Board)

(See No Parking Zone Ordinance Book)

Enacted Ordinance No. 378-1958, which approves Zone Amendment No. 07-008, Ratcliffe (Ono area), as introduced June 19, 2007. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1959, which approves Zone Amendment No. 06-042, Sierra Pacific Industries (Lake McCumber/Viola area), as introduced July 17, 2007. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1960, which approves Zone Amendment No. 06-043, Sierra Pacific Industries (Burney/Johnson Park area), as introduced July 17, 2007. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1961, which approves Zone Amendment No. 06-044, Sierra Pacific Industries (Viola area), as introduced July 17, 2007. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1962, which approves Zone Amendment No. 06-047, Scott (east Redding area), as introduced August 21, 2007. (Clerk of the Board)

(See Zoning Ordinance Book)

Appointed Lynette Blaisdell and Jeff O. Steppat to the Bella Vista Water District Board of Directors in lieu of election to four-year terms to expire December 2011. (Clerk of the Board)

Found that the circumstances and factors that led to the proclamation of a local emergency due to drought conditions resulting in a loss of forage have not been totally resolved and that there is a need for the continuance of this proclamation. (Sheriff/Office of Emergency Services)

Released the security guaranteeing faithful performance in the amount of \$13,500 for Certificate of Compliance No. 05-012, Manley (Happy Valley area). (Public Works)

Released the security guaranteeing maintenance of public improvements in the amount of \$127,000 for Tract Map No. 1909, Aiden Park subdivision (Cottonwood area). (Public Works)

Approved and authorized the Chairman to sign a Local Agency-State Master Agreement to allow the County to participate in federal aid highway construction projects; and adopted Resolution No. 2007-111, which approves and authorizes the Public Works Director to sign all program supplements to the agreement. (Public Works)

(See Resolution Book No. 48)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**DECLARATION REGARDING USE OF REDDING LIBRARY REAL PROPERTY
RESOLUTION NO. 2007-112**

In response to questions by Supervisor Baugh, County Administrative Office Senior Analyst Julie Hope confirmed the funds have already been expended and would not affect future funding. By motion made, seconded (Baugh/Kehoe), the Board of Supervisors adopted Resolution No. 2007-112, which approves and authorizes the Chairman to sign a Declaration confirming the restriction upon the use of the real property upon which the new Redding Library is located, and directs the Public Works Director to record the Declaration. (Administrative Office)

(See Resolution Book No. 48)

REGULAR CALENDAR

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 anticipation of a Governor's veto of approved Assembly Bill 8 (Nunez), Health Care.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SHASTA COUNTY PARKS, TRAILS, AND OPEN SPACE PLAN

County Administrative Office Administrative Analyst Angela Richardson presented the staff report and recommended approval of the appropriation.

Joe Studenicka recommended approval of the staff report, requested a set deadline for the report, and suggested areas of focus in Shasta County.

Gail Batdorf requested an allocation of funds to complete perimeter fencing and an entry gate to secure Palo Cedro Park.

Barbara Jackson expressed her support of a plan to connect unincorporated and incorporated areas of the County by trails.

Shasta Land Trust Board Member Francis Duchi, Cottonwood Community Center and Park representative Mary O'Keefe, and Tri County Community Network Executive Director Cindy Dodds each conveyed their organizations' support and offered assistance in preparing the plan.

CAO Lees noted that the proposed plan was not brought to the Board of Supervisors earlier because staff wanted to include information regarding a potential open space designation for land currently administered by the Pacific Gas & Electric Stewardship Council as part of the Pacific Gas & Electric bankruptcy.

In response to questions by Supervisors, CAO Lees explained that there is no deadline set to submit a plan to the Board of Supervisors. Director of Resource Management Russ Mull noted that it is highly unlikely that \$50,000 will fund a plan, but it may be able to be used to match funds contributed to the total cost of the preparation of the plan by partners; he also confirmed that community participation will be anticipated once a consultant is obtained.

Supervisors Hawes and Kehoe stated approval of the concept of such a plan but highlighted other County projects requiring more immediate funding.

By motion made, seconded (Hartman/Baugh), and carried, the Board of Supervisors approved an appropriation in the amount of \$50,000 to identify, plan, and develop parks, interconnecting trails, and open space in Shasta County; authorized staff to submit a budget amendment accordingly; and authorized staff to utilize the appropriation to proceed to hire a consultant to research, analyze, and develop a Shasta County Parks, Trails, and Open Space Plan. Supervisors Hawes and Kehoe voted no.

FINAL REPORT OF THE FISCAL YEAR 2006-07 SHASTA COUNTY GRAND JURY

CAO Lees presented the staff report and recommended approval of the response to the Grand Jury. In response to questions by Supervisor Baugh, CAO Lees confirmed that \$4 million has been allocated for public safety capital projects, including a new shelter; Sheriff Tom Bosenko confirmed that the mobile cremation unit is not used by outside agencies. Public Works Director Pat Minturn explained that the recommendation of emergency electrical power for the CSA water systems was issued at the same time staff was completing the project.

In response to questions by Supervisor Kehoe, CAO Lees and Public Works Director Pat Minturn confirmed that the Final Report of the Grand Jury was sent to all related parties; therefore, the Redding Area Bus Authority (RABA) is required to submit a response to recommendations pertaining to their services. CAO Lees agreed to review the response related to the salary compensation of RABA drivers for inconsistent language.

At the recommendation of County Administrative Officer Larry Lees and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted a response to the Final Report of the Fiscal Year 2005-06 Shasta County Grand Jury, as amended if determined necessary by CAO Lees.

BOARD OF SUPERVISORS

HOLDING SELECTED BOARD OF SUPERVISORS MEETINGS THROUGHOUT SHASTA COUNTY

CAO Lees presented the board report and recommended holding occasional specific meetings in the community based on set criteria. He mentioned that the Clerk of the Board department is evaluating the possibility of streaming video of Board of Supervisors meetings on the internet.

Gracious Palmer stated she is a strong proponent of the Board of Supervisors having meetings in rural areas and urged approval of meetings in the evening and in other areas.

Supervisor Kehoe recommended occasional meetings once every quarter or every six months on a city-rotation basis.

Supervisor Baugh said constituents in the rural areas have often expressed feelings of being disenfranchised as they are unable to attend the meetings due to distance and weather conditions, and he also suggested an evaluation after one year.

Supervisor Hartman and Hawes expressed support of holding town hall meetings with an open forum and special meetings in areas where the agenda consists of issues pertinent to that segment of the community.

Supervisor Kehoe suggested that since no meetings are scheduled on the fifth Tuesday of any month, this would provide an opportunity for regular meetings in other locations, and he does not support town hall meetings.

Supervisor Kehoe made a motion to hold regular meetings either once a quarter or once every six months by rotation in each district, and Supervisor Baugh seconded the motion. The motion failed by the following vote:

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

County Counsel Karen Jahr stated that a town hall meeting will be noticed and agendized as an open forum; however, the Board of Supervisors would not take any action.

By motion made, (Hartman/Hawes), and unanimously carried, the Board of Supervisors approved scheduling of town hall meetings with a lack of a specific agenda to have an open dialog and leaving the ability to the CAO for scheduling special meetings in other areas of the County for items of specific interest.

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES AGENCY-ADMINISTRATION

CONSORTIUM-IV AUTOMATED WELFARE SYSTEM PROJECT **ASSIGNMENT OF EMPLOYEES TO PROGRAM** **RESOLUTION NO. 2007-113**

Health and Human Services Agency Administration Branch Director Leanne Link presented the staff report and recommended approval of the proposal. In response to questions from Supervisors, Ms. Link explained that travel and lodging expenses will be paid with after-tax dollars by the employee. There are no anticipated costs that will not be reimbursed, and other Counties are sending staff in the same manner.

In response to a question by Supervisor Cibula, Director of Support Services Joann Davis noted the pilot extended-term travel allowance policy was reviewed by Senior Deputy County Counsel John Loomis and by Auditor's office staff.

County Counsel Karen Jahr confirmed that employees have been encouraged to consult a tax attorney prior to entering the policy.

Ms. Davis and Ms. Link confirmed there are no union complications; due to natural turnover, no staff will be displaced.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors authorized the Health and Human Services Agency to assign up to two full-time employees to the Consortium-IV Automated Welfare System Project in Rancho Cordova for a period of up to 30 months; and adopted Resolution No. 2007-113, which adds a pilot extended-term travel allowance policy specific to this project to the *Personnel Rules*, Chapter 21.

(See Resolution Book No. 48)

LAW AND JUSTICE**SHERIFF-ADMINISTRATION/****SUPPORT SERVICES-HUMAN RESOURCES****SHERIFF'S OFFICE RECRUITMENT INCENTIVE PILOT PROGRAM**

Sheriff Tom Bosenko presented the board report, and in response to questions by Supervisor Kehoe, he agreed to accept an increase to the program's budget to \$17,000.

Supervisor Hawes made a motion to approve the Sheriff's Office Recruitment Incentive Pilot Program to increase the program's budget to \$17,000 and to provide an award for employees of any current employment negotiations. Supervisor Hartman seconded the motion.

County Counsel Karen Jahr advised this program should be prospective only, and it will not include any current employment negotiations. Sheriff Bosenko agreed to amend General Order #07-04 to exclude supervisory staff from the incentive program.

Supervisor Hawes amended his motion to exclude any current employment negotiations. Supervisor Hartman seconded the amended motion. The motion passed unanimously.

PUBLIC WORKS**COUNTY SERVICE AREA NO. 3-CASTELLA WATER
WATER SYSTEM IMPROVEMENTS BALLOT RESULTS
RESOLUTION NO. 2007-114**

Deputy Public Works Director Scott Wahl presented the staff report and recommended approval of the project.

Chairman Cibula requested the clerk to announce the results of the vote on the water system improvements of County Service Area No. 3-Castella Water, as required by Proposition 218; the vote was as follows:

FOR:	32	\$129,169 - total parcel increase
AGAINST:	14	\$ 44,096 - total parcel increase

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-114, which overrules ballot protests on the water system improvements to County Service Area No. 3-Castella Water, approves the Engineer's Report, levies assessments, and orders the improvements for the Castella Water System Assessment District No. 2007-1.

(See Resolution Book No. 48)

RESOURCE MANAGEMENT**LETTER TO PACIFIC FOREST AND WATERSHEDS LANDS STEWARDSHIP COUNCIL**

Director of Resource Management Russ Mull presented the staff report and recommended approval of the letter. By consensus, the Board of Supervisor directed this item be continued to the September 18, 2007 meeting to allow review of the documents.

SCHEDULED HEARINGS

PUBLIC WORKS

TRACT NO. 1894

IGA INDUSTRIAL PARK PERMANENT ROAD DIVISION
COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the formation of the IGA Industrial Park Permanent Road Division (Cottonwood area). Deputy Public Works Director Scott Wahl presented the staff report and recommended denial of the formation of the proposed IGA Industrial Park Permanent Road Division as the tract map had expired and was no longer valid. 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 denial for the formation of the permanent road division, and the public hearing was closed.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors denied the formation of the IGA Industrial Park 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 Hawkins v. Weir, et. al; Babcock v. County of Shasta; and Shasta County Citizens for a Healthy Environment v. County of Shasta, pursuant to Government Code section 54956.9(a).

12:23 p.m.: The Board of Supervisors recessed to Closed Session.

12:50 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, Assistant County Counsel Mike Ralston, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Cibula announced that Supervisor Hawes recused on the litigation involving Shasta County Citizens for a Healthy Environment.

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. By a unanimous vote, with Supervisor Hawes recusing, the Board of Supervisors authorized the law firm of Abbott & Kinderman to handle the defense in the matter of Shasta County Citizens for a Healthy Environment v. County of Shasta; by a unanimous vote, the Board of Supervisors authorized the law firm of Larry Moss to handle the defense in the matter of Babcock v. County of Shasta; and by a unanimous vote, the Board of Supervisors authorized County Counsel to handle the defense in the matter of Hawkins v. Weir, et. al.

No other reportable action was taken.

12:51 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy