

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 6, 2007

REGULAR MEETING

9:03 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

INVOCATION

Invocation was given by Reverend Don L. Mangrum.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Lee Craig.

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Elin Klassen discussed a recent Parkview Community Meeting, advising the majority voted against a reentry facility in Redding and in Shasta County.

Russ Wade discussed the need to use cleaner, cheaper energy in Shasta County and asked for consideration of benefits for In-Home Support Services health care workers.

Renewable Wind Energy Solutions representative Nicole Hughes spoke regarding the Hatchet Wind Farm project near Burney, California, and provided an outline of operations, employment, and tax revenue to Shasta County.

Independent Living Services of Northern California Executive Director Evan LeVang, Rosie Johansen, and In-Home Support Services health care workers Robert Berkeley,

Cynthia Lahey, Brenda Chesnut, Mary Zamudio, and Tami Orr discussed the low wages and lack of medical benefits for home health care workers.

BOARD MATTERS

PROCLAMATION: ADOPTION AWARENESS MONTH

At the recommendation of Director of Social Services Jane Work and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 2007 as Adoption Awareness Month in Shasta County. Adoptions Supervisor Linda Vaught and Adoptive Parent Liaison Mickey Harris discussed post adoption services and recognized Dan and Christy Lyman as the 2007 Adoptive Family of the Year.

NOVEMBER 2007 EMPLOYEE OF THE MONTH **SUPERVISING COMMUNITY EDUCATION SPECIALIST JERRY THACKER** **RESOLUTION NO. 2007-130**

At the recommendation of Director of Public Health Donnell Ewert and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-130, which recognizes Supervising Community Education Specialist Jerry Thacker as Shasta County's November 2007 Employee of the Month.

(See Resolution Book No. 48)

PLAQUE OF APPRECIATION **CLINICAL PROGRAM COORDINATOR GARY F. JANEIRO, L.C.S.W.**

In recognition of more than 29 years of service to Shasta County, the Board of Supervisors presented Clinical Program Coordinator Gary F. Janeiro, L.C.S.W. with a plaque of appreciation upon the occasion of his retirement. Director of Mental Health Dr. Mark Montgomery thanked Mr. Janeiro for his services and outstanding dedication.

PROCLAMATION: VETERANS AWARENESS WEEK

At the recommendation of Veterans Service Officer Dave Lanford and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 5-11, 2007 as Veterans Awareness Week in Shasta County. President of the Chapter 28 Pearl Harbor Survivors Association in Redding Hank Reynolds thanked the Board of Supervisors for the proclamation and support and invited everyone to participate in the celebration activities scheduled on December 7, 2007.

PRESENTATION: NATIVE DAUGHTERS OF THE GOLDEN WEST TO THE **REDDING VETERANS MEMORIAL HALL**

County Administrative Office Administrative Analyst Angela Richardson introduced the Native Daughters of the Golden West, Hiawatha Parlor No. 140 President Beatrice Curry, who presented a dedication plaque for the Veterans Memorial Hall.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe pulled for discussion the minutes of the meeting held on October 23, 2007 and the proposed amendment to Administrative Policy 3-140, *County Utilization of Volunteers*.

CONSENT CALENDAR

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Cibula recused on the item regarding the proposed sale of 104 tax-defaulted properties at public auction due to a professional relationship.):

Approved a budget amendment in the Tobacco Settlement budget to reflect adjustments for ongoing grant projects which have crossed fiscal years. (Administrative Office)

Approved and authorized the Chairman to sign an amendment to the agreement with the Economic Development Corporation to provide business expansion, retention, and recruitment services, retaining the original compensation of \$50,180 and amending the term of the agreement to the period July 1, 2007 through June 30, 2008. (Administrative Office)

Approved and authorized the Chairman to sign a contract with the California Department of Transportation in an amount not to exceed \$28,923 to provide noxious weed eradication work in the Interstate 5 Antler's Bridge realignment project area for the period March 1, 2008 through December 31, 2011. (Agricultural Commissioner)

Approved a budget amendment in the Mental Health budget which adjusts the object level accounts to more appropriate accounts in accordance with the State Controller's Office Guideline of Accounting Standards and Procedures for Counties. (Auditor-Controller/Mental Health)

Enacted Ordinance No. 378-1966, which approves Zone Amendment No. 07-005, Drummond (Bella Vista area), as introduced September 25, 2007. (Clerk of the Board)
(See Zoning Ordinance Book)

Reappointed Harold D. Bassett to the Fall River Mills Fire Protection District for a four-year term to December 2011. (Clerk of the Board)

Adopted the following resolutions which formally notify the Public Employees' Retirement System of the County's contribution to the 2008 group health insurance premium for all employees:

1. Resolution No. 2007-131 for the Professional Unit;
 2. Resolution No. 2007-132 for the Professional Peace Officers' Association;
 3. Resolution No. 2007-133 for the General Unit;
 4. Resolution No. 2007-134 for the Deputy Sheriffs' Association;
 5. Resolution No. 2007-135 for the Correctional Officers' Unit;
 6. Resolution No. 2007-136 for the Supervisory Unit;
 7. Resolution No. 2007-137 for the Unrepresented Confidential Unit;
 8. Resolution No. 2007-138 for the Mid-Management Bargaining Unit;
 9. Resolution No. 2007-139 for the Sheriff's Administrative Association; and
 10. Resolution No. 2007-140 for the Unrepresented Managers (Management Council).
- (Support Services-Human Resources Division)

(See Resolution Book No. 48)

Approved and authorized the Treasurer-Tax Collector to sell up to 104 tax-defaulted properties at public auction to the highest bidder on February 22, 2008 and re-offer at a lower minimum bid amount any parcel that does not sell. (Treasurer/Tax Collector/Public Administrator)

Approved the Fiscal Year 2007-08 Shasta County Substance Abuse and Crime Prevention Act of 2000 County Plan for drug treatment, probation supervision, and other supportive services; and approved and authorized the Alcohol and Drug Program Administrator to sign and submit the Plan and the Offender Treatment Program Application. (Mental Health-Alcohol and Drug Programs)

Approved a budget adjustment in the amount of \$37,188 decreasing salaries and benefits in the Public Health budget and increasing salaries and benefits and revenue in the California Children's Services budget to reflect a reallocation of 0.30 FTE of the Program Manager's salary and benefits. (Public Health)

Approved and authorized the Chairman to sign an agreement with the California Department of Public Health (CDPH) to allow Public Health to receive Fiscal Year 2007-08 Center for Disease Control funding through CDPH in an amount not to exceed \$146,261 to provide advance funding for emergency preparedness and emergency response activities for the period August 31, 2007 through August 9, 2008; approved and authorized the Chairman to sign a "Non-Supplantation Certification" to allow for bioterrorism funding, as well as additional "Non-Supplantation Certification" forms required during the contract year; and directed the Auditor-Controller to pay claims related to implementation of the agreement. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Coca Cola Bottling Company to pay the County the amount of \$31,200 for the Opportunity Center to provide janitorial services for the period April 1, 2007 through March 31, 2009. (Social Services-Opportunity Center)

Approved and authorized the Chairman to sign a renewal agreement with the City of Redding in the amount of \$774,000 for the Opportunity Center to provide recyclable material sorting services for the period January 1, 2008 through June 30, 2010. (Social Services-Opportunity Center)

Awarded to the low bidder, All Weather Contractors, Inc., on a lump-sum basis, the contract for construction on the Public Works Administration Area Remodel Project in the amount of \$169,800. (Public Works)

Adopted Resolution No. 2007-141, which approves and authorizes the Public Works Director to sign a funding extension request for the Canyon Road Bike Lanes Project to December 1, 2008, an amendment to the agreement to extend its term, and any future amendments to the agreement. (Public Works)

(See Resolution Book No. 48)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Redding Regional Septage Impoundments Expansion Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Fall River Mills Septage Impoundment No. 1 Cleanout Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign the State Department of Food and Agriculture Division of Fairs and Expositions budget for the Inter-Mountain Fair in the amount of \$566,527 for the period July 1, 2007 through June 30, 2008. (Inter-Mountain Fair)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

OCTOBER 23, 2007 BOARD OF SUPERVISORS MEETING MINUTES

In response to a question by Supervisor Kehoe, County Counsel Karen Jahr stated the October 23, 2007 Board of Supervisors Meeting Minutes included a request from the Board of Supervisors to County Counsel to review the agreement Shasta County entered into with Sequoia Voting Systems, Inc. for the provision of electronic touch-screen voting equipment for any potential breach of contract by Sequoia Voting Systems, Inc. due to the California Secretary of State decertified Sequoia's voting system effective February 5, 2008. Ms. Jahr stated she reviewed the agreement and finds that in 2003 Sequoia provided a system which conformed with all State, Federal, and local statutes and regulations as was currently in effect and applicable. She confirmed there are no provisions in the 2003 agreement that require modification of the system should the State change the certification criteria after delivery of the system. Thus, Sequoia Voting Systems, Inc. is not in breach of contract and is not obligated to provide new voting systems under the 2003 agreement.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on October 23, 2007, as submitted. (Clerk of the Board)

ADMINISTRATIVE POLICY 3-140
POLICY RESOLUTION NO. 2007-8

In response to a question by Supervisor Kehoe, Director of Support Services Joann Davis and Sheriff's Office Lieutenant Jerry Shearman stated the Sheriff's Office Special Weapons and Tactics team (SWAT) pilot project is for a period of one year to monitor training and function, and the request in the pilot project is for volunteers only. Ms. Davis confirmed that the volunteer doctors are covered by malpractice insurance for their private practice, but Shasta County requires malpractice insurance for this pilot project, which is less than \$2,000 a year.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2007-8, which amends Administrative Policy 3-140, *County Utilization of Volunteers*, effective November 6, 2007 to provide workers' compensation coverage to specific medical professionals who are approved volunteers for the Sheriff's Office Special Weapons and Tactics team and to make other miscellaneous changes to update the policy. (Support Services-Risk Management Division/Sheriff)

(See Policy Resolution Book)

10:36 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA COUNTY WATER AGENCY

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Shasta County Water Agency Board of Directors took the following action, which was listed on the Water Agency Consent Calendar:

Approved and authorized the Chairman to sign an amendment to the agreement with the law firm of Somach, Simmons & Dunn to include Shasta County in matters related to state water right fees imposed for Fiscal Year 2007-08. (County Counsel)

10:36 a.m.: The Shasta County Water Agency adjourned, and the Board of Supervisors reconvened.

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORT

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

Supervisor Kehoe recently attended the Health and Human Services Agency Steering Committee meeting and an open house of the downtown Redding regional office of Shasta County Public Health.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

BUILDING DIVISION

SHASTA COUNTY CODE, TITLE 16, BUILDINGS AND CONSTRUCTION

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which amends the Shasta County Code, Title 16, *Buildings and Construction*. Building Division Manager Brett Hale presented the staff report and recommended approval of the ordinance.

In response to a question by Supervisor Cibula, Mr. Hale confirmed that the Materials and Construction Methods for Exterior Wild Fire Exposure (Wild Fire Exposure code) section of the Code will take effect January 1, 2008.

The public hearing was opened, at which time Mr. Hale responded to questions by Paul Joseph Yogger regarding the Wild Fire Exposure code.

Chairman Cibula directed Mr. Yogger to contact Mr. Hale at the Department of Resource Management with any further questions as his questions are outside the issue of the ordinance being discussed.

No one else spoke for or against the request, and the public hearing was closed.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends the Shasta County Code, Title 16, *Buildings and Construction*.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c).

10:59 a.m.: The Board of Supervisors recessed to Closed Session and convened as the In-Home Supportive Services (IHSS) Public Authority Governing Board.

IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY GOVERNING BOARD

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the IHSS Public Authority Governing Board would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Larry Lees, IHSS Public Authority Program Manager Ken Field, Labor Consultant Becker and Bell to discuss the California United Homecare Workers of America, pursuant to Government Code section 54957.6.

11:00 a.m.: The IHSS Public Authority Governing Board recessed to Closed Session.

1:31 p.m.: The IHSS Public Authority Governing Board recessed from Closed Session and reconvened in Open Session with all Supervisors, Assistant County Counsel Mike Ralston, County Administrative Officer Larry Lees, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson.

REPORT OF IN-HOME SUPPORTIVE SERVICES

PUBLIC AUTHORITY GOVERNING BOARD

CLOSED SESSION ACTIONS

Assistant County Counsel Mike Ralston reported that the IHSS Public Authority Governing Board met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

1:32 p.m.: The IHSS Public Authority Governing Board adjourned, and the Board of Supervisors reconvened.

REPORT OF BOARD OF SUPERVISORS

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.

WORKSHOP

RESOURCE MANAGEMENT

DEVELOPMENT IMPACT FEES MUNI FINANCIAL STUDY

CAO Lees provided a history of the proposed development impact fees and explained that the purpose of the workshop is to allow for public input and to determine if the Board of Supervisors will go forward with any action. CAO Lees clarified that the workshop is scheduled to receive a presentation from Muni Financial and to allow the public to address the Board of Supervisors. A formal public hearing will be scheduled for a later time in order to take formal action.

In response to a question by Supervisor Kehoe, Assistant County Counsel Mike Ralston stated the workshop is an opportunity to gather information from staff and public.

Director of Resource Management Russ Mull stated Muni Financial was chosen to prepare the study because of their experience in preparing similar studies for jurisdictions that are similarly situated.

Muni Financial Project Manager Jeff Kay discussed the study's objectives, which include providing a schedule of the maximum justified public facilities impact fee by facility type or land use category and preparing a report to document findings. He also discussed the purpose of the impact fee, use of revenue, and the identification of needs for facilities or revenue.

In response to a question by Supervisor Baugh, CAO Lees and Mr. Mull confirmed that the Cities of Shasta Lake and Anderson were invited to participate in tax-sharing discussions, including impact fees, but the City Managers chose to wait until the impact fee study has been prepared. They will again be invited to participate.

Attorney Walt McNeill, representing Shasta VOICES and SHASTAX, stated the fees of this kind are unprecedented in the State of California. He is unaware of any legal authority allowing the collection of these fees, and more organization regarding fee administration is needed. In response to a question by Supervisor Baugh, Mr. McNeill confirmed that he believes his clients are not opposed to the collection of fees.

Executive Director of Shasta VOICES Mary Machado stated the uses of the fees have not been identified and the fees will increase the price of housing, which is already high. She confirmed Shasta VOICES is not opposed to fees in any form, only with the current proposed methodology.

Shasta Builders Exchange representative Kent Dagg stated Shasta Builders Exchange is neither in support or opposition to the study or fees, but he questioned the methodology of the study and called attention to the impact on new housing.

Ron Largent discussed the fees already being collected and encouraged the Board of Supervisors to consider the impact on home owners and growth in Shasta County.

Shasta County Tax Payers Association President Willie Preston stated the group has not determined a position, and he stressed the impact on consumers and affordable housing. He encouraged the Board of Supervisors to review the impact and weigh public comment.

Jan Lopez stated fees that are collected once will not cover regular maintenance of needed services such as public health or public safety and encouraged the Board of Supervisors to consider local residents that already cannot afford to purchase a home.

In response to a question by Supervisor Hawes, Mr. Mull explained the lower fees in the unincorporated areas are causing individuals currently living and working within city limits to relocate to the unincorporated areas and commute, which in turn causes traffic congestion.

Supervisor Baugh stated he would like to schedule a second workshop and would like more information regarding the legal process, creating a separate agency, impact of the fees on housing costs, and cumulative impact on Shasta County.

Supervisor Kehoe requested a legal independent analysis, encouraged public discourse, and stated he would like to review information showing the impact on the County.

By consensus, the Board of Supervisors directed County Counsel to obtain an independent legal analysis of the Muni Financial Public Facilities Impact Fee Study.

Supervisor Hartman stated she supports a second workshop, would like to review information regarding cumulative effects, and asked the public to present solutions at the second workshop.

Supervisor Hawes stated the Executive Summary which lists where the collected money will be allocated should be reviewed and determined on a County level.

In response to a question by Supervisor Kehoe, CAO Lees stated a second workshop will be scheduled in 2008, and he explained that the public can contact the Department of Resource Management or the County Administrative Office for copies of the report and more information.

3:14 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy