

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 18, 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 Pastor Jim Wilson.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Alex Moon.

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Shasta Public Libraries Director Joy Sentman-Pax spoke regarding the newly opened Redding Library and its services, including free computer classes and public service employment testing.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe pulled for discussion the NorCal Center on Deafness, Inc., the San Diego State University Research Foundation, and the Allvest Information Services, Inc. agreements.

CONSENT CALENDAR

By motion made, seconded (Hawes/Baugh), 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 Courthouse Annex Remodel Project based on real property holdings and on the Romar Homes Incorporated agreement based on professional dealings.):

Approved and authorized the Chairman to sign an amendment to the Northern Rural Training and Employment Consortium (NorTEC) Joint Exercise of Powers Agreement to add Nevada County to the consortium. (Administrative Office)

Approved and authorized the Chairman to sign the County Claims List totaling \$489.50 requiring special board action. (Auditor-Controller)

Approved final adjustments to the Fiscal Year 2006-07 budget, increasing appropriations by a net of \$3,611,263 and increasing total revenues by \$3,606,798, and reducing fund balances by \$4,466 for various budget units and special districts under the Board of Supervisors. (Auditor-Controller)

Adopted Salary Resolution No. 1344, which deletes one Supervising Accountant position and adds one Supervising Accountant - Admin position in the Auditor-Controller budget. (Auditor-Controller)

(See Salary Resolution Book)

Approved the minutes of the meeting held on December 11, 2007, as submitted. (Clerk of the Board)

Enacted Ordinance No. SCC 2007-03, which amends Section 3.40.020 of the Shasta County Code, *Disposition of Surplus Property*, to update a reference to an administrative policy, as introduced December 4, 2007. (Clerk of the Board)

(Shasta County Code Ordinance Book)

Approved and authorized the Chairman to sign a letter extending the agreement with Sequoia Voting Systems for the period January 1, 2008 through December 31, 2008 to provide electronic and optical scan voting systems and related services. (County Clerk/Registrar of Voters)

Approved and authorized the Chairman to sign an amendment to the agreement with Becker and Bell, Inc. extending the term to November 30, 2010 to provide additional professional negotiations and labor relations services and support. (Support Services-Human Resources)

Adopted Resolution No. 2007-152, which approves the revised *Shasta County Personnel Rules*. (Support Services-Human Resources)

(See Resolution Book No. 48)

Approved and authorized the County Alcohol and Drug Program Administrator to sign the Comprehensive Drug Court Implementation Notice of Grant Award with the California Department of Alcohol and Drug Programs in the amount of \$123,713 to provide drug treatment services for the Addicted Offender Program for the period January 1, 2008 through December 31, 2008. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2007-153, which approves and authorizes the Chairman to sign an agreement with the California Department of Public Health in an amount not to exceed \$3,000 for the County to provide water testing services for the period December 1, 2007 through June 30, 2009; and approved and authorized the Director of Public Health to sign the Contractor's Release upon completion of the agreement. (Public Health)

(See Resolution Book No. 48)

Approved and authorized the Chairman to sign an agreement with the California Department of Public Health in an amount not to exceed \$762,880 to implement expanded community nutrition and physical activity programs for the period October 1, 2007 through September 30, 2008; approved and authorized the Director of Public Health to sign amendments that result in a net change of no more than 10 percent of the total dollar value of the current contract or that make other minor, non-monetary amendments; and authorized the Auditor-Controller to pay claims associated with the contract. (Public Health)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Courthouse Annex Remodel 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 West Central Landfill Scale House Project and record it within 10 days of actual completion of the work. (Public Works)

Released the securities guaranteeing performance of subdivision improvements in the amount of \$24,200 for Parcel Map No. 04-045, Gebauer (Palo Cedro area). (Public Works)

Approved and authorized the Chairman to sign an Extension of Permit with Roseburg Resources Company in the amount of \$132.09 to continue lease of land used by County Service Area No. 23 - Cragview Water for water storage facilities for the period December 1, 2007 through November 30, 2008. (Public Works)

For Tract Map No. 1936, Clover Road Permanent Road Division, Churn Creek Bottom 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 February 19, 2008 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

Approved and authorized the Chairman to sign agreements with Romar Homes Incorporated in the amount of \$223,625 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 Panorama Planned Development Project (Cottonwood area); and with Randal Hauser, d.b.a. ENPLAN, in an amount not to exceed \$222,625 to prepare an EIR and MMP from the date of signing through final certification of the EIR and acceptance of the MMP. (Resource Management-Planning Division)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: TEEN CHALLENGE INTERNATIONAL

Teen Challenge International Community Service Director Reverend Jack Lauritzen discussed the free services provided to teens and adults with any life-controlling problem, noting the program has an 86 percent success rate in its programs which last 15 to 18 months; 100 percent of funding received is directly applied to the services.

PRESENTATION: DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM

Sheriff's Deputy Rick Slocum provided an overview of the Drug Abuse Resistance Education (DARE) program; the program is 11 weeks of classes designed to prevent drug abuse. Millville Elementary School fifth grader Brody Gill, a DARE graduate read his award-winning essay.

PRESENTATION: SHERIFF'S PARTICIPATION IN TEEN DRUG FORUM

Sheriff Tom Bosenko stated he was invited to participate in a forum on teen drug use sponsored by the President's Office of National Drug Control Policy (ONDCP) at the White House in Washington, D.C. Sheriff Bosenko said he was asked to participate in the forum as a result of the success of Project Alesia, a joint effort among local law enforcement agencies and the California National Guard in July 2007 to eradicate thousands of marijuana plants grown on public lands in the North State, with a community and youth anti-drug education component.

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 California State budget and the California health care reform.

Supervisors reported on issues of countywide interest.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**AGREEMENT: NORCAL CENTER ON DEAFNESS, INC.
INTERPRETATION SERVICES**

In response to a question by Supervisor Kehoe, Health and Human Services Agency Administration Branch Director Leanne Link explained that NorCal Center on Deafness, Inc. increased their fees. The department tried to negotiate a consolidated agreement, but this would increase rates for the departments that would be included in the consolidated agreement.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign amendments to the following agreements with NorCal Center on Deafness, Inc., extending the terms to June 30, 2009: Increased compensation by \$80,000 (for a new total not to exceed \$90,000) and modified the fee schedule to provide additional interpretation services to Mental Health clients; and increased compensation by \$73,326 (for a new total not to exceed \$83,325) and modified the fee schedule to provide additional interpretation services to Social Services clients. (Mental Health/Social Services)

**AGREEMENT: SAN DIEGO STATE UNIVERSITY RESEARCH FOUNDATION
MOTOR VEHICLE OCCUPANT SAFETY PROJECT**

In response to a question by Supervisor Kehoe, Director of Public Health Donnell Ewert confirmed the primary objective of the motor vehicle occupant safety project is to reduce by 10 percent the average number of Shasta County children ages 0 through 8 years injured each year in motor vehicle crashes.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a grant agreement with the San Diego State University Research Foundation on behalf of the California Kids' Plates Program in the amount of \$27,000 to implement a project focused on motor vehicle occupant safety for the period October 1, 2007 through June 30, 2008; approved and authorized the Director of Public Health or his designee to sign the Contractor's Release throughout the term of the grant; and authorized the Auditor-Controller to pay claims related to the agreement. (Public Health)

**AGREEMENT: ALLVEST INFORMATION SERVICES, INC.
WEB-BASED RISK ASSESSMENT SOFTWARE PACKAGE**

In response to a question by Supervisor Kehoe, Chief Probation Officer Brian Richart stated Allvest Information Services, Inc. provides the most comprehensive software package of services and training. Mr. Richart also noted that advertising was not published in software magazines due to high costs and grant time constraints.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Allvest Information Services, Inc., d.b.a. Assessments.com, in the amount of \$106,000 for the first year and in an amount not to exceed \$40,000 for the second year to provide a web-based risk assessment software package, including licensing, maintenance, implementation consulting, and staff training from the date of signing through December 17, 2008, with one automatic one-year extension. (Probation)

REGULAR CALENDAR

GENERAL GOVERNMENT

SUPPORT SERVICES - RISK MANAGEMENT

**POST-EMPLOYMENT BENEFITS (OPEBs) IRREVOCABLE TRUST FUND
RESOLUTION NO. 2007-154
POLICY RESOLUTION NO. 2007-10**

Director of Support Services Joann Davis presented the staff report and recommended approval. In response to questions by Supervisors Kehoe and Cibula, Ms. Davis confirmed that the proposal is fiscally conservative, and the proposed reserved funding policy for Liability and Workers' Compensation Funds will not jeopardize workers' compensation payments. Auditor-Controller Connie Regnell supporting the funding policy.

By motion made, seconded (Baugh/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-154, which reclassifies \$2,875,000 of excess Risk Management reserves to establish an irrevocable trust fund for post-employment benefits (OPEBs) other than pensions in accordance with GASB 45; adopted Policy Resolution No. 2007-10, which establishes a reserve funding policy for Liability and Workers' Compensation Funds at an 80 percent confidence level.

(See Resolution Book No. 48)

(See Policy Resolution Book)

ADMINISTRATIVE OFFICE

POST-EMPLOYMENT BENEFITS (OPEBs) PRINCIPLES

At the recommendation of Administrative Fiscal Chief Bebe Palin and by consensus, the Board of Supervisors directed staff to pre-fund an irrevocable trust, add an post-employment benefits component as a percent of payroll, consider OPEB cost and cost-avoidance in labor negotiations, and approved negotiation of a higher "retiree administration fee," legislative advocacy for changes to Public Employees Medical and Hospital Care Act (PEMHCA), and outreach to state and federal partners.

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES AGENCY

HEALTH AND HUMAN SERVICES AGENCY UPDATE
PROPOSED RENAMING MENTAL HEALTH-ALCOHOL AND DRUG PROGRAM
RENAMING THE ADMINISTRATIVE BRANCH
RESOLUTION NO. 2007-155

Health and Human Services Agency (HHS) Director Marta McKenzie presented the board report and recommended approval. She discussed the progress of the department, including establishing a stakeholder Steering Committee to oversee agency formation and integration; the new HHS vision, mission, and values; and future goals of the department.

In response to questions by Supervisor Cibula and Kehoe, Ms. McKenzie confirmed that the Steering Committee is not an official HHS advisory board, does not have any decision making authority, and does not advise or provide oversight to any other HHS department.

In response to questions by Supervisors, Ms. McKenzie and Director of Mental Health Dr. Mark Montgomery explained that the name change has not been considered by the Mental Health Advisory Board. However, other California County Mental Health departments have changed their name to Behavioral Health and Recovery Services, and the new name will discourage the stigma of "drug and alcohol" and will reflect integrated services between many providers.

By consensus, the Board of Supervisors deferred the renaming the Mental Health-Alcohol and Drug Program Department to a future meeting to allow the department to submit supplemental information.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors authorized renaming the Administrative Branch to Business and Support Services Branch; and adopted Resolution No. 2007-155, which authorizes reasonable expenditures related to formation, strategic planning, and ongoing activities that further the mission of the HHS.

(See Resolution Book No. 48)

LAW AND JUSTICE

SHERIFF'S OFFICE

ADMINISTRATIVE/FISCAL REORGANIZATION
SALARY RESOLUTION NO. 1345

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1345, effective December 23, 2007, which deletes one Public Safety Service Officer position and one Senior Account Clerk position in the Sheriff budget unit; adds one Agency Staff Services Analyst I/II position and one Accounting Technician position in the Sheriff budget unit; and deletes one Legal Process Clerk II position and adds one Account Clerk II position in the Sheriff Civil budget unit.

(See Salary Resolution Book)

FY 2007 HOMELAND SECURITY GRANT
BUDGET AMENDMENTS

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors authorized the Chairman to

accept the FY 2007 Homeland Security Grant in the amount of \$406,298; approved a budget amendment increasing appropriations and revenues by \$406,298 in the Sheriff budget unit; approved a budget amendment increasing appropriations and revenues by \$51,363 in the County Fire budget unit; authorized the Purchasing Division to collect quotes, issue formal bids, and make purchases in accordance with Administrative Policy 6-101, *Shasta County Contracts Manual*; authorized the Auditor-Controller to pay claims for expenses related to the grant that include participating agency costs, including expenses extending through subsequent fiscal years in which funds have been reappropriated; and authorized the Auditor-Controller to transfer fixed assets and other equipment purchased with grant funds to participating non-County agencies.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES

HOUSING AND COMMUNITY ACTION PROGRAMS

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RESOLUTION NO. 2007-156

This was the time set to conduct a public hearing and consider approving a Community Development Block Grant (CDBG) Program economic development grant application in the amount of \$385,000 to implement a microenterprise assistance program. Director of Housing and Community Action Programs Richard Kuhns presented the staff report and recommended approval of the Plan. 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 proposal, and the public hearing was closed.

By motion made, seconded (Hartman/Hawes) and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-156, which approves a CDBG Program economic development grant application in the amount of \$385,000 to implement a microenterprise assistance program.

(See Resolution Book No. 48)

RESOURCE MANAGEMENT

PLANNING DIVISION

GENERAL PLAN AMENDMENT NO. 07-002

ZONE AMENDMENT NO. 07-010

PROPERTY LINE ADJUSTMENT NO. 07-013

DAVID AND ANDREA SCOTT

IGO AREA

RESOLUTION NO. 2007-157

This was the time set to conduct a public hearing and consider the request to approve General Plan Amendment No. 07-002, David and Andrea Scott, which would change approximately 52 acres in the Igo area from the Agricultural Grazing (A-G) land use designation to the Rural Residential (RB) land use designation; Zone Amendment No. 07-010, which would rezone approximately 52 acres from an Executive Agricultural District combined with an Agricultural Preserve (EA-AP) District to a Limited Agricultural District combined with a 50-Acre Minimum Lot area (A-1-BA-50) District; and Property Line Adjustment No. 07-013, which would adjust a property line affected by a Williamson Act contract. Associate Planner

Lio Salazar presented the staff report and recommended approval of the project. 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 proposal, and the public hearing was closed.

By motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding General Plan Amendment No. 07-002, Zone Amendment No. 07-010, and Property Line Adjustment No. 07-013, David and Andrea Scott, Igo area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as set forth in Planning Commission Resolution Nos. 2007-131 and 2007-132;
2. Adopted Resolution No. 2007-157, which approves General Plan Land Use Element map changes for General Plan Amendment No. 07-002 as the first amendment for 2007 as specifically set forth in Planning Commission Resolution No. 2007-131;
3. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-132;
4. Introduced and waived the reading of an ordinance approving Zone Amendment No. 07-010, as requested; and
5. Continued Property Line Adjustment No. 07-013 to a future meeting to make the necessary findings concurrently with an action to rescind and enter into a new contract for the adjusted boundaries required by the Williamson Act (Government Code section 51257).

(See Resolution Book No. 48)

ZONE AMENDMENT NO. 06-046
CASSEL RIDGE, INC.
CASSEL AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-046, Cassel Ridge, Inc., which would rezone approximately 170 acres in the Cassel area from a an Unclassified (U) District to a Limited Residential (R-L) District. Senior Planner Lisa Lozier presented the staff report and recommended approval of the project. 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 Eric Carlson stated he was available to answer questions. No one else spoke for or against the project, and the public hearing was closed.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-046, Cassel Ridge, Inc., Cassel area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2007-135;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-135; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-046, as requested.

ZONE AMENDMENT NO. 07-012
MIKE HARTGRAVES
COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 07-012, Hartgraves, which would rezone approximately 56 acres in the Cottonwood area from a Limited Agriculture, combined with a Mobile Home and minimum building site area of (A-1-T-BA-10) District and Restricted Flood (F-2) District to a Limited Agriculture combined with a Mobile Home (A-1-T) District and a Restricted Flood (F-2) District. Senior Planner Lisa Lozier presented the staff report and recommended approval of the project. 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 proposal, and the public hearing was closed.

By motion made, seconded (Baugh/Kehoe) and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 07-012, Mike Hartgraves, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2007-126;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-126; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 07-012, as requested.

ZONE AMENDMENT NO. 07-026
DENNIS JACOBSEN
GLENBURN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 07-026, Dennis Jacobsen, which would rezone approximately five acres in the Glenburn area from an Exclusive Agricultural District combined with an Agricultural Preserve (EA-AP) District to an Exclusive Agricultural (EA) District. Associate Planner Lio Salazar presented the staff report and recommended approval of the project. 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 proposal, and the public hearing was closed.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 07-026, Dennis Jacobsen, Glenburn area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2007-133;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-133; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 07-026, as requested.

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 Morin v. County of Shasta and Wallace v. County of Shasta, pursuant to Government Code section 54956.9(a); and
2. Conduct an employee performance evaluation pursuant to Government Code section 54957 for the County Administrative Officer and the County Counsel.

12:15 p.m.: The Board of Supervisors recessed to Closed Session.

1:58 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Cibula, Hartman, and Baugh, County Administrative Officer Larry Lees, County Counsel Karen Jahr, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as employee performance evaluations. By a unanimous vote the Board of Supervisors authorized the law firm of Gary Brickwood to handle the defense in the matter of Wallace v. County of Shasta. No other reportable action was taken.

1:59 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy