

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 1, 2011

REGULAR MEETING

9:00 a.m.: Chairman Baugh 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 Moty
 District No. 3 - Supervisor Hawes
 District No. 5 - Supervisor Baugh

District No. 4 - Supervisor Hartman - Absent

County Administrative Officer - Larry Lees
 County Counsel - Rubin E. Cruse, Jr.
 Chief Deputy Clerk of the Board - Glenda Tracy
 Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Robert Adair, Redding Apostolic Fellowship.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Hawes.

REGULAR CALENDAR

BOARD MATTERS

MARCH 2011 EMPLOYEE OF THE MONTH
SENIOR PLANNER DAN WAYNE
RESOLUTION NO. 2011-027

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-027, which recognizes Senior Planner Dan Wayne as March 2011 Employee of the Month.

(See Resolution Book No. 52)

PROCLAMATION: GRAND JURY AWARENESS MONTH

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2011 as Grand Jury Awareness Month in Shasta County. Shasta County 2010/11 Grand Jury Foreman James Berg accepted the proclamation and encouraged members of the public to apply to serve on the Grand Jury.

PRESENTATIONS

PRESENTATION: SHASTA PUBLIC LIBRARY SYSTEM

City of Redding Community Services Director Kim Niemer provided an update on the Shasta Public Library System. In 2010, the Redding Library had 559,484 visits. The circulation for the Redding, Anderson, and Burney libraries was 541,382. For the three Shasta County libraries, 300 individuals donated 30,239 volunteer hours of service in 2010. A text messaging service was launched to answer reference questions via cellular phone text messaging. High-speed internet usage continues to provide access to the computers and free computer classes.

Shasta Library Foundation Executive Director Peggy O'Lea stated the Shasta Library Foundation is building an endowment fund to supplement the public funding that will support the library collection needs, which is approximately \$4 million.

Friends of the Redding Library Vice President Jim Ceragioli advised that the Friends of the Redding Library raise funds to donate to the library through book sales. In response to questions by Supervisor Moty, Mr. Ceragioli confirmed that text books are also sold.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh stated that the agenda items regarding an amended Administrative Policy 2-101, *Budgetary Policies and Controls*, and a new Administrative Policy regarding Fund Balance Policy for Financial Statement Reporting will be pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Hawes/Moty), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the agreement with Triple P America, Inc. as he disagreed with the 25 percent advance payment):

Adopted Resolution No. 2011-028, which requires appointed department heads and unrepresented managers to pay 100 percent of their Public Employees' Retirement System (PERS) member contribution effective January 1, 2012. (Administrative Office/Support Services-Personnel)

(See Resolution Book No. 52)

Approved the minutes of the meeting held on February 15, 2011, as submitted. (Clerk of the Board)

Appointed Kathy Callan to the Western Shasta Resource Conservation District Board of Directors for a term to expire November 2014. (Clerk of the Board)

Adopted Resolution No. 2011- 029, which amends "Exhibit 'A' Designated Positions" of the County of Shasta's Conflict of Interest Code to insure that the positions and degree of disclosure required for each position are current and correct. (County Counsel)

(See Resolution Book No. 52)

Approved and authorized the Chairman to sign an agreement with Triple P America, Inc. in an amount not to exceed \$245,515 to provide Triple P Positive Parenting Program[®] Provider Training Courses from the date of signing through June 30, 2011; waived the competitive procurement process required by Administrative Policy 6-101; and authorized the Auditor-

Controller to pay a maximum of \$200,000 per fiscal year to purchase necessary Triple P Positive Parenting Program[®] training materials. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive agreement with the California Department of Mental Health to comply with Medi-Cal Data Privacy and Security requirements effective July 1, 2009. (HHS-Adult/Children's Services)

Approved and authorized the Chairman to sign a retroactive agreement with Scott Holmquist d.b.a. Pursue It Consulting in an amount not to exceed \$18,600 to provide technical assistance and training for the Hospital Preparedness Program for the period July 1, 2010 through June 30, 2012; and authorized the Auditor-Controller to pay claims associated with the agreement. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with the California Department of Rehabilitation, Redwood Empire District increasing compensation to Shasta County by \$15,613 (for a new total not to exceed \$67,656) in American Recovery and Reinvestment Act (ARRA) funds for the Opportunity Center to provide additional enhanced vocational rehabilitation services and extending the term of the agreement to June 30, 2011. (HHS-Regional Services)

Authorized the Sheriff to administer the Anti-Drug Abuse Program grant in the amount of \$188,206 through the California Emergency Management Agency (Cal-EMA) to partially fund the Shasta Interagency Narcotics Task Force (SINTF) from July 1, 2010 through June 30, 2011; approved a budget amendment decreasing revenues and appropriations in the amount of \$45,064 in the Sheriff's budget; and authorized the Auditor-Controller to pay claims for expenses incurred by participating agencies related to the grant. (Sheriff)

For the Elk Trail Water Improvement Project, approved and authorized the Chairman to sign agreements to purchase easements for a water tank site with Paul and Patricia Stout in the amount of \$5,500 for 0.03 acres, and with Matthew Andrews and Julie Geaney in the amount of \$20,900 for 0.12 acres; and accepted easement deeds conveying two parcels of project easements. (County Service Area No. 6 - Jones Valley Water)

Adopted Resolution No. 2011- 030, which certifies that the County maintains 1,191.189 miles of road, required as a condition for State funding. (Public Works)
(See Resolution Book No. 52)

For the Additional Bays at Whitmore Fire Station Project, 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 the opening of bids on or after March 31, 2011 at 11:00 a.m. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

ADMINISTRATIVE POLICY 2-101

BUDGETARY POLICIES AND CONTRACTS

POLICY RESOLUTION NO. 2011-01

In response to questions by Supervisor Kehoe, County Fiscal Chief Bebe Palin explained that the amendment to Administrative Policy 2-101, *Budgetary Policies and Controls*, will allow the Auditor-Controller to recognize any revenue that is received from State Mandated Reimbursements in the General Revenue budget unit. The State mandates services that the Shasta County is responsible to provide, with reimbursements received at a substantially later date. The amendment to the policy will allow that funds from the State will go to the General Fund and become subject to the Board of Supervisors for appropriation in future years. This will assure that the majority of the money will return to the General Fund.

In response to questions by Supervisor Kehoe, Ms. Palin explained that \$4.9 million is currently owed to Shasta County by the state to reimburse the General Fund; the amount due does not include any interest. Auditor-Controller Connie Regnell stated the \$4.9 million is for claims for which Shasta County has requested reimbursement. In 2006, legislation passed that allows the State 15 years to reimbursement of monies owed to the counties that were due prior to Fiscal Year 2004-05.

In response to questions by Supervisor Kehoe, County Administrative Officer Larry Lees stated it is necessary for the County to continue to provide the ongoing services while waiting for reimbursement from the state.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2011-01, which amends Administrative Policy 2-101, *Budgetary Policies and Controls*, to provide that State Mandate Reimbursements received for various State-mandated programs or services may be deposited into the General Revenue budget unit under certain specified circumstances. (Administrative Office/Auditor-Controller)

(See Policy Resolution Book)

ADMINISTRATIVE POLICY NO. 2-104

FUND BALANCE POLICY FOR FINANCIAL STATEMENT REPORTING

POLICY RESOLUTION NO. 2011-02

County Fiscal Chief Bebe Palin stated in order to bring the County into compliance with Government Standards Accounting Board (GASB) 54, Fund Balance Reporting and Governmental Fund Type Definitions, government entities need to maintain a prudent level of financial resources to protect against reducing service levels or incurring debt because of temporary revenue shortfalls or unpredicted one-time expenditures. This policy will clarify definitions of new fund balance classifications, establish a spending priority and a minimum fund balance policy, and identify the Board of Supervisors as the highest decision-making level of authority.

In response to questions by Supervisor Baugh, Auditor-Controller Connie Regnell advised the goal for the Unassigned Fund Balance to be at the 50 percent level in order to have the money available for future years budgetary purposes. Ms. Palin stated that in a typical budget year, \$10 million in fund balance carryover has been available to balance the General Fund budget.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2011-02, which adds a policy to the Administrative Policy Manual regarding *Fund Balance Policy for Financial Statement Reporting*. (Administrative Office/Auditor-Controller)

(See Policy Resolution Book)

10:04 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 (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following action, which was listed on the Consent Calendar:

Approved and authorized the Chairman to sign a retroactive amendment to the California State Association of Counties Excess Insurance Authority (CSAC EIA) Primary General Liability Program Memorandum of Understanding to include changes necessary to reflect the restructure of CSAC EIA. (In-Home Supportive Services (IHSS) Public Authority)

10:05 a.m.: The In-Home Supportive Services Public Authority Governing Board recessed, and the Board of Supervisors reconvened.

REGULAR CALENDAR, CONTINUED

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 fact that the state proposes to provide early release of low-level offenders, returning these individuals to the counties to serve the remainder of their sentence at the county level. The state claims they will pay the counties; however, if the counties do not have sufficient space in the facilities, the counties may decline the release; however, the state will then charge counties for housing the inmates. With the assistance of Assemblyman Jim Nielsen it appears the County may receive approximately \$5 million in reimbursement from the state of funds due for Mental Health services from Fiscal Year 2006-07.

Supervisor Kehoe requested CAO Lees and staff to prepare a board report indicating the amount of money the state owes Shasta County.

Supervisor Moty attended a Sierra-Sacramento Valley Emergency Medical System Board meeting.

Supervisors Moty, Hawes, and Baugh attended a Regional Transportation Planning Agency (RTPA) meeting.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD/COUNTY CLERK/REGISTRAR OF VOTERS

LOCAL ELECTED SCHOOL DISTRICTS AND SPECIAL DISTRICTS

CITY OF SHASTA LAKE

CONSOLIDATING ELECTIONS TO EVEN-NUMBERED YEAR

RESOLUTION NO. 2011-031

County Clerk/Registrar of Voters Cathy Darling Allen presented the report and recommended approval.

In response to questions by Supervisor Kehoe, Ms. Darling Allen stated that some candidates in general elections have the resources to advertise; however, candidates in special districts are seeking volunteer positions and do not have the resources to advertise to make the voters aware of their identity and their positions on matters. By changing these elections to even-numbered years, the ballots will increase in size, thereby adding to the cost of printing and mailing. It is anticipated that the tallying process may be delayed, causing the canvass process to take longer.

CAO Lees stated the resolution attached to the board report had errors that have been corrected. Shasta Union School District should read Shasta Union High School District, and

Whitmore Union Elementary School District was inadvertently omitted, both corrections are made and copies have been provided.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors accepted the resolutions submitted by all local elected school districts and special districts, and an ordinance submitted by the City of Shasta Lake; accepted an impact report from the County Clerk/Registrar of Voters regarding the effects of consolidating local school districts, special districts, and the City of Shasta Lake elections in November of even-numbered years; and adopted Resolution No. 2011-031, which approves changing district elections from odd-numbered years to even-numbered years beginning November 6, 2012.

(See Resolution Book No. 52)

COUNTY CLERK/REGISTRAR OF VOTERS

CITIZENS' REDISTRICTING ADVISORY COMMITTEE

County Clerk/Registrar of Voters Cathy Darling Allen stated that County boards of supervisors are required to reapportion the supervisorial districts in each county in the year following the decennial census. The California Elections Code allows the Board of Supervisors to appoint a committee to study the matter of changing the boundaries of the supervisorial districts. Ms. Darling Allen recommended establishing a Citizens' Redistricting Advisory Committee and for each member of the Board of Supervisors to appoint one member.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors established a Citizens' Redistricting Advisory Committee in accordance with Elections Code section 21505 to assist in equalizing the population among the five supervisorial districts within Shasta County, with each member of the Board of Supervisors to appoint one member before March 30, 2011.

SUPPORT SERVICES-PURCHASING

AGREEMENT: SYSTEMA SOFTWARE LLC WORKERS' COMPENSATION, AUTO LIABILITY, AND GENERAL LIABILITY CLAIMS SYSTEM ANNUAL PURCHASE AND MAINTENANCE

Director of Support Services Michelle Schafer advised that the Risk Management division administers the claims management for workers' compensation, liability, property, casualty, and other miscellaneous insurance complaints against the County. In order to avoid penalties for non-compliance with State and Federal mandates for filing timely reports, a claims management system is needed.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Systema Software LLC in the amount of \$103,000 plus \$20,000 annually to purchase, maintain, and support the Systema Claims System software licenses for the Support Services-Risk Management workers' compensation, auto liability, and general liability claims system effective the date of signing through December 31, 2016; approved and authorized the Director of Support Services to sign escrow documents and any amendments to the agreement; and authorized the Auditor-Controller to pay claims associated with the agreement, including any necessary advance payments.

AGREEMENT: SYSTEMA SOFTWARE LLC
WORKERS' COMPENSATION, AUTO LIABILITY, AND GENERAL LIABILITY
CLAIMS SYSTEM IMPLEMENTATION

Director of Support Services Michelle Schafer stated that Systema Software LLC will convert the current claims system, train County staff, and assist in the development of business rules and documents.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Systema Software LLC in an amount not to exceed \$100,000 plus \$5,000 per test/final trial, if necessary, to implement a claims system for Support Services-Risk Management workers' compensation, auto liability, and general liability claims effective the date of signing through February 29, 2012; and approved and authorized the Director of Support Services to sign amendments associated with the agreement.

10:59 a.m.: Supervisors Hawes recused due to real property holdings near the property affected in the appeal of Tract Map 1871, and left the Chambers.

11:02 a.m.: The Board of Supervisors recessed.

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

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING

TRACT MAP 1871, K.O.H. ATLAS CORPORATION
JAMES McCALL
REDDING MUNICIPAL AIRPORT AREA
RESOLUTION NO. 2011-032

This was the time set to reconvene the public hearing continued from January 6, 2004 regarding the appeals of Tract Map 1871, K.O.H. Atlas Corporation (Redding Municipal Airport area), and consider the appeal of James McCall of the approval of the tentative tract map by the Planning Commission. Associate Planner Lio Salazar presented the staff report and recommended approval of the project.

The project is to divide a 19.3-acre parcel into 35 lots, and was approved by the Planning Commission on November 13, 2003. The Planning Commission's approval of the project was appealed by two separate parties, Frank Wilson and James McCall. The Board of Supervisors considered the appeals on December 16, 2003 and directed staff to further investigate the appellants' concerns regarding biological resources and wetlands, access, and traffic. The matter was continued to January 6, 2004, at which time staff brought additional access and wetlands information and a Department of Public Works traffic analysis. Applicant James Hoffman requested additional time so he may meet with appellant Frank Wilson to discuss issues related to access and to prepare an independent traffic study. The hearing was continued to a date uncertain. Mr. Wilson subsequently withdrew his appeal.

Mr. McCall continues to raise concerns about wetland and riparian features, water quality and quantity, traffic, recreation, and cumulative impacts, and he has questioned the Environmental Initial Study.

The biological resource and wetland studies found no evidence of the presence of sensitive species found at the site, and the loss of sensitive wetland habitat would be mitigated by purchasing credits in a wetland mitigation bank.

In 2008, James Hoffman of K.O.H. Atlas Corp. hired Douglas E. Wills (DEW Traffic) to prepare a traffic study. DEW evaluated the traffic in the neighborhood and determined that the project would not result in significant impacts.

The Environment Initial Study and Mitigated Negative Declaration adopted for the project lists the studies completed for the project which support the environmental findings.

The public hearing was opened.

Appellant James McCall expressed his concerns about traffic. The roads are in need of repair and will incur additional damage if the project goes forward. Mr. McCall provided eight photographs which indicated the condition of the roads.

Peter Houtman stated the streets are narrow and unsafe for individuals who wish to walk in the vicinity. The traffic studies were conducted during the winter months and did not accurately reflect the pedestrian traffic. The condition of the road is very poor.

Bob Whitman noted concerns regarding the traffic with the additional vehicles traveling the roads.

PACE Engineering representative Fred Lucero stated the traffic concerns have been addressed in reports. In response to questions by Supervisor Moty, Mr. Lucero confirmed the map of the cul-de-sac at the south end of the project shows a sanitary sewer easement and a water easement.

In response to questions by County Counsel Rubin E. Cruse, Jr., Mr. McCall indicated that he is in agreement with the conditions as modified as proposed.

Traffic engineer Douglas Wills stated the traffic studies were completed in April and May of the year. In response to questions by Supervisor Moty, Mr. Will advised that the standards for local streets in the City of Redding general plan were used in the traffic report. The study found that less than 1,000 vehicles travel the streets in the subdivision daily.

James Hoffman spoke of the attractive variety of homes in the neighboring community. Traveling through the area has not shown untypical roads or traffic problems.

Mr. McCall stated the biggest concern is the condition of the roads and the streets. In response to questions by Supervisor Moty, Mr. McCall stated that the photographs submitted represented 60 percent of the roads.

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

Public Works Director Pat Minturn confirmed that the project area is located in unincorporated Shasta County. The traffic is limited and there is good access to travel. The condition of the roads is primarily due to their age. A cape seal resurfacing of the subdivision streets is scheduled for Summer 2011.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-032, which denies the appeal of James McCall and upholds the approval of the tentative tract map by the Planning Commission.

(See Resolution Book No. 52)

12:07 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy