

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 26, 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. 4 - Supervisor Hartman
 District No. 5 - Supervisor Baugh

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 Reverend Sandra Soley Keep, Unity in Redding.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

WESTERN SHASTA RESOURCE CONSERVATION DISTRICT

Western Shasta Resource Conservation District Fire Safe Project Manager Lee Delaney and Watershed Coordinator Leslie Bryan explained that local watersheds are areas of land where water flows from the hilltops to the creeks as it makes its way to the Sacramento River. Watershed groups participate in field trips and meetings to discuss and develop ways to identify water quality issues and develop objectives and projects that are important to watersheds. Various invasive species are managed.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2011 as Watershed Awareness Month in Shasta County.

PROCLAMATION: OLDER AMERICANS MONTH

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2011 as Older Americans Month in Shasta County.

PROCLAMATION: CHILD ABUSE PREVENTION AWARENESS MONTH

At the recommendation of Health and Human Services Agency Director of Children's Services Maxine Wayda and by motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2011 as Child Abuse Prevention Awareness Month in Shasta County. Shasta County Child Abuse Prevention Coordinating Council (CAPCC) AmeriCorps Project Director Rachelle Neal accepted the proclamation.

**NOMINATION: DARREN SIMMONS
PLANNING COMMISSIONER, DISTRICT 5**

Supervisor Baugh nominated Darren Simmons to fill the District 5 vacancy on the Shasta County Planning Commission. Action on the appointment will take place at the May 3, 2011 Board of Supervisors meeting.

**APPOINTMENT: RICK KYLE
FIRE WARDEN AND CHIEF OF THE SHASTA COUNTY FIRE DEPARTMENT**

At the recommendation of County Administrative Officer Larry Lees and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors appointed California Department of Forestry and Fire Protection Shasta-Trinity Unit Chief Rick Kyle as the Fire Warden and Chief of the Shasta County Fire Department effective April 18, 2011.

PRESENTATIONS**2010 SHASTA COUNTY FIRE DEPARTMENT ANNUAL REPORT**

County Fire Warden Rick Kyle presented the 2010 Shasta County Fire Department Annual Report. Last year, the County Fire Department received over 900 calls and responded to over 2,300 incidents. Firefighters logged over 10,000 hours of training. Challenges include outfitting the firefighters with the appropriate clothing and equipment, maintenance of equipment, and recruitment and retention of volunteer firefighters.

2010 SHASTA MOSQUITO AND VECTOR CONTROL ANNUAL REPORT

Shasta Mosquito and Vector Control District (SMVCD) Manager Peter Bonkrude presented the SMVCD annual report, noting that the goal of SMVCD is to prevent mosquito and tick problems by proactively controlling larvae in the environment and discussed the services provided by the District.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh announced that the requested appointment of Vickie Marler to the Shasta Mosquito and Vector Control District Board of Trustees was pulled at the request of the department.

Chairman Baugh announced the item regarding Swede Creek Road at Swede Creek Bridge Widening Project was pulled for discussion. Public Works Director Pat Minturn stated the board report inadvertently requested the Board of Supervisors find the project categorically exempt in conformance with California Environment Quality Act (CEQA). It has been determined that the CEQA determination was made by the Board of Supervisors in 2009.

Chairman Baugh announced the item regarding a retroactive memorandum of understanding with Jesse Wells, M.D. was pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended:

Approved and authorized the Chairman to sign an amendment to the grant agreement with the Shasta Community Health Center extending the term for three additional one-year periods to allow for continued payment of 10 percent of Tobacco Settlement revenue through June 30, 2014 to continue to provide outpatient health services to the uninsured and under-insured in Shasta County. (Administrative Office)

Approved a budget amendment in the amount of \$527,380 to transfer long-term debt proceeds from the Land Building & Improvements (LB&I) budget to the Energy Retrofit debt service budget; approved the creation of accounts to accommodate the transfer of funds from the Energy Retrofit debt services budget to the LB&I budget; and authorized the Auditor-Controller to prepare a budget amendment and make fund transfers to reimburse LB&I for project expenditures. (Auditor-Controller)

Approved the minutes of the meeting held on April 12, 2011, as submitted. (Clerk of the Board)

Appointed Corkey Harmon to the PSA 2 Area Agency on Aging - Advisory Council for a term to April 2015. (Clerk of the Board)

Appointed Lori Chapman-Sifers (District 4) to the Public Health Advisory Board to an unexpired term to March 2014. Clerk of the Board

Corrected the name of the Public Health Advisory Board appointment to Joe Ayer (inadvertently appointed on April 5, 2011 as Jay Ayer) to serve a three-year term to expire March 2014. (Clerk of the Board)

Adopted Resolution No. 2011-044, which approves a records retention schedule for the County Clerk/Elections Department. (County Clerk/Elections)

(See Resolution Book No. 52)

Approved and authorized the Chairman to terminate the existing agreement and sign a retroactive agreement with the California State Association of Counties, Excess Insurance Authority (CSAC EIA) increasing service rates and adding optional services for the provision of substance abuse testing services effective March 1, 2011. (Support Services-Risk Management)

To allow the purchase of a Storage Area Network to meet Medi-Cal Personally Identifiable Information security requirements, approved a budget amendment in the amount of \$105,000 in the Social Services budget transferring appropriations within the budget and increasing appropriations in the Information Technology budget to properly record the capital asset; authorized the Auditor-Controller to prepare and process the budget amendment; and authorized the Auditor-Controller to pay claims for the associated equipment. (Health and Human Services (HHS)-Business and Support Services)

Approved and authorized the Chairman to sign a response to the Pre-Review Document Request for Deloitte as a portion of the review of the Sheriff's Federal Equitable Sharing Funds for the U.S. Department of Justice on April 11-12, 2011. (Sheriff)

For the Redding Regional Septage Impoundments Cleanout 2011 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 May 19, 2011 at 11:00 a.m. (Public Works)

For the Swede Creek Road at Swede Creek Bridge Widening Project, approved plans and specifications, and directed the Public Works Director to advertise for bids pending authorization for approval to proceed from Caltrans; and authorized the opening of bids on or after May 26, 2011 at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign an agreement with LFG Specialties, LLC in the amount of \$367,770 to purchase a landfill gas flare system for the West Central Landfill. (Public Works)

Awarded to the low bidder, Wes Cook d.b.a. Cook Construction, on a lump-sum basis, the contract for construction on the Additional Bays at Whitmore Fire Station Project in the amount of \$127,000. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: JESSE WELLS, M.D. **IN-FIELD MEDICAL SERVICES**

In response to questions by Supervisor Kehoe, Sheriff Tom Bosenko stated the agreement with Dr. Wells has not been in written form. Dr. Wells has served the County as a volunteer since 2007, with no known issues. If an injury occurs, Dr. Wells would be covered under the County's workers compensation policy. County Counsel Rubin Cruse explained that under the agreement, Dr. Wells is deemed a volunteer of the County, as defined in Shasta County Administrative Manual Policy No. 3-140 (*County Utilization of Volunteers*). The rationale of the agreement being retroactive to July 1, 2007 is to assure coverage should any claims arise prior to the current date.

In response to questions by Supervisor Kehoe, County Counsel Cruse stated the reason Item 5 (Outside Employment) is included is because Dr. Wells acts as an agent for the County, similar to actions of a County employee, and it assures any outside employment of the doctor would not be detrimental to his County service.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive memorandum of understanding with Jesse Wells, M.D. to provide in-field medical services at no cost for the Sheriff's Office during critical events and training for the period July 1, 2007 through June 30, 2018. (Sheriff)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees stated that on April 12, 2011, the Board of Supervisors had a presentation regarding the Share the Dream Trail in Lassen National Park, located in Eastern Shasta County. Direction was given to prepare a letter of support to Congressman Tom McClintock.

Recreation Outdoors Coalition representative Sylvia Milligan said the Share the Dream Trail is a 130-mile, all-inclusive trail in Lassen Park, which will provide a managed recreational opportunities for various types of recreation.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to Congressman Tom McClintock supporting the Share the Dream Trail.

At the recommendation of CAO Lees and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to Assembly Member Jim Nielsen supporting Assembly Bill 1265 (Nielsen) regarding the Williamson Act.

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

Supervisors reported on issues of countywide interest.

INFORMATION TECHNOLOGY

PERSONAL COMPUTERS

SHASTA COUNTY OFFICE OF EDUCATION

RESOLUTION NO. 2011-045

At the recommendation of Deputy Director of Information Technology Tom Schreiber and by motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-045, which makes a finding that various surplus personal computers are not required for County use; and approves the transfer of these computers to the Shasta County Office of Education in accordance with Government Code section 25365(a).

(See Resolution Book No. 52)

SUPPORT SERVICES-PURCHASING DIVISION/SHERIFF

AGREEMENT: VALLEY INDUSTRIAL COMMUNICATIONS, INC.

COMMUNICATIONS EQUIPMENT SERVICES

Sheriff Tom Bosenko stated the renewal agreement with Valley Industrial Communications, Inc. (VIC) is retroactive due to extended time needed to finalize the process to comply with Federal Communications Commission (FCC) rules for narrowbanding compliance. The various communications services provided are utilized by several County departments.

In response to questions by Supervisor Kehoe, Sheriff Bosenko confirmed that the County will obtain the equipment, assist VIC by putting field units in areas, and allow VIC to monitor and assist in coverage. Agency Staff Services Analyst Stephanie Telles advised that there is no rate increase since the previous contract. Valley Industrial Communications, Inc. President Eric Marler confirmed that the parts and materials necessary to provide the services requested by the County are competitively priced.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement with Valley Industrial Communications, Inc. in the amount of \$700,000 to provide various communications equipment services for the period April 16, 2011 through April 15, 2012, with two automatic one-year renewals.

OTHER DEPARTMENTS

COUNTY FIRE

SHASTA COUNTY FIRE DEPARTMENT

At the recommendation of Shasta County Fire Department Chief Rick Kyle and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors authorized the Shasta County Fire Department to accept a Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Federal Emergency Management Agency (FEMA) in the amount of \$1,203,079 for Fiscal Years 2011-12 and 2012-13 to fund staffing for an additional fire engine.

SCHEDULED HEARINGS

HEALTH AND HUMAN SERVICES AGENCY

HHSA-REGIONAL SERVICES-OPPORTUNITY CENTER

**CALTRANS SECTION 5310 GRANT APPLICATION
RESOLUTIONS NO. 2011-046 AND 2011-047**

This was the time set to conduct a public hearing to determine if there are nonprofit agencies readily available to provide transportation services at the times and locations currently provided by the Shasta County Opportunity Center. Opportunity Center Staff Services Manager Del Lockwood presented the staff report and recommended approval. The Notice of Hearing and the Notice 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 matter, and the public hearing was closed.

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors allowed the Opportunity Center to apply for grant funds for wheelchair-accessible vehicles through the California Department of Transportation; adopted Resolution No. 2011-046, which certifies that there are no nonprofit agencies readily available to provide the transportation services proposed in the Opportunity Center's grant application, and Resolution No. 2011-047, which approves and authorizes the Chairman to sign the grant application, and the HHSA Director to sign the grant agreement and other grant-related documents.

(See Resolution Book No. 52)

RESOURCE MANAGEMENT

PLANNING DIVISION

**ZONE AMENDMENT NO. 05-041
SANG LYU AND BONG NIM LYU
MILLVILLE AREA**

This was the time set to conduct a public hearing to consider the request to approve Zone Amendment No. 05-041, Lyu, which would rezone approximately 38.77 acres in the Millville area from an Unclassified (U) to a Limited Residential, 10-Acre Lot Minimum (R-L-BA-10) and Open Space (OS) Districts and to a Limited Residential, 15-Acre Lot Minimum (R-L-BA-15) District. Associate Planner Lio Salazar presented the staff report and recommended approval of

the project. 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 matter, and the public hearing was closed.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-041, Sang Lyu and Bong Nim Lyu, Millville 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. 2011-006; and
2. Adopted rezoning findings as specifically set forth in Planning Commission Resolution No. 2011-006; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-041, as requested.

CLOSED SESSION ANNOUNCEMENT

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

10:23 a.m.: The Board of Supervisors recessed to Closed Session.

11:38 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss anticipated litigation; however, no reportable action was taken.

11:40 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy