

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, April 10, 2012

**REGULAR MEETING**

9:01 a.m.: Chairman Moty 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

County Administrative Officer - Larry Lees  
County Counsel - Rubin E. Cruse, Jr.  
Administrative Board Clerk - Linda Mekelburg  
Typist Clerk III - Suzie White

Absent - District No. 5 - Supervisor Baugh

**INVOCATION**

Invocation was given by Pastor Randy Speyer, Palo Cedro Seventh-Day Adventist.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Randall Faulkner explained that he ran for Auditor-Controller in 2010, and over the next few months, he will be revealing to the Board of Supervisors the reasons he ran for that office.

Ed Marek discussed the value of driving an electric vehicle and the need for a public charging infrastructure.

Mike Ricks discussed the U.S. military personnel in Afghanistan.

Patricia Heinsohn discussed issues with the Northern Sacramento Integrated Regional Water Management Board and noted that she is not supportive of a regional water agency.

**REGULAR CALENDAR**

**BOARD MATTERS**

**PROCLAMATION: CHILD ABUSE PREVENTION AWARENESS MONTH**

At the recommendation of Health and Human Services Agency-Children's Services Director Maxine Wayda and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2012 as Child Abuse Prevention Awareness Month in Shasta County. Rachelle Neal and Denise Wilson accepted the proclamation.

**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:

Approved and authorized the Chairman to sign the County Claims List totaling \$366.35 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on March 13, 2012, as submitted. (Clerk of the Board)

Approved and authorized the Vice Chairman to sign documents when the Chairman is unavailable (Clerk of the Board).

Enacted Ordinance No. 378-2020, which approves Zone Amendment No. 08-019, Miller (Shingletown Area), as introduced February 28, 2012. (Clerk of the Board)  
(See Zoning Ordinance Book)

Enacted Ordinance No. 378-2021, which approves Zone Amendment No. 10-005, Brannon (Palo Cedro area), as introduced February 28, 2012. (Clerk of the Board)  
(See Zoning Ordinance Book)

Enacted Ordinance No. 378-2022, which approves Zone Amendment No. 11-005, Columbia School District (east Redding area), as introduced February 28, 2012. (Clerk of the Board)  
(See Zoning Ordinance Book)

Appointed Diana Rogers to the Fall River Mills Cemetery District Board of Directors to fill an unexpired term to November 2015. (Clerk of the Board)

Approved and authorized the Chairman or, when the Chairman is unavailable, the Vice Chairman to sign an amendment to the agreement with Brickwood Law Office increasing the hourly rate by \$35 per hour (for a new total of \$185 per hour) for work on matters assigned to the firm by Shasta County. (County Counsel)

Approved a budget amendment increasing appropriations in Capital Assets and decreasing appropriations in Services and Supplies by \$75,000 in the Social Services Administration budget to allow the purchase of four replacement vehicles; and authorized the Auditor-Controller to prepare and process the resulting budget amendment to record the capital asset acquisition and to pay claims for the associated vehicles. (Health and Human Services Agency (HHS)-Business and Support Services (Social Services))

Approved and authorized the Chairman or, when the Chairman is unavailable, the Vice Chairman to sign an amendment to the agreement with the California Institute of Mental Health

extending the term of the agreement through December 31, 2012 to provide Trauma Focused-Cognitive Behavioral Therapy training courses. (HHS-Children's Services)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Public Works 2nd Floor Office Remodel and record it within 10 days of actual completion of the work. (Public Works)

Approved a budget amendment increasing revenue by \$29,284 and appropriations by \$19,800 in the Environmental Health Division budget to reflect funds received for the CalRecycle Beverage Container Recycling Program; and adopted Resolution No. 2012-036, which authorizes program expenditures and authorizes the Auditor-Controller to pay claims for expenditures. (Resource Management-Community Education Section)

(See Resolution Book No. 53)

9:33 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

## **SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

### **WATER AGENCY**

Chairman Moty noted that the item scheduled for approval on the Consent Calendar had been pulled for further discussion.

#### **GOALS AND OBJECTIVES**

#### **NORTHERN SACRAMENTO VALLEY INTEGRATED REGIONAL WATER MANAGEMENT BOARD**

Supervising Engineer Eric Wedemeyer explained that, in order to maintain the viability of the Redding Area Water Council's (RAWC) Redding Basin Water Resources Management Plan and its goals and core elements, the Water Agency has worked with the Northern Sacramento Valley Integrated Regional Water Management Board (NSVIRWMB) to develop goals and objectives. The draft goals and objectives were released in January 2012, with a comment period through April 10, 2012. Members of the RAWC have been contacted to compare the goals and objectives to RAWC's own mission statements and goals and to provide comments. He requested the Water Agency find the draft goals and objectives to be sufficiently like those of RAWC, allow the process to continue without comment, or provide a letter with other comments.

Charles Alexander, Sally Rapoza, and Don Kirk objected to approving goals and objectives when a plan has not yet been drafted.

Gary Cadd stated that the draft goals and objectives do not comply with Proposition 84 (2006 Safe Drinking Water Bond Act) and should be tabled until the regional group has completed their work and complied with the California Department of Water Resources rules.

In response to questions from Supervisor Kehoe, Mr. Wedemeyer noted that the differences between the RAWC and NSVIRWMB goals are not very significant.

Supervisor Kehoe noted that he had reservations about sending a letter at this time as it seems premature to comment on a document that is not in its final form.

County Counsel Rubin Cruse clarified that the Water Code sections 10548 and 10549 specifically state that that law does not affect any powers granted to a local agency by any other law and that a regional water management group is not authorized to define or otherwise determine the water rights of any person.

Supervisors Hawes and Hartman stated that Shasta County needs to be involved and pool resources with other counties and water agencies to protect the area's water rights.

Supervisor Moty agreed that Shasta County and Northern California, along with the other five member counties (Butte, Colusa, Glenn, Sutter, and Tehama) of the NSVIRWMB, need to protect water rights. In response to a question from Supervisor Moty, Mr. Wedemeyer explained that he had polled members of the RAWC, and no one expressed interest in meeting before April 10, but they will discuss the matter at a future RAWC meeting. Supervisor Moty noted he would prefer agreement from RAWC on the NSVIRWMB goals and objectives.

Public Works Director Pat Minturn explained that the goals and objectives stated in the staff report were the goals and objectives of the RAWC as adopted in 2001. These match the draft goals and objectives put forth by the NSVIRWMB, with two minor exceptions. In response to a question from Supervisor Hartman regarding a time frame for input from the RAWC, Mr. Minturn said that representatives from City of Redding and Bella Vista Water District were present, and they have polled other members, so he believes they may not receive much more input.

Supervisor Hartman made a motion to find the Northern Sacramento Valley Integrated Regional Water Management Board (NSVIRWMB) goals and objectives to be in general conformance with the goals and core elements of the Redding Basin Water Resources Management Plan, and to advocate for the NSVIRWMB to include the goals and core elements of the Redding Basin Water Resources Management Plan. Supervisor Hawes seconded the motion.

Supervisor Moty suggested that, since Mr. Wedemeyer is a member of the NSVIRWMB Technical Advisory Committee (TAC), he could convey the concerns and issues of the Water Agency when TAC meets on April 19, 2012. He also requested Mr. Wedemeyer renew efforts to encourage the RAWC to meet and provide comments to the Water Agency.

CAO Lees suggested that Mr. Wedemeyer represent the views of the Water Agency to the TAC and continue to pursue a positive response from the RAWC. Supervisors Moty and Kehoe concurred, and Supervisor Moty requested Mr. Wedemeyer convey his strong support of the goals and objectives of the RAWC.

The vote was as follows:

AYES: Supervisors Hartman and Hawes  
NOES: Supervisors Kehoe and Moty

The motion failed.

10:12 a.m.: The Shasta County Water Agency adjourned, 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 had no legislative report.

Supervisor Kehoe recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisor Hawes recently attended a Sacramento Valley Basinwide Air Pollution Control Council meeting.

Supervisors reported on issues of countywide interest.

### **ADMINISTRATIVE OFFICE**

#### **SENIOR HOUSING IN FALL RIVER VALLEY** **RESOLUTION NO. 2012-037**

Administrative Analyst Megan Dorney introduced Fall River Valley Chamber of Commerce President Ed Siegel, who explained that the residents of the Fall River Valley would like to have assisted living and skilled nursing facilities available to them in the Fall River area as they age and are unable to live independently.

In response to questions by Supervisor Kehoe regarding the negative reaction of area residents to the housing element plan, Mr. Siegel explained that they are looking to enhance the existing community, not add to it. Residents are not inclined to leave the area as they get older.

Susan David noted that the opposition to the high-density, low-income housing proposed in the plan was due to the potential for an increase in population in the area when facilities do not exist to support the increased population, rather than the current proposal, which would allow existing residents to remain in the area as they age.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-037, which expresses support for the development of senior housing in the Fall River Valley.

(See Resolution Book No. 53)

### **COUNTY COUNSEL**

#### **AMENDMENTS TO COUNTY CODE** **AMENDMENTS TO PERSONNEL RULES** **RESOLUTION NO. 2012-038**

At the recommendation of County Counsel Rubin Cruse and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions:

1. Introduced and waived the reading of four ordinances which amend the Shasta County code to:
  - a. Change the title of the County Administrative Officer to County Executive Officer, identify the appointing authority of the County Executive Officer, and update language concerning the County Executive Officer's provision of financial status reports to the Board of Supervisors to reflect the current practice of providing a mid-year financial status report;
  - b. Establish that the Director of Housing and Community Action Programs is appointed by the County Executive Officer;
  - c. Establish that the Veterans Service Officer is appointed by the County Executive Officer; and

- d. Clarify that the County Executive Officer also serves as the Clerk of the Board of Supervisors; and
2. Adopted Resolution No. 2012-038, which amends Section 6.11 of the *Personnel Rules* to provide that the County Executive Officer may appoint the Director of Support Services, Chief Technology Officer, Director of Housing and Community Action Programs, Intermountain Fair Manager, and Veterans Service Officer without subsequent ratification by the Board of Supervisors.

(See Resolution Book No. 53)

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Moty announced that one matter of existing litigation had been pulled from consideration, and 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 Alvarez v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (c); and

10:33 a.m.: The Board of Supervisors recessed to Closed Session.

11:02 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Moty, Hawes, and Hartman, 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 existing and anticipated litigation. In the matter of Lucille Alvarez v. County of Shasta, a workers' compensation claim, the Board of Supervisors, by a unanimous 4-0 vote, approved a Compromise and Release for Lucille Alvarez in the amount of \$193,442.47.

No other reportable action was taken.

11:04 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy