

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 10, 2004

REGULAR MEETING

9:01 a.m.: Chairman Hawes 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. 3 - Supervisor Hawes
District No. 4 - Supervisor Wilson
District No. 5 - Supervisor Clarke

District No. 2 - Supervisor Fust - Absent

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Deputy Clerk of the Board - Linda K. Mekelburg

INVOCATION

Invocation was given by Pastor Gary Tracy, Gateway Community Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Hawes

PUBLIC COMMENT PERIOD - OPEN TIME

Terri Shaw discussed the crime problems near her property on Kimberly Road and requested the Board of Supervisors investigate the problem.

Inter-Mountain Fair Manager Dennis Hoffman provided an update on the Inter-Mountain Fair, which is held annually on the Labor Day weekend in McArthur.

Supervisor Wilson introduced Kyle Guglielmetti, who recently achieved the rank of Eagle Scout.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Clarke held for further clarification \$674.61 in Grand Jury claims from the Auditor-Controller's special claims list.

CONSENT CALENDAR

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

Authorized the issuance of checks totaling \$13,572.46 requiring special board action, holding \$674.61 in Grand Jury claims for further clarification. (Auditor-Controller)

Authorized the County Clerk/Registrar of Voters or her designee to sign and submit an application to the Secretary of State for Help America Vote Act of 2002 (HAVA) funds in the amount of \$85,000 to help fund activities related to voter education and poll worker training. (County Clerk/Registrar of Voters)

Approved and authorized the Chairman to sign an amendment to the agreement with the Child Abuse Prevention Coordinating Council increasing compensation by \$120,951 (for a total of \$289,393) to incorporate a "Client Service Fund" component to the existing program for parent mentoring for the period January 20, 2004 through September 30, 2005. (Public Health)

Approved and authorized the Chairman to sign an intergovernmental agreement with the County of Butte to implement the "Immunization Network of Northern California" registry for access to children's immunization records. (Public Health)

Authorized the Sheriff's Office/Emergency Services to accept the FY 04 Homeland Security Grant in the amount of \$758,438; authorized the Purchasing Division to collect quotes and issue formal bids so that purchases and appropriate recommendations to the Board of Supervisors may be made when the final budget is approved; and authorized the Auditor-Controller to pay claims for expenses related to the project. (Sheriff/Office of Emergency Services)

Approved and authorized the Chairman to sign an agreement with Basic Laboratory, Inc. in an annual amount not to exceed \$78,000 to test water, soil, and wastewater samples from the date of signing through August 31, 2005, with the option to renew for two additional one-year terms. (Public Works)

For the Fall River Mills Airport Expansion Project, approved and authorized the Chairman to sign a right-of-way contract with George W. and Sue K. Reynolds; and accepted a grant deed conveying one parcel of project right of way. (Public Works)

For the Shasta County Corporation Yard Overlay Project, approved plans and specifications and directed the Director of Public Works to advertise for bids; and authorized the opening of bids on or after August 26, 2004 at 11 a.m. (Public Works)

For the Deschutes Road Widening Palo Cedro Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Director of Public Works to advertise for bids; and authorized the opening of bids on or after September 2, 2004 at 11 a.m. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: SHASTA CASCADE WONDERLAND ASSOCIATION

Shasta Cascade Wonderland Association Manager Bob Warren presented an update on tourism in and marketing of Shasta County. The Association produces *The Official Visitors Guide to Northern California's Shasta Cascade Region*, operates the California Welcome Center in Anderson, operates a website, develops cooperative advertisement opportunities, attends

domestic and international trade shows, and works to continually develop and maintain an international marketing program.

BOARD MATTERS

AUGUST 2004 EMPLOYEE OF THE MONTH
STAFF SERVICES MANAGER KATHEY KAKIUCHI
RESOLUTION NO. 2004-104

At the recommendation of Public Health Director Marta McKenzie and by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-104, which recognizes Staff Services Manager Kathey Kakiuchi as Shasta County's August 2004 Employee of the Month.

(See Resolution Book No. 45)

PROCLAMATION: HEALTH CENTER WEEK

At the recommendation of Hill Country Community Clinic Executive Director Lynn Dorroh and by motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 8-14, 2004 as Health Center Week in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer noted that the Legislature is quiet in Sacramento this week.

Supervisor Clarke noted that the California Performance Review Commission is holding hearings in the next few months, but the farthest north is in Fresno. By consensus, the Board of Supervisors directed that a letter be sent to the Governor urging that hearings be held farther north. Supervisor Clarke also urged Members of the Board of Supervisors to send individual letters.

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

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

APPROVAL OF MINUTES: JULY 27, 2004

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on July 27, 2004, as submitted.

ZONE AMENDMENT NO. 03-019
LAMMERS PROPERTIES LLC, JONES VALLEY AREA
ORDINANCE NO. 378-1884

By motion made, seconded (Kehoe/Clarke), and carried, the Board of Supervisors enacted Ordinance No. 378-1884, which approves Zone Amendment No. 03-019, Lammers

Properties LLC (Jones Valley area), as introduced on July 27, 2004. Supervisor Wilson abstained as she was absent that afternoon.

(See Zoning Ordinance Book)

SCHEDULED HEARINGS

PUBLIC WORKS

**RESULT OF VOTE REGARDING PARCEL CHARGE INCREASE
COUNTY SERVICE AREA NO. 6 - JONES VALLEY WATER**

This was the time set to reconvene the public hearing (continued from July 20, 2004) regarding the proposed \$6 parcel charge increase to County Service Area (CSA) No. 6 - Jones Valley Water.

The public hearing was reconvened, at which time the clerk opened the ballot; the vote was as follows:

FOR:	116
AGAINST:	113
BLANK BALLOTS:	3

The public hearing was closed.

**ANNUAL PARCEL CHARGE REPORTS
PERMANENT ROAD DIVISIONS
RESOLUTION NO. 2004-105**

This was the time set to conduct a public hearing to confirm the Annual Parcel Charge Reports for the various Permanent Road Divisions in Shasta County and to direct the parcel charges be placed on the property tax bills for Fiscal Year 04-05. Public Works Administrative Services Officer Barbara Young presented the staff report and recommended approval. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the request, and the public hearing was closed.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-105, which confirms the Annual Parcel Charge Reports for the following Permanent Road Divisions in Shasta County in the same amount as currently charged, and directed that the parcel charges be placed on the property tax bills for Fiscal Year 04-05:

Old Stagecoach Road	Blackstone Estates	Amber Ridge
Sonora Trail	Logan Road	Coloma Drive
Shasta Meadows Drive	Mule Mountain Parkway	Marianas Way
Ponder Way/Carriage Lane	Ski Way	Valparaiso Way
Intermountain Road	Fullerton Way	Lark Court
Alpine Way	East Stillwater Way	Manor Crest
Dusty Oaks Trail	Deer Flat Road	Santa Barbara Estates
Holiday Acres Community	Vedder Road	Victoria Highlands Estates
Shasta Lake Ranchos	Craig Lane	Country Fields Estates
Fore Way Lane	River Hills Estates	Amber Lane

(See Resolution Book No. 45)

ANNUAL PARCEL CHARGE REPORTS
COUNTY SERVICE AREAS
RESOLUTION NO. 2004-106

This was the time set to conduct a public hearing to confirm the Annual Parcel Charge Reports for various County Service Areas (CSAs) and to direct the parcel charges be placed on the property tax bills for Fiscal Year 04-05. Public Works Administrative Services Officer Barbara Young presented the staff report and recommended approval, noting that the only change is a \$6 parcel charge increase in CSA No. 6 - Jones Valley, as approved previously. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

The public hearing was opened. Dan Gover protested the Charges for CSA No. 13 - Alpine Meadows, noting that two parcels in the CSA (Assessors Parcel Nos. 096-270-018 and 096-270-012) are in an educational trust for his grandchildren and have been declared wetlands by the Army Corps of Engineers; therefore, he contests being required to pay the parcel charges on these two properties, which have no value. Supervisors Clarke and Hawes noted that there is no mechanism to delete the parcels off the property tax rolls until a new map is finalized by the Corps of Engineers. No one else spoke for or against the request, and the hearing was closed.

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-106, which confirms the Annual Parcel Charge Reports for the following CSAs, and directed that the parcel charges be placed on the property tax bills for Fiscal Year 04-05:

CSA No. 2 - Sugarloaf
 CSA No. 6 - Jones Valley
 CSA No. 7 - Burney

CSA No. 11 - French Gulch
 CSA No. 14 - Belmont
 CSA No. 15 - Street Lighting
 (See Resolution Book No. 45)

DELINQUENT FEES AND UNCOLLECTIBLE DEBTS
COUNTY SERVICE AREAS
RESOLUTION NO. 2004-107

This was the time set to conduct a public hearing and consider confirming the Reports of Delinquent Fees for nine County Service Areas (CSAs), directing liens to be placed on the property tax bills, and approving a discharge of accountability for unpaid water and sewer service accounts. Public Works Administrative Services Officer Barbara Young presented the staff report and recommended approval. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the request, and the hearing was closed. Supervisor Clarke requested that Mr. Gover's comments be included for the record on this item as well:

Dan Gover protested the Charges for CSA No. 13 - Alpine Meadows, noting that two parcels in the CSA (Assessors Parcel Nos. 096-270-018 and 096-270-012) are in an educational trust for his grandchildren and have been declared wetlands by the Army Corps of Engineers; therefore, he contests being required to pay the parcel charges on these two properties, which have no value.

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-107, which confirms the Reports of Delinquent Fees for the following CSAs, directed that the annual liens be placed on the property tax bills for Fiscal Year 04-05, and approved a discharge of accountability for collection of unpaid water and sewer service accounts in the amount of \$2,032.51 that are uncollectible:

CSA No. 2 - Sugarloaf	CSA No. 13 - Alpine Meadows
CSA No. 3 - Castella	CSA No. 17 - Cottonwood
CSA No. 6 - Jones Valley	CSA No. 23 - Crag View
CSA No. 8 - Palo Cedro	CSA No. 25 - Keswick
CSA No. 11 - French Gulch	

(See Resolution Book No. 45)

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Administrative Officer Doug Latimer and Director of Support Services Joann Davis, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code Section 54957.6.

10:05 a.m.: The Board of Supervisors recessed to Closed Session.

10:55 a.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Hawes, Wilson, Clarke, and Kehoe, County Counsel Karen Jahr, and Deputy Clerk of the Board Linda Mekelburg present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL: ZONE AMENDMENT NO. 03-014
ALEX DUBOSE, SOUTH REDDING AREA
RESOLUTION NO. 2004-108

This was the time set to conduct a public hearing and consider an appeal of the Planning Commission's denial of Zone Amendment No. 03-014, Alex Dubose (South Redding area). The appellant has requested the rezoning of approximately eight acres from a Highway Commercial combined with Design Review (C-H-DR) district to a Commercial-Light Industrial combined with a Design Review (C-M-DR) and/or other appropriate district. The Planning Commission denial was based on three reasons:

1. The property which would be rezoned is located on an access road to the Knighton Road/Interstate 5 interchange.

2. The only General Plan commercial land use category with a locational requirement of placement along access roads to Interstate 5 is the Highway Commercial category.
3. The proposed Zone Amendment would not sufficiently limit the potential uses of the property to ensure future development consistent and compatible with the area's Highway Commercial uses.

Resource Management Director Russ Mull introduced Alex Dubose, who requested a continuance for two or three months to insure he has enough time to supply additional information needed with regard to the zoning change and to supply renderings of how the property will look when it is finished.

In response to a question from Supervisor Kehoe, Resource Management Director Russ Mull explained that Mr. Dubose has indicated he would like to provide artists' renderings to present to the Churn Creek Bottom Homeowners Association; however, the issue before the Planning Commission and the Board of Supervisors is a fundamental planning issue.

John Sharrah, representing Mr. Dubose, noted that the location at Knighton Road and Interstate 5 is centrally located between Anderson and Redding and would be a good location for Mr. Dubose's business of equipment rental and wedding/party rentals. In response to a question from Supervisor Kehoe regarding the relevance of providing schematics, Mr. Sharrah noted that the Planning Commission expressed concern because information provided to them did not show exactly what was proposed. Mr. Dubose noted that the renderings need to be completed, anyway, and that all opposition has been based on aesthetics.

Mr. Mull explained that the Planning Commission resolution denied the zone amendment change on the basis that the existing zoning was appropriate for the location. The Board of Supervisors may elect to continue the matter, but he has heard nothing that would make any difference in reversing the Planning Commission's decision.

Following further discussion, by motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors denied the request of Alex Dubose to continue the appeal until a later date.

Mr. Mull introduced Associate Planner Nancy Polk, who presented the staff report and recommend denial of the appeal. Notice of Hearing and Affidavit of Posting are on file with the Clerk of the Board.

Mr. Sharrah addressed the Board of Supervisors, observed that with the property centrally located between Redding and Anderson, it is not necessary for the traveling public to have the entire interchange area designated as Highway Commercial. Coupled with the lack of facilities and utilities needed to support a Highway Commercial designation, it is his opinion that the area will remain undeveloped. He indicated that Mr. Dubose would be willing to accept an ordinance which restricts the use of the property to either Highway Commercial or the purpose for which it was approved on this specific date.

The public hearing was opened, at which time the following people spoke regarding the project:

Victor Ogrey, Chairman of the Churn Creek Bottom Homeowners Organization, met Mr. Dubose, and Mr. Dubose has alleviated their concerns regarding the aesthetics of combining an equipment rental business and a wedding and party rental business. The Homeowners Organization would also support a rezoning to Commercial-Light Industrial with a requirement that the use of the property in perpetuity would be restricted to the specific use requested.

Shelly Nelson opposed the project on the basis that opening the area for a project of this type will also open the area for other businesses.

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

Mr. Dubose noted that his business would have a low impact on the water table in the area.

Mr. Mull explained that to put a service business in the area increases air quality problems, increases traffic, and does not meet the uses of a freeway interchange. He also noted that it is not possible to place a restriction on an ordinance in perpetuity; a future Board of Supervisors could change such restrictions.

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-108, which denies the appeal and upholds the Planning Commission denial of Zone Amendment No. 03-014.

(See Resolution Book No. 45)

2:03 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy