

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 20, 2005

REGULAR MEETING

9:00 a.m.: Chairman Kehoe 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 Clarke

County Administrative Officer - Doug Latimer
Assistant County Counsel - Mike Ralston
Deputy Clerk of the Board - Elaine Grossman
Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by Chaplain George Wandrocke, Temple Beth Israel of Redding.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Shasta County property owner E.F. (Gene) Lucas discussed a proposition that would create a California State College System to help fill nurse and teacher shortages in California. He requested the Board of Supervisors' support of this measure. Chairman Kehoe indicated that the Board of Supervisors could not take a formal action for support, but individual members could be contacted.

City of Shasta Lake resident Don Pickells spoke in opposition to the Buckeye land transfer to the City of Shasta Lake. He asserts that there are legal issues with respect to the planned use of the land originally obtained through the Recreational and Public Purposes Act, and third-party access is not allowed.

Undersheriff Larry Schaller gave an update on Hurricane Katrina and the possibility of evacuees being transported to Shasta County. Texas-housed evacuees are being relocated to California; however, it is unknown how many will arrive in Shasta County. In response to a question by Supervisor Clarke, Undersheriff Schaller replied that the Red Cross is working with the City of Redding and the County for community housing vouchers.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the minutes of the September 6, 2005 Board of Supervisors meeting were pulled at the request of the department.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$675.32 requiring special board action. (Auditor-Controller)

Enacted Ordinance No. 378-1906, which approves Zone Amendment No. 05-019, Vinzant (Shingletown area), as introduced September 6, 2005. (Clerk of the Board)
(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign an amendment to the agreement with the law firm of Wilkins, Underwood & Johnson to provide legal services. (County Counsel)

On behalf of County Service Area (CSA) No. 6 - Jones Valley Water, adopted Resolution No. 2005-124, which requests initiation of Local Agency Formation Commission (LAFCO) proceedings to annex two parcels into the CSA. (Public Works - County Service Area No. 6 - Jones Valley Water)
(See Resolution Book No. 46)

Authorized the Public Works Director to sign a Notice of Completion for construction in Various Permanent Road Divisions and record it within 10 days of actual completion of the work. (Public Works)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer had no legislative report.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE**PROBATION****PUBLIC SAFETY AUGMENTATION
BUDGET AMENDMENT**

At the recommendation of Chief Probation Officer Jim Kuhn and motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved a budget amendment increasing Public Safety Augmentation-Proposition 172 Revenue by \$32,021 to offset prior-year Court collections expenses.

**INCENTIVES FOR POSITIVE BEHAVIORAL CHANGES
RESOLUTION NO. 2005-125**

At the recommendation of Chief Probation Officer Jim Kuhn and motion made, seconded (Hawes/Clarke), and carried, the Board of Supervisors approved and authorized adopting Resolution No. 2005-125, which rescinds Resolution No. 2001-192, authorizes expenditure of funds in an amount not to exceed \$10,000 per year to purchase incentives for positive behavioral changes for persons supervised by the Probation Department, and authorizes the Auditor-Controller to pay claims for said expenditures. Supervisor Cibula voted no, stating there are alternatives to accomplish the same tasks.

(See Resolution Book No. 46)

SCHEDULED HEARINGS**PUBLIC WORKS****TRACT 1868 - SANTA BARBARA ESTATES
PHASE 2 ZONE OF BENEFIT STREET LIGHTING
RESOLUTION NO. 2005-126**

This was the time set to conduct a public hearing to consider taking action regarding Tract 1868 - Santa Barbara Estates, Phase 2 Zone of Benefit Street Lighting (north Redding area). Public Works Deputy Director Scott Wahl 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 formation of the proposal. Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the requested parcel charge, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR: 1
AGAINST: 0

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding Tract 1868 - Santa Barbara Estates, Phase 2 Zone of Benefit Street Lighting (north Redding area):

1. Adopted Resolution No. 2005-126, which forms the zone of benefit within CSA No. 15 - Street Lighting and confirms the parcel charge report for Fiscal Year 2006-07; and
2. Received the annual parcel charge report.

(See Resolution Book No. 46)

TRACT NO. 1889 - MOUNTAIN GATE MEADOWS
PERMANENT ROAD DIVISION
RESOLUTION NOS. 2005-127 AND 2005-128

This was the time set to conduct a public hearing and consider taking action regarding Tract No. 1889, Mountain Gate Meadows (Mountain Gate area) for the Mountain Gate Meadows Permanent Road Division. Public Works Deputy Director Scott Wahl 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 formation of the proposal. Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the requested parcel charge, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR: 1
 AGAINST: 0

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Tract No. 1889, Mountain Gate Meadows (Mountain Gate area):

1. Adopted Resolution No. 2005-127, which forms the Mountain Gate Meadows Permanent Road Division;
2. Adopted Resolution No. 2005-128, which confirms the annual parcel charge report for Fiscal Year 2006-07; and
3. Received the annual parcel charge report.

By the same motion, the Board of Supervisors took the following actions regarding the final map for Tract No. 1889, Mountain Gate Meadows (Mountain Gate area):

1. Accepted the final map for filing;
2. Accepted on behalf of the public offers of dedication for public roads, public utility easements, fire access road easements, and dedicated access rights; and
3. Approved and authorized the Chairman to sign an agreement with Lyle Tullis guaranteeing workmanship for one year, and accepted a performance security in the amount of \$33,000.

(See Resolution Book No. 46)

ASSESSOR'S PARCEL NO. 006-610-011
TRANSFER PARCEL TO CITY OF SHASTA LAKE

This was the time set to conduct a public hearing to consider adopting a resolution which declares approximately 40 acres of County-owned property (Assessor's Parcel No. 006-610-011, Buckeye area) to be no longer necessary for County or other public purposes and to transfer the parcel to the City of Shasta Lake. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Public Works Director Pat Minturn presented the staff report and gave a history of the parcel. It was previously a burn dump, then given to Shasta County via the Recreation and Public Purposes Act, which requires that it be used as a sanitary landfill or park. If the land is used for other purposes without concurrence of the Secretary of the Interior, it reverts back to federally owned land.

The public hearing was opened, and Bureau of Land Management Redding Field Manager Steve Anderson said all the acreage should be used for public purposes. If the land is reverted back to the Bureau of Land Management as excess federal land, it could be allowed as exchange for sale. For the request of transfer to the City of Shasta Lake to be considered, the Certificate of Transfer must be signed at the Sacramento-based federal patent office, which could take up to 60 days.

Chairman Kehoe announced that after today's speakers were completed, the public hearing would be continued to the November 22, 2005, Board of Supervisors meeting to allow for the 60-day deferral.

Flanagan Road resident Greg Watkins stated that the City of Shasta Lake must follow the same restrictions as Shasta County if the land is transferred to that agency, and create a development plan of a future park including how funds will be available for construction and maintenance.

Beltline Road resident Mary Scott said her property abuts the subject property and her deed reads that the land is to be used only for sanitary landfill and/or regional park purposes. The waste dirt being dumped there is not sanitary and the City of Shasta Lake General Plan designates the property as suburban residential.

City of Shasta Lake resident Don Pickells said the County promised a park on the property and funds were collected to support it.

Chairman Kehoe announced again that the public hearing for this item would be continued to the November 22, 2005 Board of Supervisors meeting.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe 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 *Wilson v. City of Redding*, pursuant to Government Code section 54956.9, subdivision (a).
2. Confer with its counsel to discuss appointment of a public employee (County Administrative Officer), pursuant to Government Code section 54957.

10:00 a.m.: The Board of Supervisors recessed to Closed Session.

10:22 a.m.: The Board of Supervisors recessed from Closed Session.

10:23 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Cibula, and Hartman, Assistant County Counsel Mike Ralston, County Administrative Officer Doug Latimer, and Deputy Clerk of the Board Elaine Grossman present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation; however, no reportable action was taken.

CAO Doug Latimer reported that the Board of Supervisors met in Closed Session to discuss a public employee appointment. Shasta County Support Services will distribute the County Administrative Officer application pamphlet and it will be available on the Shasta County web site. The application closing date is October 31, 2005.

No other reportable action was taken.

10:24 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy