

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 14, 2006

REGULAR MEETING

9:00 a.m.: Chairman Clarke 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 - Larry Lees
County Counsel - Karen Jahr
Chief Deputy Clerk of the Board - Glenda K. Tracy
Deputy Clerk of the Board - Amy Spencer
Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by First Reader Fran Beldon, First Church of Christ Scientist.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PLAQUE OF APPRECIATION
UNDERSHERIFF LARRY SCHALLER

In recognition of more than 15 years of service to Shasta County, the Board of Supervisors presented Undersheriff Larry Schaller with an art glass sculpture of appreciation upon the occasion of his retirement.

PUBLIC COMMENT PERIOD - OPEN TIME

Lee General Eagle Clarke spoke regarding civil litigation of alleged false imprisonment.

9:15 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 (IHSS) PUBLIC AUTHORITY

GOVERNING BOARD

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Shasta County In-Home Supportive Services (IHSS) Public Authority Governing Board took the following action, which was listed on the IHSS Public Authority Governing Board Consent Calendar:

Approved the In-Home Supportive Services (IHSS) Public Authority Rate Modification Application, which reflects the increased minimum wage but maintains the hourly administration cost at \$0.23, for submission to the California Department of Social Services (CDSS). (In-Home Supportive Services Public Authority)

9:16 a.m.: The In-Home Supportive Services Public Authority adjourned, and the Board of Supervisors reconvened.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke pulled the minutes of the October 24, 2006 and November 7, 2006 Board of Supervisors meetings for correction as follows: the October 24, 2006 minutes, on page 288, should be corrected to read that the Remote Access Network (RAN) Board approved purchase of new LiveScan equipment for *Shasta County*; the November 7, 2006 minutes, on page 294, should be corrected to read that a meeting is scheduled on *November 17, 2006 at 8:00 p.m.* to discuss the Shasta County Fire Department's draft five-year plan.

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:

Approved and authorized the Chairman to sign the County Claims List totaling \$1,658.96 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on October 24 and November 7, 2006, as amended. (Clerk of the Board)

Adopted Resolution No. 2006-181, which approves a short-term loan in the amount of \$125,000 to the Mayers Memorial Hospital District from the County General Reserve. (Administrative Office)

(See Resolution Book No. 47)

Approved and authorized the Chairman to sign a letter to the California Department of Social Services requesting approval of the In-Home Supportive Services (IHSS) Public Authority Rate Modification Application, which reflects the increased minimum wage but maintains the hourly administration cost at \$0.23. (In-Home Supportive Services Public Authority)

Approved and authorized the Chairman to sign an amendment to the agreement with Far Northern Regional Center increasing compensation by \$59,149.40 (for a new total not to exceed \$162,906.20) to provide additional transportation services to Opportunity Center clients at such times when alternate transportation is not readily available and retaining the term of April 1, 2006 through March 31, 2007. (Social Services-Opportunity Center)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Bear Mountain Road at Daniels Lane Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Bear Mountain Road Curve Correction Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Gas Point Road Median Project and record it within 10 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Lone Tree Road at Anderson Creek Bridge Project and record it within 10 days of actual completion of the work. (Public Works)

For Parcel Map No. 03-056, Schuller (Palo Cedro area), released the security in the amount of \$16,300 guaranteeing faithful performance, and released the security in the amount of \$8,150 guaranteeing payment. (Public Works)

Approved and authorized the Chairman to sign an Easement Deed conveying a public service easement to the City of Redding for new utility facilities along West Street to serve the Jail, Courthouse, and Administration Center. (Public Works)

Adopted Resolution No. 2006-182, which authorizes the County to recover costs in the amount of \$65,063.49 resulting from the abatement of nuisance conditions on various parcels by means of special assessments and liens. (Public Works)

(See Resolution Book No. 47)

REGULAR CALENDAR

PRESENTATIONS

PROCLAMATION: ADOPTION AWARENESS MONTH

Director of Social Services Sher Huss introduced Adoptions Supervisor Linda Vaught who told of an event to promote adoption at the Heart Gallery of Shasta County to take place at the Cascade Theatre on November 16, 2006 at 5:00 p.m. Ms. Vaught introduced the Shasta County Adoptive Family of the year, Joe and Kellie Gama, with children Reanna, Janie, and Michael. Adoptive Parent Liaison Mickey Harris introduced Shasta County adoptive families. By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 2006 as Adoption Awareness Month in Shasta County.

PRESENTATION: SHASTA COUNTY INTERNET WEB SITE DESIGN

Chief Technology Officer Charlie Haase and Information Technology Web Graphic Designer Russell Wahlman unveiled the revised design for the County of Shasta's Internet web site. The website has been enhanced for easier access by the citizens of Shasta County.

BOARD MATTERS

PROCLAMATION: NATIONAL GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY

At the recommendation of Senior Administrative Analyst Julie Hope and by motion made, seconded (Kehoe/Cibula), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 15, 2006 as National Geographic Information Systems (GIS) Day in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees advised that the proposed revised legislative report will be introduced at the November 21, 2006 Board of Supervisors meeting.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

DISTRICT ATTORNEY

DEPARTMENT REORGANIZATION
SALARY RESOLUTION NO. 1315

District Attorney Jerry Benito explained that the request for reorganization will allow an entry-level position for investigators. Chief Fiscal Officer Elizabeth Leslie and Chief Investigator Dan Kartchner spoke of the benefits of customer service and cost savings. By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved a proposed reorganization plan for the District Attorney's Bureau of Investigations and adopted Salary Resolution No. 1315 effective November 26, 2006, which deletes twelve District Attorney Investigator positions, adds eleven District Attorney Investigator I/II positions, and adds one Deputy Chief Investigator position; approved job specifications for the District Attorney Investigator I/II and Deputy Chief Investigator job classifications; and deleted job specifications for the District Attorney Investigator job classification.

(See Salary Resolution Book)

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 06-023
MICHAEL P. HARRIS
IGO AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-023, Michael P. Harris (Igo area), which would rezone approximately 2.68 acres from an Unclassified (U) District to a Mixed Use (MU) District and/or other

appropriate 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 (Cibula/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-023, Michael P. Harris, Igo area:

1. Adopted the CEQA determination of a negative mitigated declaration with the findings as specifically set forth in Planning Commission Resolution No. 2006-156;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-156; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-023, as requested.

ZONE AMENDMENT NO. 05-029
STANLEY ARMSTRONG
SHINGLETOWN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 05-029, Stanley Armstrong (Shingletown area), which would rezone approximately 21.13 acres from an Unclassified (U) District to a Limited Residential (R-L) District and/or other appropriate district in conjunction with a four-parcel land division. Associate Planner Lisa Losier 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 (Kehoe/Cibula), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-029, Stanley Armstrong, Shingletown area:

1. Adopted the CEQA determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2006-158;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-158; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-029, as requested.

ZONE AMENDMENT NO. 06-027
GREG & LORI HAWES
ANDERSON AREA

10:22 a.m.: Supervisor Hawes recused due to personal property holdings and left the room.

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-027, Glenn Hawes (Anderson area), which would rezone approximately 38 acres from the existing Planned Development (PD) District to a revised Planned Development (PD) District and/or other appropriate district to continue to allow for the

existing farm supply business and proposed development of a variety of agriculture-related recreational/amusement-type activities. 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.

In response to a question by Chairman Clarke, Director of Resource Management Russ Mull stated that the current property owners have not been out of compliance; the revisions will allow opportunities for the future.

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 (Kehoe/Cibula), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-027, Greg and Lori Hawes, Anderson area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2006-155;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-155; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-027, as requested.

10:30 a.m.: Supervisor Hawes returned to the room.

PUBLIC WORKS

SOUTHERN REGION TRAFFIC IMPACT FEES COTTONWOOD AND SOUTH ANDERSON AREAS RESOLUTION NOS. 2006-183 AND 2006-184

This was the time set to conduct a public hearing regarding the proposed Southern Region Traffic Impact Fees (TIF) in the Cottonwood and south Anderson areas. Public Works Director Pat Minturn 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.

Mr. Minturn stated that there have been numerous public meetings, workshops, and meetings with property owners to discuss the traffic circulation in the town of Cottonwood and surrounding areas. CalTrans has been involved due to freeway interchanges, and the City of Anderson and Omni-Means have also been involved in the analysis. Notification of meetings that were held in the City of Anderson Chambers were advertised in the newspaper, and over 100 direct mailers were sent.

Mr. Minturn advised that the Shasta County Regional Transportation Planning Agency (RTPA) funded the study. The proposed impact fees are \$5,200 on each equivalent dwelling unit in the central area of Cottonwood and \$2,800 in the outside areas.

Shasta County RTPA Executive Officer Dan Little stated that the TIF study expanded to include the circulation issues of the area. He said that there were challenges working with the Vineyards due to the traffic and access to Interstate 5 and other roadways. Another challenge was keeping improvement costs at a reasonable level while still meeting the traffic and transportation needs of the community.

Improvements will be made at the Gas Point Road interchange as a two phase improvement. The first phase will add signals and leave the existing overcrossing. The second phase is to replace the overcrossing with a full four lane facility and signals.

Improvements on Joann Lane at Happy Valley Road will just be shoulders; an area on First Street will be wider shoulders. After discussion with the shopping center owners, it was determined that a shift of Rhonda Road to allow access to the shopping center at the west end would be appropriate. It was agreed that this would be considered again in 20 years to see if the intersection may need a different structure.

Mr. Little stated that the improvements total a cost of \$57.7 million, and \$36.2 million would be paid through this TIF.

Mr. Little showed the Zone of Benefit map, explaining that determinations are made by the amount of traffic in an area to be on the facilities with improvements, and the description of the benefit. The prime Zones of Benefit are the parcels that would access Gas Point Road, and exits in Anderson or across Interstate 5. The Zone of Benefit is about 36 square miles. The Anderson portion of the Zone of Benefit is only 9 parcels at this time, approximately one square mile. Mr. Little stated the annexation of the Vineyards, would entail a larger area, as the traffic impact is greater. The recommended fee for Zone of Benefit 1 would cost \$5,229, and Zone of Benefit 2 would cost \$2,801 per unit. This is for new development only and any pending building permits will not be subject to this fee. This will be considered by the Anderson City Council at the November 27, 2006 meeting with a request for an urgency adoption.

Chairman Clarke stated that many members of the community have stated that they are in favor of this project and have attended numerous meetings. She thanked the individuals present for their work on this project and for reaching completion before the end of her term.

CalTrans Director Brian Crane stated that CalTrans supports the TIF program and emphasized the importance of addressing the issues of the Gas Point Road and Interstate 5 interchange.

Anderson City Manager Scott Morgan encouraged the Board of Supervisors to adopt the TIF program. He said RTPA and the Public Works Department have worked closely with the City of Anderson, and he will recommend at the November 27, 2006 Anderson City Council meeting to adopt this fee program within the City of Anderson, which is where the forecast for the most intensive development will occur. Mr. Morgan pledged continuing cooperation of City of Anderson staff with RTPA staff and County Public Works staff. He explained that the relative areas of benefit include small portions of the City of Anderson but noted the Zones of Benefit are in the County unincorporated area, and the predominant share of the improvements are in Cottonwood. Approximately one-half of the resources, about half of the \$36 million, would come from projected developments within the City of Anderson. He stated that although the improvements are primarily in Cottonwood, about half of the funding will come from development within the City of Anderson.

Mr. Morgan stated that the proposed Vineyards development, with the projected 20-year contribution from that development and Cottonwood road improvements would be approximately \$15.4 million. When additional developments take place within the City of Anderson, an approximate 50/50 funding partnership would ensue. At this point, approximately one-half of the funding would be from the development within the City of Anderson. Approximately 25 percent of the projected traffic is in Cottonwood and approximately 75 percent is in the City of Anderson. The traffic consultants for the Vineyards development have advised that following the approval, the traffic will adjust to approximately 10 percent in Cottonwood and 90 percent in the City of Anderson.

Mr. Morgan told of two important commitments, the first being that the City of Anderson would continue to work cooperatively with RTPA and the County staff to amend the program as may be needed in the future, or to develop additional Anderson/Cottonwood area fee programs to mitigate the impacts of development in the unincorporated area on City of Anderson road

networks. He pointed out potential impacts on South Street in the City of Anderson from development that could take place in the unincorporated Shasta County area. The second commitment would be the County's agreement that the adoption of this program by the City of Anderson would fully mitigate the traffic impacts of developments in Anderson on the Cottonwood road network, and certainly contributing half the dollars and contributing less than half the traffic is fully mitigated. He emphasized continued cooperation.

Chairman Clarke stated that she wanted the comments of Scott Morgan to be on the record.

Mr. Minturn stated that the purpose of the TIF program is to mitigate the impacts. He stated that he understands the concerns about development at Olinda Road, North Fork Ranch, and other potential developments in the County which could funnel traffic into the City of Anderson. He stated that the TIF program will assist developers in mitigating their impacts.

In response to a question by Supervisor Kehoe, Mr. Minturn stated that County staff has not made any written commitments; however, the commitment is that within the TIF zone, the impacts have been mitigated, including those areas within the City of Anderson. The City of Anderson is proposing an extensive development, which, if fully developed, would dwarf the scattered development of 2-5 acre parcels that can be developed in the County area. The Vineyards is potentially an intense development that would generate a lot of traffic, 25 percent of the traffic will go south, in the Cottonwood area, 75 percent will be in the Anderson area.

In response to a question by Supervisor Kehoe, Mr. Minturn stated the County, as the owner of the road system, is obligated to maintain acceptable levels of service to provide access to parcels, to provide mobility and emergency access.

Chairman Clarke advised that there has been a considerable amount of development in the Cottonwood area, where necessary fees have not been collected. The County will benefit when the TIF program is in place.

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

10:06 a.m.: Chairman Clarke handed the gavel to vice Chairman Cibula so she could make the motion on the project. Vice Chairman Cibula presided.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2006-183, which approves the Southern Region Transportation Planning Study and TIF Program increasing the Southern Region TIF to \$5,229 per equivalent dwelling unit (EDU) in Zone of Benefit 1, and \$2,801 per EDU in Zone of Benefit 2 for new development; and adopted Resolution No. 2006-184 on an urgency basis, which allows interim authorization for the fees to take effect immediately.

(See Resolution Book No. 47)

10:06 a.m.: Chairman Clarke presided.

WORKSHOP
LAW AND JUSTICE
SHERIFF'S OFFICE/PROBATION

ADULT AND JUVENILE DETENTION FACILITIES FEASIBILITY STUDY

Chairman Clarke advised that the 1:30 workshop has been continued to December 12, 2006.

10:06: a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy