

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 16, 2007

REGULAR MEETING

9:02 a.m.: Chairman Cibula 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. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Karen Jahr
Chief Deputy Clerk of the Board - Glenda Tracy
Deputy Clerk of the Board - Elaine Grossman

District No. 3 - Supervisor Hawes - absent

INVOCATION

Invocation was given by Paul Shrum, Grace Fellowship Foursquare Gospel.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Sheriff Tom Bosenko.

INTRODUCTIONS

Introductions of the Members of the Board, County staff, and elected officials.

PUBLIC COMMENT PERIOD - OPEN TIME

UPEC Labor Representative Dave Ritchie advised that a case which had been filed with Public Employees Relation Board (PERB) has been resolved through agreement with the County of Shasta.

Churn Creek Bottom resident George Cole commented that the Knighton Road issue is disturbing and believes the proposed development will cause problems.

Sheriff Tom Bosenko announced that the Sheriff's Office received a high rating regarding their response to Public Records Act requests as that staff endeavors to provide the requested information on a timely basis.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Cibula pulled for discussion the request submitted by Probation for a lease with the California Department of General Services for the Crystal Creek Conservation Camp property.

Under discussion, Supervisor Kehoe moved to approve the Consent Calendar, as amended. Supervisor Hartman seconded the motion.

Supervisor Baugh pulled for discussion and later action the agreement with Jana D. Todd, d.b.a. JDT Consultants, the amendment to the agreement with the California Department of Health Services, and the amendment to the agreement with Joe Hunter.

CONSENT CALENDAR

Supervisor Kehoe amended his motion to include approval of the Consent Calendar, as further amended, seconded by Supervisor Hartman, 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 \$5,310.40 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on January 9, 2007, as submitted. (Clerk of the Board)

Appointed Robert Sales to fill an unexpired term on the Burney Cemetery District Board of Directors to March 2010. (Clerk of the Board)

Reappointed Richard Taylor to the Inter-Mountain Fair Advisory Board for a five-year term to January 2012. (Clerk of the Board)

For the Pine Grove Mosquito Abatement District Board of Directors: Appointed Jeff Earnest, Tom DeAtley, and Matt Reynier to fill three vacancies for two-year terms to January 2009; reappointed Dennis Jacobsen for a two-year term to January 2008; and reappointed Dan Marcum for a two-year term to January 2009. (Clerk of the Board)

Reappointed Dave Drennan to the Western Shasta Resource Conservation District Board of Directors for a four-year term to expire November 2010. (Clerk of the Board)

Reappointed Robert Miller and Billy Sutter, Jr. to the Board of Building Appeals for two year terms to expire December 2008. (Clerk of the Board)

Adopted Resolution No. 2007-3, which approves an amendment to the Designated Positions of the Conflict of Interest Code for the Bella Vista Elementary School District. (Clerk of the Board)

(See Resolution Book No. 48)

Adopted Resolution No. 2007-4, which amends "Exhibit 'A' Designated Positions" of the County of Shasta's Conflict of Interest Code to insure that the positions and degree of disclosure required for each position are current and correct. (County Counsel)

(See Resolution Book No. 48)

Adopted Salary Resolution No. 1320, which approves the County's Salary Plan. (Support Services-Human Resources Division)

(See Salary Resolution Book)

Adopted Resolution No. 2007-5, which repeals Resolution No. 2003-73 and allows for expenditure of funds donated to the local California Children's Services (CCS) program to be used for the benefit of CCS children and their families; and authorized the Auditor-Controller to pay any claims associated with the resolution. (Health and Human Services Agency-Public Health)

(See Resolution Book No. 48)

For Parcel Map No. 05-051, Walker (Anderson area) approved and authorized the Chairman to sign an agreement with Albert and Anne Walker for the completion of improvements within one year and accepted securities for faithful performance in the amount of \$15,000 and for labor and materials in the amount of \$7,500. (Public Works)

Approved and authorized the Chairman to sign the agreements with Hatchet Ridge Wind, LLC in the amount of \$355,542 (including \$1,000 in County staff costs) for payment of funds relating to the preparation by a consultant of an Environmental Impact Report (EIR), a Mitigation Monitoring and Reporting Plan (MMRP), and staff costs related to document production and processing of related land use permits for the Hatchet Ridge Wind Project; and with Jones & Stokes Associates, Inc. in an amount not to exceed \$354,542 to prepare an EIR and MMRP from the date of signing through certification of the final EIR and acceptance of the MMRP. (Resource Management - Planning Division)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: JANA D. TODD, d.b.a. JDT CONSULTANTS MENTAL HEALTH SERVICES MEDI-CAL ELIGIBLE CHILDREN

In response to questions by Supervisor Baugh, Director of Health and Human Services Agency Marta McKenzie advised that the reason there was a delay in providing the contract was due to a delay with the contractor and an insufficient number of administrative staff in Mental Health. By motion made, seconded (Baugh/Hartman), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Jana D. Todd, d.b.a. JDT Consultants, in an amount not to exceed \$48,000 per fiscal year to provide mental health services to Medi-Cal eligible children for the period November 1, 2006 through June 30, 2007, with two automatic one-year renewals. (Health and Human Services Agency-Mental Health)

CALIFORNIA DEPARTMENT OF HEALTH SERVICES PREVENTIVE HEALTH CARE FOR THE AGING

In response to questions by Supervisor Baugh, Public Health Director Donnell Ewert stated that the fringe benefits mentioned in the agreement refer to additional funds for an employee who does part time work on this project. Additional funding will be allocated to fund a campaign to raise awareness of the program. By motion made, seconded (Kehoe/Hartman), and carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with the California Department of Health Services increasing compensation by \$43,000 (for a total not to exceed \$268,000) to expand the Preventive Health Care for the Aging (PHCA) Program and retaining the term of July 1, 2006 through June 30, 2009; and authorized the Auditor-Controller to pay claims related to the agreement (Health and Human Services Agency-Public Health). Supervisor Baugh voted no due to inadequate information.

AGREEMENT: CALIFORNIA DEPARTMENT OF GENERAL SERVICES
CRYSTAL CREEK CONSERVATION CAMP
CRYSTAL CREEK BRIDGE

In response to questions by Supervisor Cibula, Chief Probation Officer Brian Richart advised that the proposed time for completion of improvements to the bridge at the Crystal Creek Conservation Camp (Crystal Creek) property is for June 2007. Prior to changes in the State's budget, Shasta County used the property at no cost. Effective October 1, 2006, the County will be required to pay the California Department of General Services (DGS) \$6,000 per month. The proposed lease would allow the County to do improvements to the bridge on the property and allow a rent offset for a 2-1/2 year period, valued at \$167,000. The Department of Public Works can perform the improvements for approximately \$30,000. Mr. Richart has been advised that the product on order must be fabricated, then installed by the anticipated completion date.

Public Works Director Pat Minturn explained that he is confident the work can be completed on the Bailey Bridge by June 2007. After receipt of the products, the crew in Public Works can complete the work in 1-1/2 weeks.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a lease with the California Department of General Services for the Crystal Creek property for the period October 1, 2006 through March 31, 2009 without the obligation to pay rent in return for improvements to the Crystal Creek Bridge. (Probation)

County Administrative Officer Larry Lees stated that Governor Schwarzenegger is unaware of the benefits of the use of the property at Crystal Creek, so he had it listed on properties owned by the State being used by others at no cost. The young men housed at Crystal Creek would need to be housed at California Youth Authority (CYA) if they were not able to reside at Crystal Creek. The low recidivism of this program makes it an important program.

AGREEMENT: JOE HUNTER
PLANNING CONSULTANT SERVICES

In response to questions by Supervisor Baugh, Director of Resource Management Russ Mull advised that the vacancy in Resource Management is the Assistant Director position. There have been two unsuccessful recruitments, and the pool of applicants is small. By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with Joe Hunter increasing maximum compensation by \$60,000 (for a new total not to exceed \$120,000) to provide additional planning consultant services and retaining the term of the agreement through July 18, 2007. (Resource Management - Planning Division)

REGULAR CALENDAR

BOARD MATTERS

JANUARY 2007 EMPLOYEE OF THE MONTH
ELIGIBILITY SUPERVISOR SHELLEY MILLS
RESOLUTION NO. 2007-6

At the recommendation of Director of Social Services Sher Huss and by motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-6, which recognizes Eligibility Supervisor Shelley Mills as Shasta County's January 2007 Employee of the Month.

(See Resolution Book No. 48)

PROCLAMATION: MENTORING MONTH

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates January 2007 as Mentoring Month in Shasta County. Shasta Family YMCA PlusONE Mentors Program Director Staci Bertagna accepted the proclamation and gave thanks to the members of the Board of Supervisors.

APPOINTMENT: SHIRLEY EASLEY
PLANNING COMMISSIONER, DISTRICT 5

Supervisor Baugh presented a printed list of Ms. Easley's qualifications, noting a correction of the reference to Ms. Easley being a "Share Volunteer" should read an "RSVP Volunteer." By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors appointed Shirley Easley to the Shasta County Planning Commission to a four-year term to January 2011.

GENERAL GOVERNMENT**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no report.

Supervisor Baugh expressed a concern that CAO Lees does not have a County vehicle to use for County business and stated that he would be interested in determining the cost and interest of other members of the Board of Supervisors. Chairman Cibula requested that the CAO direct staff to provide information as to the cost for the CAO to be provided a vehicle, and to include charges in estimated mileage reimbursement if he were to use a personal car and submit claims.

Supervisor Kehoe stated that he recently met with Kent Dagg of Shasta Builder's Exchange and Dr. Ron Reese to discuss affordable housing for citizens of Shasta County. There are currently initiatives looking into future home ownership opportunities for all.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICESHASTA COUNTY SUPERIOR COURT
FAILURE-TO-APPEAR ASSESSMENTS

Chairman Cibula advised that the item regarding an increase in the failure-to-appear assessments imposed by the Shasta County Superior Court was pulled at the request of the department.

FIRST FLOOR COURTHOUSE REHABILITATION
JUSTICE CENTER

Chairman Cibula advised that the item regarding a budget amendment to finish the rehabilitation of the first floor of the Courthouse and to make security upgrades in the Justice Center was pulled at the request of the department.

LAW AND JUSTICE**SHERIFF/OFFICE OF EMERGENCY SERVICES****HOMELAND SECURITY GRANT
BUDGET AMENDMENT**

Sheriff Tom Bosenko presented the report and explained that the funds would be used to replace the obsolete bomb suits and to provide training. By motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors authorized the Sheriff's OES to accept additional FY06 Homeland Security Grant monies in the amount of \$159,284; approved and authorized the Chairman to sign a budget amendment increasing appropriations and revenues in the Sheriff's Budget Unit by \$159,284; authorized the Purchasing Division to make related purchases in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to pay claims for expenses related to the grant until all funds have been exhausted, including adjustments to transfer equipment to appropriate agencies at the time reimbursement is received from the FY06 Homeland Security Grant.

PUBLIC WORKS**FEDERAL FOREST RECEIPTS
TITLE III PROJECT AWARDS
BUDGET AMENDMENT**

Public Works Accountant Auditor Sue Crowe presented the staff report and provided the information on nine projects which are proposed for funding.

Assistant Chief California Department of Forestry (CDF) Shasta County Fire Department Doug Lenam stated the money would be used to replace a water tender for Big Bend Volunteer Fire Company to provide a more reliable access to water, which could result in a decrease in the cost of insurance for homeowners.

Burney Fire Protection District (FPD) Fire Chief Bob May advised that Burney FPD has requested funding for the purchase of turn-out clothing for fire-fighters protection, rescue/rotary saws to allow access when otherwise prevented, and a floatable pump, for use where a hydrant is not available and there is access to other water sources.

Sheriff Tom Bosenko stated that the Sheriff's Office of Emergency Services (OES) would purchase hand-held radios, a human-tracker course, and all-terrain vehicles for Search-and-Rescue efforts.

In response to questions by Supervisor Kehoe, Ms. Crowe stated that Title III funds can be audited yet no funds are being held out to pay for an external audit if ever needed. She stated the request for radio equipment in the amount of \$66,000 is to be used for communications while work crews create cleaner and safer communities.

In response to questions by Supervisor Kehoe, Probation Division Crystal Creek Director Paul Burdett stated that the youth at Crystal Creek do not fight fires but participate in post-fire cleanup.

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors approved funding Title III (timber receipt funds) Technical Advisory Committee's project recommendations as follows: Burney Fire Protection District (FPD) in the amount of \$14,368.82 for firefighter turnouts, Burney FPD in the amount of \$2,800 for rescue saws, Burney FPD in the amount of \$3,935.02 for a water pump, Shasta County Probation Department in the amount of \$66,000 for radio equipment, Shasta County Sheriff Office of Emergency Services (OES) in the amount of \$18,392.30 for hand-held radios, Shasta County Sheriff OES in the

amount of \$3,750 for a human tracker course, Shasta County Sheriff OES in the amount of \$33,110.61 for an all-terrain vehicle, Shasta County Office of Education in the amount of \$2,000 for forestry education, and Shasta County Fire Department in the amount of \$124,643.25 for a water tender; and approved a budget amendment increasing appropriations and revenues in the amount of \$269,000 in the Title III Budget Unit for Title III project awards.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

ZONE AMENDMENT NO. 06-008
DENNIS AND KATHI PRESCOTT
COTTONWOOD AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-008, Dennis and Kathi Prescott (Cottonwood area), which would rezone approximately 38.4 acres from the Unclassified (U) zone district combined with Restrictive Flood (F-2) district to a Limited Agricultural (A-1) District combined with a Restrictive Flood (F-2) District and/or other appropriate district. Senior Planner Lisa Losier presented the staff report and recommended approval of the zone amendment. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened at which time Civil Engineer Bruce Alexander stated he is working on the project and is available to answer any questions.

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

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-008, Dennis and Kathi Prescott, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2006-183;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-183; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-008, as requested.

ZONE AMENDMENT NO. 06-040
DON CLEARWATER
CENTERVILLE AREA

10:15 a.m.: Supervisor Cibula recused based on a professional transaction which could be a conflict of interest and left the room. Vice Chairman Hartman presided.

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-040, Don Clearwater (Centerville area), which would rezone approximately 12.6 acres from the Unclassified (U) zone district to a Limited Residential (R-L) District and/or other appropriate district. Senior Planner Lio Salazar presented the staff report and recommended approval of the zone amendment. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-040, Don Clearwater, Centerville area:

1. Adopted a California Environmental Quality Act (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. 2006-185.
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2006-185; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-040, as requested.

10:18 a.m.: Supervisor Cibula returned to the room and presided.

10:19 a.m.: The Board of Supervisors recessed.

10:19 a.m.: The Shasta County Water Agency convened.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA COUNTY WATER AGENCY

AGREEMENT: PACE CIVIL, INC.

ELK TRAIL

WATER SUPPLY FEASIBILITY STUDY

Director of Public Works Pat Minturn presented the staff report and recommended approval of the agreement. He stated the water feasibility study is anticipated to study service to the Elk Trail East and West Neighborhoods, in the Jones Valley area. County Service Area (CSA) No. 6 serves water to approximately 360 customers in that area. The water was originally developed in the 1960's by a developer for a subdivision. This system relied upon wells, which were determined to be poor-yielding.

In 1980, the CSA was formed to run the system and applied for grants and loans to bring water from Shasta Lake. At that time, lake pumps were installed with pipelines and storage tanks. In 1999, a fire swept through the area and the water was sufficient to defend every home. In 2004, the Bear Fire started in the subdivision and the water supplies were exhausted, and the fire did extensive damage. This demonstrates that large fires could not be contained by the current water system.

Residents south of the area would also like to receive water supply and are willing to pay a fair share of the cost. The proposed water feasibility study would evaluate what the costs would be for each property owner to upgrade the system. It is estimated that the study costs would be approximately \$50,000 per parcel. Mr. Minturn stated that federal or state grants may be available, as well as low interest loans.

The study will identify the necessary improvements, quantify costs, and explore potential funding options. This report is a prerequisite to apply for federal grants. Mr. Minturn stated that the request before the Board of Directors is to approve an agreement with PACE Civil, Inc. for \$45,000 to study the feasibility and costs for storage and pipeline for distribution and to obtain water rights. Mr. Minturn recommended that the Water Agency fund the proposed study, as the mission of the Water Agency is to promote the beneficial use of water in Shasta County.

In response to questions by Supervisor Kehoe, Mr. Minturn stated that the source of funding for the Water Agency's use comes from pre-Proposition 13 funds, which can be used only for water-related matters. Two studies will be done: the study to fund one area only, and a study to fund another area, or both. By obtaining safe drinking water, the resale value of the properties would increase.

In response to questions by Supervisor Cibula, Mr. Minturn stated that there is no general fund impact associated with this study. He advised that the poll of property owners showed a high level of support. A mailer will be sent to each property owner, asking for their response as to whether they are in support, and this will also determine which areas show greater support. At the time information is received that there is a majority who are in support of going forward with the project, monies will have to be raised. Anderson-Cottonwood Irrigation District (ACID) is willing to a transfer of a portion of water rights. An alternative may be to use a water allotment from Keswick. This will be a part of the study.

Elk Trail Water Association Financial Committee representative Steve Boyd stated that numerous members of the community were in attendance at a meeting last week. The residents are aware of the proposed costs and are interested, knowing that any loans are to be paid over a number of years. Many property owners are experiencing difficulty obtaining a significant amount of water from their wells.

Peter Skiles stated that Elk Trail East and West have obtained 140 acre feet of water, tying up the water for two years. He said the County continues to issue permits to areas where there is no water and additional wells are drilled, which causes less of a supply.

In response to questions by Supervisor Cibula, Mr. Minturn stated that he is not aware of any money set aside by CSA No. 6 to obtain water.

Supervisor Hartman stated that she sees the fire dangers in the area and is confident that grants will be available.

By motion made, seconded (Hartman/Kehoe), and unanimously carried, the Shasta County Water Agency approved and authorized the Chairman to sign an agreement with PACE Civil, Inc. regarding the Elk Trail Preliminary engineering Report in an amount not to exceed \$45,000 for the period January 16, 2007 through January 15, 2008 to provide a preliminary engineering report regarding water service to the Elk Trail East and West neighborhoods; and approved a budget amendment increasing appropriations by \$45,000 in the Water Agency Budget to be offset by fund balance.

10:55 a.m.: The Shasta County Water Agency adjourned, and the Board of Supervisors reconvened.

10:55 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy