

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 17, 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. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Karen Jahr
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Nancy Rupert

INVOCATION

Invocation was given by Pastor Bob Rupert, Gateway Community Church of the Nazarene.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by retired Officer Gary Hughes, Redding Police Department.

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Sheriff Tom Bosenko commended Public Safety Service Officer Janet Hughes for completing the FBI Facial Imaging Course and being certified as a Forensic Artist. Ms. Hughes' construction of facial sculptures and sketches has aided investigators in identifying unidentified remains and suspects.

Sheriff Bosenko noted that the marijuana eradication project, Operation Alesia, combined efforts of 15 law enforcement and land management agencies, received commendation from the Governor's office, and resulted in 200,000 marijuana plants eradicated in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Cibula announced that the agreement with California Department of Health Services was pulled at the request of the department; and pulled for discussion were the items of proposed agreements with Shasta Children and Families First Commission, Nichols, Melburg and Rosetto, Architects, Inc., and John Hanson, and requested items to assist in Probation staff recruitment.

CONSENT CALENDAR

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Hawes abstained on the Public Employees' Retirement System item as he was absent from the June 12, 2007 meeting.):

Approved and authorized the Chairman to sign the County Claims List totaling \$27,369.23 requiring special board action. (Auditor-Controller)

Introduced and waived the reading of an ordinance requiring department and agency heads to provide written certification of departmental inventory to the Auditor-Controller annually by November 1, and the Auditor-Controller to maintain the inventory certifications and certification receipts for a period of five years before destruction. (Auditor-Controller)

Adopted Resolution No. 2007-83, which establishes the Shasta County Appropriations Limit for Fiscal Year 2007-08 in the amount of \$113,475,169, and sets the annual adjustment factors used to calculate the appropriations limit at a change of 8.6 percent reflecting the change in Shasta County's local assessment roll from the preceding year due to the addition of local non-residential new construction, and a factor of 0.87 percent reflecting the change in population within the incorporated area of Shasta County as provided by the Demographic Section of the Department of Finance. (Auditor-Controller)

(See Resolution Book No. 48)

Approved the minutes of the meeting held on June 26, 2007, as submitted. (Clerk of the Board)

Enacted Ordinance No. 659, which approves pre-retirement death benefits for 2% @50 and 3% @50 Safety Retirement qualified employees and high-year final compensation for 3% @50 Safety Retirement qualified employees, effective August 19, 2007 or as soon as possible thereafter under processing restrictions imposed by the Public Employees' Retirement System (PERS), as introduced June 12, 2007. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 660, which waives the three-day waiting period for the issuance of checks, as introduced June 19, 2007. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 661, which repeals Ordinance No. 634 and adopts a revised fee schedule for the Sheriff's Office, as introduced June 19, 2007. (Clerk of the Board)

(See General Ordinance Book)

Appointed Gary Hale to the Halcumb Public Cemetery District Board of Directors for a four-year term to May 2011. (Clerk of the Board)

Appointed Virgil M. Weld to the Western Shasta Resource Conservation District Board of Directors to fill an unexpired term to November 2010. (Clerk of the Board)

Appointed Lloyd Raeg to the Manton Joint Cemetery District Board of Directors for a four-year term to December 2011.

Approved the appointment of Jessica Duckett at Step 'D' of the Community Health Advocate classification. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Northern Valley Catholic Social Service, Inc. at a maximum rate of \$110 per hour to provide counseling services from the date of signing through June 30, 2008. (Public Health)

Approved and authorized the Chairman to sign a participation agreement and an agency agreement with the California Alliance of Rehabilitation Industries to procure public entity contracts in an amount not to exceed five percent of the procured contract. (Public Health)

Approved and authorized the Chairman to sign an agreement with Thomas R. Wright, L.C.S.W., d.b.a. Wright Education Services in an amount not to exceed \$55,000 to provide violence/anger management training and counseling for minors for the period July 1, 2007 through June 30, 2008. (Probation)

Adopted Resolution No. 2007-85, which designates authorized signatures for the purpose of obtaining financial assistance for the State Homeland Security Grant Program. (Sheriff/Office of Emergency Services)

(See Resolution Book No. 48)

Approved and authorized the Chairman to sign an amendment to the agreement with Baker & Taylor, Inc. extending the term of the contract to enhance the collection for the Shasta County Library-Redding Main to June 15, 2008. (Public Works)

For the proposed IGA Industrial Park Permanent Road Division (Cottonwood area), received the petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, and parcel charge report, and set a public hearing for September 11, 2007 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

ACTION ON ITEMS PULLED FROM THE CONSENT CALENDAR

AGREEMENT: SHASTA CHILDREN AND FAMILIES FIRST COMMISSION EARLY CHILDHOOD ORAL HEALTH PROGRAM

Public Health Director Donnell Ewert presented the staff report and recommended approval. In response to a question by Supervisor Kehoe, Mr. Ewert confirmed the Oral Health Program is voluntary and will have a positive impact on children in Shasta County. By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a revenue agreement with Shasta Children and Families First Commission to receive funds in an amount not to exceed \$105,000 for Public Health to participate in the Early Childhood Oral Health Program for the period July 1, 2007 through June 30, 2010. (Public Health)

PROBATION STAFF RECRUITMENT RESOLUTION NO. 2007-84

Chief Probation Officer Brian Richart presented the staff report and recommended approval. In response to a question by Supervisor Kehoe, Mr. Richart confirmed the request is for a recruitment video to be distributed statewide to assist in filling the current 20 percent vacancy rate in the Probation Department. By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-85, which authorizes the purchase of specialty items and services for staff recruitment purposes in an amount not to exceed \$15,000 per fiscal year, and authorizes the Auditor-Controller to pay associated claims. (Probation)

(See Resolution Book No. 48)

AGREEMENT: NICHOLS, MELBURG AND ROSSETTO, ARCHITECTS, INC.
BRESLAUER CAMPUS MASTER PLAN
ARCHITECTURAL SERVICES

In response to questions by Supervisors Hawes and Kehoe, County Counsel Karen Jahr and Administrative Officer (CAO) Larry Lees confirmed that an appraisal of the of the County-owned parcel may be considered after the matter has been properly agendized, and the contract has expanded at the request of the CAO's office. By motion made, seconded (Hawes/Hartman), and carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with Nichols, Melburg and Rossetto, Architects, Inc. increasing compensation by \$12,500 (for a new total of \$87,500) to add site assessments of a County-owned parcel on Clear Creek Road and a park on the Breslauer Campus and retaining the original term of the agreement. Consistent with his prior vote, Supervisor Kehoe voted no as he is opposed to not opening this project to other competitive architectural firms. (Public Works)

AGREEMENT: JOHN HANSON
FIXED-BASE OPERATOR SERVICES

Public Works Director Pat Minturn presented the staff report and recommended approval. In response to a question by Supervisor Cibula, Mr. Minturn noted the lease is for the land only and not the hangar so the monthly rental amount is at fair market value and the term of the lease is only being extended by eight years. By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with John Hanson at a starting rate of \$216.67 per month to lease property at the Fall River Mills Airport and provide fixed-base operator services (aircraft mechanical services for the period July 17, 2007 through July 17, 2032, with one optional five-year renewal). (Public Works)

9:48 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

WATER AGENCY

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Shasta County Water Agency Board of Directors took the following action, which was listed on the Water Agency Consent Calendar:

Entered into a 10-year agreement with Harry Quarles in the amount of \$44 per acre-foot of water to provide 1.0 acre-foot of Central Valley Project water per year, and approved and authorized the Chief Engineer of the Water Agency to amend the contract's Place of Use during the term of the contract. (Public Works)

9:48 a.m.: The Shasta County Water Agency adjourned, and the Board of Supervisors reconvened.

REGULAR CALENDAR

BOARD MATTERS

JULY 2007 EMPLOYEE OF THE MONTH
SUPERVISING ACCOUNTANT NOLDA SHORT
RESOLUTION NO. 2007-86

At the recommendation of Auditor-Controller Connie Regnell and by motion made, seconded and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-86,

which recognizes Supervising Accountant Nolda Short as Shasta County's July 2007 Employee of the Month.

(See Resolution Book No. 48)

PRESENTATIONS

LASSEN NATIONAL FOREST

Hat Creek District Ranger Kit Mullen spoke regarding an inventory of roads within Lassen National Forest; closure of cross-country motorized vehicle travel on most existing roads, trails, and small riding areas to prevent further impact to resources; and requested public input of their favorite roads and why they use them.

SHASTA COUNTY WATERMASTER DISTRICT

KP Public Affairs Representative Tony Francois outlined the process of creating a local watermaster district and the process the board members are to be appointed if Senate Bill 516 (Aanestad) passes. Public Works Director Pat Minturn confirmed 350-400 water right holders in Shasta County have been contacted via public meetings and newspaper ads requesting feedback regarding SB 516. All responses have been positive.

10:33 a.m.: Board of Supervisors recessed.

10:37 a.m.: Board of Supervisors reconvened.

BOARD MATTERS

PROCLAMATION: PROBATION SUPERVISION WEEK

At the recommendation of Chief Probation Officer Brian Richart and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 15-21, 2007 as Probation Supervision Week in Shasta County.

APPOINTMENT: RESOURCE ADVISORY COMMITTEE

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors appointed Supervisor Baugh to fill a vacancy on the Resource Advisory Committee.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Larry Lees advised the California state budget is anticipated to be finalized next week.

Supervisor Hawes recently attended the Resource Advisory Committee meeting.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES**SOCIAL SERVICES/PROBATION****CHILD WELFARE COUNTY SELF-ASSESSMENT**

Social Services Director Jane Work explained the Child Welfare County Self-Assessment is one of three parts of a state required, triennial improvement process for all California child welfare agencies, including the Shasta County Probation Department. By motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Social Services Branch Director and Chief Probation Officer to sign and submit the County Self-Assessment of the Children and Family Services and Juvenile Probation Divisions' operations and systemic factors that affect measured outcomes as required by the California Child and Family Services Review.

PUBLIC WORKS**REDDING REGIONAL SEPTAGE IMPOUNDMENTS EXPANSION**

At the recommendation of Public Works Director Pat Minturn, and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors awarded to Ford Construction Co., Inc., on a unit-cost basis, the contract for construction on the Redding Regional Septage Impoundments Expansion.

SCHEDULED HEARINGS**PUBLIC WORKS**

TRACT MAP NO. 1915
MOUNT LASSEN WOODS PERMANENT ROAD DIVISION
SHINGLETOWN AREA

This was the time set for a public hearing regarding the formation of the proposed Mount Lassen Woods Permanent Road Division (Shingletown area). Public Works Supervising Engineer Al Cathey presented the staff report and recommended approval of the project. The Affidavit and Publication and Notice of Hearing 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 permanent road division, and the public hearing was closed. Mr. Cathey noted that in accordance with Proposition 218, the property owners must approve the requested parcel change, 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
BLANK BALLOTS:	0

By consensus, the Board of Supervisors continued the matter to a future Board of Supervisors meeting to consider formation of the Permanent Road Division.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the Board of Supervisors would recess to a Closed Session to confer with its Real Property Negotiators, California Administrative Office of the Courts, and County Administrative Officer Larry Lees to negotiate price and terms of payment

regarding a portion of the property at 1525 Court Street and the Oregon Street parking lot (Supervisor Cibula abstained from the negotiations based on real property holdings).

11:14 a.m.: The Board of Supervisors recessed to Closed Session.

AFTERNOON CALENDAR

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, Assistant County Counsel Mike Ralston, and Deputy Clerks of the Board Valerie Ibarra and Nancy Rupert present.

REPORT OF CLOSED SESSION ACTIONS

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

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 06-006 DONALD AND SUSAN LAMB CENTERVILLE AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-006, Donald and Susan Lamb, which would rezone approximately eight acres in the Centerville area from a General Industrial (M) District to a Commercial Light-Industrial (C-M) District. Associate Planner Lio Salazar presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-006, Donald and Susan Lamb, Centerville area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-062;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-062; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-006, as requested.

ZONE AMENDMENT NO. 06-004 FRANK NICHOLS WHITMORE AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-004, Frank Nichols, which would rezone approximately 170 acres in

the Whitmore area from an Unclassified (U) District to a Limited Residential (R-L) District. Senior Planner Kent Hector presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-004, Frank Nichols, Whitmore area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-066;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-066; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-004, as requested.

ZONE AMENDMENT NO. 05-018

DON SPRINGER

MILLVILLE AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 05-018, Don Springer, which would rezone approximately 65.3 acres in the Millville area from an Unclassified (U) District to a Limited Residential combined with the Minimum Lot Area (R-L-BSM) District. Senior Planner Lisa Lozier presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 05-018, Don Springer, Millville area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-064;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-064; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 05-018, as requested.

ZONE AMENDMENT NO. 06-044

SIERRA PACIFIC INDUSTRIES

VIOLA AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-044, Sierra Pacific Industries, which would rezone approximately 949 acres in the Viola area from a Timber Production (TP) District to a Timberland (TL) District. Associate Planner Lio Salazar presented the staff report and recommended approval of the project. 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 Doug Bennett encouraged the Board of Supervisors to consider the quality of life for the community and to limit large residential development in the Viola area.

Sierra Pacific Industries (SPI) representative Cedric Twight confirmed the land in question was not deeded to SPI, but in fact was purchased.

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. 06-044, Sierra Pacific Industries, Viola area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-072;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-072; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-044, as requested.

ZONE AMENDMENT NO. 06-043
SIERRA PACIFIC INDUSTRIES
BURNEY AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-043, Sierra Pacific Industries, which would rezone approximately 280 acres in the Burney area from a Timber Production (TP) District to a Timberland (TL) District. Associate Planner Lio Salazar presented the staff report and recommended approval of the project. 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 no one spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-043, Sierra Pacific Industries, Burney area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-070;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-070; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-043, as requested.

ZONE AMENDMENT NO. 06-042
SIERRA PACIFIC INDUSTRIES
LAKE McCUMBER/VIOLA AREA

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-042, Sierra Pacific Industries, which would rezone approximately 1,490 acres in the Lake McCumber/Viola area from a Timber Production (TP) District to a Timberland (TL) District. Associate Planner Lio Salazar presented the staff report and recommended approval of the project. 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 David Lynn requested to view the map of the land in question again.

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

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 06-042, Sierra Pacific Industries, Lake McCumber/Viola area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings specifically set forth in Planning Commission Resolution No. 2007-068;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-068; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-042, as requested.

2:22 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy