

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, March 11, 2008

**REGULAR MEETING**

9:00 a.m.: Chairman Hartman 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  
Chief Deputy Clerk of the Board - Glenda Tracy  
Deputy Clerk of the Board - Diane Colson

**INVOCATION**

Invocation was given by Supervisor Baugh.

**PLEDGE OF ALLEGIANCE**

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

**ITEMS PULLED FROM CONSENT CALENDAR**

The minutes of meetings held on February 19 and 26, 2008 were pulled by the department. Supervisor Baugh pulled for discussion the item regarding a County-owned pickup truck for use by the Sheriff's Office Search and Rescue volunteers.

**CONSENT CALENDAR**

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

Enacted Ordinance No. SCC 2008-01, which amends Shasta County Code Section 8.28.010, *Declaration of public nuisance*, as introduced February 26, 2008. (Clerk of the Board)

(Shasta County Code Ordinance Book)

Appointed Patti Crampton (Personal Care Recipient) to the In-Home Supportive Services Advisory Committee for a three-year term to March 2010. (In-Home Supportive Services Public Authority)

Approved and authorized the Public Works Director to sign a Notice of Completion for the remodel of the Public Works building located at 1855 Placer Street, Redding and record it within 10 days of the completion of the work. (Public Works)

Approved and authorized the Fire Warden to purchase one pickup truck for a total purchase price not to exceed \$25,000; and approved a budget amendment transferring \$25,000 and creating a new fixed asset account within the County Fire budget to purchase the vehicle. (County Fire)

### **ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

#### **PICKUP TRUCK FOR SHERIFF'S OFFICE SEARCH AND RESCUE**

In response to questions by Supervisors Baugh and Kehoe, Sheriff Tom Bosenko stated the 1994 Chevy 4-wheel drive pickup is no longer used by the Sheriff's Office due to its high mileage. He said the truck is safe and useable, and the Sheriff's Office will assure that semi-annual safety inspections are done to assure the safe operation of the vehicle.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors authorized the use of a County-owned pickup truck by the Sheriff's Office Search and Rescue volunteers under the condition that the vehicle will not be included in the County replacement program, fuel and maintenance costs for the vehicle will be paid by the volunteers, and semi-annual \$75 safety inspection expense will be paid by the Sheriff's Office. (Support Services-Fleet Management/Sheriff)

### **REGULAR CALENDAR**

#### **PRESENTATIONS**

#### **SHASTA COUNTY FIRE DEPARTMENT 2007 ANNUAL REPORT**

Shasta County Fire Assistant Chief Scott McDonald presented the Shasta County Fire Department's 2007 Annual Report and discussed the long-term service of volunteer fire fighters, the previous year's operation, accomplishments, training, and the cooperative environment throughout the County's fire departments. The Shasta County Fire Department finished Fiscal Year 2006-07 ten percent under budget.

In response to questions by Supervisor Baugh, Mr. McDonald stated the method used to determine which neighborhoods the Fire Department contacts is by staff noticing needed clearing in neighborhoods or by telephone calls they receive.

In response to questions by Supervisor Kehoe, Mr. McDonald advised that the method they use to recruit volunteers is through signs and asking individuals. All volunteers are trained to the level of a first responder, handling both medical calls and fire calls.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors accepted the Shasta County Fire Department's 2007 Annual Report.

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Larry Lees advised that the County is continuing to go forward on the transfer of courtroom space to the courts. Pending legislation will penalize counties that do not have the transfers made by December 2008.

At the budget meeting, departments were instructed to maintain but not increase current levels.

In response to questions by Supervisor Baugh, CAO Lees stated that Shasta County property tax levels have not decreased. Fiscal Year 2009-10 may be difficult since people may request property tax reassessments, which in turn may decrease property tax revenue.

Supervisor Kehoe recently attended the Shasta County Mental Health Board meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE**

**CHURN CREEK BOTTOM SPECIFIC PLAN PROJECT**

CAO Admin Analyst Angela Richardson presented the report and said that members of the Churn Creek Bottom (CCB) Homeowners' Association have a specific plan they would like to have considered for the area.

Supervisor Baugh stated that he has had many meetings with residents of the CCB area.

CCB Homeowners' Association representative Rod Evans stated that the County has an obligation in the General Plan (CO-R), which requires the development of a specific plan for CCB with an emphasis on long-range agricultural options. He asked the Board of Supervisors to decide whether they would support a specific plan for CCB. If so, he inquired as to the possibilities of the Board of Supervisors appointing a committee to explore the options.

Supervisor Kehoe said that Mr. Evans' request may be premature in that the Board of Supervisors would want to discuss with County staff the costs involved in a specific plan and the parameters of that plan. The CCB contains approximately 4,545 acres, and it is important to know the boundaries of the area. He stated that he is an advocate of doing a specific plan if the County has the resources.

Director of Resource Management Russ Mull explained that within the last twenty years, CCB is one of the areas with the least amount of growth in Shasta County. There are more homes, but little, if any, change in the residential and commercial designations. Twenty years ago, CCB had five-acre properties set up as agricultural properties. Today, five-acre units are not viable agricultural units; they are "ranchettes." Of the 3,000 to 4,000 acres in CCB, 600 lots are under 6 acres with homes on them. The area will always have only five-acre ranchettes; there is no growth in CCB.

Mr. Mull said specific plans are dynamic documents that may be subject to change and can be changed more easily than a general plan. The General Plan for Shasta County has been updated every five years since its inception. The General Plan will be reviewed and updated in 2009, and the CCB citizens may work with the County.

In response to questions by Supervisor Baugh, Mr. Mull advised that the issue regarding a developer working with the neighbors can be handled by either developing the property next to the freeway or tearing down the overpass, but this is a valuable Interstate 5 (I-5) interchange. An option would be to purchase the property and put a conservation easement on it. The developer has filed an application for retail development. Under California Environment Quality Act (CEQA), citizens have opportunity to work with the developers.

Mr. Mull said that the General Plan states that commercial development in CCB is limited to the I-5 interchange and he encouraged residents in CCB to participate in the upcoming General Plan update.

In response to questions by Supervisor Kehoe, Mr. Mull confirmed that the current General Plan calls for part-time agriculture on approximately 3,000 acres in the CCB. Shasta County is required by statutory obligation to update the General Plan and there is some grant funding available that will assist with the costs.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors directed Director of Resource Management Russ Mull to return to the Board of Supervisors in six to eight weeks with a staff report that provides cost parameters and opportunities for community involvement, and to meet with the CCB association, property owners in the adjacent areas, and developers to receive their input.

10:45 a.m.: The Board of Supervisors recessed.

10:52 a.m.: The Board of Supervisors reconvened.

#### TRIAL COURT FINES BUDGET AMENDMENT

County Administrative Office Chief Fiscal Officer Bebe Palin presented the staff report, explaining an audit of court collections has indicated that Shasta County inadvertently benefited by \$285,277 in prior years from court fines and forfeitures. These funds were accrued to the County's General Fund, yet the funds should have been sent to the State Controller's Office since Shasta County contracts with Superior Court for court collections.

In response to questions by Supervisor Kehoe, Superior Court Chief Financial Officer Ray Tickner stated that fines are collected and are distributed to approximately fourteen different entities, such as the State, the cities, the County, or special trust funds. Since this particular item was for bail forfeiture on a drug-related charge, the funds should have been sent to the State.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$285,277 in the Trial Courts budget to transmit to the State Controller under-remitted state court fines and forfeitures for the period July 1, 2002 through June 30, 2006, offset by a reduction in the General Revenue budget.

#### AGREEMENT: JUDICIAL COUNCIL OF CALIFORNIA, A.O.C. LEASE OF PARKING LOT FOR MODULAR COURTROOM

County Administrative Officer (CAO) Larry Lees stated that with the appointment of a new judge, the Court is in need of additional space and have asked the County's assistance in providing space for a modular courtroom to be placed, at their expense, near the existing courthouse. The location is beneficial for the County as the modular courtroom would be close to the County jail, providing savings for the County in transportation costs. The courtroom would be placed in the John Balma Justice Center's parking lot and the property leased to them by the County.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the Judicial

Council of California, Administrative Office of the Courts in the amount of \$833.33 per month to lease 8,050 square feet of parking lot next to the John Balma Justice Center to be used by the Superior Court to locate a modular courtroom and related offices for ten years from the effective date, with two optional three-year renewals.

## **SUPPORT SERVICES-FLEET MANAGEMENT**

### **COUNTY VEHICLE REPLACEMENT BUDGET TRANSFER**

Director of Support Services Michelle Schafer stated that in February 2008, a County vehicle was in an accident, receiving damage beyond repair. A budget transfer is requested to replace the vehicle.

Supervisor Kehoe requested that Ms. Schaefer provide him with a copy of the accident report for his review.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations for fixed assets in the Fleet Management budget by \$27,500, offset by replacement funds in the amount of \$14,006 and insurance proceeds in the amount of \$13,494 to replace a 2002 Toyota Prius that was totaled and authorized the Auditor-Controller to process the transfer and pay related claims.

## **LAW AND JUSTICE**

### **SHERIFF**

#### **AGREEMENT: U.S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Sheriff to sign a renewal agreement with the U.S. Department of Justice, Drug Enforcement Administration in the amount of \$106,000 to provide supplemental funding for the Marijuana Eradication Team for the period January 1, 2008 through December 31, 2008.

#### **MARIJUANA SUPPRESSION PROGRAM GRANT**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to accept and the Sheriff to administer the Marijuana Suppression Program grant from the California Office of Emergency Services in the amount of \$177,169 to fund the Marijuana Eradication Team for the period July 1, 2007 through June 30, 2008.

#### **ANTI-DRUG PROGRAM BUDGET AMENDMENT**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors accepted additional funding from the California Office of Emergency Services in the amount of \$31,972 (for a new total of \$174,471) for the Anti-Drug Abuse Program for Fiscal Year 2007-08, approved a budget amendment increasing appropriations and revenue in the amount of \$9,886 in the Sheriff Major Crimes budget, which includes decreasing appropriations by \$510,962 and decreasing revenue by \$447,435 in the Sheriff Major Crimes budget, and approving the formation of a Sheriff Marijuana Eradication Team budget, and increasing appropriations by \$520,848 and increasing

revenue by \$457,321 in the Sheriff Marijuana Eradication Team; and authorized the Auditor-Controller to pay claims for expenses related to the programs.

### **PUBLIC WORKS**

**OLD ANDERSON JAIL**  
**RESOLUTION NO. 2008-029**  
**QUITCLAIM DEED: CITY OF ANDERSON**

Public Works Director Pat Minturn presented the staff report, advising that Shasta County owns an old jail on Freeman Street in Anderson, which the City of Anderson would like to acquire the property to maintain for its historical value.

In response to questions by Supervisor Cibula, Assistant County Counsel Mike Ralston stated that a clause could be added to the deed, modifying it to state the property would divert back to the County should the City of Anderson decide at a future date that the building would not be maintained as an historical site.

City of Anderson Grants and Redevelopment Manager Susanne Lewis stated that the City of Anderson is refurbishing historic sites in the community.

In response to questions by Supervisor Kehoe, Sheriff Bosenko stated that it would be impractical and illogical to remodel the old jail for County use. It would take over \$1 million to remodel and bring the building to required standards and \$1 million to staff it. The old jail will hold 65 beds.

By motion made, seconded (Cibula/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding the transfer of the Old County Jail in the Anderson area to the City of Anderson: Adopted Resolution No. 2008-029, which declares the County-owned property no longer necessary for county or other public purposes; and approved and authorized the Chairman to sign a quitclaim deed, as amended, to transfer the property to the City of Anderson.

(See Resolution Book No. 49)

11:37 a.m.: The Board of Supervisors adjourned and convened as the Shasta County Water Agency.

### **SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR**

#### **WATER AGENCY**

**ANDERSON-COTTONWOOD IRRIGATION DISTRICT**  
**WATER AGENCY RESOLUTION NO. 2008-01**

Water Agency Chief Engineer Pat Minturn presented the staff report. He met with the Jones Valley Citizens Advisory Board, who voted to recommend the Board of Supervisors approve payment to Anderson-Cottonwood Irrigation District (ACID) and to adopt the resolution of intent to transfer the water.

Supervisor Cibula advised he would not support the recommendation as he wants to assure that Keswick property owners have a sufficient water supply.

In response to questions by Supervisor Kehoe, Mr. Minturn stated there are two separate agreements: one for the transfer of water from Keswick, and one for a transfer of water from ACID.

Mr. Minturn explained that the Water Agency will benefit from the \$3,000 expenditure because it is an independent special district under the oversight of the Board of Supervisors, formed to promote the beneficial use of water in Shasta County.

By motion made, seconded (Hawes/Baugh), and carried, the Board of Supervisors approved and authorized the Public Works Director to sign an agreement with the Anderson-Cottonwood Irrigation District in the amount of \$3,000 to reimburse the District for costs incurred for the U.S. Bureau of Reclamation to process an environmental document for a proposed water transfer; and adopted Water Agency Resolution No. 2008-01, a resolution of intent to transfer 100 acre-feet of Central Valley Project water from County Service Area No. 25-Keswick Water to County Service Area No. 6-Jones Valley Water. Supervisor Cibula voted no.

(See Water Agency Resolution Book)

11:45 a.m.: The Shasta County Water Agency adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy