

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, October 21, 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 - Mike Ralston  
Deputy Clerk of the Board - Valerie Ibarra  
Deputy Clerk of the Board - Diane Colson

**INVOCATION**

Invocation was given by Pastor Robert Brown, First Baptist Church of Redding.

**PLEDGE OF ALLEGIANCE**

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

**BOARD MATTERS****PROCLAMATION: RED RIBBON WEEK**

At the recommendation of Director of Public Health Donnell Ewert and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 23-31, 2008 as Red Ribbon Week in Shasta County. Lassen View Elementary School Student Red Ribbon Program Volunteers accepted the proclamation.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled the Eileen Stern and Mobile Mini, Inc. agreements for further discussion.

**CONSENT CALENDAR**

By motion made, seconded (Baugh/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 \$5,319.69 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on October 14, 2008, as submitted. (Clerk of the Board)

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

**AGREEMENT: EILEEN STERN, D.B.A. STERN CONSULTING  
HEALTH AND HUMAN SERVICES AGENCY FISCAL CONSULTING SERVICES**

In response to questions by Supervisor Kehoe, Health and Human Services Agency Business and Support Services Branch Director Leanne Link explained that telephone and e-mail consultation with the vendor is minimal as the majority of services are performed on site. There is no anticipated need for further services beyond the requested term of June 2009.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement with Eileen Stern d.b.a. Stern Consulting in an amount not to exceed \$18,000 to provide fiscal consulting services for the Health and Human Services Agency for the period September 15, 2008 through June 30, 2009. (Social Services)

**AGREEMENT: MOBILE MINI, INC. A.K.A. THE MOBILE STORAGE GROUP  
PORTABLE STORAGE UNIT LEASE**

In response to a question by Supervisor Kehoe, Sheriff Tom Bosenko agreed to research the purchase of a portable storage unit or storage in County facilities for future storage rather than incurring monthly storage fees.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors approved the continuation of an agreement with Mobile Mini, Inc. a.k.a. The Mobile Storage Group (successor in interest to Port-A-Storage) to lease a portable storage unit at 2690 Radio Lane, Redding on a month-to-month basis in the amount of \$85 per month; and authorized the Auditor-Controller to pay claims related to the agreement. (Sheriff-Animal Control)

9:19 a.m.: The Board of Supervisors recessed and convened as the Shasta County In-Home Supportive Services Public Authority Governing Board.

**SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

**IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY GOVERNING BOARD**

**CONSENT CALENDAR**

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the In-Home Supportive Services Public Authority Governing Board approved and authorized the Chairman to sign an amendment to the agreement with Becker & Bell, Inc. decreasing compensation by \$15,400 (for a new total not to exceed \$116,900), revising the responsibilities of the contractor

and the IHSS Public Authority, and extending the term of the agreement through June 30, 2009. (In-Home Supportive Services Public Authority)

9:20 a.m.: The Shasta County In-Home Supportive Services Public Authority Governing Board adjourned and reconvened as the Board of Supervisors.

## **REGULAR CALENDAR**

### **PRESENTATIONS**

#### **PRESENTATION: 2008 POWER TO SENIORS CELEBRITY SOUP KITCHEN**

Shasta County Older Adult Policy Council Chairman Trish Clarke explained that the Power to Seniors program was created over 10 years ago in conjunction with the City of Redding due to diminished funding for the senior population and to coordinate programs and groups to eliminate duplication of efforts.

The Power to Seniors program provides low income seniors in Shasta County assistance in paying their utility bills. Since the program's inception, over \$216,000 has been raised, of which over \$207,000 has been expended for 606 individuals.

The Power to Seniors Celebrity Soup Kitchen is an integral fundraising event, with the Seventh Annual Soup Kitchen being held on October 30, 2008 at the Veterans Hall in Redding. The \$10 cost per meal and the raffle for many donated baskets will raise proceeds. Support and donations are needed as contributions are down for 2008.

#### **PRESENTATION: SHASTA COUNTY INVESTMENTS STATUS**

Treasurer-Tax Collector Lori Scott provided an overview of Shasta County's investments. Federal Reserve Chairman Ben Bernake has endorsed another government stimulus before the House Budget Committee, which may initiate further interest rate cuts. Reducing interest rates might induce consumers and businesses to boost spending; however, as a result, Shasta County's investments will suffer a significant loss if the interest rate remains reduced for more than one year.

The State of California sells Revenue Anticipation Notes every year to meet shortfall in funding until income taxes are received. \$3.9 million in notes were sold this year; therefore, Shasta County schools will not need to acquire dry-period financing, and Shasta County will continue to receive budgeted State funding.

Shasta County's investments are currently safe. No banks or investment companies in which the County has investments have filed for bankruptcy. However, Shasta County will experience delinquent taxes in both secured and unsecured tax rolls due to the failing economy.

Shasta County will continue in conservative investing and will continue to monitor the stock market.

## **GENERAL GOVERNMENT**

### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

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

Supervisor Kehoe recently attended the Redding Area Bus Authority (RABA) Board meeting.

Supervisors reported on issues of countywide interest.

## **PUBLIC WORKS**

### **LETTER OF SUPPORT: OFF-HIGHWAY VEHICLE ROUTE DESIGNATION**

Public Works Director Pat Minturn presented the staff report and added that the U.S. Forest Service (U.S.F.S.) proposes to close many dirt roads in the Shasta-Tehama National Forest, which would prevent access to some Shasta County roads for off-road enthusiasts.

In response to a question by Supervisor Cibula, Mr. Minturn confirmed that Public Works was not contacted by the U.S.F.S. to work in conjunction on the off-highway vehicle (OHV) route designation project.

Supervisor Cibula stated that he has asked County Counsel to review whether Shasta County has a legal entitlement to being a key partner in the preliminary discussions. He suggested holding a workshop for further discussion.

In response to a question by Supervisor Cibula, County Counsel Mike Ralston confirmed that a workshop could be held in early November 2008.

Supervisor Baugh stated he met with local OHV groups to discuss this matter, and he said that he is disappointed that U.S.F.S. did not contact or include Shasta County citizens in the process.

Deputy Forest Supervisor Scott Armentrout provided an overview of the OHV route designation process, including the Notice of Intent process. Over the last two years, the U.S.F.S. mapped unidentified trails and roads to create a motor vehicle map to identify legal areas of travel.

In response to questions by supervisors, Mr. Armentrout explained that “cross country travel” refers to OHV travel other than on roads or trails, which creates new road systems. The U.S.F.S. only recognizes roads as those that are maintained and were specifically constructed for a particular reason and subsequently assigned a road number. All other unassigned roads will be considered for possible inclusion in the map. Once all roads are mapped, an Environmental Impact Statement will be prepared with an estimated completion of February 2009, and then an official public comment period will commence. The final determinations will be made by the Forest Supervisor and the regional offices located in Vallejo, California.

Recreation Outdoor Coalition (ROC) Chair Sylvia Milligan, Pam Rocca, Dale Hevner, and Terry Oxley spoke in opposition to the Forest Service prohibiting roads and trails and expressed displeasure in that there is limited promotion of OHV recreation in Shasta County.

Supervisor Cibula moved to approve and authorize the Chairman to sign an amended letter supporting off-highway vehicle route designations with a broader definition of “roads.” Supervisor Hawes seconded the motion.

In response to a question by Supervisor Cibula, Mr. Armentrout confirmed that the U.S.F.S. will hold public meetings to discuss alternatives satisfactory to the public.

Supervisor Cibula moved to amend his motion to include the scheduling of a workshop in November. Supervisor Hawes seconded the amended motion.

By motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter supporting off-highway vehicle route designations with a broader definition of "roads"; and directed staff to present a workshop regarding off-highway vehicle route designations.

At the recommendation of CAO Lees and by consensus, the Board of Supervisors directed that a recording of the meeting be provided to Mr. Armentrout so that the U.S.F.S can review the discussion.

At the request from a member of the public, Chairman Hartman stated that the time of the workshop will be determined at a later date, and an evening meeting will be considered.

10:46 a.m.: The Board of Supervisors recessed.

10:54 a.m.: The Board of Supervisors reconvened.

### **SCHEDULED HEARINGS**

#### **RESOURCE MANAGEMENT**

##### **PLANNING**

#### ZONE AMENDMENT NO. 06-009

#### GPA, INC.

#### SHINGLETOWN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 06-009, GPA, Inc., which would rezone approximately 38.84 acres in the Shingletown area from an Unclassified (U) District to a Limited Residential (R-L) District, in conjunction with a parcel map to create four parcels with a 161.96-acre remainder parcel. Senior Planner Bill Walker 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 project, 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. 06-009, GPA, Inc., Shingletown Area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2008-100;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-100; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-009, as requested.

**PUBLIC WORKS**

**TRACT MAP NO. 1900**  
**SILVERBRIDGE HIGHLANDS PERMANENT ROAD DIVISION**  
**MILLVILLE AREA**

This was the time set to re-open the public hearing continued from September 9, 2008 regarding the formation of the proposed Tract Map No. 1900, Silverbridge Highlands Permanent Road Division (PRD) in the Millville area. Supervising Engineer Al Cathey presented the staff report and noted that the applicant had not submitted the required ballot; and therefore, the PRD formation fails. However, the tract map is not jeopardized since the applicant requested and received a two year extension. 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 permanent road division, and the public hearing was closed.

No further action was taken by the Board of Supervisors.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Hartman announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Conduct its annual review of pending civil cases, pursuant to Government Code section 54956.9, subdivision (a), as follows:
  1. AIG Life Insurance Co. v. Chatreau
  2. Ames, Bryon v. County of Shasta
  3. Arbo, Dwain v. Sheriff's Dept., et al.
  4. Babcock, Carol v. County of Shasta
  5. Bowman, Jamie Lee v. County of Shasta
  6. Brummett, Melvin v. Teske, Clair, et al.
  7. Burns, Dwayne v. City of Redding, PHS, County of Shasta, et al.
  8. California, State of, et al. v. Infineon Technologies AG, et al.
  9. Citizens for a Healthy Environment v. County of Shasta, Tullis, et al.
  10. Coleman/Plata Intervenor
  11. County of Shasta v. Swendiman
  12. Denney, Philip v. DEA, County of Shasta
  13. Douglas, Shirley v. Shasta County Sheriff's Department, Mike Nelson, N. Thompson
  14. Gardner, Joyce v. County of Shasta
  15. Maes, Christopher v. Bonnie Jorgensen and Karen Opbroeck
  16. McDaniel, Donald v. Woods, John
  17. Morin, Patricia v. County of Shasta, Tom Bosenko, and J. Ruiz
  18. Nunnelley, Ed and Rhonda v. County of Shasta
  19. Pinkston, Kenneth v. State of California, County of Shasta, City of Redding, and City of Anderson
  20. Pirritano, Denise R. v. City of Redding, County of Shasta, et al.
  21. Ristemi, Izai v. County of Shasta
  22. Santos, Timothy v. Shasta County Sheriff's Department
  23. Seven Hills Land and Cattle Co. & Anselmo v. Andrew Jensen, Russ Mull, County of Shasta
  24. Siler, William v. Shasta County Sheriff's Department
  25. Simonis, Moore, Lovett v. Magrini, Fitch, Clemens, De Pui, Shasta County
  26. Snodgrass, Wade v. Shasta County Dept. of Corrections

27. Thompson, Roy v. Shasta County, Jim Blalock
  28. Thompson, Vickie v. County of Shasta
  29. Towne, Jerry and Beverly v. County of Shasta
  30. Varner, Scott v. Visser, John and Shasta County Sheriff's Department
  31. Yeadon, Dale Leroy v. City of Redding, County of Shasta, et al.; and
2. Confer with its Real Property Negotiator County Administrative Officer Larry Lees and Administrative Office of the Courts to negotiate price and terms of payment regarding 1500 Court Street, Redding, California; and
  3. Confer with its Labor Negotiators, County Administrative Officer Larry Lees, Personnel Director Michelle Schafer, and Labor Consultant Becker and Bell, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

10:58 a.m.: The Board of Supervisors recessed to Closed Session.

1:16 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Mike Ralston, and Deputy Clerk of the Board Diane Colson present.

### **AFTERNOON CALENDAR**

### **REPORT OF CLOSED SESSION ACTIONS**

County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation and real property negotiations, as well as labor negotiations. By a unanimous vote, the Board of Supervisors authorized a settlement in the amount of \$155,000 in the case of County of Shasta v. Swendiman. By a unanimous vote, the Board of Supervisors authorized the Law Offices of Gary Brickwood to handle the defense in the matter of Douglas v. Shasta County Sheriff's Department. By a unanimous vote, the Board of Supervisors authorized the Law Offices of Larry Moss to handle the defense in the matter of Maes v. Jorgensen and Opbroeck. No other reportable action was taken.

1:18 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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