

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 28, 2008

REGULAR MEETING

9:01 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 Kris Widmer, Seventh Day Adventist Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Charles Alexander spoke in opposition to a parolee day reporting center funded by Shasta County.

BOARD MATTERS

Chairman Hartman announced that the "Adoption Awareness Month" proclamation was pulled at the request of the department and rescheduled for November 4, 2008.

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:

Approved the minutes of the meeting held on October 21, 2008, as submitted. (Clerk of the Board)

Enacted Ordinance No. 408-205, which establishes a 45 mile-per-hour speed limit on Eastside Road from Latona Road to the Redding City Limit, as introduced October 14, 2008. (Clerk of the Board)

(See Speed Restriction Ordinance Book)

Appointed Ed Cahill to fill an unexpired term on the Castella Fire Protection District Board of Directors to December 2011. (Clerk of the Board)

Appointed Fred Weatherill as an alternate member to the Board of Employee Appeals for a term to expire January 2009. (Clerk of the Board)

Adopted Salary Resolution No. 1358, which reclassifies one Typist Clerk I/II position in the Risk Management budget to a Workers' Compensation Technician I-Confidential position, effective October 26, 2008. (Support Services)

(See Salary Resolution Book)

Adopted Salary Resolution No. 1359, which reclassifies one Food Services Supervisor position in the Crystal Creek Camp budget to a Supervising Juvenile Detention Officer position, effective November 9, 2008. (Probation)

(See Salary Resolution Book)

For Parcel Map No. 06-010, Eloge (northeast Redding area, released the security in the amount of \$5,700 guaranteeing performance of subdivision improvements; and released the security in the amount of \$2,850 guaranteeing payment. (Public Works)

For Title II and Title III (timber receipt funds) projects, adopted Resolution No. 2008-129, which elects to receive the full payment of Secure Rural Schools and Self-Determination Act of 2008 funds, and allocates 15 percent of the full payment for forest projects; and approved and authorized the Chairman to sign a letter which stipulates the type of funding to be received by the County. (Public Works)

(See Resolution Book No. 49)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Cibula recently attended the Northern Rural Training and Employment Consortium Governing Board (NoRTEC) meeting.

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

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

ADDRESS VERIFICATION POLICY
ADMINISTRATIVE POLICY MANUAL
POLICY RESOLUTION NO. 2008-04

At the recommendation of CAO Lees and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted Policy Resolution No. 2008-04, which adds a policy to the Administrative Policy Manual regarding verification of address for all County departments that use consumer reports.

(See Policy Resolution Book)

SCHEDULED HEARINGS

PUBLIC WORKS

SONORA TRAIL PERMANENT ROAD DIVISION
PARCEL CHARGE INCREASE

This was the time set to conduct a public hearing to consider an increase in the parcel charge for landowners within the existing Sonora Trail Permanent Road Division (northeast Redding area). Supervising Engineer Al Cathey presented the staff report. 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 Linda Reynolds spoke in opposition to the rate increase for additional maintenance of roads to outlying property owners who do not use those roads. She requested that the benefiting property owners only be taxed for the additional maintenance. No one else spoke for or against the proposal, and the public hearing was closed.

In response to questions by Supervisors, Mr. Cathey confirmed the community requested the project with 60 percent of the property owners in support of the increase. There is no way of determining which property owners would never travel the roads proposed for additional maintenance in order to exclude them from being subject to the rate increase.

By consensus, the Board of Supervisors directed the Clerk of the Board to tabulate the ballots to determine the results of the vote as required by Proposition 218 and continued the matter until November 4, 2008. Chairman Hartman announced that the votes would be tallied at 1:30 p.m. in Room 311 of the Shasta County Administration Center, and the ballot count is open to the public. The results will be announced at the November 4, 2008 meeting of the Board of Supervisors.

9:28 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR**WATER AGENCY****APPOINTMENT TO THE NORTHERN CALIFORNIA WATER ASSOCIATION****APPOINTMENT TO THE REDDING AREA WATER COUNCIL****DELTA VISION COLLABORATION**

Chief Engineer Pat Minturn presented the staff report, noting that Shasta County has been a member of the non-profit Northern California Water Association (NCWA) since 1998, with the Water Agency regularly paying membership dues. Most members are large water agricultural districts in the Sacramento Valley. In 2003, NCWA created two County-represented positions with voting membership on their board. The five counties that belong and share the voting positions are Shasta, Tehama, Glenn, Butte, and Sutter.

Shasta County's Water Resource Master Plan is integrated with NCWA's Integrated Water Resource Master Plan for Sacramento Valley. New legislation has imposed new obligations on Integrated Water Resource Master Plans. Water Districts and Cities must meet those new obligations in order to be considered for state water grants. Since NCWA is the umbrella corporation for Shasta County's Water Resource Master Plan, NCWA will comply on the County's behalf.

In response to a question by Member Cibula, Mr. Minturn confirmed that the appointments would include both a representative and alternate.

Member Cibula moved to appoint Member Hawes as the representative to the Northern California Water Association with Member Baugh as the alternate and appoint Member Baugh as the representative to the Redding Area Water Council with Member Hawes as the alternate. Supervisor Baugh seconded the motion.

In response to a question by Member Kehoe, Members Cibula and Baugh agreed that the Board could defer appointments until Supervisor-elect Leonard Moty assumes office in 2009; however, Member Hawes has years of experience and background, Member Baugh's District is directly impacted by the RAWC, and he is interested in serving.

By motion made, seconded (Cibula/Baugh), and unanimously carried, the Water Agency Board of Directors appointed Member Hawes as representative and Member Baugh as alternate to the Northern California Water Association; and appointed Member Baugh as representative and Member Hawes as alternate to the Redding Area Water Council.

Mr. Minturn discussed the Blue Ribbon Committee convened by the Governor. The Five Delta counties that have banded together are Contra Costa, Sacramento, San Joaquin, Solano, and Yolo. The Five Northstate counties are Butte, Colusa, Glenn, Shasta, and Tehama. Recently, the two groups have collaborated to create a ten-county coalition. The alliance would extend from Shasta and Oroville Dams to the Pacific Ocean.

By consensus, the Water Agency Board of Directors directed staff to collaborate with other Sacramento River counties on Delta Vision.

ELK TRAIL WATER PROJECT STATUS REPORT
COUNTY SERVICE AREA NO. 6 - JONES VALLEY WATER SYSTEM IMPROVEMENTS
GRANT AND LOAN APPLICATIONS SUBMISSION
RESOLUTION NO. 2008-02
SIERRA NEVADA CONSERVANCY GRANT FUNDS APPLICATION SUBMISSION
RESOLUTION NO. 2008-03

Chief Engineer Pat Minturn presented the staff report, noting the estimated project cost is \$10 million to benefit approximately 200 Elk Trail parcels, which are generally five acre parcels. The goal is to annex Elk Trail to County Service Area No. 6 - Jones Valley (CSA No. 6). Because running water lines to large parcels is challenging and expensive, grants and loans are being sought to pay for the majority of the project. The main source for any water system grant search is the state and federal governments, who have historically aided in the past.

With help from Congressman Wally Herger's and Assemblyman Doug LaMalfa's offices, the Water Agency has applied for grants and loans from the United States Agency of Agriculture-Rural Development (USDA), the California State Revolving Fund, and the Sierra Nevada Conservancy. The USDA and State Revolving Fund applications are due February 2009. If the prospective funding is received, a typical residence would pay \$120 per month.

Silverthorn Summer Homes subdivision was annexed to CSA No. 6 in 1999. A USDA grant application for \$1 million has been requested to upgrade the subdivision's water lines to provide full pressure.

Mr. Minturn stated that over a year ago, an Elk Trail straw poll was taken. One vote was allowed per parcel. The support was overwhelming. There is no area that has a clear majority of opposition. Once grant proposals are confirmed, public meetings will be held to allow public input. Staff will then apply to the Local Agency Formation Commission (LAFCO) for annexation. LAFCO allows one vote per registered voter. Therefore, depending on the number of registered voters living on a parcel, one parcel may have more than one vote. The LAFCO Board of Directors may approve an annexation if there is a majority, which would result in an assessment district being formed. This will require an Engineer's Report and Bond Counsel. A final, weighted assessment vote will be taken at that time. If any of the votes fail, the project will not be able to proceed.

In response to questions by Members, Mr. Minturn explained that when an assessment district is proposed, the Water Agency will fund two percent to start the project, and then property owners pay for costs. The Board of Directors could allocate funding received to reimburse the Water Agency. To date, the Water Agency has expended over \$200,000 for this project.

Paul Stout and Diana Tallerino spoke in support of the project and urged the Board of Directors to continue the project.

Kathy Jalquin read a statement from Lawrence Fleming and Michele Lawson opposing the project. Kathy Jalquin, Bruce Waggoner, Bill Ashby, Rebecca Bowles, and Edgar "Jack" Bowles spoke in opposition to the project due to the costs of the project and the high amount each property owner will be required to pay.

In response to questions by Members, Mr. Minturn confirmed that the Agency has been working with the Shasta County Housing Department in order to obtain additional grants to aid low-income property owners. However, these grants will not fund the entire cost for low-income owners.

If the Board of Directors discontinues the project, all tentative state and federal funding commitments would be delegated to other communities, and there is no guarantee that other tentative funding would be as available or favorable. Due to project start-up costs, staff would

not recommend restarting this project at a later date. If the project proceeds as planned, construction could be completed by 2011.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Water Agency Board of Directors adopted Water Agency Resolution No. 2008-02, which approves and authorizes the Public Works Director to sign and submit grant and loan applications and related documents for water system improvements to County Service Area (CSA) No. 6 - Jones Valley Water (Elk Trail and Silverthorn areas); adopted Water Agency Resolution No. 2008-03, which approves the application for grant funds from the Sierra Nevada Conservancy for water system improvements to CSA No. 6 - Jones Valley Water for Elk Trail, and approves and authorizes the Public Works Director to negotiate and sign all necessary documents; and directed staff to conclude the grant search and focus on project delivery.

(See Water Agency Resolution Book)

WATER AGENCY PROJECTS STATUS REPORT

Chief Engineer Pat Minturn provided a status report on local projects with Water Agency involvement. The County Service Area No. 2 - Castella Water System project is going forward to replace service connectors and with treatment plant upgrades. The plant has shut down intermittently, but water has been trucked in to maintain water levels. The project is 60 percent complete.

The County Service Area No. 13 - Alpine Meadows Sewer collection system has always leaked. Septic tank effluent pump systems have been installed to prevent leakage.

The Shingletown Fire Suppression System is no longer operative. Staff is working with Woodridge Mutual Water Company to situate a large water tank uptown with a water line ran through the town center. Water will flow by gravity with no pumping required.

The Balls Ferry Boat Ramp project is underway to widen the ramp, improve access, overlay the parking lot, replace restrooms, and to expand the launch cove.

The Hat Creek Park project will upgrade restrooms, trails, parking, and picnic facilities. The project is 70 percent complete.

The Water Agency Board of Directors appointed the first Board of Directors to the newly created Shasta-Tehama Watermaster District but, due to the legislature, the Water Agency is no longer directly involved. In response to a question from Member Hawes, CAO Lees agreed to meet with the Shasta-Tehama Watermaster Board of Directors to discuss a contract with Shasta County to provide administrative support.

The Igo-Ono Community Services District flume was damaged by the Motion Fire. Water Agency staff has provided technical assistance for a temporary repair. The Department of Housing is seeking grants to replace the entire flume.

The Water Agency serves as staff to the Redding Area Water Council (RAWC). The RAWC has prepared a Water Resource Master Plan and a Groundwater Management Plan to meet water needs in the Redding Basin and to monitor and manage water levels and quality.

11:15 a.m.: The Shasta County Water Agency adjourned, and the Board of Supervisors reconvened.

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.

Supervisor Cibula announced that he will be recusing on the real property negotiations due to real property holdings.

11:18 a.m.: The Board of Supervisors recessed to Closed Session.

12:15 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Mike Ralston, and Deputy Clerk of the Board Valerie Ibarra present.

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. Supervisor Cibula recused on the cases of Burns v. County of Shasta and Ristemi v. County of Shasta. No reportable action was taken.

12:15 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy