

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 16, 2008

REGULAR MEETING

9:02 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 - Diane Colson
 Deputy Clerk of the Board - Valerie Ibarra
 Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Eric Madson, Cottonwood Bible Baptist Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

United Public Employees of California Local 792 Business Manager Chris Darker requested that County staff investigate the pedestrian crossing at Court Street due to the recent tragedies, and report back to the Board of Supervisors.

Supervisor Baugh requested that the matter be referred to staff for investigation.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Hartman stated that the item regarding Shasta Community Services District Board of Directors had been pulled from the agenda at the request of the department. The items regarding the self-storage contract, the Sheriff's Office budget amendment, and the Knighton and Churn Creek Commons Retail Center were pulled 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:

Approved final adjustments to the Fiscal Year 2007-08 budget, increasing appropriations by a net of \$4,702,589 and increasing total revenues by \$4,558,164, and reducing fund balances by \$144,425 for various budget units and special districts under the Board of Supervisors. (Auditor-Controller)

Approved and authorized the Chairman to sign the County Claims List totaling \$1,023.00 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on December 9, 2008, as submitted. (Clerk of the Board)

Reappointed James Holdridge, Charles Byard, and Chuck Ryan to the Employee Appeals Board for two-year terms to January 2011; and reappointed Wes Reynolds and Fred Weatherill as alternate members for two-year terms to January 2011. (Clerk of the Board)

Appointed John Kessinger to the Millville Fire Protection District Board of Directors to fill an unexpired term to December 2011. (Clerk of the Board)

Reappointed John Cornelius (District 3) and Roy Ramsey (District 4) to the Shasta County Planning Commission for four-year terms to January 2013. (Clerk of the Board)

Appointed Jessica Nelson to the Shasta Community Services District Board of Directors to fill an unexpired term to December 2009. (Clerk of the Board)

Enact Ordinance No. 378-1983, which approves Zone Amendment No. 08-004, Williams Trust (Palo Cedro area), as introduced November 18, 2008. (Clerk of the Board)
(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign an amendment to the agreement with Jana D. Todd, d.b.a. JDT Consultants increasing compensation by \$52,000 (for a total not to exceed \$100,000 per fiscal year) to provide additional mental health services to Medi-Cal eligible children and retaining the term of November 1, 2006 through June 30, 2007, with two automatic one-year renewals; and changing the consultant's name. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Okechukwu Nwangburuka, M.D. in an amount not to exceed \$124,800 to provide youth mental health services for the six-month period of January 1, 2009 through June 30, 2009, with one automatic one-year renewal in an amount not to exceed \$249,600. (Mental Health)

Reappointed Sherrie Allan and Becky Bogener to the Mental Health Board for three-year terms to December 2011. (Mental Health)

Approved and authorized the Chairman to sign the California Department of Health Services Children's Medical Services Branch Certification Statements in support of program plans and budgets totaling \$2,242,392 (Child Health and Disability Prevention Program - \$777,532, Health Care Program for Children in Foster Care - \$142,521, and California Children's Services Administration - \$1,322,339) for the period July 1, 2008 through June 30, 2009; approved and authorized the Director of Public Health to sign amendments to the program budget(s) which result in a net change of no more than 5 percent of the total budget and other minor, nonmonetary amendments as necessary; and approved a budget amendment to the California Children's Services budget unit to reflect the reduction in the State of California's budgeted revenue and an increase in the Social Services realignment revenue. (Public Health)

Approved and authorized the Chairman to sign an agreement with Caltrans to accept Federal Transit Administration (FTA) Section 5316 Job Access Reverse Commute grant funds in the amount of \$52,799 for bus passes for employed and active job-seeking Health and Human Services participants and other low-income Shasta County residents for the period October 1, 2008 through September 30, 2009; adopted Resolution No. 2008-150, which designates the Director of Social Services to sign all subsequent FTA Section 5316 grant-related documents; and authorized the Auditor-Controller to pay claims related to the agreement. (Social Services)

(See Resolution Book No. 49)

Approved and authorized the Chairman to sign an amendment to the agreement with the City of Anderson decreasing compensation by \$500 per month (for a new total not to exceed \$6,100 per month) for Opportunity Center participants to provide janitorial services at City of Anderson buildings from the date of signing through June 30, 2009, with two automatic one-year renewals; and authorized the Director of Health and Human Services Agency or the Director of Social Services or their respective designees to approve decreases in services or revenue not to exceed 25 percent of total compensation or increases in revenue or services not to exceed 10 percent of the total compensation. (Social Services-Opportunity Center)

Approved and authorized the Chairman to sign a renewal lease with Brent Owen in an initial amount of \$10,547.44 per month for approximately 17,012 square feet of office, warehouse, and shop space (\$0.62/square foot) at 1265 Redwood Blvd, Redding for the period January 1, 2009 through December 31, 2013, with annual rent increases based on the Consumer Price Index (not to exceed 2.5 percent per year), and with one optional five-year renewal. (Social Services-Opportunity Center)

Approved and authorized the Chairman to sign an agreement with Anderson Union High School, Cottonwood Union High School, Happy Valley Union High School, and Pacheco Union School Districts in the amount of \$79,605 (plus any overtime costs) to provide one Deputy Sheriff (School Resource Officer) on school campuses from the date of signing through June 4, 2009. (Sheriff)

Approved and authorized the Chairman to sign agreements in the amount of \$240 annually to lease aircraft hangars at the Fall River Mills Airport for the period January 1, 2009 through December 31, 2012 with Stucco Supply Company of San Jose, Inc.; William Cessna; Greg Wrigley; and Rex Horney. (Public Works)

For Parcel Map No. 06-071, Chuck (Burney area), released the security in the amount of \$20,643 guaranteeing performance of subdivision improvements; and released the security in the amount of \$10,321.50 guaranteeing payment, (Public Works)

For Tract Map No. 1923, Lone Tree Subdivision (Anderson area), adopted Resolution No. 2008-151, which grants an extension of time to the developer for completion of improvements by December 19, 2009; and approved and authorized the Chairman to sign an amendment to the agreement with Lone Tree, Inc. extending the time of completion to December 19, 2009. (Public Works)

(See Resolution Book No. 49)

Adopt Resolution No. 2008-152, which approves and authorizes the Director of Resource Management to sign and submit an application to the California Integrated Waste Management Board on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake for a Waste Tire Amnesty Event grant for Fiscal Year 2008-09, and approves and authorizes the Director of Resource Management to sign all necessary grant-related documents, including the grant agreement and payment requests. (Resource Management)

(See Resolution Book No. 49)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: NORTH COURT SELF-STORAGE
FLEET MANAGEMENT DIVISION SELF-STORAGE**

In response to a question by Supervisor Cibula, County Administrative Officer (CAO) Larry Lees explained that the County does not have storage space available for the items to be stored, and the rates offered were very competitive. Director of Support Services Michelle Schaeffer explained that the pieces to be stored were large pieces of mechanical equipment for vehicles.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive lease agreement with North Court Self-Storage in the amount of \$210 per month for approximately 432 square feet of storage space (\$0.49/square foot) at 1075 North Court Street, Redding commencing November 20, 2008 on a month-to-month basis for a term not to exceed three years. (Support Services-Fleet Management)

**BUDGET AMENDMENT
SHERIFF'S BUDGET UNIT**

Sheriff Tom Bosenko discussed the seizures made by the Central Valley High Intensity Drug Trafficking Area Program. Many of the assets seized support the Cal/Met program and the Sheriff's Office.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors accepted funding in the amount of \$37,500 from the Central Valley High Intensity Drug Trafficking Area (HIDTA) Unit under the auspices of the Office of National Drug Control Policy for Drug Suppression Program activities, specifically the Domestic Highway Enforcement (DHE) program, in Shasta County; and approved a budget amendment increasing appropriations and revenues in the Sheriff's budget unit in the amount of \$37,500 for Fiscal year 2008-09 for DHE overtime and canine costs. (Sheriff)

**AGREEMENT: HAWKINS COMPANIES, LLC & QUAD KNOPF, INC.
ENVIRONMENTAL IMPACT REPORT AND MITIGATION MONITORING PLAN
KNIGHTON & CHURN CREEK COMMONS RETAIL CENTER**

In response to a question by Supervisor Baugh, Director of Resource Management Russ Mull, explained that the Knighton & Churn Creek Common Retail Center requires an environmental document. The County does not take a position to approve or deny a project until later in the process.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Hawkins Companies, LLC in the amount of \$247,551 for payment of funds relating to the preparation by a consultant of an Environmental Impact Report (EIR), a Mitigation Monitoring Plan (MMP), and staff costs related to document production and processing of related land use permits for the Knighton & Churn Creek Commons Retail Center project; and approved and authorized the Chairman to sign an agreement with Quad Knopf, Inc. in an amount not to exceed \$237,551 to prepare an EIR and MMP from the date of signing through certification of the final EIR and acceptance of the MMP. (Resource Management)

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

County Administrative Officer (CAO) Larry Lees presented an update on specific legislation of importance to Shasta County, noting that there is a \$40 billion deficit in the State budget, with a proposed \$10 billion cut to public education. In January, he will recommend departments make advance proposed budgets.

Supervisor Cibula attended a Regional Council of Rural Counties meeting.

Supervisor Kehoe recently attended the Redding Area Bus Authority board meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

10:53 a.m.: Supervisor Cibula recused himself due to property holdings in the vicinity of the County, and he left the Chambers.

**TRANSFER AGREEMENTS: ADMINISTRATIVE OFFICE OF THE COURTS
RESPONSIBILITY FOR JUSTICE CENTER, MAIN COURTHOUSE/ANNEX,
JUVENILE HALL, AND BURNEY SUBSTATION
BUDGET AMENDMENT**

At the recommendation of CAO Larry Lees and Administrative Fiscal Chief Bebe Palin and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign transfer agreements and other associated documents transferring responsibility for the Court's exclusive use area in the Justice Center, Main Courthouse/Annex, Juvenile Hall, and Burney Substation effective from the date of signing; approved County Facility Payments to the Administrative Office of the Courts (AOC) in approximate amounts as may be adjusted in accordance with Government Code section 70362 for the Justice Center in the amount of \$22,343, the Main Courthouse in the amount of \$233,226, the Courthouse Annex in the amount of \$202,875, the Juvenile Hall in the amount of \$2,538, and the Burney Substation in the amount of \$9,505; approved a budget amendment increasing appropriations in the Trial Court budget unit, to be offset by a reduction in the contingency reserve; authorized the Auditor-Controller to remit payments to the AOC as required; found that the recommended actions are exempt from the provisions of the California Environmental Quality Act (CEQA); and approved and authorized the County Administrative Officer to sign documents as needed.

11:10 a.m.: Supervisor Cibula returned to the Chambers.

ADMINISTRATIVE OFFICE-LIBRARY**SHASTA LIBRARY FOUNDATION ACTIVITIES****DONATION: ANDERSON AND BURNEY BRANCH LIBRARIES**

Administrative Analyst Elaine Grossman introduced Shasta Library Foundation Executive Director Peggy O'Lea, who provided an update on activities of the Shasta Library Foundation.

By motion made, seconded (Cibula/Baugh), and unanimously carried, the Board of Supervisors accepted a donation from the Shasta Library Foundation of library furniture for the Anderson and Burney Branch Libraries in accordance with Government Code sections 25355 and 25356.

HEALTH AND HUMAN SERVICES**SOCIAL SERVICES****ORDINANCE: IN-HOME SUPPORT SERVICES (IHSS) ADVISORY****COMMITTEE MEMBERSHIP****IHSS ADVISORY COMMITTEE BYLAWS**

In answer to questions by Supervisor Cibula, Health and Human Services Agency Branch Director Jane Work stated that Social Services works closely with the In-Home Support Services Advisory Board and agrees with their recommendations. In response to a question from Supervisor Kehoe, Auditor-Controller Connie Regnell explained that she had reservations processing travel advances to non-county employees. Health and Human Services Agency Business and Support Services Branch Director Leanne Link stated that some advisory board members have low income and do not have the money to pay in advance for travel, and she recommended approving the proposal. County Administrative Officer Larry Lees explained that an affirmative vote would authorize the department to prepay airfare and hotels for these volunteers.

By motion made, seconded (Cibula/Hawes), and carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends Section 2.45.070 of the Shasta County Code to reduce the In-Home Support Services Advisory Committee from eleven to nine members, and add a provision for advisory committee members to receive advances for Advisory Committee-related travel; and approved amendments to the IHSS Advisory Committee Bylaws effective February 16, 2009 which reduce the Committee's membership from eleven to nine members, change the process for scheduling regular meetings, and add a provision allowing members an advance for Committee-related travel expenses. Supervisor Kehoe voted no as he objected to the provision of travel advances to non-county employees.

10:34 a.m.: The Board of Supervisors recessed.

10:40 a.m. The Board of Supervisors reconvened.

LAW AND JUSTICE

PROBATION

**GRANT APPLICATION: CONSTRUCTION OF NEW JUVENILE HALL
RESOLUTION NO. 2008-153**

Chief Probation Officer Brian Richart introduced Judge Anthony Anderson, who recommended approval of the grant application as the County needs a new Juvenile Hall. Mr. Richart explained that the State of California will subsidize up to 95 percent of construction costs for the \$18 million project through lease revenue bonds issued by the State.

By motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors authorized the Chief Probation Officer to submit a grant application, in accordance with terms established by Senate Bill (SB) 81 (2007), for construction funds to construct a new ninety-bed Juvenile Hall; designated signature authority to the County Administrative Officer to sign the application and any related documents necessary for the submission of the application; and adopted Resolution No. 2008-153, which makes certain findings necessary for the submission of the SB 81 grant application.

(See Resolution Book No. 49)

PUBLIC DEFENDER

**PUBLIC DEFENDER RECORDS RETENTION SCHEDULE
RESOLUTION NO. 2008-154**

This item was continued from the October 14, 2008 Board of Supervisors meeting. Assistant Public Defender Tim Pappas provided a cost benefit analysis of the digital copying process for the records retention and recommended approval of the records retention schedule.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2008-154, which establishes a records retention schedule for the Public Defender department.

(See Resolution Book No. 49)

SHERIFF/OFFICE OF EMERGENCY SERVICES

**FY 2008 HOMELAND SECURITY GRANT
BUDGET AMENDMENTS**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors authorized the Chairman to accept the FY 2008 Homeland Security Grant in the amount of \$473,701; approved a budget amendment increasing appropriations and revenues by \$473,701 in the Sheriff budget unit; approved a budget amendment increasing appropriations and revenues by \$4,074 in the Public Health budget unit as a result of an increase in transfers-out from the Sheriff budget unit; approved a budget amendment increasing appropriations and revenues by \$31,633 in the County Fire budget unit as a result of an increase in transfers-out from the Sheriff budget unit; in accordance with Administrative Policy 6-101, *Shasta County Contracts Manual*, Section 2.7, awarded a purchase in the amount of \$114,872 to sole-source provider Remote Tech to purchase a bomb robot; authorized the Purchasing Division to collect quotes, issue formal bids, and make purchases in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to pay claims for expenses related to the grant that include participating agency costs,

including expenses extending through subsequent fiscal years in which funds have been reappropriated.

RESOURCE MANAGEMENT

PLANNING DIVISION

OPEN SPACE SUBVENTION ACT OF 1971 **WILLIAMSON ACT PROGRAM**

Assistant Director of Resource Management Rick Simon discussed the Land Conservation Act of 1965 (Williamson Act), which keeps the State's most suitable agricultural lands in agricultural production by providing financial incentives to participating farm and ranch owners. Incentives take the form of reduced property taxes in exchange for long-term commitments through contracts with the County.

Shasta County currently has about 177,035 acres under contract, representing approximately 130 separate ranches. Annual subvention revenues to Shasta County average about \$244,000 annually. Subvention revenues plus reduced property tax (estimated at \$58,000) generate about \$302,000 per year from Williamson Act lands.

With the current budget crisis, the program's fate is uncertain. If the program is cut or substantially reduced by the State, the local program could become a financial liability to the County by as much as \$125,000 per year, based on existing contracts.

Resource Management recommends three alternatives:

1. Continue accepting and processing applications for contracts (maintain status quo);
2. Maintain current contracts, but do not accept new applications until further notice by the Board; or
3. Consider non-renewal of existing contracts and direct staff to report to the Board on the likely financial and land use implications to the County and the appropriate procedure for such action.

In response to a question by Supervisor Cibula, Mr. Ralston explained that, although at least one county has placed a provision in their Williamson Act Contracts that the contract would be cancelled if funding is deleted at the state level, the provision is not enforceable under current law. Non-renewal of contracts is the only option available to counties.

In response to a question by Supervisor Cibula, Mr. Simon recommended the program be maintained at its current level and that the Board of Supervisors put a moratorium on entering into new contracts until the budget situation at the State is adopted. The Board of Supervisors would have the option to reopen the availability of contracts.

Supervisor Kehoe moved that the Board of Supervisors maintain the current Williamson Act contracts but not accept new applications until further notice by the Board of Supervisors. The motion died for lack of a second.

By motion made, seconded (Baugh/Cibula), and carried, the Board of Supervisors approved accepting and processing Williamson Act applications for contracts (maintain status quo), with the matter returning to the Board of Supervisors after the State budget is adopted. Supervisor Kehoe voted no.

SCHEDULED HEARINGS

PUBLIC WORKS

ROAD ABANDONMENT: BARNEY STREET (ANDERSON AREA) **RESOLUTION NO. 2008-155**

This was the time set to conduct a public hearing and consider abandoning a portion of a public easement along Barney Street in the Anderson area. Public Works Director Pat Minturn 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.

In response to questions by supervisors, Mr. Minturn and County Counsel Mike Ralston confirmed Caltrans proposes a roundabout at one corner of the property, which would require the developer to abandon an adjacent easement; however, initiating negotiations for an exchange of easements is not recommended since there is no connection between the projects.

The public hearing was opened, at which time Pacific Properties Director of Development Elisa Raygoza explained that Pacific Properties already granted the adjacent easement to the City of Anderson for the proposed roundabout.

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

By motion made, seconded (Baugh/Hawes), and carried, the Board of Supervisors adopted Resolution No. 2008-155, which abandons a portion of a public easement along Barney Street (Anderson area). Supervisor Cibula voted no, citing concerns regarding future roundabout traffic circulation.

(See Resolution Book No. 49)

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 07-024 **SEVEN HILLS LAND AND CATTLE CO., LLC** **SHINGLETOWN AREA** **LAND CONSERVATION (WILLIAMSON ACT) CONTRACT**

11:50 a.m.: Supervisor Baugh recused due to related pending litigation, Supervisor Hawes recused due to a professional relationship, and they left the chambers.

This was the time set to conduct a public hearing and consider approving Zone Amendment No. 07-024, Seven Hills Land and Cattle Co., LLC, which would rezone approximately 670 acres in the Shingletown area from an Exclusive Agriculture (EA) District to an Exclusive Agriculture combined with an Agricultural Preserve (EA-AP) District. Associate Planner Lio Salazar 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.

In response to questions by Supervisor Cibula, County Counsel Mike Ralston stated that the Williamson Act is based on state statutes; therefore, it supersedes local statutes. The only legal manner to terminate a Williamson Act contract is to non-renew. Mr. Ralston and County Administrative Officer Larry Lees confirmed that the Board of Supervisors may continue this

matter to a later date; however, an exact date of when the State of California legislators will decide whether to continue or discontinue Williamson Act subventions cannot be determined.

Deputy Assessor-Recorder Wayne Stephens advised that Williamson Act contracts are effective every January 1; therefore, if approval and completion of the contract is delayed past January 1, the contract will be delayed for one full year.

In response to questions by supervisors, Mr. Ralston explained that due to the recusals of Supervisors Baugh and Hawes, a unanimous vote of the three remaining supervisors is required in order to pass the zone amendment and land conservation contract.

Supervisor Cibula made a motion to take the following actions regarding Zone Amendment No. 07-024, Seven Hills Land and Cattle Co., LLC, Shingletown area:

1. Find the project categorically exempt from the California Environmental Quality Act (CEQA) as specifically set forth in Planning Commission Resolution No. 2008-110;
2. Make the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-110;
3. Introduce and waive the reading of an ordinance which approves Zone Amendment No. 07-024; and
4. Approve and authorize the Chairman to sign a Land Conservation (Williamson Act) contract with Seven Hills Land and Cattle Co., LLC limiting the use of 670 acres to agricultural and compatible uses for a period of not less than 10 years from the date of signing.

Supervisor Hartman seconded the motion.

The motion failed by the following vote:

AYES:	Supervisors Cibula and Hartman
NOES:	Supervisors Kehoe

Supervisor Kehoe voted no as he would prefer to maintain current contracts but not accept new applications until the decision of continued Williamson Act funding is determined by state legislators.

11:50 a.m.: Supervisors Baugh and Hawes returned to the chambers.

ZONE AMENDMENT NO. 08-016

HHI, LLC

SHINGLETOWN AREA

This was the time set to conduct a public hearing and consider approving Zone Amendment No. 08-016, HHI, LLC, which would rezone approximately 21.2 acres of a 369.4-acre parcel in the Shingletown area from an Unclassified (U) District to a Limited Residential (R-L) District, in conjunction with a four-parcel land division. Assistant Director of Resource Management Rick Simon presented the staff report and recommended approval of the project. The Notice of Public 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 matter, 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. 08-016, HHI, LLC, Shingletown area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as set forth in Planning Commission Resolution No. 2008-113;
2. Made the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-113; and
3. Introduced and waived the reading of an ordinance which approves Zone Amendment No. 08-016.

WORKSHOP

GENERAL GOVERNMENT

COUNTY COUNSEL

COUNTY INVOLVEMENT WITH FEDERAL GOVERNMENT ON LAND USE AND RESOURCE-RELATED MATTERS

Supervisor Cibula stated that he asked for this workshop due to the increased need for control of local land. County Counsel Mike Ralston introduced Modoc County Resource Analyst Sean Curtis.

Mr. Curtis explained the coordination process with the federal government, as outlined in the Federal Land Policy and Management Act and the National Forest Management Act, and discussed numerous projects within Modoc County in which federal government worked alongside the local county government to the benefit of both agencies. Both Acts provide early meaningful participation with local county, state, and tribal governments prior to drafting documents or plans prior to commencement of work. He recommended Shasta County adopt a resolution or ordinance announcing its intent to coordinate with local federal agencies.

Modoc County Counsel John Kenny suggested simplifying the coordination process for the federal agencies by designating a staff member who will be able to devote the needed coordination time, build rapport, and be knowledgeable of federal rules and regulations.

In response to questions by supervisors, Mr. Curtis confirmed that the coordination policy is successful not only for federal agencies, but state agencies as well, and he advised that county land use and resource-related policies be written prior to the adoption of any ordinance or resolution.

Modoc County Land Use Committee Member June Roberts said the advisory committee is essential to Modoc County in reviewing and analyzing data, documents, and materials.

In response to a request by Supervisor Baugh, County Administrative Officer Larry Lees agreed to explore developing a functional area for land use and resource-related matters.

CLOSED SESSION ANNOUNCEMENT

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

1. Confer with its counsel to discuss existing litigation entitled Lawson v. County of Shasta and VanMol v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a); and

- 2. Conduct an employee performance evaluation pursuant to Government Code section 54957 for the County Administrative Officer and the County Counsel.

1:03 p.m.: The Board of Supervisors recessed to Closed Session.

2:36 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, as well as employee performance evaluations. By a unanimous vote, the Board of Supervisors approved Compromise & Releases in the amount of \$95,000 in the case of Lawson v. County of Shasta and \$96,000 in the case of VanMol v. County of Shasta. No other reportable action was taken.

2:37 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy