

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, January 27, 2009

REGULAR MEETING

9:00 a.m.: Chairman Hawes 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 Moty
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees
County Counsel - Mike Ralston
Chief Deputy Clerk of the Board - Glenda Tracy
Deputy Clerk of the Board - Valerie Ibarra
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Pastor Don Pryor, Foothill Christian Center.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Kathy Jalquin spoke in reference to correspondence from the California Department of Public Health Division of Drinking Water and Environmental Management to Assemblyman LaMalfa regarding various propositions and potential loan and grant programs that may affect Elk Trail water concerns.

Charles Alexander spoke in opposition to the American Lung Association's involvement with Assembly Bill 32 (Nuñez), Global Warming Solutions Act of 2006.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign the County Claims List totaling \$4,108.94 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on January 13, 2009, as submitted. (Clerk of the Board)

Enacted Ordinance No. 668, which sets certification and copy fees in the Recorder's Office, as introduced January 6, 2009. (Clerk of the Board)

(See General Ordinance Book)

Appointed Jane Wilson as the Social Services Department representative to the Shasta Children and Families First Commission for a one-year term to January 2010. (Clerk of the Board)

Appointed Leah Haws (as recommended by District 2 Supervisor Moty) to the Shasta County Arts Council for a three-year term to June 2011. (Clerk of the Board)

Reappointed Virginia Webster to the PSA Area 2 Agency on Aging - Advisory Council for a four-year term to January 2013. (Clerk of the Board)

Adopted Resolution No. 2009-004, which approves revisions made to Appendix A, *Designated Positions* and *Disclosure Categories* of the Anderson Fire Protection District Conflict of Interest Code. (Clerk of the Board)

(See Resolution Book No. 50)

Adopted Resolution No. 2009-005, which approves revisions made to Exhibit A, *Designated Positions* and Exhibit B, *Disclosure Categories* of the Chrysalis Charter School Conflict of Interest Code. (Clerk of the Board)

(See Resolution Book No. 50)

Approved and authorized the Chairman to sign a renewal enterprise enrollment agreement with Microsoft Volume Licensing in an amount not to exceed \$433,435.44 to maintain and support Microsoft Client Access software licenses to provide corrective, security, and enhancement updates for current software licenses for the period February 1, 2009 through January 31, 2012. (Information Technology)

Approved and authorized the Chairman to sign a revised retroactive grant revenue agreement with the San Diego State University Research Foundation on behalf of the California Kids' Plates Program in an amount not to exceed \$36,000 to continue a project focused on motor vehicle occupant safety for the period July 1, 2008 through June 30, 2009. (Public Health)

Approved the appointment of Susan Wolf at Step 'F' of the Program Manager I classification. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with Shasta Union High School District in the amount of \$85,957 (plus any overtime costs) to provide one Deputy Sheriff (School Resource Officer) on the Foothill High School campus from the date of signing through June 5, 2009. (Sheriff)

Approved and authorized the Chairman to sign the following agreements with Caltrans: in an annual estimated amount of \$20,000 to share costs of operation and maintenance of traffic signals and lighting at the intersections of state highways and county roads; and in an annual estimated amount of \$3,000 to operate and maintain the traffic signal at the Gas Point Road and Rhonda Road intersection. (Public Works)

Approved and authorized the Chairman to sign a renewal agreement with W.M. Beaty & Associates, Inc. in the amount of \$1,000 to lease the Shingletown Airport for the period January 1, 2009 through December 31, 2009. (Public Works)

Approved and authorized the Chairman to sign an agreement with Rex Horney to lease an aircraft hangar at the Fall River Mills Airport for a 14-month period of February 1, 2009 through

March 31, 2010 in the amount of \$180 per month for two months and \$185 per month thereafter. (Public Works)

Approved and authorized the Chairman to sign an amendment to the lease with the California State Lands Commission effective January 29, 2009 increasing compensation to \$341 per year to include utility lines on the Airport Road at Sacramento River Bridge. (Public Works)

Adopted Resolution No. 2009-006, which authorizes Resource Management to accept the Used Oil Recycling Block Grant - Fourteenth Cycle in the amount of \$28,206 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake for Fiscal Year 2008-09; appoints the Director of Resource Management as the agent for Shasta County for the purpose of the grant; and authorizes the Auditor-Controller to pay claims for program expenditures incurred between July 1, 2008 and August 15, 2011. (Resource Management/Community Education Section)

(See Resolution Book No. 50)

Approved and authorized the County Fire Warden to purchase two Type 1 triple combination pumper fire engines for the Shasta County Fire Department; and awarded the bid to HME Ahrens-Fox for a total purchase price of \$589,046.50. (County Fire)

REGULAR CALENDAR

PRESENTATION

CONSUMER PROTECTION PROGRAM UPDATE

District Attorney Jerry Benito and Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer explained that the Consumer Protection Program was approved by the Board of Supervisors in 2006. Mr. Benito told of a part-time investigator that assists in educating local businesses and citizens in price verifications. Ms. Pfeiffer stated that her staff does random inspections to assure for accurate pricing. An attorney in the District Attorney's office is involved in state-wide settlements that are divided equally between the number of counties involved.

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, including attendance at a meeting for discussion of AB 885 (Calderon) regarding onsite wastewater treatment systems. By consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter to the State Water Resources Control Board to submit Shasta County's comments of areas of concern.

CAO Lees stated that some permit fees collected by Shasta County have costs set by the State. It has been determined that the State has not kept pace with the actual cost of providing the permits, and Yolo County has initiated a request to the State to consider allowing counties to have the flexibility to recoup actual costs. By consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter, joining with Yolo County in this endeavor.

CAO Lees met with the labor organizations to discuss the issues of the State budget and its impact on Shasta County. There is a possibility that the State may defer payments to Shasta County from February through September, which would be approximately \$15 to \$16 million to

and does not include funding that will affect Public Safety. This will seriously impact services provided by the County. He reiterated that the County should not utilize deficit spending.

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

Supervisor Baugh recently attended the Northern Rural Training and Employment (NoRTEC) meeting.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES

SOCIAL SERVICES

AGREEMENT: CALIFORNIA DEPARTMENT OF SOCIAL SERVICES BUDGET AMENDMENT

Health and Human Services Agency Director Marta McKenzie explained that mandated programs and services provide funds on an urgency basis. The General Assistance (GA) budget unit will not have sufficient funding to make February 1, 2009 payments. The proposed agreement with the California Department of Social Services will reimburse Shasta County for GA benefits which are often paid to individuals awaiting approval of Supplemental Security Income (SSI) benefits. The department is considering reducing benefits by \$20 per month, which would reduce expenditures by approximately \$40,000 for the remainder of the fiscal year.

In response to questions by Supervisor Baugh, Ms. McKenzie stated that the fund balance in Social Services at the end of June 2008 was \$9.5 million. Even though there have been salary savings, there have been reductions in other funding sources. Reducing monthly benefits by \$20 per month will allow increased funding for other services, such as mandatory drug/alcohol screening and mandatory job-search training.

In response to questions by Supervisor Kehoe, County Counsel Mike Ralston advised that the mandatory drug/alcohol screening for applicants is an appropriate treatment to occur with the program. Ms. McKenzie said that the goal is to include a drug and alcohol counselor in the enrollment process so that immediate assessment is available for the GA client. The participation in the mandatory screening and treatment will not include blood testing; it will be a discussion. The objective is to reduce barriers to employment.

Supervisors Kehoe and Moty expressed their objections to reducing GA monthly benefits by \$20.

Dan Belknap advised that he had been involved in a program in Alameda County for GA clients. In that program, men and women were not tested for drug or alcohol usage; however, if they appeared at the work site and appeared to be intoxicated, they were not allowed to stay to work that day.

Supervisor Kehoe stated that his motion will not include the reduction of benefits as a \$20 reduction to these individuals would be substantial.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors approved a budget amendment in the amount of \$575,000 increasing appropriations in the General Assistance budget unit, offset by a decrease in fund balance; directed the department to explore and implement program changes to improve services and contain costs (excluding a reduction in General Assistance benefits); and adopted Resolution No. 2009-007, which approves and authorizes the Chairman to sign an agreement with the California Department of Social Services to provide reimbursement to Shasta County for Interim Assistance

payments for Supplemental Security Income/Supplementary Security Payment (SSI/SSP) benefits for the period July 1, 2008 through June 30, 2009, with five additional one-year terms.
(See Resolution Book No. 50)

10:25 a.m.: The Board of Supervisors recessed.

10:30 a.m.: The Board of Supervisors reconvened.

PUBLIC WORKS

APPOINTMENTS: COUNTY SERVICE AREA 6-JONES VALLEY WATER COMMUNITY ADVISORY BOARD

Public Works Director Pat Minturn stated the appointment to members to the County Service Area 6-Jones Valley Water Community Advisory Board was continued from the Board of Supervisors meeting of January 6, 2009.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors appointed Ronald Carter, Al Clewett, and Peter Scales to the County Service Area No. 6-Jones Valley Water Community Advisory Board for two-year terms to January 2011.

SCHEDULED HEARINGS

PUBLIC WORKS

TRACT MAP NO. 1917 WHITE OAK MANOR PERMANENT ROAD DIVISION EAST MILLVILLE AREA

This was the time set to conduct a public hearing regarding the proposed White Oak Manor Permanent Road Division (east Millville area). Public Works Supervising Engineer Al Cathey 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 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.

RESOURCE MANAGEMENT**PLANNING****ZONE AMENDMENT NO. 07-025****MICHAEL STIERLI****MOUNTAIN GATE AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 07-025, Stierli (Mountain Gate area), which would rezone approximately 4.2 acres from a Rural Residential (R-R) and Mineral Resource Buffer (R-R-MRB) District to a Mixed Use combined with a Mineral Resource Buffer (MU-MRB) District and to an Open Space combined with a Mineral Resource Buffer (OS-MRB) 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 (Hartman/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 07-025, Michael Stierli, Mountain Gate area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2008-019;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-019;
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 07-025, as requested.

ZONE AMENDMENT NO. 07-031**CHARLES AND GRETCHEN LASATER****ANDERSON AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 07-031, Lasater (Anderson area), which would rezone approximately 20 acres from an Unclassified (U) District to a Limited Agricultural (A-1) 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 (Baugh/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 07-031, Charles and Gretchen Lasater, Anderson area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 2008-121;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2008-121;

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 07-031, as requested.

BOARD MATTERS

FALL RIVER RESOURCE CONSERVATION DISTRICT **FALL RIVER WATERSHED**

Director of Fall River Resource Conservation District Raymond Christensen spoke regarding the Fall River Resource Conservation District's Five Year Strategic Plan and proposed Memorandum of Understanding for the Fall River Watershed. He stated that a significant source of water during rain fall and snow melt flows into the Fall River to the watersheds. Due to wildfires over the years, there is an over-supply of sediment to the Fall Rive. As a result of damage caused to the aquatic habitat, the wild trout fishery is declining.

Fall River Valley landowners created the Fall River Conservancy to restore, enhance, and preserve the health of the Fall River Watershed and its wild trout populations. Removal of the sediments is necessary to restore the aquatic habitat.

The California Regional Water Quality Board, U.S.D.A. National Conservation Service, California Department Fish & Game, and Fall River Resource Conservation District have stated that they will sign the Five Year Strategic Plan. The Fall River Conservancy would value Shasta County becoming an alliance partner.

In response to questions by Supervisor Kehoe, Mr. Christensen stated that meetings began over ten years ago with interested parties and agencies. Restoration controls the sediment sources at Bear Creek Meadow. Muskrats, cattle fencing, the restoration of the watershed, and a pilot dredging project also need control measures.

In response to questions by Supervisor Baugh, Mr. Christensen advised that the sediment that is removed will be deposited in the lava beds.

Mr. Christensen stated that the Memorandum of Understanding is a signatory agreement to support the Plan. He understands that funding is not available from the County. By consensus, the Board of Supervisors directed County Administrative Officer Larry Lees to have County staff and County Counsel review and return to the Board of Supervisors for possible further action.

WORKSHOP

RESOURCE MANAGEMENT

SENATE BILL 375 (STEINBERG) **GREENHOUSE GAS EMISSIONS**

Director of Resource Management Russ Mull stated that his department intends to begin the General Plan update process; this process will be impacted by Assembly Bill 32 (Nuñez), Global Warming Solutions Act of 2006 and Senate Bill 375 (Steinberg), Greenhouse Gas Emissions, both of which involves regional transportation plans and inject the State into land use planning. The purpose of this legislation is to reduce city and county land use authority, to stop growth in the unincorporated areas of counties, and move it to the cities.

AB 32 mandates a reduction in greenhouse gas emissions and SB 375 deals primarily with greenhouse gases (GHG) associated with development projects. The California Air

Resources Board develops targets for the reduction of GHG to be reached by 2010 and updated every 8 years. Appointments have recently been made to a State advisory committee, and no members are from a rural area.

It is expected the Regional Transportation Plan (RTP) will consider growth patterns based on current planning assumptions to prepare a sustainable communities strategy (SCS). SB 375 does not change the transportation funding, which must be consistent with the SCS.

Shasta County will not be affected by the two types of streamlining: residential projects that are consistent with the SCS and transportation priority projects. Shasta County does a housing plan that is reviewed every five years as required by State law. Although SB 375 changes that cycle to every eight years to be consistent with two RTP planning periods, Shasta County and the cities of Redding, Anderson, and Shasta Lake will continue with the cost of the five-year mandate as it is one of the few counties in federal air quality attainment.

Mr. Mull recommended that Shasta County proceed with establishing a general plan advisory committee and general plan community working groups to update the general plan, beginning in Fiscal Year 2009-10. The Shasta County Air Quality Management District has been assigned to monitor AB 32 and to develop an AB 32 compliant update to the air quality element of the general plan. The RTP and SCS process will be monitored as staffing allows. Shasta County does not currently have the financial capacity to proceed with a general plan update.

In response to a question by Supervisor Baugh, Mr. Mull advised that Shasta County represents approximately 0.5 percent of the GHG emissions in the state.

Citizens for Smart Growth Representative Ron Reese stated Shasta *FORWARD*>> is a community-driven process including local developer, tribal leader, Public Health, and local citizens. SB 375 proposes to reduce GHG emissions to 1990 levels, which is approximately a 25 percent reduction in the current carbon emissions. Shasta *FORWARD*>> will be a tool to assist in the planning of meeting the new government regulations on GHG by providing input from members of the community.

In response to a question by Supervisor Kehoe, CAO Lees stated that the City of Redding has determined that is not in their best interest to go forward with a tax-sharing agreement at this time. The cities of Shasta Lake and Anderson have not expressed an interest to participate.

Mr. Mull expressed his appreciation for input from community groups regarding the update of the general plan.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes 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 King v. Saxon Mortgage Services, Inc. and Gardner v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a); and
2. Consider a public employee appointment (Public Defender), pursuant to Government Code section 54957;

11:40 a.m.: The Board of Supervisors recessed to Closed Session.

12:50 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Moty, Hawes, Hartman, and Baugh, County Administrative Officer Larry Lees, County Counsel Mike Ralston, and Chief Deputy Clerk of the Board Glenda Tracy 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 a public employee appointment. By a unanimous vote, the Board of Supervisors directed the office of County Counsel to handle the defense of County defendants in the matter of King v. Saxon Mortgage Services, Inc. No other reportable action was taken.

12:50 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy