

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 23, 2010

REGULAR MEETING

9:03 a.m.: Chairman Kehoe 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 - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Judith Churchman, Center for Spiritual Living.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Deputy Director of Adult and Children Services Celeste Buckley provided information about the upcoming Elder Abuse Prevention Campaign.

Shasta VOICES Executive Director Mary Machado stated that the Internet search engine, Google, is sponsoring the "Get Google Project," allowing communities to complete an application to be included in obtaining high-speed broadband network to receive better and faster Internet access and requested that the public nominate the City of Redding to be considered for the project.

Scott Brule requested that consideration should be made regarding the Hatchet Ridge Wind Project Funds that were donated to the Burney area as there are many needs to be handled in that community.

Fall River Valley Chamber of Commerce President Ed Siegel stated that the Burney Library is in need of funds to relocate to a larger facility.

REGULAR CALENDAR**BOARD MATTERS****PROCLAMATION: WELCOME HOME VIETNAM VETERANS DAY**

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 30, 2010 as Welcome Home Vietnam Veterans Day in Shasta County. Julie Classman, Eddie McAllister, and Dennis Hupley accepted the proclamation.

PROCLAMATION: GRAND JURY AWARENESS MONTH

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2010 as Grand Jury Awareness Month in Shasta County. Shasta County 2009/10 Grand Jury Foreman Dale Trudeau accepted the proclamation and encouraged members of the public to apply to serve on the Grand Jury.

PRESENTATIONS**PRESENTATION: HEALTHY FOR LIFE CHALLENGE**

Director of Support Services Michelle Schafer discussed of the six-week "Healthy for Life" Challenge to promote healthy eating and physical activity.

CONSENT CALENDAR

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Hawes abstained from the minutes of the March 16, 2010 meeting as he was not in attendance):

Approved and authorized the Chairman to sign the County Claims List totaling \$600.00 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on March 16, 2010, as submitted. (Clerk of the Board)

Approved a budget amendment to accommodate the non-cash transfer of assets in the amount of \$126,450 from the Support Services-Fleet Management Replacement Funds fixed asset account to the Department of Public Works-Facilities Management budget; authorized the Auditor-Controller to transfer 18 vehicles from Fleet Management to Facilities Management at the current general ledger book value; and authorized the Auditor-Controller to prepare the appropriate budget amendment and offsetting entries to transfer the vehicles at book value between departments, and record the accumulated depreciation and equipment as necessary. (Support Services-Fleet Management/Public Works-Facilities Management)

Approved and authorized the Chairman to sign amendments to the following agreements, increasing compensation by \$50,000 each for Fiscal Year 2009-10 to provide mental health services for an additional number of Medi-Cal eligible children and modifying the billing language for eligible children with private insurance with Northern Valley Catholic Social

Service, Inc., increasing compensation to a new maximum of \$813,478 for Fiscal Year 2009-10 (for a new two-year total of \$1,576,956); with Remi Vista, Inc., increasing compensation to a new maximum of \$892,000 for Fiscal Year 2009-10 (for a new two-year total of \$1,634,000); and with Victor Community Support Services, Inc., increasing compensation to a new maximum of \$1,618,862 for Fiscal Year 2009-10 (for a new two-year total of \$3,187,724). (Health and Human Services Agency (HHS)-Children's Services)

Approved a budget amendment increasing appropriations and revenues by \$218,980 in the Housing and Community Action Program budget to administer the federally funded Neighborhood Stabilization Program. (Housing and Community Action Programs)

For the Modular Furniture at 1855 Shasta Street Project, approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after April 15, 2010 at 11:00 a.m. (Public Works)

For an undeveloped portion of the Anderson Veterans Hall and Library Parcel, adopted Resolution No. 2010-024, which declares the property no longer necessary for County or other public purposes and finds that the value of the property is \$24,700; and approved and authorized the Chairman to sign a purchase agreement and quitclaim deed. (Public Works)

(See Resolution Book No. 51)

Approved and authorized the Chairman to sign agreements in the amount of \$190 per month for the first year, \$195 per month for the second year, and \$200 per month for the third year to lease aircraft hangars at the Fall River Mills Airport for the period April 1, 2010 through March 31, 2013 with Gerald K. Duerre; Nichols, Catterton, Downing & Reed, Inc.; Rex Horney; 77M Partnership; Fall River Aeroheads, Inc.; Merritt Moore; Wendell Green; James Switzer; and George and Christine McArthur. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with Interwest Consulting Group, Inc. at no increase in compensation extending the term of the agreement to March 23, 2011 to provide plan review and inspection services for the Hatchet Ridge Wind Project. (Building Division)

Approved a budget amendment increasing revenues and appropriations by \$38,678 to recognize additional revenue and expenditures to meet the department's needs. (Inter-Mountain Fair)

REGULAR CALENDAR, CONTINUED

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 information regarding various counties deficits and lay-offs. Many school districts are financially distressed, and over 23,000 school district employees have received layoff notices.

Supervisor Baugh recently attended a Local Agency Formation Commission (LAFCO) budget meeting.

Supervisors reported on issues of countywide interest.

9:45 a.m. The Board of Supervisors recessed and convened as the Shasta County Housing Authority.

SCHEDULED HEARINGS

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA COUNTY HOUSING AUTHORITY

ANNUAL PLAN AND FIVE-YEAR PLAN SHASTA COUNTY HOUSING AUTHORITY HOUSING RESOLUTION NO. 2010-01

This was the time set to conduct a public hearing to consider the annual plan and 5-year plan for the Shasta County Housing Authority. Director of Housing and Community Action Programs Dr. Richard Kuhns presented the annual plan and recommended approval. The Notice of Hearing and the Notice 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/Moty), and unanimously carried, the Board of Supervisors adopted the Annual Plan and 5-Year Plan for the Shasta County Housing Authority as required by the U.S. Department of Housing and Urban Development; and adopted Housing Resolution No. 2010-01, which approves and authorizes the Chairman to sign the Certification of Compliance.

(See Housing Authority Resolution Book)

9:45 a.m. The Shasta County Housing Authority adjourned and reconvened as the Board of Supervisors.

9:48 a.m.: The Board of Supervisors recessed.

10:01 a.m.: The Board of Supervisors reconvened.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE

FRIENDS OF THE INTERMOUNTAIN LIBRARY BURNEY BRANCH LIBRARY HATCHET RIDGE WIND PROJECT COMMUNITY BENEFIT AGREEMENT FUNDS

County Administrative Officer (CAO) Lees recently received a call from representatives of the Friends of the Intermountain Library (FOIL), advising that they had a potential site on Main Street in Burney that would double the size of the current library. FOIL paid to have a study done on the first building to determine if it would be adequate. The study is not yet available. CAO Lees said that it would be beneficial to obtain a building large enough to also put County departments where leases are currently being paid on other buildings. Another building was located which needed a substantial amount of work. Staff from the Public Works department reviewed the building and estimated the cost for repairs to be \$2.5 million.

CAO Lees stated miscellaneous requests have been made regarding use of the Hatchet Ridge Wind Project Community Benefit Agreement Funds (Hatchet Ridge funds). He does not recommend use of the Hatchet Ridge funds at this time.

In response to questions of Supervisor Hawes, Public Works Director Pat Minturn explained the property is a one acre parcel in a highly-visible location. The 12,000-square-foot, wood-frame building was constructed in the 1970s as a market. Major repairs are needed to the interior, the exterior, the roof, and the parking lot. The estimated costs are \$2.5 million for the purchase and \$2.5 million for repairs.

Kathy Urlie, Michelle McCammon, Evalee Nelson, Cindy Dodds, Missy McArthur, Scott Brule, Steve Brewer, Francie Sullivan, Jim Ramsey, Peggy O'Lea, Mr. Siegel, Judy Salter, Louann Sandoval, Ron Largent, Abe Hathaway, and Dawn Wykell spoke in support of using the Hatchet Ridge funds on a new facility for the Burney Library.

Evalee Nelson read a letter from Burney Fire Chief Ray Barber, who wrote in support of the Hatchet Ridge funds to be used on the library.

Dave Larson stated the Hatchet Ridge funds should be spent in the Burney area.

In response to questions by Supervisor Baugh, CAO Lees said the Hatchet Ridge Wind Project Community Benefit Agreement states in Section 2, paragraph C, *Expenditure*, "The Board of Supervisors shall have the sole authority to expend both the initial payment and the annual payments and shall use its best efforts to insure that the funds are used for the purposes that will benefit the community of Burney which surrounds the project."

Supervisor Baugh stated that in addition to the Burney Library, other projects have been mentioned for use of the funds. He would like to visit the community and have information as to locations and costs of the buildings where Shasta County departments are housed.

Supervisor Hartman stated that insufficient information is currently available to make a designation as to where to spend the funds in the community.

Supervisor Moty recognized the community's need for a larger library; however, the funds are not specified for the library, but for the Burney area.

Supervisor Kehoe suggested that further study of the options, and perhaps a field trip to the Burney area to assist in the decision-making process. It may be appropriate to designate an amount of money to do an appraisal of the conditions in Burney.

CAO Lees stated that a Request for Proposals (RFP) could be issued for a modest amount to obtain specifics as to what the potential project would cost at the current site.

Supervisor Moty made a motion to spend up to \$6,000 towards a study of the building, funding to come from the \$1 million Hatchet Ridge Wind Project Community Benefit Agreement Funds. Supervisor Hawes seconded the motion.

Supervisor Hawes suggested that perhaps the seller would be willing to fund the study of the building.

Supervisor Baugh requested that Mr. Minturn provide a breakdown to establish his estimate of \$2.5 million for repairs.

Supervisor Hartman also suggested that an itemization of the repairs, or possibly the property owner paying for the study of the building, would more frugal.

Supervisor Kehoe stated that after hearing from Mr. Minturn to refine the costs, it may be deemed necessary to have a second opinion by way of an RFP.

Public Works Director Pat Minturn advised that the proposed RFP would entail an architectural firm to revisit work already performed by Public Works. Due to work that may be discovered that was not considered, the amount may change once the remodel has begun; however, the general square footage figure is usually constant. The roof needs to be replaced; the heating, ventilation, and air conditioning (HVAC) system needs to be replaced; the floor plan needs to be completely reworked; and other issues must be corrected. If an itemized estimate is to be needed, a floor plan will be necessary, but the \$2.5 million figure is a good estimate.

Supervisors Baugh and Hartman did not want to have the County pay for another estimate when the figure is higher than the amount of the Hatchet Ridge Wind Project Community Benefit Agreement Funds.

Supervisor Moty suggested that an RFP may provide an amount that the community would accept as a reasonable estimate, or it may allow the community members to find other funding sources.

The motion failed by the following vote:

AYES: Supervisors Moty and Hawes
NOES: Supervisors Kehoe, Hartman, and Baugh

Supervisor Baugh made a motion to direct County staff to meet with members of the Burney community and prepare a plan exploring options and costs.

CAO Lees advised that the exploration of options is already being done on a continual basis.

Supervisor Baugh withdrew his motion.

CAO Lees explained that the Hatchet Ridge Wind Project Community Benefit Agreement Funds are designated to be used in the Burney area, the expansion of the existing Burney Library is needed, and no additional funds are planned to be used to ask for an independent study at this time.

RESOURCE MANAGEMENT

PLANNING DIVISION

SHASTA COUNTY **GENERAL PLAN**

Director of Resource Management Russ Mull discussed the purpose of the County's General Plan, which is due for an update in 2010. An update is not mandatory; however, without an update it may be subject to litigation.

Mr. Mull stated there are two options, with possible modification.

Option One would include a vacant land inventory by designation and zoning, a new Air Quality Element prepared by a consultant with appropriate expertise, an updated Housing Element prepared in-house, editorial updates and minor changes in other areas of the General

Plan resulting from the housing and air quality elements, and an Environmental Impact Report (EIR).

Option Two would include, in addition to the items in Option One, an updated Safety Element addressing flood protection policy throughout the County and fire protection policy in urban-wild land interface areas, a refining of the land use designations and zoning in Rural Community Centers, examine areas currently designated urban and Suburban Residential and Interim residential zoning and evaluate the likelihood of expanding water and sewer services to serve them, assessment of Williamson Act policies, and complete digital mapping/diagrams for availability through Resource Management Geographic Information System (GIS).

The estimated time for preparation and costs of Option One are 18 to 24 months and \$552,000. The estimated time for preparation and costs of Option Two are 24 to 36 months and \$1,031,000.

In response to questions by Supervisor Hawes, Mr. Mull replied that if the update of the General Plan was delayed for a year, there could be a potential that the next controversial project would be litigated and overturned by the courts.

In response to questions by Supervisor Moty, Mr. Mull stated the cost estimates were conservatively low. Option Two requires many community conferences which will cause an escalation of costs.

In response to questions by Supervisor Baugh, Mr. Mull said his preference is Option One; Shasta County's General Plan is an excellent General Plan, and it does not need a major update.

Barbara Jackson requested community involvement in determining a General Plan update.

Tim McCammon requested the Board of Supervisors take advantage of the Burney community's enthusiasm to build a new Library.

Evalee Nelson, Karen Scholes, and Scott Brule stated that a General Plan update is not needed during these difficult economic times.

Margaret Jensen would like to see a community education forum to inform the members of the community what governs the use of land and flood zones.

Pat Thomason encouraged the Board of Supervisors to use the Hatchet Ridge funds for Burney projects, not for the General Plan.

Mr. Mull explained that the Hatchet Ridge funds not associated with mitigation. "Mitigation" is a legal term associated with environmental impacts and the offset of environmental impacts; the Hatchet Ridge funds are not mitigation funds. This is voluntary money given by the company to Burney area community groups and to Shasta County.

By motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors directed staff to proceed with General Plan Option One, which includes a vacant land inventory by designation and zoning, a new Air Quality Element prepared by a consultant with appropriate expertise, an updated Housing Element prepared in-house, editorial updates and minor changes in other areas of the General Plan resulting from the housing and an air quality elements; and Environmental Impact Report (EIR).

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to 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.

12:56 p.m.: The Board of Supervisors recessed to Closed Session.

1:45 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Moty, Hawes, Hartman, and Baugh, County Administrative Officer Larry Lees, County Counsel Rubin Cruse, Jr., Chief Deputy Clerk of the Board Glenda Tracy, and Administrative Board Clerk Linda Mekelburg present.

AFTERNOON CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE

**SHASTA-TRINITY NATIONAL FOREST
RESOLUTION NO. 2010-25**

Administrative Analyst II Angela Richardson presented the board report and requested approval of the recommendation. Shasta County was notified March 22, 2010 that a record of decision has been formalized regarding the Shasta-Trinity National Forest Travel Management Plan; therefore modifications may need to be made to the letter.

In response to questions by Supervisor Kehoe, Ms. Richardson explained that Shasta County's goal is to coordinate with federal and state agencies in matters such as timber management, allocations of water resources, and harvest levels. Federal and state agencies are legally obliged to coordinate with Shasta County; however, they have not always done so. The proposed resolution is a forceful reminder to the agencies to include Shasta County in these matters.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse, Jr. stated this resolution will reiterate the legal obligations and put the U.S.F.S. on notice that Shasta County wants them to engage in what they are already required to do.

Roberta Wright presented to the Board of Supervisors a DVD entitled "Taking Liberty – How Private Property is Being Abolished in America," which shows, region by region, a rapid abolishment of private property in the U.S.A.

Patricia Heinsman stated she has recently been made aware of the large number of acres of land that are being seized by the government, obstructing property rights of members of the public.

Sylvia Milligan thanked the Board of Supervisors for their support and offered the resources of the members of the recreational groups.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2010-025, which requests coordination with all federal and state agencies maintaining jurisdiction over lands and resources within the County of Shasta; and approved and authorized the Chairman to sign a letter to the Shasta-Trinity National Forest Supervisor requesting a meeting to discuss coordination of the Shasta-Trinity National Forest Travel Management Plan.

(See Resolution Book No. 51)

2:20 p.m.: The Board of Supervisors recessed to Closed Session.

2:59 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations; however, no reportable action was taken.

3:00 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy