

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 11, 2010

REGULAR MEETING

9:02 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 Jim Wilson, PrayNorthState.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Pacheco School students.

NATIONAL ANTHEM

National Anthem was sung by Pacheco School student Courtney Blanc.

PUBLIC COMMENT PERIOD - OPEN TIME

Grand Jury foreman Dale Trudeau thanked Paul Barth for his assistance in the public recruiting for next year's Grand Jury potential members

Health and Human Services Agency Director of Adult and Children's Services Dr. Mark Montgomery and Community Education Committee Chair Diana Clayton stated that May 2010 is celebrated as Mental Health Month in Shasta County and discussed of the many events and groups that will provide information and support in May.

Pacheco School students Fernando Solorio, Meagan Briggs, Eddy Gilmette, Amelia Jasumback, Parker Swanson, Alex Pierson, Courtney Blanc, Michael Bitner, Shea Castro, Jeanny Keo, and Dylan Baker spoke in gratitude to Mr. Slocum for teaching them skills that will be useful the rest of their lives.

REGULAR CALENDAR

BOARD MATTERS

**CERTIFICATE: RICK AND PAT SLOCUM
DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM**

Undersheriff Greg Wrigley praised Rick and Pat Slocum for sixteen years of service, teaching young people how to recognize and resist the pressure to be involved in drugs, gangs, and violent activities. The Board of Supervisors presented a Certificate of Recognition to Rick and Pat Slocum in appreciation of their service with the Drug Abuse Resistance Education (DARE) Program.

**PROCLAMATION: POLICE OFFICERS MEMORIAL WEEK
PEACE OFFICERS MEMORIAL DAY**

At the recommendation of Undersheriff Greg Wrigley and by motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates the week of May 9-15, 2010 as Police Officers Memorial Week and Thursday, May 13, 2010 as Peace Officers Memorial Day in Shasta County and directs that the Courthouse flag be flown at half-staff on May 13, 2010.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the item regarding the Buckeye Redevelopment Zone findings was pulled for further discussion. In response to questions by Supervisor Kehoe, Administrative Analyst Angela Richardson stated that due to California Supreme Court Judge Connelly's ruling upholding the State's procurement of redevelopment funds, an appeal is expected to be filed with the Third District Court. However, there will be no impact to Shasta County as an entity because there is no debt obligation, and only active project areas that received tax increment dollars in Fiscal Year 2006-07 are required to make payment.

CONSENT CALENDAR

By motion made, seconded (Moty/Baugh), 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 \$90 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on May 4, 2010, as submitted. (Clerk of the Board)

Reappointed Robert McCullough to the Well Standards Advisory Board for a term to expire January 2012. (Clerk of the Board)

Replaced the annual audit of the Millville Cemetery District with a financial review. (Clerk of the Board)

Adopted Resolution No. 2010-039, which authorizes the District Attorney to continue as the agent for Shasta County to conduct negotiations, sign an agreement in an amount not to exceed \$67,000, and submit documents necessary for continuation of the Victim Witness Restitution Program for the period July 1, 2010 to June 30, 2011. (District Attorney)

(See Resolution Book No. 51)

For Tract Map No. 1983 and Parcel Map No. 08-015, Sleeping Bull Estates Permanent Road Division (west Cottonwood area), received the petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, and parcel charge report; and set a public hearing for June 29, 2010 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

For the West Central Landfill Unit 4B Project, adopted Resolution No. 2010-040, which finds that the existing Environmental Impact Report for "Operation of the Richard W. Curry West Central Landfill" adequately describes the potential impacts of development of waste cell Unit 4B and that no subsequent environmental review is required under the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after June 3, 2010 at 11:00 a.m. (Public Works)

(See Resolution Book No. 51)

Adopted Resolution No. 2010-041, which makes the required findings to utilize tax increment funds from the Buckeye Redevelopment Project for the Dean Road at Buckeye Creek Bridge Replacement Project, the Randolph Road Widening Project, and the Old Oasis Road Drainage Study. (Public Works)

(See Resolution Book No. 51)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Moty recently attended a Northern California Water Association (NCWA) meeting.

Supervisor Kehoe recently attended a Shasta County Mental Health, Alcohol & Drug Advisory Board meeting.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 09-005

JEAN TANGUE

BELLA VISTA AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 09-005, Jean Tangué, which would rezone approximately 28.37 acres in the Bella Vista area from an Unclassified (U) District to a Rural Residential, minimum lot area as shown by final map (RR-BSM) District. Senior Planner Kent Hector presented the staff report

and recommended approval of the project. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the project, and the public hearing was closed.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 09-005, Jean Tangué, Bella Vista 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. 2010-013; and
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2010-013; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 09-005, as requested.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe 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 Shasta County Citizens for a Healthy Environment v. County of Shasta, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss liability claims regarding claimant Walter Ivan Mapes, pursuant to Government Code section 54956.95; 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.

9:57 a.m.: The Board of Supervisors recessed to Closed Session.

10:17 a.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, liability claim, and real property negotiations, as well as labor negotiations. In the matter of the liability claim by Walter Mapes against the County of Shasta, Mr. Mapes filed an application for leave to present a late claim against the County of Shasta in connection with the circumstances surrounding his conviction of a crime. By a unanimous vote of 5-0, the Board of Supervisors denied Mr. Mapes' application for leave to

present a late claim for: (1) failure to present the application within a reasonable time not to exceed one year after the accrual of the cause of action; and (2) because the application is without merit.

No other reportable action was taken.

10:19 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy