

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 1, 2011

REGULAR MEETING

9:00 a.m.: Chairman Baugh 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 Scott Bobo, Hope Center.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Randy Carter opposed the development of a retail center at Churn Creek Bottom.

Sheriff Tom Bosenko stated that recent events of violence cause concern and reflect the need for additional deputies.

Betty Berg requested consideration of taxation of medical marijuana distribution for funds to be used in needed services of law enforcement.

City of Shasta Lake Lions Club representative Elmer Ellsworth announced that the Veterans Day Parade that will be held Saturday, November 5, 2011 in the City of Shasta Lake.

REGULAR CALENDAR

BOARD MATTERS

**NOVEMBER 2011 EMPLOYEE OF THE MONTH
SUPERVISING PUBLIC HEALTH NURSE KATE THOMAS PASLEY
RESOLUTION NO. 2011-113**

At the recommendation of Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert and by motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-113, which recognizes Supervising Public Health Nurse Kate Thomas Pasley as Shasta County’s November 2011 Employee of the Month.

(See Resolution Book No. 52)

**APPOINTMENT: JIM CHAPIN
PLANNING COMMISSIONER, DISTRICT 1**

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors appointed Jim Chapin to the Shasta County Planning Commission to fill an unexpired term to January 2015.

CONSENT CALENDAR

By motion made, seconded (Hartman/Moty), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Kehoe voted no on the proposed calendar for the Board of Supervisors meetings for 2012.):

Approved and authorized the Chairman to sign a retroactive lease with the City of Redding at no cost to provide space for County-owned radio communications equipment in the communications shelter located on Hill 900, Redding for the period July 1, 2010 through June 30, 2030 or until terminated by either party. (Administrative Office)

Approved and authorized the Chairman to sign a retroactive agreement with the California Department of Food and Agriculture to reimburse Shasta County in an amount not to exceed \$79,535 for costs associated with the placement and servicing of pest detection traps during Fiscal Year 2011-12. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved and authorized the Chairman to sign an amendment to the agreement with Caltrans extending the term of the agreement to December 31, 2014 at no increase in compensation for the County to perform noxious weed eradication work to be performed within the Interstate 5 Antler’s Bridge realignment project area. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved the minutes of the meeting held on October 18, 2011, as submitted. (Clerk of the Board)

Enacted Ordinance No. 462-118, which establishes a “No Parking” zone on the west side of Deschutes Road across the street from Junction School in the Palo Cedro area, as introduced October 18, 2011. (Clerk of the Board)

(See No Parking Zone Ordinance Book)

Approved and authorized the Chairman to sign a letter to the Buckeye Fire Protection District requiring them to prepare and submit a Conflict of Interest Code and a 2010 Local

Agency Biennial Notice to the Board of Supervisors for its review and approval by January 3, 2012. (Clerk of the Board)

Approved the proposed calendar for the Board of Supervisors meetings for 2012. (Clerk of the Board)

Appointed Roy Ronald Plumhof to the Burney Cemetery District Board of Directors to serve an unexpired term to March 2014. (Clerk of the Board)

Reappointed Janet Tyrrel and Mana Davis to the Commission on Aging for two-year terms to January 2014. (Clerk of the Board)

Reappointed Steve Foster, Bryan Gartner, and Robert McCullough to the Well Standards Advisory Board for two-year terms to January 2014. (Clerk of the Board)

Approved and authorized the Chairman to sign a contract with Verizon Wireless in an approximate annual amount of \$1,500 to provide cellular service, equipment, and associated data plans for attorneys in the County Counsel's Office effective the date of signing. (County Counsel)

For the Master Agreement with AT&T, approved and authorized the Chairman to sign an addendum to the master agreement in the amount of \$1,600 per month plus taxes and fees plus one-time installation charges of \$140 to provide the following data circuits for a period of five years from the date the service is installed and on a month-to-month basis thereafter: one 10 megabits-per-second (MBPS) data circuit at 2757 Churn Creek Road, Redding, and one 100 MBPS data circuit at 1220 Sacramento Street, Redding; and approved and authorized the County Administrative Officer to sign prospective and retroactive addendums for connective modifications to one City of Shasta Lake site and one City of Anderson site as long as the initial monthly payment does not exceed \$1,500 per site. (Information Technology)

Adopted Salary Resolution No. 1399, which deletes the Property Tax Specialist I/II classification and adds the Property Tax Specialist-Public Administrator Assistant I/II classification, and deletes five Property Tax Specialist I/II positions and adds five Property Tax Specialist-Public Administrator Assistant I/II positions in the Treasurer-Tax Collector-Public Administrator budget effective November 6, 2011; revised the job specifications for the Deputy Treasurer-Tax Collector-Treasurer/Public Administrator classification to include Public Administrator duties; deleted the job specifications for the Property Tax Specialist I/II classification; and approved job specifications for the Property Tax Specialist-Public Administrator Assistant I/II classification. (Support Services)

(See Salary Resolution Book)

Approved and authorized the Tax Collector to sell two tax-defaulted properties in a sealed-bid auction on February 21, 2012; sell up to 65 tax-defaulted properties during an online public auction from February 24 to February 27, 2012, including any unsold sealed-bid parcels; and re-offer any unsold online bid parcels at a reduced minimum price at an online public auction on March 18, 2012. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign an agreement with COPSYNC, Inc. in an amount not to exceed \$6,133.10 to provide hardware, software, services, and two annual software licenses for law enforcement data services from the date of signing through two years from the beginning of the initial subscription period. (Sheriff)

Approved and authorized the Chairman to sign an agreement with Tracker Products, LLC in an amount not to exceed \$16,251.49 for the first year and \$4,900 annually thereafter, with increases not to exceed 5 percent per year, to provide hosting, maintenance, and upgrades of a barcode tracking software application from November 1, 2011 until terminated; and approved a

budget amendment in the amount of \$6,038 increasing net appropriations and revenues in the Sheriff's Major Crimes budget. (Sheriff)

For Parcel Map No. 10-003, Crowley Creek Ranchettes No. 2 Permanent Road Division (Cottonwood area), received the petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, Consent to Waiver to Assess Annual Parcel Charge, and annual parcel charge report; adopted Resolution No. 2011-114, which forms the Permanent Road Division; and adopted Resolution No. 2011-115, which confirms the annual parcel charge report for Fiscal Year 2012-13. (Public Works)

(See Resolution Book No. 52)

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 the State's attempt to develop revenue to assist in the budget crisis.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE/COUNTY COUNSEL

JUNE 5, 2012 ELECTION FOR APPROVAL OR REJECTION OF RESOLUTION NO. 2011-091 (GENERAL PLAN AMENDMENT NO. 08-002) RESOLUTION NO. 2011-116

County Administrative Officer Larry Lees advised that County staff researched the information regarding the proposed actions regarding the referendum.

Hawkins Companies LLC Director of Development Services Brian Huffaker supported the development of the retail center.

For the Referendum Petition Against Resolution 2011-091 (County General Plan Amendment 08-002), by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors received and ordered the filing in the official records of the Board of Supervisors the report concerning the impacts of Resolution No. 2011-091.

County Counsel Rubin Cruse advised that, pursuant to the Elections Code, the Board of Supervisors has two options: A resolution may be adopted to repeal Resolution No. 2011-091, or a resolution may be adopted that calls for an election to enable voters to approve or reject Resolution No. 2011-091.

By motion made, seconded (Hartman/Kehoe), and unanimously carried, the Board of Supervisors, pursuant to Election Code sections 9118, 9145, and 9146, adopted Resolution No. 2011-116, which calls for an election, and places Resolution No. 2011-091 on the ballot for the June 5, 2012 Presidential Primary Election to enable voters to approve or reject Resolution No. 2011-091.

Mr. Cruse advised that an impartial analysis of the measure will be prepared by County Counsel, which will be printed in the sample ballot booklet mailed to each voter. The Board of Supervisors has the option to direct the Auditor-Controller to review Resolution No. 2011-091 for fiscal impacts and prepare a statement which would be included in the official ballot materials. Voters may be notified that the full text of the measure will be mailed at no cost to any voter upon request and will be available on the County's website.

In reply to questions by Supervisor Kehoe, Mr. Lees confirmed that all documents will be available in the office, online at the County's website, and will be mailed at no cost to any voter upon request, whether made in person, by mail, by telephone call, or by fax transmission.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors directed the Auditor-Controller to review Resolution No. 2011-091, to determine whether the substance of Resolution No. 2011-091 would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement estimating the amount of any increase in revenues or costs to the County if Resolution No. 2011-091 is adopted, to be included in the official ballot materials; and directed that, in lieu of the full text of Resolution No. 2011-091 being included in the official ballot materials, there shall be a statement under the impartial analysis to notify voters that the statement is an impartial analysis of the measure, and the full text of the measure will be mailed at no cost to any voter upon request, and the Shasta County Clerk/Registrar of Voters may include a statement that the full text of the measure is accessible on the County's website.

(See Resolution Book No. 52)

CHURN CREEK BOTTOM AGRICULTURAL LANDS
GENERAL PLAN AMENDMENT INITIATIVE
RESOLUTION NO. 2011-117

County Administrative Officer Larry Lees advised that County staff researched the information regarding the proposed actions regarding the initiative.

Tammy Cole asked if the full text of the measure will be available online, as the wording on the agenda said the statement "may" be accessible on the County's website. Mr. Lees and County Counsel Rubin Cruse confirmed that documents will be available in the office, online at the County's website, and will be mailed at no cost to any voter upon request.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors received and ordered the filing in the official records of the Board of Supervisors the report concerning the impacts of the "Churn Creek Bottom Agricultural Lands General Plan Amendment Initiative" (Initiative).

Mr. Cruse advised that pursuant to the Elections Code, a General Plan Amendment may be prepared for the "Churn Creek Bottom Agricultural Lands General Plan Amendment Initiative (Initiative) or a resolution may be adopted that calls for an election to enable voters to approve or reject the Initiative. Approval of the Initiative would prohibit re-designation of lands designated as Agricultural in the Churn Creek Bottom area, with certain exceptions, for a period of 25 years.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-117, which calls for an election and places the Initiative on the ballot for the June 5, 2012 Presidential Primary Election to enable voters to approve or reject the Initiative.

Mr. Cruse advised that the Board of Supervisors may direct the Auditor-Controller to review the Initiative for fiscal impacts and prepare a statement which would be included in the official ballot materials. The ballot will also notify voters that the full text of the measure will be mailed at no cost to any voter upon request and will be available on the County's website.

In response to questions by Supervisor Moty, County Clerk/Registrar of Voters Cathy Darling Allen assured the Board of Supervisors that all ballot materials are provided on the website, and a notification is sent to absentee voters directing them to the County's website or to contact the County to request that the documents be sent to them at no cost.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors directed the Auditor-Controller to review the Initiative, to determine whether, if adopted, the substance of the Initiative would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement estimating the amount of any increase or decrease in revenues or costs to the County if the Initiative is adopted, to be included in the official ballot materials, and directed that, in lieu of the full text of the Initiative being included in the official ballot materials, there shall be a statement under the impartial analysis to notify voters that the statement is an impartial analysis of the measure, and the full text of the measure will be mailed at no cost to any voter upon request, and the Shasta County Clerk/Registrar of Voters may include a statement that the full text of the measure is accessible on the County's website.

(See Resolution Book No. 52)

ADMINISTRATIVE OFFICE

COURTHOUSE REMODEL **REFINANCE OF 1998 SERIES A BONDS** **RESOLUTION NO. 2011-118**

County Administrative Officer Larry Lees presented the staff report, explaining that current low interest rates will allow the County to save the County over \$1 million by refinancing the outstanding revenue bonds for the County Courthouse remodel.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-118, which authorizes the defeasance and refunding of the 1998 Series A Bonds and the execution and delivery of the Facility Lease to refinance the outstanding lease revenue bonds to remodel the County Courthouse; approves the forms and authorizes the execution and delivery of an assignment agreement, escrow instructions, a site lease, and a facility lease; approves and authorizes County officers and staff, in consultation with County Counsel, to sign documents to effectuate the proposed execution and delivery of the Site Lease, the Facility Lease, and the defeasance and redemption of the 1998 Series A Bonds; and ratifies and confirms any and all such actions previously taken by such officers or staff members.

(See Resolution Book No. 52)

10:08 a.m.: The Board of Supervisors recessed and convened as the Shasta Joint Powers Financing Authority.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA JOINT POWERS FINANCING AUTHORITY

REFINANCE OF 1998 SERIES A BONDS **SHASTA JOINT POWERS FINANCING AUTHORITY RESOLUTION NO. 2011-02**

At the recommendation of County Administrative Officer Larry Lees and by motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted Shasta Joint Powers Financing Authority Resolution No. 2011-02, which authorizes the defeasance and refunding of the 1998 Series A Bonds and the execution and delivery of the

Facility Lease on the terms provided in the resolution of the County adopted in connection with the execution and delivery of the Facility Lease to refinance the outstanding lease revenue bonds to remodel the County Courthouse; approves the forms and authorizes the execution and delivery of a site lease, a facility lease, and an assignment agreement; approves and authorizes Joint Powers Financing Authority officers and staff, in consultation with County Counsel, to sign documents to effectuate the defeasance and redemption of the 1998 Series A Bonds, the Site Lease, the Facility Lease, and the Assignment Agreement; and ratifies and confirms any and all such actions previously taken by such officers or staff members.

(See Shasta Joint Powers Financing Authority Resolution Book)

10:09 a.m.: The Shasta Joint Powers Financing Authority adjourned, and the Board of Supervisors reconvened.

SCHEDULED HEARINGS

PUBLIC WORKS

COUNTY SERVICE AREA NO. 11 - FRENCH GULCH **BI-MONTHLY WATER AND USAGE RATES** **ORDINANCE NO. 691**

This was the time set to conduct a public hearing to consider increasing the bi-monthly water rate and usage rate for County Service Area (CSA) No. 11 - French Gulch. Supervising Engineer Al Cathey presented the staff report and recommended approval. The Notice of Hearing and the Notice of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Moty, Mr. Cathey stated that the size of the lot, the number of members in the household, and the amount of landscaping involved will determine the cost for the water usage.

In response to questions by Supervisor Kehoe, Mr. Cathey advised that CSA No. 11 is running a \$12,000 annual deficit for this year, which had previously been covered by a cash surplus.

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

Mr. Cathey noted that in accordance with Proposition 218, a majority of the property owners must file a written protest in order to reject the proposed increase in bi-monthly water rates and usage water rates. Chief Deputy Clerk of the Board Glenda Tracy stated that no written protests had been received; Al Cathey advised that there were protests on two properties.

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

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

Ms. Tracy advised that one protest had been received for two parcel numbers. Mr. Ross confirmed that one letter regarding two parcel numbers is considered two protests; however, the two votes do not constitute a majority protest.

By motion made, seconded (Moty/Hawes), and unanimously carried, the Shasta Joint Powers Financing Authority took the following action on behalf of County Service Area (CSA) No. 11 - French Gulch introduced, waived the reading of, and enacted Ordinance No. 691, which repeals Ordinance No. 653 and establishes new bi-monthly water rates.

(See General Ordinance Book)

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh announced that the Closed Session item has been withdrawn at the request of the department.

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

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy