

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 24, 2012

REGULAR MEETING

9:02 a.m.: Chairman Moty 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 Executive 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 Supervisor Baugh.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Dolores Lucero provided information regarding voter's rights.

City of Redding (City) Councilmember Missy McArthur invited members of the Board of Supervisors to attend a workshop on August 20, 2012 at City Council Chambers regarding crime prevention.

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: STATUS OF THE IMPLEMENTATION OF AB 109, PUBLIC SAFETY REALIGNMENT

County Executive Officer (CEO) Larry Lees reported on the status of the implementation of AB 109, Public Safety Realignment, which took effect October 1, 2011. The membership of the Community Corrections Executive Board (CCEB) has been determined by the State Legislature, with Chief Probation Officer, appointed by the presiding judge, as the executive chair of the CCEB. The first payment of \$2.5 million under AB 109 was received

October 7, 2011. Interviews were conducted with the members of the CCEB, who have expressed frustration and the need for adequate jail space in order to have a desirable leverage to hold inmates accountable.

Although the Community Corrections Center (Center) is not yet open, Chief Probation Officer Wes Forman assured the Board of Supervisors that all individuals have continually been assessed by the Probation Department. Several possible locations are being considered for the Center. To assist with the process, he suggested a temporary project administrator be hired, who may possibly be an experienced retiree for a period of six to eight months. There is to be weekly updates to County Executive Officer Larry Lees.

AB 109, PUBLIC SAFETY REALIGNMENT
JULY 2012 MONTHLY UPDATE

Chief Probation Officer Wes Forman presented a monthly progress report on AB 109, Public Safety Realignment. As of June 30, 2012, 277 offenders are under supervision. Four percent have been convicted of a new criminal offense. 692 Failure to Appear warrants have been issued through June 30, 2012.

Sheriff Tom Bosenko stated that opening half of the vacant floor will house approximately sixty inmates. When released from state prison, AB 109 offenders are directed to report to the Probation Office. If they fail to do so, they may be incarcerated up to ten days. The Compliance Team performs visits and searches to confirm compliance of required conditions.

10:33 a.m.: The Board of Supervisors recessed.

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

CONSENT CALENDAR

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Hawes abstained on the minutes of the June 26, 2012 meeting):

Approved and authorized the Chairman to sign the County claims list totaling \$4,840 requiring special Board action. (Auditor-Controller)

Approved the minutes of the meeting held on June 26, 2012, as submitted. (Clerk of the Board)

Approved a budget amendment increasing appropriations and revenue by \$28,797 in the Public Health budget to purchase capital assets of three emergency medical communications base units and to upgrade one repeater; authorized the Auditor-Controller to prepare and process the resulting budget amendment to record the capital asset acquisition; and authorized the Auditor-Controller to pay claims for the bases and upgrade. (Health and Human Services Agency (HHS)-Business and Support Services (Public Health))

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with the U.S. Bureau of Reclamation to pay the Shasta County Opportunity Center an additional \$222,110.28 (for a new total not to exceed \$2,336,690.73) to provide janitorial services and extending the term through December 31, 2012. (HHS-Regional Services-Opportunity Center)

Approved and authorized the Chairman to sign a retroactive agreement with the County of Humboldt to reimburse Shasta County for 36 software licenses, customization and consulting costs in an amount not to exceed \$18,680.20, plus \$120 per employee per day for staff training by Allvest, Inc. for the period January 1, 2012 through December 31, 2012. (Probation)

Adopted Resolution No. 2012-084, which finds that the amount of assessments remaining unpaid in Elk Trail Water System Assessment District No. 2010-2 is \$3,996,092.84; increases the parcel charges on two parcels as requested by the affected property owners; and requests the Auditor-Controller to proceed with the collection of the unpaid assessments on the secured property tax assessment roll. (County Service Area No. 6-Jones Valley Water)

(See Resolution Book No. 53)

Adopted Resolution No. 2012-085, which finds that the amount of assessments remaining unpaid in Crag View Water System Assessment District No. 2010-1 is \$270,420; and requests the Auditor-Controller to proceed with the collection of the unpaid assessments on the secured property tax assessment roll. (County Service Area No. 23-Crag View Water)

(See Resolution Book No. 53)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Union School Road Widening Project and record it within 15 days of actual completion of the work. (Public Works)

Approved budget amendments for the Opportunity Center Transit Shelter project increasing appropriations and revenues by \$199,500 in the Land Buildings and Improvements budget; and increasing appropriations by \$199,500 and revenues by \$159,500 in the Opportunity Center budget, to be offset by use of fund balance. (Public Works)

To fund the Secure Rural Schools Title III Projects for Fiscal Year 2012-13, approved a budget amendment increasing appropriations in the amount of \$91,562, to be offset with the use of fund balance in the Title III budget; approved the following Title III awards in the amount of \$146,044 and related budget amendments: a budget amendment increasing revenue in the amount of \$47,038 in the County Fire budget to be used toward the purchase of a water tender for the Old Station Volunteer Fire Company, a budget amendment in the Sheriff's Office of Emergency Services budget increasing appropriations and revenue in the amount of \$23,784 to purchase handheld radios, an award in the amount of \$13,175 for the Burney Fire Protection District to purchase a rescue vehicle, and an award in the amount of \$62,047 for the Fall River Mills Fire Protection District to be used toward the purchase of a water tender; and authorized the Auditor-Controller to assign appropriate accounts to accommodate the Title III budget amendments and purchases. (Public Works)

10:42 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL/DISTRICTS/OTHER AGENCIES

REGULAR CALENDAR

WATER AGENCY

SHASTA-TEHAMA COUNTY WATERMASTER DISTRICT WATERMASTER DUTIES ON LOCAL CREEKS

Water Agency Chief Engineer Pat Minturn provided history of the creation of watermaster districts. In 2008, the Shasta-Tehama Counties Watermaster District (STWD) was created, and initial members of a governing body were appointed.

STWD Chairman Shannon Wooton gave an update on the efforts to assume watermaster duties on local creeks. Because there is no funding, STWD is considering submitting a grant application to assist in fulfilling the duties.

Bob Pearce opposed providing funds to STWD as they should be community advocates, offering education.

Shasta County Water Agency Supervising Engineer Eric Wedemeyer advised STWD may choose to submit a grant application.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Water Agency Board directed Water Agency staff to provide recommendations regarding possible funding.

11:15 a.m.: The Shasta County Water Agency recessed and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisor Moty recently attended a Sierra-Sacramento Valley Emergency Medical System Board meeting.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

PUBLIC WORKS

ANNUAL PARCEL CHARGE REPORTS

PERMANENT ROAD DIVISIONS

RESOLUTION NO. 2012-086

This was the time set to conduct a public hearing to consider the Annual Parcel Charge Reports for various Permanent Road Divisions in Shasta County. Deputy Public Works Director Scott Wahl presented the staff report and recommended its approval. 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 project, and the public hearing was closed.

By motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-086, which confirms the Annual Parcel Charge Reports for the various Permanent Road Divisions in Shasta County in the same amount as currently charged, except where noted; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2012-13.

(See Resolution Book No. 53)

ANNUAL PARCEL CHARGE REPORTS

COUNTY SERVICE AREAS

RESOLUTION NO. 2012-087

This was the time set to conduct a public hearing to consider confirming the Annual Parcel Charge Reports for various County Service Areas in Shasta County and direct that the parcel charges be placed on the property tax bills for Fiscal Year 2012-13. Deputy Public Works

Director Scott Wahl presented the staff report and recommended its approval. 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 project, and the public hearing was closed.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-087, which confirms the Annual Parcel Charge Reports for the various County Service Areas in Shasta County in the same amount as currently charged; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2012-13.

(See Resolution Book No. 53)

REPORTS OF DELINQUENT FEES
DISCHARGE OF ACCOUNTABILITY
COUNTY SERVICE AREAS
RESOLUTION NO. 2012-088

This was the time set to conduct a public hearing to consider Reports of Delinquent Fees for various County Service Areas (CSAs), discharges of accountability for uncollectable water and sewer service accounts. Deputy Public Works Director Scott Wahl presented the staff report and recommended its approval. 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 project, and the public hearing was closed.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2012-088, which confirms the Reports of Delinquent Fees for various CSAs, and directs that the annual liens be placed on the tax bills for Fiscal Year 2012-13, and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible in CSAs under the administration of the Public Works Department and directed staff to investigate the feasibility off adding to residents' annual property tax statement.

(See Resolution Book No. 53)

CLOSED SESSION ANNOUNCEMENT

Chairman Moty 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 Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. County of Shasta, et al. and Anselmo, Reverage, Seven Hills Land and Cattle Co., LLC v. Russ Mull, et al., pursuant to Government Code section 54956.9, subdivision (a); and
2. Confer with its counsel to discuss a liability claim by Jessie Wells, pursuant to Government Code section 54956.95.

Supervisor Hawes stated he would recuse from the two matters concerning Reverage Anselmo in light of the Shasta County cross-complaint against the State Department of Fish and Game and the Army Corps of Engineers because of a conflict of interest due to his ownership interest in a corporation that has financial dealings with Fish and Game and the Army Corps of Engineers.

11:31 a.m.: The Board of Supervisors recessed to Closed Session.

1:32 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive 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 and a liability claim; however, no reportable action was taken. Supervisor Hawes was not present for the closed session discussion concerning the two Anselmo litigation matters.

1:32 p.m.: The Board of Supervisors adjourned and reconvened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES

REGULAR CALENDAR, CONTINUED

WATER AGENCY

PUBLIC COMMENT PERIOD - OPEN TIME

Cheri Beck supported the preservation of water rights.

Peter Scales, Charles Alexander, former Senator Maurice Johannessen, Patricia Heinsohn, and Sally Rapoza stated Shasta County citizens want to assure the local water is not to be sent to other areas of the state.

Gary Cadd shared information about the Climate Change Handbook, which references regional water planning.

WORKSHOP

REGIONAL WATER ISSUES

Water Agency Chief Engineer Pat Minturn provided background and issues of the Redding Basin Water Purveyors. Phase I was the needs analysis, Phase II was resource assessment, and Phase III was to develop a plan.

Association of California Water Agencies Executive Director Tim Quinn discussed Northern California's role in the Bay-Delta Watershed. The current system being used was built to provide low-cost water for an expanding community. Goals include restoration of the Delta's environment and the improvement of water supply reliability in California are goals.

United States Bureau of Reclamation Northern California Area Office Area Manager Brian Person provided an update on the study to consider enlarging the dam at Shasta Lake and its impact on water quality and supply, hydropower, and fish and wildlife.

Department of Water Resources (DWR) Northern Region Coordinator Mary Randall provided an overview of Integrated Regional Water Management (IRWM). Shasta County is within three IRWM regions. IRWM is a collaborative effort to manage all aspects of water resources in a region, which include the integration of all facets of water supply, water quality, wastewater treatment, and flood and storm water management.

Department of Water Resources environment scientist Peter Coomb described a scientific approach to climate change. The projection of future temperature changes is included in IRWM planning. To improve a wastewater treatment plant, emissions of greenhouse gas during construction would need to be reported to DWR.

Northern California Water Association (NCWA) representative Bruce Houdesheldt stated that Shasta Dam generates for approximately 300,000 homes per year. If water is redirected away from Northern California, the long-term negative effects on local environment and economy are unknown.

4:05 p.m.: The Shasta County Water Agency recessed.

4:13 p.m.: The Shasta County Water Agency reconvened.

In response to questions from members of the public, Mr. Quinn stated the water supply system must be managed for both fish and people. Due diligence in monitoring the processes will aid in creating a partnership between the habitat and water supply.

In response to questions provided by members of the public, Ms. Randall advised if plans are submitted after the adoption of the 2012 IRWM Guidelines, the plan must comply with the 2012 IRWM Guidelines in order to apply for implementation grants. North Sacramento Valley Upper Pit and Upper Sacramento IRWM Regions have received between \$300,000 and \$700,000 in grant funding to date.

In response to questions of members of the public, Mr. Coomb stated diesel truck emissions during construction on the dam are measured by chemical calculation pursuant to amount of fuel used. One gallon of diesel fuel will produce approximately 20 pounds of CO₂.

4:46 p.m.: The Shasta County Water Agency adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy