

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, April 26, 2005

**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 Cibula  
District No. 3 - Supervisor Hawes  
District No. 4 - Supervisor Hartman  
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer  
Assistant County Counsel - Mike Ralston  
Chief Deputy Clerk of the Board - Glenda Tracy  
Deputy Clerk of the Board - Linda Mekelburg

**INVOCATION**

Invocation was given by Father Mike Hebda, Our Lady of Mercy Catholic Church.

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS**

Introductions of the Members of the Board, County staff, elected officials, and county department heads were made.

**CONSENT CALENDAR**

By motion made, seconded (Hartman/Hawes), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Kehoe abstained from acting on the request to approve an agreement with Youth Violence Prevention Council):

Authorized the issuance of warrants totaling \$196.00 requiring special board action.  
(Auditor-Controller)

Approved the minutes of the meeting held on March 22, 2005, as submitted. (Clerk of the Board)

Approved the Fiscal Year 2005-06 Shasta County Substance Abuse and Crime Prevention Act of 2000 County Plan for drug treatment, probation supervision, and other

supportive services; and authorized the Alcohol and Drug Program Administrator to sign and submit the Plan. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an amendment to the agreement with the State of California decreasing compensation by \$2,691 (for a total of \$1,739,776) to provide delivery of alcohol and other drug treatment/prevention services for Fiscal Year 2004-05. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Youth Violence Prevention Council of Shasta County in the amount of \$29,123 to provide substance abuse and violence prevention services from the date of signing through December 31, 2005. (Mental Health-Alcohol and Drug Programs)

Approved a budget amendment in the amount of \$11,100 to purchase two used Honda Insights from Resource Management-Air Quality Management District; and increased the County fleet by two vehicles to a total of 397. (Public Health)

Approved and authorized the Chairman to sign a contract amendment with Northern Valley Catholic Social Service, Inc. increasing compensation by \$28,000 (for a total not to exceed \$77,800) to provide counseling services to clients of Children and Family Services and retaining the term of July 1, 2004 through June 30, 2005. (Social Services)

Approved the appointment of Clifford V. Webb at Step "F" of the Supervising Public Defender Investigator classification. (Public Defender)

Approved and authorized the Chairman to sign a contract amendment with Koefran Industries, Inc. increasing compensation by \$20,625 to provide rendering services to the Shasta County Animal Shelter and extending the term to February 28, 2006, with an option to renew for two additional one-year terms. (Sheriff)

Awarded to the low bidder, Shasta Constructors, Inc., on a unit-cost basis, the contract for construction of a bridge on Wildcat Road at North Fork Battle Creek in the amount of \$742,629. (Public Works)

## **REGULAR CALENDAR**

### **PRESENTATIONS**

#### **SHASTA ART FESTIVAL AND OLD TIME FIDDLERS' JAMBOREE**

Rayola Pratt of the Shasta Service Guild invited the members of the Board of Supervisors and the public to the Shasta Art Festival and Old Time Fiddlers' Jamboree and updated the Board of Supervisors on the Guild's plan to purchase property on which to hold future festivals.

#### **SHASTA COUNTY INTERAGENCY PURSUIT POLICY**

Undersheriff Larry Schaller, Captain Tom Bosenko, California Highway Patrol Captain Dave Hahn, Anderson Police Department Chief Neil Purcell, and Redding Police Department Captain Peter Hansen reported on the Shasta County Interagency Pursuit Policy, which determines when law enforcement may pursue known felons or persons presenting a clear and present risk to the public.

## **BOARD MATTERS**

### **DAY/LASSEN BENCH FIRE SAFE COUNCIL**

9:40 p.m.: Supervisor Kehoe recused himself due to a conflict because of his association with the U.S. Forest Service and left the room. Vice Chairman Clarke presided.

Day/Lassen Bench Fire Safe Council Project Manager Tom Escade requested the Board of Supervisors assist in acquiring a Woody Biomass Utilization Grant in the amount of \$250,000 in Title III (timber receipt funds) for hazardous fuel reduction on federal and private lands. Approval of the grant requires matching funds, Modoc County has been requested to provide \$30,000 and Shasta County is being requested to provide \$30,000. The Day/Lassen Bench Fire Safe Council will contribute funds for a total of \$335,000. Supervisor Clarke stated that the information should be presented to Deputy Public Works Director Dan Kovacich. By consensus the Board of Supervisors directed that the matter be referred to staff for their recommendation and brought back to the Board of Supervisors at the May 3, 2005 meeting.

9:55 a.m.: Supervisor Kehoe returned to the room and presided.

### **WATERSHED AWARENESS MONTH**

By motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2005 as Watershed Awareness Month in Shasta County. Western Shasta Resource Conservation District Watershed Coordinator Leslie Bryan gave a presentation to raise the awareness of the importance of watersheds.

## **GENERAL GOVERNMENT**

### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **GLOBAL TAX-SHARING AGREEMENT**

County Administrative Officer (CAO) Doug presented the staff report noting that tax exchange discussions between the City of Redding and Shasta County would enable both entities to consider a global tax-sharing agreement. CAO Latimer stated the proposed agreement could provide a share of sales tax and Transient Occupancy Tax (TOT) via a graduated formula over the next three years.

Richard Paz stated that the previously discussed possibility to adopt a TOT of houseboats on Lake Shasta would only benefit Shasta County and that the City of Redding should share in that amount.

Mr. Latimer confirmed that should the County begin collecting taxes on houseboats should and the tax-sharing agreement should occur, the City of Redding's share will be approximately \$650,000.

Greater Redding Chamber of Commerce Chairman Ed Rollman supported the concept, urging Shasta County to establish an open dialogue with the City of Redding and to develop a fair and equitable tax-sharing agreement that provides for the future of both the City of Redding and Shasta County.

Shasta Builders Exchange CEO Kent Dagg stated that the Builders Exchange has reviewed the document entitled *Global Tax-Sharing with the City of Redding* and supports an agreement.

At the recommendation of CAO Doug Latimer and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors appointed Supervisor Clarke to act as a liaison with a City Council representative and initiate discussions in a timely manner.

#### LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer did not have a report.

Supervisors reported on issues of countywide interest.

#### CLERK OF THE BOARD

##### ALARM SYSTEMS PERMITS SHASTA COUNTY CODE 5.25 ORDINANCE NO. SCC 2005-3

By motion made, seconded (Clarke/Hawes), and carried, the Board of Supervisors enacted Ordinance No. SCC 2005-3, which enacts Chapter 5.25 of the Shasta County Code concerning permits for alarm systems in the unincorporated areas of Shasta County. Supervisor Cibula voted no.

(See Shasta County Code Ordinance Book)

##### SHERIFF'S OFFICE FEE SCHEDULE ALARM SYSTEM AND FALSE ALARMS ORDINANCE NO. 634

By motion made, seconded (Clarke/Hartman), and carried, the Board of Supervisors enacted Ordinance No. 634, which repeals Ordinance No. 620 and revises the Sheriff's Office fee schedule to more accurately reflect the cost of providing services, including fees for alarm system permits and false alarms. Supervisor Cibula voted no.

(See General Ordinance Book)

#### SUPPORT SERVICES

##### HUMAN RESOURCES DIVISION

##### FY 04-05 CLASSIFICATION MAINTENANCE PROGRAM SALARY RESOLUTION NO. 1267

At the recommendation of Assistant Director of Support Services Marty Bishop and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors took the following actions regarding the Fiscal Year 2004-05 Classification Maintenance Program: Adopted Salary Resolution No. 1267, which reclassifies various positions and makes certain salary adjustments effective May 1, 2005; deleted one job classification and its related salary footnote; and approved one new job classification.

(See Salary Resolution Book)

**TREASURER-TAX COLLECTOR - PUBLIC ADMINISTRATOR**

**QUARTERLY REPORT OF INVESTMENTS**

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Hartman/Clarke), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the quarter ending March 31, 2005.

**LAW AND JUSTICE**

**PROBATION**

**JUVENILE JUSTICE CRIME PREVENTION ACT OF 2000  
RESOLUTION NO. 2005-47**

Chief Probation Officer Jim Kuhn discussed the Shasta County Wings Program. Wraparound Interagency Network for Growth and Stability (WINGS) Program, which involves a partnership between Juvenile Probation and the Department of Mental Health. Mental Health services provided to juveniles and their families has shown increased grade point averages and reduced recidivism.

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-47, which authorizes the Chief Probation Officer to submit the application for Shasta County's Comprehensive Multi-Agency Juvenile Justice Plan for funding for Fiscal Year 2005-06.

(See Resolution Book No. 46)

**SCHEDULED HEARINGS**

**PUBLIC WORKS**

**TRAFFIC IMPACT FEE  
I-5/DESCHUTES ROAD INTERCHANGE**

This was the time set to conduct a public hearing and consider introducing and waiving the reading of an ordinance which establishes a zone of benefit and implements a traffic impact fee to fund improvements to the Interstate 5/Deschutes Road interchange in conjunction with the City of Anderson. Deputy Public Works Director Scott Wahl presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Omni Means representative Paul Miller provided information regarding the traffic improvement fee, noting the makeup of the interchange and assumptions for 2027 developments. The roundabouts planned are designed for efficiency to allow a constant flow of traffic, with no wait for traffic lights.

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

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which establishes a zone of benefit and implements a traffic impact fee to fund improvements to the Interstate 5/Deschutes Road interchange in conjunction with the City of Anderson.

11:20 a.m.: The Board of Supervisors recessed.

### AFTERNOON SESSION

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Counsel Karen Jahr, Chief Deputy Clerk of the Board Glenda Tracy, and Deputy Clerk of the Board Linda Mekelburg present.

### SCHEDULED HEARINGS

#### RESOURCE MANAGEMENT - PLANNING DIVISION

GENERAL PLAN AMENDMENT NO. 04-003/ZONE AMENDMENT NO. 04-011  
WEST REDDING PROPERTIES, WEST REDDING AREA

GENERAL PLAN AMENDMENT NO. 04-005/ZONE AMENDMENT NO. 04-005  
CRAIG HOLT AND ELLEN NIELSEN, NORTH ANDERSON AREA

GENERAL PLAN AMENDMENT NO. 04-007/ZONE AMENDMENT NO. 04-014  
ALEXANDER LEGGETT PROPERTIES, COTTONWOOD AREA

This was the time set to conduct a public hearing and consider taking action on the following general plan amendments and zone amendments:

1. General Plan Amendment No. 04-003/Zone Amendment No. 04-011, West Redding Properties (West Redding area), which would change approximately 69 acres from a Natural Resource Protection-Open Space (N-O) land use designation to a Rural Residential "A" (RA) land use designation and would rezone approximately 69 acres from an Unclassified (U) District to a Rural Residential combined with Building Site Minimum per Recorded Map (R-R-BSM) District for one parcel and to an Open Space (OS) District for two parcels;
2. General Plan Amendment No. 04-005/Zone Amendment No. 04-010, Ellen Nielsen and Craig Holt (North Anderson area), which would change approximately 40 acres from a Suburban Residential (SR) land use designation to a Mixed Use (MU) land use designation and would rezone approximately 40 acres from an Interim Rural Residential Combined with a Mobile Home (IR-T) District to a Mixed Use (MU) District; and
3. General Plan Amendment 04-007/Zone Amendment No. 04-014, Alexander Leggett Properties (Cottonwood area), which would change approximately 13.8 acres from a Suburban Residential-Three units per acre (SR-3) land use designation to an Urban Residential-Eight units per acre (UR-8) land use designation and which would rezone approximately 13.8 acres from a One-Family Residential, 10,000-square-foot minimum lot area (R-1-B-10) District to a Planned Development (PD) District.

Senior Planner Zach Bonnin presented the staff report and recommend approval of the general plan amendments and the projects. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

ACTION: ZONE AMENDMENT NO. 04-014  
ALEXANDER LEGGETT PROPERTIES  
COTTONWOOD AREA

The public hearing was opened, at which time the following people spoke regarding the project:

Duke Leggett offered to answer any questions the Board of Supervisors might have.

Bruce Alexander opposed the project, noting that, in his opinion, the lots are not sufficiently wide; the project is not consistent with the General Plan; the downtown portion of Cottonwood should be protected for commercial use; and issues such as storm water detention, the water system, access to the subdivision, and traffic and insufficient parking have not been addressed.

Mr. Leggett explained that parking regulations will be enforced through Covenants, Conditions, and Restrictions (CC&Rs) and will not allow any recreational vehicles or trucks in the subdivision for more than 24 hours. He introduced engineer E.C. Ross of Robertson and Dominici, who explained that the drainage system will be underground, in compliance with requirements placed on the development by the Department of Public Works.

No one else spoke for or against the project, and the public hearing was closed.

Public Works Director informed the Board of Supervisors that a detailed traffic study has been embarked upon for the subdivision; in addition, the developed has also commissioned a traffic study. Traffic impact mitigation fees (as determined by the two studies) should be adequate to fund the intended improvements in Cottonwood, and the current interchange should be able to absorb the impact until any proposed changes are made.

Mr. Mull noted that the proposed project will assist in meeting housing goals of the General Plan, which is updated every five years.

Supervisor Clarke explained that there is general support in the community for the project, but she has two concerns:

1. The detached garages with offices/guest houses present an opportunity to have two residences on the property;
2. The conditions rely on the enforcement of Covenants, Conditions, and Restrictions (CC&Rs), which the County does not enforce, for such issues as parking of recreational vehicles and boats.

Mr. Leggett explained that the intention of the second unit over the garage was to provide an extra dwelling space for the family, such as a family room or an office, and they would be willing to either eliminate the unit altogether or to eliminate the plumbing in the unit. Recreational vehicles can either be parked on the street as they are in most neighborhoods, or a concrete pad for parking can be placed in the backyard.

Mr. Bonnin suggested that the Board of Supervisors may want to amend Section C.1.c.2. to read, "Accessory building, one story not to exceed twenty feet" and add Section C.1.f. to read, "The tot lot or park space shown on the development plan shall be developed to include but not be limited to shade structures, picnic tables, landscaping with trees. . ." ". . . upon completion of the final ten units" or ". . . upon completion of onsite streets." "The park shall be maintained by the homeowner's association."

By motion made, seconded (Clarke/Hartman), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-014, Alexander Leggett Properties, Cottonwood area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution Nos. 2005-025 and 2005-026;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution Nos. 2005-025 and 2005-026; and

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-014 as requested, with the amended and additional conditions as recommended by staff.

ACTION: ZONE AMENDMENT NO. 04-010  
ELLEN NIELSEN AND CRAIG HOLT  
NORTH ANDERSON AREA

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 (Cibula/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-010, Ellen Nielsen and Craig Holt, North Anderson area:

1. Adopted the CEQA determination of a negative declaration with a de minimis finding of significance for Zone Amendment No. 04-010, with the findings as specifically set forth in Planning Commission Resolution Nos. 2005-006 and 2005-006A;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution Nos. 2005-006 and 2005-006A; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-010 as requested.

ACTION: ZONE AMENDMENT NO. 04-011  
WEST REDDING PROPERTIES  
WEST REDDING AREA

Senior Planner Zach Bonnin presented the staff report and recommended approval of the project.

The public hearing was opened, at which time the following people spoke:

Westside Properties representative Einhard Diaz offered to answer any questions the Board of Supervisors may have regarding the general plan amendment and zone amendment. In response to a question from Supervisor Hawes, Mr. Diaz noted that there are no wetland issues in the project.

Steve Cardella expressed his concern that the project might negatively impact his property and wondered whether privacy mitigation for his property and brush clearance on the parcels near his could be addressed.

Mr. Bonnin responded that the proposed development will not actually touch his property and noted that Mr. Cardella may be responding to a previous map which has been revised.

Mr. Diaz explained that his clients wish to work with their neighbors, and when further development occurs, they will meet with Mr. Cardella and address his concerns.

No one else spoke for or against the project, and the public hearing was closed.

By motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors took the following action regarding Zone Amendment No. 04-011, West Redding Properties, West Redding area:

1. Adopted the CEQA finding of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution Nos. 2005-022 and 2005-023;

- 2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution Nos. 2005-022 and 2005-023; and
- 3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-011 as requested.

ACTION: GENERAL PLAN AMENDMENT NO. 04-003, WEST REDDING PROPERTIES (WEST REDDING AREA); GENERAL PLAN AMENDMENT NO. 04-005, ELLEN NIELSEN AND CRAIG HOLT (NORTH ANDERSON AREA); AND GENERAL PLAN AMENDMENT NO. 04-007, ALEXANDER LEGGETT PROPERTIES (COTTONWOOD AREA) RESOLUTION NO. 2005-48

By motion made, seconded (Clarke/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-48, which approves the following General Plan Land Use Element map changes as recommended by the Planning Commission:

- 1. General Plan Amendment No. 04-003: From Natural Resource Protection-Open Space (N-O) to Rural Residential "A" (RA) land use designation;
- 2. General Plan Amendment No. 04-005: From Suburban Residential (SR) to Mixed Use (MU) land use designation; and
- 3. General Plan Amendment No. 04-007: From Suburban Residential-Three units per acre (SR-3) to Urban Residential-Eight units per acre (UR-8) land use designation.  
(See Resolution Book No. 45)

2:36 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy