

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, May 15, 2007

**REGULAR MEETING**

9:03 a.m.: Chairman Cibula 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. 5 - Supervisor Baugh

County Administrative Officer - Larry Lees  
County Counsel - Karen Jahr  
Deputy Clerk of the Board - Valerie Ibarra  
Deputy Clerk of the Board - Nancy Rupert

District No. 4 - Supervisor Hartman - Absent

**INVOCATION**

Invocation was given by Pastor George Nite, North Valley Baptist Church.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance to the Flag was led by U.S. Coast Guard Auxiliary Vice Commander Skip Connelly.

**INTRODUCTIONS**

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

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled for later discussion the County Claims list.

County Administrative Officer Larry Lees pulled Zone Amendment No. 02-023, Trinity Equipment Company (Palo Cedro area), for later discussion.

**CONSENT CALENDAR**

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Hawes recused on the items relating to Zone Amendment 02-023, Trinity Equipment Company and Zone Amendment 07-003, Clarum Homes consistent with his prior votes; and Supervisor Baugh abstained on the items relating to Zone Amendment 02-023, Trinity Equipment Company and Zone Amendment No. 06-028, Brummer Harvey, as he was not in office when these items first were heard.):

Adopted a proclamation which designates May 6-12, 2007 as Child Care Provider Appreciation Week and May 11, 2007 as Child Care Provider Appreciation Day in Shasta County. (Board of Supervisors)

Approved the minutes of the meeting held on May 8, 2007, as submitted. (Clerk of the Board)

Enacted an Ordinance No. 378-1951, which approves Zone Amendment No. 06-028, Brummer/Harvey (north Redding area), as introduced February 13, 2007. (Clerk of the Board)

Enacted Ordinance No. 378-1952, which approves Zone Amendment No. 07-003, Clarum Homes (Cottonwood area), as introduced April 24, 2007. (Clerk of the Board)

Approved a budget amendment transferring \$59,500 from Services and Supplies to various fixed asset accounts to allow purchase of video conferencing equipment and replacement of a surplused vehicle. (Social Services)

Approved and authorized the Chairman to sign a lease with the California State Lands Commission for the period May 10, 2007 through May 9, 2032 for land needed by the County to replace and maintain the Airport Road at Sacramento River Bridge, and an agreement with the California State Lands Commission in an estimated amount of \$3,000 for the period December 8, 2006 through December 7, 2008 to reimburse the Lands Commission for services to process the lease. (Public Works)

For Tract Map No. 1907, Amesbury Village (Cottonwood area), approved and authorized the Chairman to sign an agreement with the 2002 Chambers Trust which guarantees workmanship of Amesbury Court and the County Service Area facilities and accepts a maintenance security in the amount of \$14,250; and released the securities guaranteeing payment in the amount of \$77,500 and faithful performance in the amount of \$155,000. (Public Works)

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR****COUNTY CLAIMS LIST**

In response to questions from Supervisors Kehoe, Auditor-Controller Connie Regnell and CAO Lees explained the County Claims list consists of claims which lack a Purchase Order for an amount exceeding \$1,000 with no personal service agreement on file, and the majority of the claims incurred during the transfer of library ownership from the County to the City of Redding.

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the County Claims List totaling \$86,173.58 requiring special board action. (Auditor-Controller)

ZONE AMENDMENT 02-023  
TRINITY EQUIPMENT COMPANY  
(PALO CEDRO AREA)

By consensus, the Board of Supervisors continued the matter to the May 22, 2007 Board of Supervisors Meeting to allow Supervisor Hartman to vote on the item.

**REGULAR CALENDAR**

**BOARD MATTERS**

PROCLAMATION  
SAFE BOATING WEEK  
MAY 19-25, 2007

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 19-25, 2007 as Safe Boating Week in Shasta County. Dan Weggeland of the U.S. Coast Guard Auxiliary explained his group's boating safety efforts and education in Shasta County.

9:34 a.m.: The Board of Supervisors recessed and reconvened in concurrent session as the Board of Supervisors and the governing body of the Shasta County Redevelopment Agency.

**JOINT BOARD OF SUPERVISORS/SHASTA COUNTY REDEVELOPMENT AGENCY**

**REGULAR CALENDAR**

ELECTION OF 2007 CHAIRMAN

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors elected Supervisor Cibula to the position of 2007 Chairman.

ELECTION OF 2007 VICE CHAIRMAN

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors elected Supervisor Hartman to the position of 2007 Vice Chairman.

**CONSENT CALENDAR**

By motion made, seconded (Kehoe/Baugh), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Baugh abstained on the minutes as he was not in office and Supervisor Hawes abstained from all items relating to the SHASTECH Redevelopment Project.):

Approved the minutes of the meeting held on December 5, 2006, as submitted. (Shasta County Redevelopment Agency)

Received the draft 2007-09 Buckeye Redevelopment Project budget. (Shasta County Redevelopment Agency)

Received the draft 2007-09 SHASTECC Redevelopment Project budget. (Shasta County Redevelopment Agency)

As the Redevelopment Agency, received a report on a proposed ordinance regarding a previously approved eminent domain program for the redevelopment plan for the SHASTECC Redevelopment Project; and as the Board of Supervisors, received that report on the ordinance, and introduced and waived the reading of an ordinance which adopts a description of that program for the development plan for the SHASTECC Redevelopment Project. (Board of Supervisors/Shasta County Redevelopment Agency)

As the Redevelopment Agency, received a report on a proposed ordinance regarding a previously approved eminent domain program for the redevelopment plan for the Buckeye Redevelopment Project; and as the Board of Supervisors, received that report on the ordinance, and introduced and waived the reading of an ordinance which adopts a description of that program for the development plan for the Buckeye Redevelopment Project. (Board of Supervisors/Shasta County Redevelopment Agency)

9:35 a.m.: The governing body of the Shasta County Redevelopment Agency adjourned.

**REGULAR CALENDAR**

**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 Senate Bill 137 (Torlakson), which would raise the eligibility threshold for the California Children's Service (CCS) Program from \$40,000 adjusted gross income to 400 percent of the Federal poverty level. By consensus, the Board of Supervisors approved and authorized the Chairman to sign a letter to Assemblyman LaMalfa and Senator Aanestad encouraging no support of this legislation unless it is amended to waive county costs for CCS program expenditure increases resulting from the eligibility expansion. Supervisor Cibula will take a copy of this letter to the next meeting of the Regional Council of Rural Counties for input.

Supervisors reported on issues of countywide interest.

**HEALTH AND HUMAN SERVICES**

**SOCIAL SERVICES-OPPORTUNITY CENTER**

**BUDGET AMENDMENT**

At the recommendation of Health and Human Services Agency Director Marta McKenzie and Social Services Branch Director Jane Work, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$288,000 and revenues by \$231,000 in the Opportunity Center budget to reflect current projections and new contractual arrangements.

**LAW AND JUSTICE****SHERIFF****AGREEMENT: UNITED STATES DRUG ENFORCEMENT ADMINISTRATION  
MARIJUANA SUPPRESSION AND ERADICATION  
BUDGET AMENDMENT**

At the recommendation of Sheriff Tom Bosenko, and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the United States Drug Enforcement Administration (DEA) in the amount of \$95,000 to provide funding to the Sheriff's Office for marijuana suppression and eradication activities for the period January 1, 2007 through December 31, 2007; approved and authorized the Chairman to sign an amendment to the agreement with DEA increasing compensation by \$100,000 (for a new total of \$195,000) for additional marijuana suppression and eradication activities for the period January 1, 2007 through December 31, 2007; and approved a budget amendment in the amount of \$65,000 increasing appropriations and revenues in the Sheriff's Investigations Division budget.

**SEXUAL ASSAULT FELONY ENFORCEMENT TEAM GRANT  
BUDGET AMENDMENT**

Sheriff Tom Bosenko explained the program is designed to monitor, enforce, and gain compliance with sexual registrants under the California Penal Code Section 290, the ultimate goal of education for Megan's Law and compliance, and the Sheriff's Office's intent to work with local law enforcement agencies and on a regional basis with 12 other Northern California counties who received the same grant.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to accept and the Sheriff to administer the Sexual Assault Felony Enforcement Team Grant in the amount of \$689,700 for Fiscal Year 2006-07; approved a budget amendment in the amount of \$373,849 increasing appropriations and revenues; authorized the Purchasing Division to obtain quotes, issue formal bids, and make purchases in accordance with Administrative Policy 6-101; and authorized the Auditor-Controller to pay claims for expenses related to the grant, including funds which may be reappropriated in subsequent fiscal years.

**LEGAL RESEARCH ASSOCIATES, LLC PILOT PROJECT  
SHASTA COUNTY JAIL**

Sheriff Tom Bosenko presented the staff report and recommended approval of the pilot project. In response to questions from Supervisors Cibula and Kehoe, Sheriff Bosenko, Captain Don Van Buskirk, Legal Research Associates, LLC (LRA) Owner Richard Williams, and Sheriff's Office Lieutenant Mike Ashmun confirmed that this service meets the State and Federal legal requirements, will aid illiterate inmates, and the law library located inside the Jail will continue to be maintained but access will be restricted during the Legal Research Associates, LLC (LRA) pilot project.

In reply to questions by Supervisor Kehoe, Public Defender Neal Pereira expressed his concerns regarding the Sheriff's Office's staff reading the LRA request form, the District Attorney subpoenaing the request forms, and LRA providing advisory consultation inconsistent with the County's defense attorney's legal plan of action. Mr. Pereira noted that the Sheriff's Office has amended its policies to avoid violating the inmate's privileges. The request forms, if subpoenaed, would be inadmissible; LRA does not provide case-specific information; and Mr. Pereira contacted the Public Defender's offices of Yolo, Santa Clara, and Kern Counties and they have reported no adverse impact.

By motion made, seconded (Baugh/Kehoe), and carried the Board of Supervisors approved and authorized the Chairman to sign a contract with Law Search Associates, LLC d.b.a. Legal Research Associates, LLC in an amount not to exceed \$9,000 to provide legal research assistance and materials to jail inmates from the date of signing through November 15, 2007, with two optional one-year renewals in an annual amount not to exceed \$18,000. Supervisor Cibula voted no due to concerns regarding the closure of the Jail's law library, but not in opposition to the service.

### **PUBLIC WORKS**

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**AGREEMENT: THEODORE AND NANCY MILLER**  
**SURPLUS REAL PROPERTY SALE**  
**(BURNEY AREA)**  
**RESOLUTION NO. 2007-44**

Public Works Director Pat Minturn presented the staff report and recommended the approval of the surplus real property sale. He stated that the January 19, 1959 Board of Supervisors meeting minutes indicate that on December 2, 1958 Salve and Kathleen Bue granted a 0.13-acre parcel to the County at zero cost with the expressed intent to maintain and perpetuate access to the four adjoining parcels with an understanding that the County would not expand funds for its improvement. Because of the property's insignificant value due to its size and landlocked location, Mr. Minturn recommended approval of the staff report.

By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors adopt Resolution No. 2007-44, which declares the property surplus and no longer necessary for County or public purposes, and approves and authorizes the Chairman to sign an agreement with Theodore and Nancy Miller in the amount of \$5,000 to purchase the parcel; and approved and authorized the Chairman to sign a quitclaim deed.

(See Resolution Book No. 48)

### **OTHER DEPARTMENTS**

### **COUNTY FIRE**

**SHASTA COUNTY FIRE DEPARTMENT**  
**2006 ANNUAL REPORT**

Fire Warden Mike Chuchel presented the Shasta County Fire Department's 2006 Annual Report and discussed the long-term service of volunteer fire fighters, the previous year's operation, accomplishments, training, and the cooperative environment throughout the County's fire departments.

**SHASTA COUNTY FIRE DEPARTMENT**  
**MASTER PLAN**

Fire Warden Mike Chuchel presented the Shasta County Fire Department's Master Plan and recognized the members of the Shasta County Fire Department Task Force and the goals and efforts of the Fire Department. By motion made, seconded (Hawes/Baugh), and unanimously carried, the Board of Supervisors accepted the proposed Master Plan as the long-range planning document for the County Fire Department in accordance with SCFD Policy 1-2.1

**SCHEDULED HEARINGS****PUBLIC WORKS****BURNEY EXPRESS SERVICE**  
**REDDING AREA BUS AUTHORITY**

This was the time set for a public hearing regarding the proposed fare increases on the Burney Express Service. Public Works Director Pat Minturn presented the staff report, explaining that costs to provide the Burney Express have increased 48 percent since the last fare increase. To partially cover the proposed increases in operating costs, he recommended the fare be increased. 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 matter, and the public hearing was closed.

By motion made, seconded (Hawes/Baugh), and carried, the Board of Supervisors approved fare increases on the Burney Express service and directed the Redding Area Bus Authority to implement the proposed fare increase effective July 1, 2007. Supervisor Cibula voted no as the fare increase was not on an incremental basis.

**PARCEL MAP NO. 05-031**  
**BUCKSHOT LANE FIRE ESCAPE PERMANENT ROAD DIVISION**  
**PALO CEDRO AREA**  
**ANNUAL PARCEL CHARGE REPORT FOR FY 2007-08**  
**RESOLUTION NOS. 2007-45 AND 2007-46**

This was the time set for a public hearing regarding the proposed Buckshot Lane Fire Escape Permanent Road Division (Palo Cedro area). Public Works Supervising Engineer Alfred Cathey presented the staff report and recommended 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 formation of the permanent road division. Mr. Cathey noted that in accordance with Proposition 218, the property owners must approve the requested parcel change, and he delivered the ballot to the Clerk of the Board for tabulation. The clerk opened the ballot; the vote was as follows:

FOR:	1
AGAINST:	0
BLANK BALLOTS:	0

By motion made, seconded (Baugh/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Parcel Map No. 05-031, Buckshot Lane Fire Escape Permanent Road Division (Palo Cedro area):

1. Adopted a Resolution No. 2007-45, which forms the Division;
2. Adopted Resolution No. 2007-46, which confirms the annual parcel charge report for Fiscal Year 2007-08;

3. Received the annual parcel charge report.

(See Resolution Book No. 48)

11:08 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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