

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 21, 2007

REGULAR MEETING

9:01 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. 4 - Supervisor Hartman
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 - Linda Mekelburg
Deputy Clerk of the Board - Diane Colson

INVOCATION

Invocation was given by Youth Pastor Mark Smith, Risen King Community Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Sadie and Hunter Cibula.

INTRODUCTIONS

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

BOARD MATTERS**PROCLAMATION: COMMUNITY HEALTH CENTERS WEEK**

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 5-11, 2007 as Community Health Centers Week in Shasta County. Shasta Consortium of Community Health Centers Executive Director Doreen Bradshaw described the challenges and success of the combined efforts of health centers to provide health care and enhancing health care technology for Shasta, Siskiyou, and Lassen Counties.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Cibula announced that the County claims list and the minutes of the meeting held on August 14, 2007 were pulled at the request of the departments, and the California Economic Development Infrastructure Bank leases and the Fall River Mills Airport Construction Phase III contracts were pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended:

Approved the minutes of the meetings held on July 17, 2007, as submitted, and July 24, 2007, as corrected. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with the California Department of Alcohol and Drug Programs increasing compensation by \$10,540 (for a total not to exceed \$1,900,875) to provide additional alcohol and other drug treatment and prevention services and retaining the term of July 1, 2004 through June 30, 2008. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2007-100, which determines the necessity of programs to be administered by the Shasta County Child Abuse Prevention Coordinating Council in accordance with Government Code section 26227, and approves and authorizes the Chairman to sign a lease with Shasta County Child Abuse Prevention Coordinating Council in the amount of \$125 per month for 303 square feet of office space (approximately \$0.41/square foot) on property owned jointly by the County of Shasta and the City of Anderson at 2889 East Center Street, Anderson from the date of signing through August 20, 2008, with two automatic one-year renewals. (Public Health)

(See Resolution Book No. 48)

Approved and authorized the Chairman to sign a renewal agreement with the University of California, Davis in an amount not to exceed \$99,960 to provide child welfare consultative services to the 15 counties which are members of the Northern Welfare Directors Committee for the period July 1, 2007 through June 30, 2008. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with the Bureau of Reclamation in the amount of \$78,048.14 for the Opportunity Center to provide grounds maintenance at Shasta Dam for the period March 1, 2007 through February 28, 2008, with four optional one-year renewals; approved and authorized the Chairman to sign a renewal agreement with the Bureau of Reclamation in the amount of \$413,433 for the Opportunity Center to provide janitorial services at Shasta and Keswick Dams for the period July 1, 2007 through June 30, 2008, with four optional one-year renewal; and adopted Resolution No. 2007-101, which approves and authorizes the Social Services Branch Director to sign amendments to these agreements when revenue increases due to federal wage increases. (Social Services)

(See Resolution Book No. 48)

Adopted Resolution No. 2007-102, which repeals Resolution No. 2007-60, and authorizes the District Attorney to continue as the agent for Shasta County to conduct negotiations and submit to the California Department of Justice documents necessary for the Spousal Abuser Prosecution Program in the amount of \$71,456 for the period July 1, 2007 through June 30, 2008. (District Attorney)

(See Resolution Book No. 48)

Adopted Resolution No. 2007-103, which approves and authorizes the Chief Probation Officer to sign and submit a Juvenile Accountability Block Grant application, an agreement in the amount of \$12,653, and any subsequent amendments to provide funding for Fiscal Year 2007-08. (Probation)

(See Resolution Book No. 48)

Regarding Parcel Map No. 05-013, Chase-Taylor (Old Shasta area), released the security in the amount of \$19,500 guaranteeing performance of subdivision improvements, and released the security in the amount of \$9,750 guaranteeing payment. (Public Works)

Regarding Tract Map No. 1898, Waterleaf Estates Permanent Road Division (Shingletown 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 October 9, 2007 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

Regarding Tract Map No. 1868, Santa Barbara Estates, Phase 2, Stoneco Construction, Inc. (north Redding area), released the security in the amount of \$58,000 guaranteeing faithful performance, released the security in the amount of \$29,000 guaranteeing payment, and released the security in the amount of \$40,000 guaranteeing maintenance. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: CALIFORNIA ECONOMIC DEVELOPMENT INFRASTRUCTURE BANK ANDERSON SEPTAGE PONDS EXPANSION PROJECT RESOLUTION NOS. 2007-104 AND 2007-105

In response to a question by Supervisor Kehoe, Public Works Director Pat Minturn and County Administrative Officer (CAO) Larry Lees explained that collateral--the Public Works/Resource Management building located on Placer Street in Redding--was required in order to obtain the loan. County Counsel Karen Jahr confirmed that this type of contract is common and legally acceptable. By motion made, seconded (Hartman/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2007-104, which approves and authorizes the Public Works Director to sign and deliver a site lease and facility lease to the California Economic Development Infrastructure Bank to obtain financing for the Anderson Septage Ponds Expansion project; and adopted Resolution No. 2007-105, which declares the County's intent to reimburse certain expenditures from the proceeds of the financing arrangement. (Public Works)

(See Resolution Book No. 48)

AGREEMENT: NORTHWEST PAVING AND MEYERS EARTHWORK, INC. FALL RIVER AIRPORT CONSTRUCTION PHASE III

In response to a question from Supervisor Hawes, Public Works Director Pat Minturn confirmed a licensed land surveyor is verifying property lines to accurately install a perimeter fence. By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors awarded to the low bidder, Northwest Paving, the contract for the Fall River Mills Airport Construction Phase III in the amount of \$1,397,185.50; and to the low bidder, Meyers Earthwork, Inc., awarded the contract for the Fall River Mills Airport Perimeter Fencing Installation in the amount of \$586,160. (Public Works)

REGULAR CALENDAR

PRESENTATIONS

2007 COMMUNITY CREEK CLEAN-UP CITY OF REDDING COMMUNITY SERVICES DEPARTMENT

City of Redding Community Services Department representative Chris Glover discussed the success of the Churn Creek clean-up in 2006, identified nine creeks in the Westside of Redding scheduled for clean-up in 2007, thanked participating organizations for their support, and asked for volunteers from the public.

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 California State budget and his concerns regarding impacts to the Shasta County budget.

Supervisor Cibula stated he recently attended the Regional Council of Rural Counties meeting.

Supervisor Kehoe advised he recently attended the Redding Area Bus Authority meeting, and noted he will work with CAO Lees to provide an update for the Board of Supervisors.

Supervisors reported on issues of countywide interest.

LAW AND JUSTICE

DISTRICT ATTORNEY

**CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT
DRIVING UNDER THE INFLUENCE MISDEMEANOR PROSECUTION PROGRAM
RESOLUTION NO. 2007-106**

At the recommendation of District Attorney Jerry Benito, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved acceptance of a grant award from the California Office of Traffic Safety in the amount of \$256,982 to develop the DUI (Driving Under the Influence) Misdemeanor Prosecutor Program; adopted Resolution No. 2007-106, which authorizes the County Administrative Officer to sign the award agreement and other documents related to the grant; and authorized the Auditor-Controller to pay claims related to the project. Mr. Benito noted acceptance of this grant will fund hiring a prosecutor to focus on misdemeanor DUI offenders and support the felony DUI prosecutors.

(See Resolution Book No. 48)

SCHEDULED HEARINGS

PUBLIC WORKS

**SPRING GULCH ROAD REAL PROPERTY EXCHANGE
RESOLUTION NO. 2007-107**

This was the time set to conduct a public hearing regarding the proposed exchange of real property on Spring Gulch Road. County Real Property/Right of Way Agent Tyler Smith 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 exchange, and the public hearing was closed.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding the exchange of real property on Spring Gulch Road:

1. Adopted Resolution No. 2007-107, which declares County-owned property to no longer be required for County use, declares that the property to be acquired is required for County use, and authorizes the property exchange;
2. Approved and authorized the Chairman to sign a trade agreement and quitclaim deed; and
3. Accepted a grant deed conveying a parcel of road right of way.
(See Resolution Book No. 48)

**COUNTY SERVICE AREA NO. 3 - CASTELLA WATER
WATER SYSTEM IMPROVEMENTS**

This was the time set to conduct a public hearing regarding the proposed water system improvements for County Service Area No. 3 - Castella Water. Deputy Public Works Director Scott Wahl presented the staff report. 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 improvements, and the public hearing was closed.

By consensus, the Board of Supervisors directed the Clerk of the Board to tabulate the ballots to determine the results of the vote as required by Proposition 218. Deputy Public Works Director Scott Wahl announced that the votes would be tallied at 1:30 p.m. in Room 311 of the Shasta County Administration Center, and the count is open to the public. The results will be announced at the September 11, 2007 meeting of the Board of Supervisors.

RESOURCE MANAGEMENT

PLANNING DIVISION

**ZONE AMENDMENT NO. 06-047
WILLIAM SCOTT
EAST REDDING AREA**

This was the time set to conduct a public hearing and consider taking action on Zone Amendment No. 06-047, William Scott, which would rezone approximately 68 acres in the East Redding area from a Rural Residential (R-R-BSM), Designed Floodway (F-1), Restrictive Flood (F-2), and Open Space (OS) Districts to the Rural Residential, minimum building site area according to the recorded map (R-R-BSM), Designated Floodway (F-1), Restricted Flood (F-2), and Open Space (OS) Districts. Senior Planner Kent Hector presented the staff report and recommended approval of the project. 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 proposal, and the public hearing was closed.

By motion made, seconded (Hartman/Baugh), an unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 06-047, William Scott, East Redding 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. 2007-086;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2007-086; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 06-047, as requested.

CLOSED SESSION ANNOUNCEMENT

Chairman Cibula announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Coleman, et al. v. Schwarzenegger, et al. and Plata, et al. v. Schwarzenegger, et al., pursuant to Government Code section 54956.9(a). Chairman Cibula also announced that he is abstaining from the Masun Brandon, et al. v. City of Redding, Kevin McCaskill v. County of Shasta, and the Izai Ristemi v. County of Shasta cases based on professional relationships.

10:26 a.m.: The Board of Supervisors recessed to Closed Session.

11:36 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Administrative Officer Larry Lees, County Counsel Karen Jahr, and Deputy Clerks of the Board Valerie Ibarra and Diane Colson present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations; however, no reportable action was taken.

11:37 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy