

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 4, 2011

REGULAR MEETING

9:02 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 Mike Clary, Valley Christian Fellowship.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Richard Yeats opposed changes to health benefits for In-Home Supportive Services (IHSS) caregivers.

In response a request by Supervisor Kehoe, County Administrative Officer Larry Lees explained that the acronym "IHSS" stands for In-Home Supportive Services, a State program that counties operate, with funds from the State. Currently, labor negotiations are in progress, with discussion about potential changes in health care benefits.

Betty Berg, Michelina Duke, Sheri Henderson, and Cynthia Lahey opposed changes to health benefits for IHSS caregivers.

Russ Wade voiced support of bio-fuels and the use of ethanol to fuel vehicles.

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH

By motion made, seconded (Moty/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2011 as Domestic Violence Awareness Month in Shasta County. Chief Deputy District Attorney Josh Lowery and Women's Refuge Executive Director Jean King were present to accept the proclamation

PRESENTATIONS

2010 DOMESTIC VIOLENCE COORDINATING COUNCIL ANNUAL REPORT

Shasta County District Attorney's Crime Victims Assistance Center Program Coordinator Angela McClure presented the 2010 Domestic Violence Coordinating Council Annual Report. Shasta Family Justice Center Executive Director Michael Burke advised approximately 25 percent of domestic violence is reported, and Women's Refuge Executive Director Jean King stated that much of domestic violence occurs in the home, and the crime of abuse is increasing.

PRESENTATION: HEALTHY SHASTA ACTION HEROES

Health and Human Services Agency (HHS) Director of Public Health and Regional Services Donnell Ewert stated the Healthy Shasta coalition was created to encourage healthy eating and physical activity. Healthy Shasta Coordinator Amy Pendergast introduced the 2011 Healthy Shasta Action Heroes award winners. Debbie Lungi, Lassen View School Principal has introduced flavored drinking water instead of sugary beverages, for students and staff. Friends of the Coleman Fish Hatchery built a trail to use on nature hikes for student field trips. Wendell "Dub" Sanders established a blacktop basketball league in a neighborhood park.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh advised that the agenda item regarding the appointment to the Planning Commission has been withdrawn.

CONSENT CALENDAR

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

Adopted Resolution No. 2011-107, which approves a short-term loan in the amount of \$4,000 to the Fall River Mills Cemetery District from the County General Reserve which will be repaid from the District's tax apportionment. (Administrative Office)

(See Resolution Book No. 52)

Approved the minutes of the meeting held on September 20, 2011, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with Jackson & Coker Locumtenens, LLC in an amount not to exceed \$200,000 to provide temporary

psychiatric services from the date of signing through June 30, 2012. (Health and Human Services Agency (HHS)-Adult Services)

Approved a budget amendment in the Mental Health Services Act (MHSA) budget and in the Information Technology budget to allow for the purchase of two capital assets (servers) in the amount of \$17,000 to meet the Capital Facilities and Technology Needs project of the MHSA; authorized the Auditor-Controller to prepare and process the budget amendment to record the capital asset acquisition and transfer of asset and funds to Information Technology to purchase the servers; and authorized the Auditor-Controller to pay claims for the associated equipment. (HHS-Business and Support Services)

Approved and authorized the Chairman to sign a retroactive amendment to the contract with ThyssenKrupp Elevator Corporation for elevator maintenance to include a termination date of June 21, 2014. (Public Works)

Approved and authorized the Chairman to sign a retroactive agreement with Continental Utility Systems, Inc. to provide technical support and maintenance for County Service Area billing software for the period July 1, 2011 through June 30, 2014; and authorized the Auditor-Controller to pay the Fiscal Year 2011-12 invoice in the amount of \$1,780. (Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Larry Lees had no legislative report.

Supervisor Moty attended a Northern Sacramento Valley Integrated Regional Water Management Board meeting.

Supervisors reported on issues of countywide interest.

COUNTY CLERK-REGISTRAR OF VOTERS/COUNTY COUNSEL

CERTIFICATE OF SUFFICIENCY

**REFERENDUM AGAINST SHASTA COUNTY RESOLUTION NO. 2011-091
GENERAL PLAN AMENDMENT NO. 08-002, HAWKINS COMPANIES, LLC
(CHURN CREEK BOTTOM AREA)
RESOLUTION NO. 2011-108**

County Clerk-Registrar of Voters Cathy Darling Allen presented the Certificate of Sufficiency, confirming that the Referendum Petition Against Resolution No. 2011-091 has sufficient signatures.

Rod Evans stated that volunteers received overwhelming support from the community, yet he was informed some Shasta County employees stated concern about signing the petitions because of feared retribution. He requested the Board of Supervisors to adopt the referendum and initiative instead of taking to the public on the ballot.

Ms. Allen stated that petitions are not available for public review.

By motion made, seconded (Kehoe/Hartman), and unanimously carried, the Board of Supervisors received and ordered filed of the Certificate of Sufficiency from the Shasta County Clerk/Registrar of Voters that the “Referendum Petition Against Resolution 2011-091 (County General Plan Amendment 08-002)” has sufficient signatures.

Mr. Cruse advised that the Certificate of Sufficiency now suspends Resolution No. 2011-091, adopted August 2, 2011, which amended the General Plan to allow the building of the Knighton Road Retail Center.

CAO Larry Lees recommended that the Board of Supervisors direct County departments to prepare a report and submit the report by November 1, 2011 concerning the impacts.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-108, which, pursuant to Elections Code section 9111, identifies and directs the following County departments to prepare and submit a report by November 1, 2011 concerning the impacts, and identifies the following information to be included in the report:

1. The fiscal impact of Resolution No. 2011-091 (County Administrative Office);
2. The effect of Resolution No. 2011-091 on the internal consistency of the County’s general and specific plans, including the housing element (Department of Resource Management);
3. The effect of Resolution No. 2011-091 on the consistency between the planning and zoning regulations of the County (Department of Resource Management);
4. The effect of Resolution No. 2011-091 on the limitations imposed on the County by Government Code section 65008 (discrimination in housing), sections 65913, *et seq.* (affordable housing), or sections 65915, *et seq.* (low income housing and density bonuses) (Department of Resource Management);
5. The effect of Resolution No. 2011-091 on the use of land, the impact on the availability and location of housing, and the ability of the County to meet its regional housing needs (Department of Resource Management);
6. The impact of Resolution No. 2011-091 on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space, as well as whether Resolution No. 2011-091 would likely result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses (Department of Public Works);
7. The impact of Resolution No. 2011-091 on the community’s ability to attract and retain business and employment (Department of Resource Management);
8. The impact of Resolution No. 2011-091 on the uses of vacant parcels of land (Department of Resource Management); and
9. The impact of Resolution No. 2011-091 on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization (Department of Resource Management).

(See Resolution Book No. 52)

CERTIFICATE OF SUFFICIENCY
CHURN CREEK BOTTOM AGRICULTURAL LANDS GENERAL PLAN AMENDMENT
INITIATIVE
RESOLUTION NO. 2011-109

County Clerk-Registrar of Voters Cathy Darling Allen presented the Certificate of Sufficiency, confirming that the Churn Creek Bottom Agricultural Lands General Plan Amendment Initiative has sufficient signatures.

In response to a question from Rod Evans, Mr. Cruse advised that the impact reports will be available when they are presented to the Board of Supervisors at the November 1, 2011 meeting.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors received and ordered filed of the Certificate of Sufficiency from the Shasta County Clerk/Registrar of Voters that the “Churn Creek Bottom Agricultural Lands General Plan Amendment Initiative” (Initiative) petition has sufficient signatures.

Mr. Cruse stated that the Initiative will prevent any amendment of the General Plan to re-designate agricultural lands in the Churn Creek Bottom area until 2036, with few exceptions.

CAO Lees recommended that the Board of Supervisors direct County departments to prepare a report and submit the report by November 1, 2011 concerning the impacts.

By motion made, seconded (Hawes/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2011-109, which, pursuant to Elections Code section 9111, identifies and directs the following County departments to prepare and submit a report by November 1, 2011 concerning the impacts, and identifies information to be included in the report:

1. The fiscal impact of the Initiative (County Administrative Office);
2. The effect of the Initiative on the internal consistency of the County’s general and specific plans, including the housing element (Department of Resource Management);
3. The effect of the Initiative on the consistency between the planning and zoning regulations of the County (Department of Resource Management);
4. The effect of the Initiative on the limitations imposed on the County by Government Code section 65008 (discrimination in housing), sections 65913, *et seq.* (affordable housing), or sections 65915, *et seq.* (low income housing and density bonuses) (Department of Resource Management);
5. The effect of the Initiative on the use of land, the impact on the availability and location of housing, and the ability of the County to meet its regional housing needs (Department of Resource Management);
6. The impact of the Initiative on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space, as well as whether the Initiative would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses (Department of Public Works);
7. The impact of the Initiative on the community’s ability to attract and retain business and employment (Department of Resource Management);
8. The impact of the Initiative on the uses of vacant parcels of land (Department of Resource Management); and

9. The impact of the Initiative on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization (Department of Resource Management).

(See Resolution Book No. 52)

10:20 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy