

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, January 5, 1999

**REGULAR MEETING**

9:00 a.m.: Chairman Clarke called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Vacant  
District No. 2 - Supervisor Fust  
District No. 3 - Supervisor Hawes  
District No. 4 - Supervisor Wilson  
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer  
County Counsel - Karen Jahr  
Clerk of the Board - Carolyn Taylor  
Administrative Board Clerk - Pamela English

**INVOCATION**

Invocation was given by Father Jim Wilson of St. Michael's Episcopal Church.

**PLEDGE OF ALLEGIANCE**

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

**1998 CHAIRMAN'S YEAR IN REVIEW**

Chairman Clarke presented a general review of some of the accomplishments made in Shasta County Government during 1998, and she expressed her hopes for Shasta County during the new year.

**SWEARING IN CEREMONY**

Judge Richard B. Eaton performed the swearing in ceremony for Assessor-Recorder Cris Andrews, Auditor-Controller Richard Graham, County Clerk/Registrar of Voters Ann Reed, District Attorney McGregor Scott, Sheriff-Coroner Jim Pope, Treasurer-Tax Collector-Public Administrator Lori Scott, Supervisor Patricia A. Clarke, District 5, and Supervisor David A. Kehoe, District 1. County Clerk Ann Reed performed the oath of office. Supervisor Kehoe assumed his seat.

**ELECTION OF 1999 CHAIRMAN**

Clerk of the Board Carolyn Taylor called for nominations for the position of 1999 Chairman. Supervisor Fust nominated Supervisor Hawes and the nomination was seconded by Supervisor Wilson. No other nominations were made and the nominations were closed. Mrs. Taylor declared Supervisor Hawes elected to the position of 1999 Chairman.

**ELECTION OF 1999 VICE CHAIRMAN**

Clerk of the Board Carolyn Taylor called for nominations for the position of 1999 Vice Chairman. Supervisor Wilson nominated Supervisor Fust and the nomination was seconded by Supervisor Hawes. No other nominations were made and the nominations were closed. Mrs. Taylor declared Supervisor Fust elected to the position of 1999 Vice Chairman.

**PRESENTATION OF PLAQUE TO 1998 CHAIRMAN**

Chairman Hawes presented a plaque to Supervisor Clarke in recognition of her dedicated service to Shasta County as Chairman of the Board of Supervisors during 1998.

9:24 a.m.: The Board of Supervisors recessed.

9:30 a.m.: The Board of Supervisors reconvened.

**CONSENT CALENDAR**

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

Approved and authorized the Chairman or his designee to sign the County claims lists in lieu of any canceled meetings in 1999. (Board of Supervisors)

Gave the annual authorization to the Registrar of Voters to conduct election duties during 1999. (Board of Supervisors)

Accepted the audit report of the total eligible costs of State and Local Transportation Partnership Program Project No. SB 98-5906(001). (Auditor-Controller)

Accepted the report on the audit of the District Attorney's Worker's Compensation Insurance Fraud Program. (Auditor-Controller)

Accepted the report on the audit of the District Attorney's Automobile Insurance Fraud Program. (Auditor-Controller)

Approved the award of individual bids for asphalt concrete patching mix, aggregate base, cinder sanding aggregate, and related road repair materials in the estimated annual amount of \$843,305 to North State Asphalt of Clear Creek, Crystal Creek Aggregate of Redding, J. F. Shea of Redding, Packway Materials of Hat Creek, Mountain Gate Limestone, Black Butte Cinders, and Westside Aggregate. (Support Services - Purchasing Division)

Approved and authorized the Chairman to sign a Memorandum of Understanding with the Shasta County Office of Education for collaborative special education and therapy program services to medically fragile children during Fiscal Year 1998-99. (Social Services)

**REGULAR CALENDAR****BOARD MATTERS****JANUARY 1999 EMPLOYEE OF THE MONTH****NANCY L. POLK****RESOLUTION NO. 99-1**

At the recommendation of Russ Mull, Director of Resource Management, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-1 which recognizes Nancy L. Polk, Resource Management Permit Specialist, as Shasta County's January 1999 Employee of the Month.

(See Resolution Book No. 40)

**PROCLAMATION: NONPROFITS DAY****JANUARY 15, 1999**

At the recommendation of Sherri Batie, President of the Association of Nonprofit Professionals, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates January 15, 1999 as "Celebrating Nonprofits Day" in Shasta County.

**GENERAL GOVERNMENT****AUDITOR-CONTROLLER****COUNTY CLAIMS**

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$182,843.25 for County operating funds and special districts, as submitted by Auditor-Controller Edward B. Davis.

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS****LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Doug Latimer reported that he had no legislative matters to discuss at this time.

Supervisor Fust suggested that the Board consider bringing a resolution back for adoption next week in support of the efforts of the National Association of Counties (NACo) to secure implementation of the Forest Counties "Safety Net" reform legislation proposal, as requested by the Regional Council of Rural Counties (RCRC). This proposal is an attempt to secure modifications to the current Forest Service payment to counties' formula to provide a more predictable and better "safety net" arrangement based on equitable allowance of resources. He explained that this proposal, which is being presented in Washington as legislation in the near future, would be a stopgap proposal until the year 2003, during which time they would work toward a permanent solution.

Supervisor Hawes noted that the Board had received a copy of a letter sent by the Los Angeles County Board of Supervisors to Governor Davis relating to local government financing and asking the new Governor to make it a priority of his administration. He recommended that the Board send a similar letter to the Governor.

CAO Latimer indicated that he would draft a letter for the Chairman's signature to be brought back next week, along with the resolution proposed by Supervisor Fust.

Supervisor Clarke reported that she was contacted by Ida Taylor concerning a resolution the Board had adopted earlier urging the Governor to raise Medicare HMO reimbursement rates for rural California counties and letters sent on this issue to adjoining counties asking them to take similar action. She explained that Ms. Taylor had indicated that no response was received from the other counties on this issue, and she had requested that new letters be sent out, as well as a new resolution to the new Governor.

Supervisor Fust explained that he had just received notification of the 2<sup>nd</sup> Annual National Forest Counties Coalition Conference to be held in Reno, Nevada sometime in March. He suggested that one of the Supervisors and/or someone from our area (possibly Frank Tallerico from the Shasta Alliance for Resources and Environment (SHARE)) attend this conference.

Supervisor Fust also noted that the Board had received a listing of the CALFED public workshops relating to its recently released Revised Phase II Report, which includes a discussion of the draft preferred alternative—CALFED's plan to improve water management and restore ecological health to the Bay-Delta system. These workshops are scheduled to be held in Red Bluff beginning on a Tuesday. He suggested that a member of Shasta County's Water Agency (e.g., Pat Minturn) attend these workshops.

### **CLERK OF THE BOARD**

#### **MINUTES: DECEMBER 29, 1998**

By motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors approved the minutes from the meeting of December 29, 1998. Supervisor Kehoe abstained from taking this action, because he was not in office at the time of the December 29, 1998 meeting.

#### **APPOINTMENT: ROAD COMMISSIONER**

This was the time set to conduct a public hearing and consider the qualifications and appointment of Public Works Director Ron Hill to serve as the County Road Commissioner. Clerk of the Board Carolyn Taylor presented the staff report. Mr. Hill outlined his qualifications for the position of County Road Commissioner. The affidavit of publication and notice of public hearing are on file.

Chairman Hawes opened the public hearing, at which time no one spoke for or against the appointment, and the hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors appointed Public Works Director Ron Hill as County Road Commissioner.

Mr. Hill introduced his new Assistant Director of the Department of Public Works, Pat Minturn, to the Board Members.

### **HEALTH AND WELFARE**

#### **HOUSING AND COMMUNITY ACTION PROGRAMS**

#### **AGREEMENT: CALIFORNIA DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT 1999 COMMUNITY SERVICES BLOCK GRANT RESOLUTION NO. 99-2**

County Administrative Officer Doug Latimer presented the staff report recommending the adoption of a resolution approving the 1999 Community Services Block Grant contract and approval of funding allocations to local nonprofit organizations.

Supervisor Kehoe questioned the division of funds for this contract which amounted to \$175,680, \$90,000 of which is allocated to local nonprofits. He asked what the remaining 49 percent would be used for.

Supervisor Clarke, member of the Community Action Board recommending this proposal, explained that of all of the grant funding that goes through that department, this is the only mechanism for reimbursement of costs for the administration of the Community Action Agency, which is where the 49 percent goes.

Although Supervisor Kehoe understood the rationale behind the use of these funds, he expressed his belief that 49 percent seemed to be a rather high amount. He suggested that in future presentations copies of the applications and a copy of the operation philosophy on the allocation process be included.

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors took the following actions to receive Community Services Block Grant funds in the amount of \$175,680:

1. Adopted Resolution No. 99-2 which authorizes the Chairman to apply for and sign an agreement with the California Department of Community Services and Development during calendar year 1999.
2. Approved funding for eight local nonprofit organizations in an amount totaling \$90,000 for the purpose of assisting persons in poverty, as recommended by the Community Action Board.

(See Resolution Book No. 40)

9:55 a.m.: The Board of Supervisors recessed and convened as the Board of Directors of County Service Area No. 15 - Lighting.

### **SPECIAL DISTRICTS/OTHER AGENCIES SCHEDULED HEARING**

#### **COUNTY SERVICE AREA NO. 15 - LIGHTING**

#### **PUBLIC WORKS**

#### **FORMATION OF COUNTY SERVICE AREA NO. 15 - LIGHTING**

#### **CONSTRUCTION WAY BENEFIT ZONE**

#### **SPECIAL DISTRICTS RESOLUTION NO. 99-1**

This was the time set to conduct a public hearing and consider the formation of the Construction Way lighting benefit zone within County Service Area (CSA) No. 15.

Public Works Director Ron Hill presented the staff report explaining that with the approval of Parcel Map 3-96 the developers are required to install two street lights. In order to fund the ongoing maintenance and electric costs for these street lights, Pacific Gas and Electric (PG&E) requires that the County be responsible. This is done through the formation of a CSA. He further explained that this is a parcel map in which all four parcels are still owned by the developer who has signed a petition requesting that this CSA be formed. There will be a \$75 per year parcel charge on each parcel, and this requires a public hearing. Mr. Hill recommended that the Board conduct the public hearing and then consider adopting a resolution which forms this benefit zone in CSA No. 15.

Supervisor Fust asked why a public hearing was necessary if there is full consent of all property owners. Mr. Hill explained that this is a part of Proposition 218 which requires an election and a public hearing. In this case, an election is not necessary, because there is a single owner, but County Counsel has indicated that it still requires a public hearing.

Supervisor Kehoe asked what the relationship was between the signatures on the petitions (specifically, the Leslies and the Hales) and the Carters (the developers). Mr. Hill expressed his belief that they are probably part-owners in the subdivision, but he was not absolutely sure.

Supervisor Kehoe asked how increases or decreases in energy costs are handled. Mr. Hill explained that a small inflationary factor and some administrative fees have been built into some of the charges. If there was a significant increase, the department would have to go back to the property owners to raise the rates and ask for an election. At that time, the property owners would have to either approve the increased rates or the street lights would be turned off. He expressed his belief that the proposed rates should be fine for the next 10 years or so.

Supervisor Kehoe asked who actually pays the PG&E bill. Mr. Hill explained that the County collects the parcel charge, the PG&E bills then come to the County, and the County then pays those bills.

Supervisor Kehoe asked what the administrative charge was associated with the \$300 parcel charge recovered from the developers. Mr. Hill indicated that the charge would be \$50 per year for this work. He explained that this can be done, because this is not the only one that the County handles, and it does not take long to complete this work.

Supervisor Kehoe stated that he was unclear as to why the County was involved in this transaction at all, especially if the developers are willing to pay the charges. Mr. Hill explained that PG&E requires the County's involvement as a means of collecting on their bills and not having to deal with individual property owners, so it is a convenience for PG&E and the individual property owners. He expressed his belief that having this as a permanent charge works better for everyone involved.

Supervisor Kehoe expressed his belief that this system seems somewhat cumbersome to him, and he was not convinced that the County should be involved in this process given the property owners' willingness to pay the bill. He did express his appreciation of the department anticipating future problems, but he was not sure those problems should accrue to the County.

Although Mr. Hill understood Supervisor Kehoe's concerns, he explained that this is the current policy of the Board. However, if the Board would like to change this policy, he would be willing to do so.

Chairman Hawes opened the public hearing, at which time no one spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Directors of CSA No. 15 - Lighting took the following actions:

1. Received the County Surveyor's report of the proposed boundary descriptions.
2. Adopted Special Districts Resolution No. 99-1 which forms the Construction Way lighting benefit zone within CSA No. 15 and confirms the parcel charge report.  
(See Special Districts Resolution Book)

10:03 a.m.: The Board of Directors of County Service Area No. 15 - Lighting adjourned and reconvened as the Board of Supervisors.

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Hawes announced that the Board of Supervisors would recess to Closed Session to take the following actions:

1. Confer with legal counsel about existing litigation entitled Williams vs. Bank of America, Williams vs. First Northern Securities, and Finley vs. City of Redding, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its labor negotiator, County Administrative Officer Doug Latimer, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriff's Association, Sheriffs Administrative Association, Professional Peace Officers' Association, Unrepresented Employees, and United Public Employees of California, pursuant to Government Code Section 54957.6.

10:05 a.m.: The Board of Supervisors recessed to Closed Session.

11:27 a.m.: The Board of Supervisors recessed from Closed Session.

11:34 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, County Counsel Karen Jahr, and Administrative Board Clerk Pamela English present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Karen Jahr announced that the Board of Supervisors conducted a Closed Session to discuss existing litigation and labor negotiations; however, no reportable action was taken. She also announced that in the matter of Finely vs. City of Redding, Supervisor Kehoe excused himself.

11:35 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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