

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 19, 1999

REGULAR MEETING

9:03 a.m.: Chairman Hawes 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 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
Administrative Board Clerk - Lynn Cereghino

INVOCATION

Invocation was given by Sheriff Jim Pope.

MOMENT OF SILENCE

At the request of Supervisor Hawes, the Board of Supervisors observed a moment of silence in memory of Karen Savage, a volunteer firefighter from Trinity County, who was killed performing her duties fighting the Jones Valley fire.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Sheriff Jim Pope requested that the Board of Supervisors take action on his declaration of a local emergency regarding the Jones Valley, Bella Vista, and Palo Cedro area fires, which began the morning of October 16, 1999.

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors made a finding of urgency to place this matter on the agenda for action.

Fire Warden Duane Fry presented an update on the most recent area fires and displayed maps showing the boundary area of the fires where approximately 26,000 acres were burned. He reported that 58 wood-frame homes and 30 mobile homes were destroyed, but he estimated that the total would be closer to 100 homes lost. Fire Warden Fry commented on the excellent cooperation between the firefighters and the various law enforcement agencies involved.

Undersheriff Larry Schaller and Animal Regulation Supervisor Mayra Morris presented the Board Members with additional information related to the effects of the recent fires.

At the recommendation of Sheriff Pope and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-147 which ratifies the proclamation of a local emergency and orders that a copy of the declaration be forwarded to the Governor with a request that he proclaim that a state of emergency exists in Shasta County and request a Presidential Declaration in order for Shasta County to receive Federal Emergency Management Agency assistance.

(See Resolution Book No. 40)

At the recommendation of Sheriff Pope and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors recognized that the circumstances and factors which led to the September 28, 1999 Proclamation of Local Emergency due to the Happy Valley fire have not been totally resolved and there is a need for the continuance of the proclamation. This item will be presented to the Board every two weeks for continuation as long as it is needed.

By consensus, the Board agreed to send resolutions or commendations of thanks to all of the fire departments statewide that supported Shasta County in fighting the Jones Valley and Canyon fires.

Sally Riley announced that the Nash Pumpkin Patch and the Shasta Union High School District Future Farmers of America students will host a fund-raising barbeque for the fire victims of the Jones Valley and Happy Valley fires. The proceeds will be distributed to families with children who were affected or who lost animals.

Julie Jones, President of Palo Cedro Chamber of Commerce, and Jeanie Littleton of North Valley Bank in Palo Cedro presented plans to aid fire victims.

Linda Toney of Assemblyman Dickerson's office advised the Board that the Director of the Veterans Administration contacted their office and offered assistance to any veterans who have Cal-Vet loans and who have been affected by the fire.

Ms. Toney also commented on Assembly Bill 720, which Assemblyman Dickerson is supporting. This bill would bring more conservation camp inmate crews into this area, which would be a valuable resource in situations such as the recent fires.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Hawes pulled from the Consent Calendar for discussion the request to sign an agreement with the Shasta Cascade Wonderland Association for promotional services. Bob Warren, General Manager of the Shasta Cascade Wonderland Association, presented to the Board the Association's plans for the use of the money to promote tourism.

Supervisor Hawes moved to the Regular Calendar the request to establish "no parking" zones on Deschutes Road and Lassen View Drive near Foothill High School.

Supervisor Fust pulled, for public awareness, the request regarding the formation of the Craig Lane Permanent Road Division in the Happy Valley area, and Supervisor Hawes noted the request regarding the formation of the Oak Tree Lane Permanent Road Division in the Bella Vista area. Supervisor Clarke pointed out that today's action is only to consider setting public hearings for the proposed formation of these permanent road divisions.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign an agreement with the Shasta Cascade Wonderland Association in an amount not to exceed \$17,500 for promotional services.
(Administrative Office)

Approved the minutes of the meetings held on October 5 and 12, 1999, as submitted. (Clerk of the Board)

Adopted Resolution No. 99-143 which approves and authorizes the Chairman to sign an application to the HOME Investment Partnerships Program for \$500,000 for first-time home buyers and \$500,000 for rental rehabilitation during calendar year 2000. (Housing and Community Action Programs)

(See Resolution Book No. 40)

Adopted Resolution No. 99-144 which approves and authorizes the Chairman to sign an agreement with the California Department of Community Services and Development to receive Community Services Block Grant funds totaling \$90,000 to support nonprofit agencies which serve the poor during calendar year 2000. (Housing and Community Action Programs)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign a renewal agreement with the California Department of Health Services for reimbursement to the County of \$40,000 for regional laboratory testing services during Fiscal Year 1999-2000. (Public Health)

Approved and authorized the Chairman to sign an amended agreement with the California Department of Health Services in the amount of \$25,000 for Medi-Cal administrative activities performed during Fiscal Year 1999-2000. (Public Health)

Took the following actions to accept an asset forfeiture vehicle: adopted Resolution No. 99-145 which accepts an asset forfeiture vehicle awarded to the Sheriff's Office in federal forfeiture proceedings, increased the Sheriff's Office vehicle fleet by one vehicle, and approved an increase in the inventory of County vehicles to 329 to allow for the assignment of the vehicle to the Sheriff's Marijuana Eradication Team, subject to conditions.

(See Resolution Book No. 40)

Adopted Resolution No. 99-146 which temporarily rescinds and rearranges traffic control devices on Alpine Meadows Road for a ceremony to unveil a totem pole in the Shingletown area. (Public Works)

(See Resolution Book No. 40)

Took the following actions for the Oak Tree Lane Permanent Road Division in the Bella Vista area: received the petitions for the formation and activation of the permanent road division, received an affidavit verifying information contained in the petition, received the maintenance cost estimate, received the County surveyor's report, received the parcel charge report, and set a public hearing to consider the formation and activation of the permanent road division. (Public Works)

Took the following actions for the Craig Lane Permanent Road Division in the Happy Valley area: received the petitions for the formation and activation of the permanent road division, received an affidavit verifying information contained in the petition, received the maintenance cost estimate, received the County surveyor's report, received the parcel charge report, and set a public hearing to consider the formation and activation of the permanent road division. (Public Works)

10:15 a.m.: The Board of Supervisors recessed and convened as the Air Pollution Control Board.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

AIR POLLUTION CONTROL BOARD

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Air Pollution Control Board approved the Fiscal Year (FY) 1998-99 Year-End Financial Report, approved the applications for Rural Subvention Funds in the amount of \$34,400 and Supplemental Rural Subvention Funds in the amount of \$8,400 for FY 199-2000, and approved and authorized the Chairman to sign the application and year-end report documents. (Resource Management - Air Quality Management District)

10:16 a.m.: The Air Pollution Control Board adjourned and reconvened as the Board of Supervisors

REGULAR CALENDAR

PUBLIC WORKS

**NO PARKING ZONES NEAR FOOTHILL HIGH SCHOOL
INTRODUCTION OF ORDINANCE**

Public Works Director Ron Hill presented the staff report noting that his department had received requests from both the California Highway Patrol and residents of Lassen View Drive to prohibit parking on Deschutes Road and Lassen View Drive near the newly opened Foothill High School.

Ed Coats and Bob Keren, Lassen View Drive residents, spoke in opposition to the proposal. It was their opinion that since most of the traffic is on Deschutes Road because of the high school, Lassen View Drive does not warrant "no parking" signs.

By consensus, the Board of Supervisors amended the proposed ordinance to prohibit parking on Deschutes Road only. No action will be taken on the Lassen View Drive issue unless another petition is received requesting "no parking" signs on that drive.

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which establishes "no parking" zones on Deschutes Road, as amended.

BOARD MATTERS

UPDATE ON WHISKEYTOWN RECREATION AREA

Larry Carr of the Whiskeytown Recreation Area presented an update on a visitor study conducted in 1998. The primary complaint from visitors to the area was the use of personal water craft, for which a ban is being considered.

PROCLAMATION: MAKE A DIFFERENCE DAY

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 23, 1999 as "Make A Difference Day" in Shasta County.

RESOURCE MANAGEMENT

**WAIVER OF ZONING ORDINANCE REQUIREMENTS
AND AMENDMENT OF RESOLUTION NO. 96-133
FOR FIRE VICTIMS
ORDINANCE NO. 608
RESOLUTION NO. 99-149**

Resource Management Director Russ Mull presented the staff report. He explained that the 1999 Canyon Fire destroyed structures which are considered legal nonconforming uses by the County's Zoning Ordinance. The present Ordinance requires that the replacement home be no older than ten years. Resolution No. 96-133 requires that manufactured/mobile homes be placed on a specific type of permanent foundation. The proposed amendment would allow a manufactured/mobile home destroyed in the recent fires to be placed on either a temporary foundation, if one existed prior to the fires, or a permanent foundation, if the applicant chooses.

Mr. Mull explained that, in view of the recent disaster, the Board has the ability to provide ordinance or resolution changes allowing reconstruction or replacement of lawful nonconforming uses. He recommended that this request be amended to include the Jones Valley fire victims.

Supervisor Clarke asked what could be done for those victims who cannot afford a replacement home that is only ten years old.

Joe Vale, Canyon fire victim, addressed the Board stating that he could not afford a replacement home newer than 20-25 years old.

By consensus, the Board agreed to amend the ordinance to allow the replacement of manufactured/mobile homes constructed after 1977.

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors introduced, waived the reading, and enacted Ordinance No. 608 which allows temporary reconstruction or placement of unlawful, non-conforming uses on an emergency basis, in the Canyon fire area and Jones Valley fire area, adopted Resolution No. 99-149 which rescinds Resolution No. 96-133 for the Canyon fire area and the Jones Valley fire area, and found these actions to be exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15269 governing emergency projects.

(See General Ordinance Book)
(See Resolution Book No. 40)

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

County Administrative Officer Doug Latimer reported on legislation of importance to Shasta County.

Supervisors Hawes, Fust, and Clarke presented updates on the recent fires in their districts.

AUDITOR-CONTROLLER**COUNTY CLAIMS**

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$98,433.10 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham.

ADMINISTRATIVE OFFICE**SALE OF ANDERSON COURT FACILITY**

At the recommendation of Assistant County Counsel Mike Ralston, City of Anderson Fire Chief Don Matheson, and Anderson City Attorney Mike Fitzpatrick and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions associated with the sale of the Andersen Court Facility: accepted the bid of \$136,700 from the Anderson Fire Protection District, authorized the Chairman to sign all documents necessary to consummate the sales transaction, and directed the County Administrative Officer to take the steps necessary to receive and deposit the sales proceeds into the appropriate account.

**RESPONSE TO FINAL REPORT OF FISCAL YEAR 1998-99
SHASTA COUNTY GRAND JURY**

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors accepted responses numbered four and seven to the Final Report of the Fiscal Year 1998-1999 Shasta County Grand Jury.

By motion made, seconded (Fust/Clarke), and carried, the Board of Supervisors accepted response number 10 to the Final Report of the Fiscal Year 1998-1999 Shasta County Grand Jury. Supervisor Kehoe voted against the response, because he believed that the same contract auditor position should be more frequently competitive.

ADMINISTRATIVE OFFICE/PRIVATE INDUSTRY COUNCIL**IMPLEMENTATION OF WORKFORCE INVESTMENT ACT**

At the recommendation of Don Peery, Executive Director of the Shasta County Private Industry Council (PIC), and by motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors took the following actions to facilitate PIC's transitional planning toward the implementation of the Workforce Investment Act (Act) by July 1, 2000: designated the PIC Board as the Interim Workforce Investment Board (WIB) with authority to recruit and recommend members, as required in the Act, and authorized the PIC Board, acting as the Interim WIB, to enter into memorandums of understanding with required collaborative partners to establish the One-Stop Service System for the Shasta County service area in compliance with the Act.

LAW AND JUSTICE**TRANSFER OF FAMILY LAW FACILITATOR AND
CHILD SUPPORT COMMISSIONER PROGRAMS
SALARY RESOLUTION NO. 1075
RESOLUTION NO. 99-148**

At the recommendation of Ray Tickner, Chief Financial Officer for the Shasta County Courts, and by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-148 which transfers the Family Law Facilitator and Child Support Commissioner Programs to the Shasta County Superior Court, and adopted Salary Resolution No. 1075 which approves the transfer of two Court Services Account/Collections Clerk positions from the Court Collections Unit to the Shasta County Superior Court.

(See Salary Resolution Book)
(See Resolution Book No. 40)

PUBLIC WORKS

CONTRACT FOR PAVING OF VEDDER ROAD

Public Works Director Ron Hill presented the staff report and recommended that the contract for paving on Vedder Road be awarded to the low bidder, Northwest Paving.

Rodney Jones of Blaisdell Construction spoke in opposition to the award, stating that there were some irregularities in the bid package presented by the low bidder.

Deputy County Counsel Catherine Pearl presented research regarding bidding legalities. It was her opinion that the irregularities would not change the qualifications of the bidder.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors made the necessary findings to waive the bid irregularities and awarded the contract for paving on Vedder Road, on a unit cost basis, to Northwest Paving.

SCHEDULED HEARING

GENERAL GOVERNMENT

COUNTY COUNSEL

**TAX EXEMPT FINANCING TO BENEFIT CATHOLIC HEALTHCARE WEST
AND CATHOLIC HEALTHCARE WEST NORTH STATE
RESOLUTION NO. 99-150**

This was the time set to conduct a public hearing and consider adopting a resolution which approves tax exempt financing to be undertaken by the California Statewide Community Development Authority to benefit Catholic Healthcare West and Catholic Healthcare West North State.

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 (Wilson/Fust), and carried, the Board of Supervisors adopted Resolution No. 99-150 which approves tax exempt financing to be undertaken by the California Statewide Community Development Authority to benefit Catholic Healthcare West and Catholic Healthcare West North State. Supervisor Kehoe abstained from taking action on this matter citing his membership on the advisory council of Mercy Hospital.

(See Resolution Book No. 40)

CLOSED SESSION ANNOUNCEMENT

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

1. Confer with counsel to discuss existing litigation entitled Brewster v. County of Shasta, Peck v. County of Shasta, and Walling v. County of Shasta, 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.

12:00 p.m.: The Board of Supervisors recessed to meet in Closed Session at 1:00 p.m.

2:45 p.m.: The Board of Supervisors recessed from Closed Session.

2:55 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Hawes, and Clarke, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation and labor negotiations, however, no reportable actions were taken.

2:56 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy