

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 7, 1999

REGULAR MEETING

9:04 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
Clerk of the Board - Carolyn Taylor

INVOCATION

Invocation was given by Pastor Dwayne Hester, French Gulch Community Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

James Aligo, Les Borden, Gary Hendrix, Bruce Owens, David Farren, Sam LaRocca, and Pete Hugo spoke in opposition to a proposed worldwide fiber regeneration station to be sited in the Oak Run area by Pacific Fiber Link. They expressed their belief that the County should pursue revenue possibilities from this project and requested that the Board of Supervisors send a letter of opposition to the Pacific Utilities Commission (PUC). The Board of Supervisors explained that no application had yet been received from Pacific Fiber Link for this project. With regard to revenue possibilities, County Counsel Karen Jahr responded that state law prohibits the County from making a profit by charging a cost for this type of endeavor. As to the request for the Board to send a letter of opposition to the PUC, it was explained by staff that if an application for such a facility is made to the County, the process requires that the applicant receive a fair and impartial hearing, possibly before the Board of Supervisors. Any position taken by the Board of Supervisors on this matter now would jeopardize that process. Staff was directed to meet with the concerned citizens and explain the application process that must be followed and to inform them of their opportunity for comment during the application process.

CONSENT CALENDAR

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

Accepted the Audit Report of County Service Area No. 3 - Castella for fiscal years ended June 30, 1998 and 1999. (Auditor-Controller)

Accepted the Audit Report of County Service Area No. 8 - Palo Cedro for fiscal years ended June 30, 1998 and 1999. (Auditor-Controller)

Accepted the Audit Report of County Service Area No. 17 - Cottonwood for fiscal years ended June 30, 1998 and 1999. (Auditor-Controller)

Accepted the Report of the Internal Control Structure of special districts managed by the Department of Public Works for fiscal year ended June 30, 1999. (Auditor-Controller)

Approved the minutes of the meeting held on November 23, 1999, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1809 which approves Zone Amendment 99-15, Eagle Creek Mining and Drilling, south Dunsmuir area, as introduced on October 26, 1999. (Clerk of the Board)
(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1810 which approves Zone Amendment 99-16, David and Sharon Nani, south Dunsmuir area, as introduced on November 9, 1999. (Clerk of the Board)
(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign a three-year lease agreement with Donald Gallino in the amount of \$1,597 per month beginning January 1, 2000 for the continued use of office space located at 3179 Bechelli Lane in Redding by the Agricultural Commissioner. (Purchasing)

Approved and authorized the Chairman to sign an agreement with Colusa County in the amount of \$3,000 for Shasta County to provide Colusa County with psychiatric hospital inpatient services during the period of December 7, 1999 through June 30, 2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Modoc County in the amount of \$25,000 for Shasta County to provide Modoc County with psychiatric hospital inpatient services during the period of December 7, 1999 through June 30, 2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Del Norte County in the amount of \$36,000 for Shasta County to provide Del Norte County with psychiatric hospital inpatient services during the period of December 7, 1999 through June 30, 2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Lassen County in the amount of \$20,000 for Shasta County to provide Lassen County with psychiatric hospital inpatient services during the period of December 7, 1999 through June 30, 2000. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Victor Residential Centers, Inc., which increases the amount by \$124,000 for a total of \$387,000 to fund therapeutic behavioral services provided to Shasta County youth during the period of December 7, 1999 through June 30, 2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with the Shasta Union High School District for reimbursement of \$2,000 per month plus mileage and drug testing costs for Probation intervention services provided during the period of December 7, 1999 through June 30, 2000. (Probation)

Recognized that the circumstances and factors which led to the August 31, 1999, September 27, 1999, and October 19, 1999 proclamations of local emergencies due to extreme peril to the safety of persons and property caused by wild land fires have not been totally resolved, and there is a need for the continuance of the proclamations. (Sheriff)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Courthouse Security Upgrades Project and record it within 10 days of the actual completion of the work. (Public Works)

Granted an easement for road and utility purposes to Republic Services, Inc., across a parcel of County-owned real property located west of the City of Anderson. (Public Works)

Granted an easement for road and utility purposes to Redding Shadowbrook, Ltd., across a parcel of County-owned real property located within the City of Redding. (Public Works)

Adopted Resolution No. 99-167 which authorizes the Department of Resource Management to apply to the California Integrated Waste Management Board for a Local Government Waste Tire Public Education and Amnesty Day Grant in the amount of \$10,000. (Resource Management/Community Education Section)

(See Resolution Book No. 40)

Adopted Resolution No. 99-168 which accepts a Livable Communities Grant from Environmental Systems Research Institute, Inc., valued at approximately \$19,000 for ArcView GIS software and accessories. (Resource Management/Community Education Section)

(See Resolution Book No. 40)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: "PEARL HARBOR REMEMBRANCE DAY"

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 7, 1999 as "Pearl Harbor Remembrance Day" in Shasta County.

PROCLAMATION: CENSUS 2000

Joe Jimenez, Partnership Specialist with the Bureau of Census, explained that a census count is required every ten years. He further explained that Shasta County was "undercounted" during the last census by 3,110 people and that this equates to lost revenue to the County. Donna Pugh, Office Manager of the Redding Local Census Office, informed the Board of Supervisors that approximately 1,000-1,200 people will be hired in the area to assist in this census, with 50-100 in the Redding office alone. Recruitment will begin in January and information for applying for these positions was reviewed.

By motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which declares Census 2000 as a top priority for Shasta County and urges full participation by County staff in all matters related to technical preparation for Census 2000, including the annual Boundary and Annexation Survey and the Local Update of Census Addresses.

9:50 a.m.: The Board of Supervisors briefly recessed to attend the Pearl Harbor Remembrance Day Ceremony.

10:13 a.m.: The Board of Supervisors reconvened in Open Session.

PRESENTATION: FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA)
JONES AND CANYON FIRES

Fire Recovery Officer Joe Barnett reported on the opening of the disaster center and the many agencies that have been located there to assist fire victims. Mr. Barnett reported that the Small Business Administration representatives had met with 150 applicants and 83 of those applications had already been approved. The FEMA representatives received 147 inquiries for applications for temporary housing, 74 applications had already been approved, and another 23 applications were pending.

Resource Management Director Russ Mull stated that he had toured the Canyon and Jones Fire areas with FEMA representatives and was informed by FEMA that they will reimburse their 75 percent portion for the removal debris constituting a hazard. Requests For Proposals will be issued to hire a contractor to perform the removal and disposal of the material. Property owners with insurance will be required to offset some of their claim from their insurance. Responding to questions about using homeowners insurance to cover certain cleanup costs, Mr. Mull explained that it will be necessary to look at each homeowner who has insurance on an individual basis and address their particular situation.

Undersheriff Larry Schaller expressed appreciation to county staff for their work in the debris removal process which their departments have not had to contend with during the past.

By motion made, seconded (Fust/Kehoe), and unanimously carried the Board of Supervisors authorized the County Administrative Officer to execute the necessary personal services agreements to accomplish the cleanup and to transfer contingency reserve funds in \$10,000 increments, as needed, for a total amount not to exceed \$150,000.

CLERK OF THE BOARD

APPOINTMENTS: ASSESSMENT APPEALS BOARD

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors reappointed Larry Lewis and Ernest Rouse to the Assessment Appeals Board for three-year terms to September 2002.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented a brief report on the recent County Supervisors Association of California (CSAC) Conference and Cities, Counties and Schools (CCS) Partnership meeting.

Supervisors reported on issues of countywide interest. Supervisor Clarke reminded members of the Board that a meeting was scheduled for Tuesday, December 14, 1999 regarding the Forest Service roadless area initiative. She urged as many as possible to attend and oppose this effort to close roads on public lands. Supervisor Clarke stated that this effort will not preserve the land, but make additional land unavailable for public use. Supervisor Hawes reported that this was the most debated issue at the recent CSAC meeting and with the exception of one county, all other counties and several cities were also opposed to this initiative. CSAC, therefore, adopted a position in opposition. Supervisor Kehoe noted that he had arranged to have the Forest Supervisor attend the upcoming Northern California Supervisors Association meeting luncheon, and she will listen to comments regarding this initiative at that time also.

Supervisor Fust reported on future funding of an infrastructure (roads) being proposed. The first is SCA 3 which would allow for a ½¢ sales tax to raise approximately \$40-60 billion. The second proposal, called the 20-20 Vision, would utilize a portion of the growth in the sales tax over the next 20 years and apply this to the roads and allow local supervisors to make the decision on where it is to go. However, schools would also be eligible for these funds and there would again be competition over who gets the funds and how much. He suggested the Board be very cautious about the 20-20 Vision proposal. He stated his belief that these two proposals will eventually be merged together into one proposal. Public Works Director Ron Hill pointed out that SCA 3 requires that the measure be passed “locally” if funds are to be received. If the measure passes statewide but not locally, no funds would be received locally, however, the tax could still be applied locally.

It was announced by Supervisor Fust that the local Western Shasta Resource Conservation District had been designated as the “1999 District of the Year.”

Supervisor Hawes acknowledged receipt of a Sesquicentennial Flag and plaque which was presented to Shasta County as one of the original 27 California counties. He explained that the plaque is being copied so that the copy may be placed in the County’s time capsule.

AUDITOR-CONTROLLER

COUNTY CLAIMS

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$105,014.03 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham.

CLERK OF THE BOARD

ORDINANCE NO. 378-1811 **ZONING AMENDMENT 97-30** **CARLOS AND ANN GONZALEZ** **WEST SHINGLETOWN AREA**

By motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors enacted Ordinance No. 378-1811 which approves Zone Amendment 97-30, Carlos and Ann Gonzalez, west Shingletown area, as introduced on May 19, 1998. The vote was as follows:

AYES: Supervisors Fust, Wilson, and Clarke
NOES: None
ABSTAIN: Supervisors Kehoe and Hawes

Supervisor Hawes was absent and Supervisor Kehoe was not a member of the Board when this ordinance was introduced, therefore, each abstained from voting on this matter.

(See Zoning Ordinance Book)

ORDINANCE NO. 378-1812 **ZONING AMENDMENT 99-13** **WHITMORE COMMUNITY CENTER, INC.** **AND SHASTA COUNTY** **WHITMORE AREA**

By motion made, seconded (Fust/Wilson), and carried, the Board of Supervisors enacted Ordinance No. 378-1812 which approves Zone Amendment 99-13, Whitmore Community Center, Inc., and Shasta County, Whitmore area, as introduced on October 5, 1999. The vote was as follows:

AYES: Supervisors Kehoe, Fust, Hawes, and Wilson
NOES: None
ABSTAIN: Supervisor Clarke

Supervisor Clarke abstained from taking action because she was absent when this ordinance was introduced.

(See Zoning Ordinance Book)

ORDINANCE NO. 378-1813
ZONING AMENDMENT 99-9
RONALD CLARK
SHASTA/WEST REDDING AREA

By motion made, seconded (Fust/Kehoe), and carried, the Board of Supervisors enacted Ordinance No. 378-1813 which approves Zone Amendment 99-9, Ronald Clark, Shasta/west Redding area, as introduced on October 5, 1999. The vote was as follows:

AYES: Supervisors Kehoe, Fust, Hawes and Wilson
 NOES: None
 ABSTAIN: Supervisor Clarke

Supervisor Clarke abstained from taking action because she was absent when this ordinance was introduced.

(See Zoning Ordinance Book)

LIBRARY

ANNUAL REPORT: SHASTA COUNTY SYSTEM ADVISORY BOARD
NORTH STATE COOPERATIVE LIBRARY SYSTEM

County Librarian Carolyn Chambers reported briefly on the newly expanded hours of library operation. As required under the bylaws of the North State Cooperative Library System Advisory Board, Shasta County representative Evelyn Poole presented her annual report to the Board of Supervisors. Mrs. Poole's report reflected \$54,152.06 worth of services in 1998-99 which is an increase of \$6,863 over the previous year.

SUPPORT SERVICES

FLEET MANAGEMENT
BUDGET AMENDMENT

Previous to presenting the staff report on this item, Support Services Director Harry Albright introduced Personnel Analyst Warren Nicholson who will be working in the Personnel Division.

Mr. Albright presented the staff report. Supervisor Hawes questioned whether or not any of the vehicles to be replaced would be made available for use by the volunteer Sheriff's patrol groups. Staff was directed to address this issue.

By motion made, seconded (Wilson/Fust), and unanimously carried, the Board of Supervisors approved a budget amendment which transfers \$301,000 from the Fleet Management fund balance to the Fleet Management budget unit for the purchase of ten replacement vehicles.

COUNTY COUNSEL/SUPPORT SERVICES

EMPLOYEE APPEALS BOARD
POLICY RESOLUTION NO. 99-8
AGREEMENT: ALAN SWANSON
BUDGET AMENDMENT

Support Services Director Harry Albright reviewed the proposed changes to the employee appeals process, explaining that the changes were intended to increase the efficiency and credibility of the Employee Appeals Board and its process.

Supervisors questioned the hourly rate to be paid to the outside counsel for this Board and whether or not this had gone through the competitive process. County Counsel Karen Jahr responded that the hourly rate was competitive, but no Request for Proposal (RFP) had been done because it was felt that the counsel selected was the most knowledgeable in this area and would do the best job. Members of the Board felt, however, that the competitive process should be followed. Mrs. Jahr requested that since there is an appeal scheduled next week, that the Board authorize the signing of a modified agreement with Mr. Swanson for this one hearing and then proceed with and complete the RFP process prior to the other upcoming hearings.

Members of the Board also expressed some concern with the extension of the time period (currently 15 days) for setting these appeals and its impact on the appellants. It was suggested that any extension be by mutual agreement. Mr. Albright and Clerk of the Board Carolyn Taylor explained the problems experienced by these outdated procedures when trying to set an appeal for hearing. Mr. Albright noted that these procedures had been reviewed with and approved by the various employee bargaining units. Counsel Jahr also pointed out that employee hearings today are considerably more complex and are actually "trials" rather than the informal hearings held in the 1970's when the procedures were first adopted.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions to update various policies regarding the County Employee Appeals Board:

1. Adopted Policy Resolution No. 99-8 which amends the Personnel Manual to increase the number of alternate members, extends certain time frames, and makes various administrative and technical changes. The extension of the time frames is for a six-month time period only, at which time staff will report back to the Board of Supervisors to determine whether these time frame extensions are realistic or need further amendment.
2. Approved and authorized the Chairman to sign a modified agreement with Alan Swanson to provide legal services to the Employee Appeals Board for the upcoming hearing only.
3. Directed that a Request For Proposal be processed to obtain legal services for the employee Appeals Board.
4. Approved a budget amendment which transfers \$3,000 from Personnel's Regular Salaries to the Miscellaneous General Fund for the estimated cost of legal services.

(See Policy Resolution Book)

HEALTH AND WELFARE

PUBLIC HEALTH

GRANT: PARTNERSHIP FOR THE PUBLIC'S HEALTH INITIATIVE

Upon the request of Public Health Officer Andrew Deckert and by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors approved the Department of Public Health's participation in the Partnership for the Public's Health Initiative in order to make Shasta County and local community groups eligible for grant funding during the period of December 1999 through December 2004.

LAW AND JUSTICE

SHERIFF

AGREEMENT: MOTOROLA, INC. MULTI-AGENCY TECHNOLOGY PROJECT BUDGET AMENDMENT

Upon the request of Undersheriff Larry Schaller and by motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved a budget amendment which increases appropriations and revenue by \$11,641 to cover the cost of change orders to the contract with Motorola, Inc., for the Multi-Agency Technology Project approved on October 26, 1999.

PUBLIC WORKS

AGREEMENT: CITY OF REDDING
TRAFFIC SIGNAL
LAKE BOULEVARD EAST AND BOULDER DRIVE

Upon the request of Public Works Director Ron Hill and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the City of Redding for the installation of a traffic signal at the intersection of Lake Boulevard East and Boulder Drive.

OTHER DEPARTMENTS

FIRE WARDEN

REPORT: FUELS MANAGEMENT GROUP

Fire Warden Duane Fry was present to give a report on the Fuels Management Group meeting held on November 29, 1999. Supervisor Kehoe suggested that because this is such an important issue and there were no members of the media or public currently present, this matter be rescheduled to the next agenda at a more appropriate time. The other Members of the Board concurred, pointing out that this was a joint city-county public education effort. This matter will be placed on the December 14, 1999 agenda.

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 Schmidt v. County of Shasta and Vaira v. Chatham, 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.

11:41 a.m.: The Board of Supervisors recessed to Closed Session.

1:25 p.m.: The Board of Supervisors recessed from Closed Session.

1:36 p.m.: The Board of Supervisors reconvened in Open Session with all Members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

AFTERNOON CALENDAR

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would reconvene in continued Closed Session following the Afternoon Calendar.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT - PLANNING DIVISION****ZONE AMENDMENT 99-18, JIM FISHER
AND FRUIT GROWERS SUPPLY, CO.,
HAT CREEK AREA
RESOLUTION NO. 99-169**

This was the time set to receive public testimony and consider a request from Jim Fisher and Fruit Growers Supply Company to rezone an 8.65-acre parcel to a Timber Production (TP) District and a three-acre parcel to an Unclassified (U) District as part of an immediate withdrawal from TP zoning. The affidavit of publication and mailing notice of hearing are on file.

Senior Planner Marcelino Gonzalez presented the staff report explaining that this was a unique situation in that the request is to take property out of the TP District, which is not often done. However, in this case, additional acreage is being placed into the TP zoning, so there will be a net increase in TP lands. This will be the result of a land exchange that has been proposed between Fruit Growers and an adjacent property owner (Jim Fisher). Fruit Growers would end up with a larger piece of property placed into the TP zoning. Mr. Fisher would end up with a three-acre parcel which would be taken out of the TP zoning, if approved as requested. He indicated that today's request would be for tentative approval in the form of a resolution, because this type of action must be authorized by the State Board of Forestry. If approved by the State, the applicants would then proceed with a request to convert the acreage by taking it out of the TP zoning, and this would be brought back for the Board of Supervisors' consideration when completed. Since the request is for the property to be placed in a TP zoning, there is an ordinance recommending approval.

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

Supervisor Kehoe questioned the revenue implications of this proposal, to which Mr. Gonzalez responded that there are subventions for the property in the TP zoning and there will be three acres coming out of the TP zoning which will be assessed at the market rate.

Supervisor Clarke explained that the County would lose money as a result of this proposal, because three acres assessed at a reduced rate are being taken out of the TP zoning and six acres are being placed in the TP zoning. She expressed her belief that one of the major issues currently within California is to maintain resource lands whether they be TP, agricultural land, etc. Therefore, this is a plus, aside from the fact that there is a revenue decrease.

Supervisor Hawes explained that TP is assessed at a low value until the time the harvest takes place.

Assistant County Counsel Michel Ralston explained that if Mr. Fisher has plans to improve his three acres with the home site once the land switch has been completed, there would actually be a net revenue increase over the long term. He expressed his belief that it would be a win-win situation in that more land would be zoned TP and there would be additional tax revenue.

After receiving information from Mr. Gonzalez as to the number of people who protested during the Planning Commission meeting (zero) and noting that no one was present to speak during today's meeting, Supervisor Kehoe asked what standards are used to determine the public interest and how the County achieves the public interest. Mr. Gonzalez concurred with Supervisor Clarke's comments that there would be a net increase in the resource lands being protected/increased, while there is a small decrease in what is being taken out of the TP zoning. He explained that the Planning Commission does not typically recommend that property be taken out of the TP zoning due to preservation interests, but in this case it appeared to be a good trade. He expressed his belief that it is subjective in most cases, but the benefit in this case appeared to be the net increase.

Supervisor Hawes asked if a penalty would be assessed for taking acreage out of the TP zoning. Mr. Gonzalez noted that a letter had been received from the Assessor's Office estimating the value of the three-acre parcel to be \$4,600, if immediately rezoned, resulting in a tax recruitment fee of \$655 which would be part of their Timberland Conversion Permit. The State Board of Forestry would also require payment of an application fee in order to review this project.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-8, Jim Fisher/Fruit Growers Supply Company, Hat Creek area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 99-90.
2. Made the rezoning findings, and introduced and waived the reading of an ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-18 for Assessor's Parcel Number 031-250-01 (8.65 acres), as specifically set forth in Planning Commission Resolution No. 99-90.
3. Made the rezoning findings, and adopted Resolution No. 99-169 tentatively approving an ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-18 for Assessor's Parcel Number 031-230-17 (three acres), subject to the conditions and contingencies listed in the resolution.
4. Authorized the recording of a certificate for immediate rezoning of timber production zoned land, subject to the conditions and contingencies listed in Resolution No. 99-170.
(See Resolution Book No. 40)

Although Supervisor Kehoe voted in support of this request, he expressed his belief that this is not the correct manner in which to do business. He did not disagree with the decision made by the Board today. He simply wanted to know why it is being made against standards.

Supervisor Fust agreed that there is a subjectiveness to these types of decisions.

Supervisor Hawes pointed out that the neighboring property owners were noticed of this change and were given the opportunity to come to the hearings to voice their opinions, but they chose not to do so.

Supervisor Kehoe pointed out that there was no overwhelming public support for this project demonstrating a public interest. Likewise, Supervisor Hawes pointed out that there was also no overwhelming opposition to this project.

Supervisor Clarke noted that the neighboring property owners rarely come to hearings to express their support of a project, but they always come to the hearings to express opposition. Given this, she was assured that the public did support this project, or they would be at today's meeting in great numbers.

Supervisor Hawes indicated that the word does get out in these cases.

ZONE AMENDMENT 99-3
COLLEEN ELLIS
OAK RUN AREA

This was the time set to receive public testimony and consider a request from Colleen Ellis to rezone 193 acres to a Habitat Protection Zone District in conjunction with a 4-parcel land division. Senior Planner Marcelino Gonzalez presented the staff report, recommended approval of the project, and responded to general questions from Supervisor Clarke regarding the process of future development of this property into separate parcels, if the applicant chose to do so. The affidavit of publication and mailing notice of hearing are on file.

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

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-3, Colleen Ellis, Oak Run area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 99-95.
2. Made the rezoning findings, and introduced and waived the reading of an ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-3, as specifically set forth in Planning Commission Resolution No. 99-95.

1:48 p.m.: The Board of Supervisors recessed to continued Closed Session.

2:30 p.m.: The Board of Supervisors recessed from Closed Session.

2:41 p.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.

OTHER BOARD MATTERS

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr announced that the Board of Supervisors met in Closed Session to discuss existing litigation and labor negotiations, however, no reportable actions were taken.

2:42 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy