

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 2, 1999

REGULAR MEETING

9:07 a.m.: Chairman 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
- Assistant County Counsel - Michael Ralston
- Administrative Board Clerk - Lynn Cereghino

INVOCATION

Invocation was given by Assistant Pastor Elizabeth White, Sacred Heart Catholic Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Beverly Wade questioned an article by a local newspaper alleging that Supervisor Clarke was in favor of the “no net increase” regarding air quality regulations. Supervisor Clarke explained that the statement was incorrect; she had said that she believed Shasta County didn’t need the offsets, or money-changing hands which were involved. Mrs. Wade also spoke in opposition to all drugs.

Russ Wade spoke in opposition to the proposed Knauf plant.

Phyllis Turner, Chris Ward, Ed Coleman, Vince Carlton, and Eric Berg spoke in favor of Proposition 215, the Compassionate Use Act of 1996, which is regarding the legalization of the use of marijuana for medicinal purposes.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Hawes pulled for public awareness the request from the Department of Public Works regarding a Notice of Completion for upgrades to the Shasta County Veterans Memorial Hall.

CONSENT CALENDAR

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

Appointed David A. Kehoe to the Board of Directors of the Shasta County Redevelopment Agency, pursuant to Section 33112 of the Health and Safety Code. (Board of Supervisors)

Approved and authorized the Chairman to cosign the Private Industry Council's Executive Summary for an implementation grant application in the amount of \$750,000 from the California Employment Development Department to fund technological infrastructure, improved access, and enhanced services to employers and job seekers who use the one-stop SMART Community Employment Centers in Shasta County. (Administrative Office/Private Industry Council)

Approved the minutes of the meeting held on January 26, 1999, as submitted. (Clerk of the Board)

Took the following actions related to the bridge replacement project on Lower Gas Point Road at the north fork of Cottonwood Creek: accepted an easement deed conveying one parcel of right of way to the County of Shasta, and authorized the Chairman to sign the right-of-way contract with Big Valley Ranch, a limited partnership. (Public Works)

Authorized the Director of Public Works to sign a notice of completion and record it within 10 days of actual completion of the work on the contract for the east addition to the Public Health Building. (Public Works)

Authorized the Director of Public Works to sign a notice of completion and record it within 10 days of actual completion of the work on the contract for the Jail elevator upgrade project. (Public Works)

Authorized the Director of Public Works to sign a notice of completion for heating, ventilation, and air conditioning upgrades to the Shasta County Veterans Memorial Hall, effective January 26, 1999. (Public Works)

Approved and authorized the Chairman to sign a renewal agreement with Mercy Medical Center for reimbursement to Public Health of up to \$62,000 for comprehensive perinatal services provided to Medi-Cal eligible participants during the period of January 1, 1999 to December 31, 1999. (Public Health)

9:35 a.m.: The Board of Supervisors recessed and convened as the Boards of Directors of the various Special Districts/Other Agencies.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Boards of Directors of the various Special Districts/Other Agencies took the following actions which were listed on the Special Districts/Other Agencies Consent Calendar, as submitted:

SHASTA COUNTY WATER AGENCY

Adopted Special Districts Resolution No. 99-2 which designates the Chief Engineer of the Shasta County Water Agency to represent the Water Agency and County Service Area No. 25 - Keswick in negotiations with the U. S. Bureau of Reclamation regarding long-term renewal contracts for Central Valley Project water. (Public Works)

(See Special Districts Resolution Book)

COUNTY SERVICE AREA NO. 1 - FIRE PROTECTION

Took the following actions regarding Automatic Aid Agreements: approved and authorized the Chairman to sign an Automatic Aid Agreement between County Service Area No. 1 - Fire Protection and the Fall River Mills Fire Protection District, and approved and authorized the Chairman to sign an Automatic Aid Agreement between County Service Area No. 1 - Fire Protection and the McArthur Fire Protection District.

9:36 a.m.: The Boards of Directors of the various Special Districts/Other Agencies adjourned and reconvened as the Board of Supervisors.

REGULAR CALENDAR

BOARD MATTERS

FEBRUARY 1999 EMPLOYEE OF THE MONTH

PAT CECIL

RESOLUTION NO. 99-16

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. 99-16 which recognizes Pat Cecil as Shasta County's February 1999 Employee of the Month.

(See Resolution Book No. 40)

PROCLAMATION: NATIONAL GROUNDHOG JOB SHADOW DAY

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation declaring February 2, 1999 as National Groundhog Job Shadow Day in Shasta County. Supervisor Wilson introduced Kelle Clark, and George Tharalson of radio station KQMS introduced Paloma Vance, who were participating in the job shadowing today. Noel Knight accepted the proclamation.

APPOINTMENT: BURNEY BASIN MOSQUITO ABATEMENT DISTRICT

BOARD OF DIRECTORS

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors reappointed Jerry Delp and J. R. Murray for additional two-year terms to January 2001 on the Burney Basin Mosquito Abatement District Board of Directors.

SHASTA COUNTY'S STATE FAIR BOOTH

At the recommendation of Noel Knight and Pauline Arellano of the Northern California Business Connection, and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding Shasta County's booth at the State Fair:

1. Approved and authorized the Chairman to sign the entry form.
2. Authorized the Northern California Business Connection (NCBC) to be the lead organization for the development and construction of the County's booth.
3. Authorized any prize monies that may be received to be immediately awarded to the NCBC for expenses.

REPORT ON CALIFORNIA'S HEALTHY FAMILIES PROGRAM

Penni Wright, Outreach Support Specialist with Richard Heath and Associates, Inc., Dean Germano, Executive Director of the Shasta Community Health Center, and Mike Withers of Electronic Health Care Systems presented a report on California's Healthy Families Program. They provided an overview of the State insurance program, the target population and the application process, as well as a perspective on the program as it is being accessed and administered in Shasta County.

The Board agreed that this was a very good program, however, concerns were expressed regarding the length of the application and the accessibility of the program to outlying communities. These concerns were addressed by the presenters.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Doug Latimer presented an update on legislation of importance to Shasta County.

Supervisor Fust brought to the Board's attention Assembly Bill 129 and Senate Bills 192 and 201, which would enact an immediate ban on MTBE. He would like for Shasta County's legislative lobbyist to track these bills and keep the Board informed. At Supervisor Fust's request, staff was directed to provide the Board with the language on these bills.

Supervisors Wilson and Hawes reported on issues of countywide interest.

Supervisor Hawes stated that he had received a letter from the Los Angeles County Board of Supervisors requesting Shasta County's support in asking Governor Davis to implement the entire amount budgeted for public safety funding and Trial Court Funding. Staff was directed to write a letter.

MAJORITY AND MINORITY REPORTS
BY LIBRARY REVIEW COMMITTEE

Elaine Kavanaugh, Budget Coordinator of the County Administrative Office, presented background information on the Library Review Committee, and Kathleen Jordan and Missy McArthur presented the majority report, with the following recommendations.

1. The administrative responsibility for the libraries in Redding, Anderson, and Burney should be transferred from Shasta County to the City of Redding.
2. Construct a new main library in Redding adjacent to the Civic Center Complex.
3. Fund construction of a new library from Library Bond Act funds and/or sales tax.
4. Fund annual operating expenses of the new library system from the income from a permanent revenue producing fund.

Gretchen Govier presented a minority report, which provided background into the formation of the Library Review Committee, library jurisdictional issues, the new library facility recommended in the majority report, tax measures, and the need for public input.

Michelle Goedert spoke in favor of remodeling the soon to be vacant Rite Aid store in the downtown mall to house a new library.

Supervisor Clarke pointed out that the library system includes the Cities of Redding, Anderson, and Shasta Lake, as well as many small communities. It is not just a County-City issue. She expressed her opinion that there should be more branch libraries in the outlying communities, not a new main library.

A letter from the City of Anderson asking that any changes in the library system impact the Anderson branch in a positive way, not adversely, was read into the minutes by Administrative Board Clerk Lynn Cereghino.

Supervisor Fust thanked the Committee for a very difficult job. He expressed his opposition to building a new library. He recommended that before any public agency in the future appoints a committee to study the library issue, the committee have the authority to bring to the table the money required to make the Committee's recommendation work. It was his opinion that we should try to improve the library we already have.

Supervisor Wilson stated her opposition to a new library building. She was more concerned about having a good library system than who runs it. She recommended that the Cities of Redding, Anderson, and Shasta Lake, and the Board of Supervisors meet to determine how the people of Shasta County can best be served. She would like to see more branch libraries, particularly one in the Lakehead area.

Supervisor Kehoe also thanked the Committee. It was his opinion that a common ground be identified, including several elements such as the citizens' desire for modern, fully-staffed libraries, and a universal recognition that libraries provide life, vitality, and balance to our county. He felt that a modern library can be obtained if the local governments, community groups, private sector, and local organizations work together.

It was moved by Supervisor Kehoe and seconded by Supervisor Wilson that the Board of Supervisors accept the reports as presented by the Committee, and direct the County Administrative Officer (CAO) Doug Latimer to initiate an active discussion with the Cities of Redding, Anderson, and Shasta Lake to secure a creative solution to our library dilemma, and return to the Board of Supervisors with the results of these discussions by May 1, 1999.

Supervisor Hawes thanked the Committee. He felt that the suggested sales tax could be addressed at the next regular election. He was in favor of having the money available to pay for a project before any action can be taken.

Supervisor Fust asked if "creative solution" meant to see if the City Managers of the Cities of Redding, Anderson, and Shasta Lake and the CAO, can devise some way of improving library services within the framework of their current budgets. He reiterated his opinion that the money should be authorized before any recommendations are made.

Supervisor Clarke stated that she could not support the motion for the same reason as Supervisor Fust. She expressed her belief that the people of Shasta County should be asked what they want in order for a committee to know what to study.

Supervisor Kehoe stated that the intent of his motion was to accept the report and move forward with a pro-active position and not let the report stand unnoticed.

Supervisor Hawes suggested that instead of the suggested committee presenting a final solution to the Board by May 1, 1999, a progress report be given at that time.

Supervisor Kehoe amended his motion regarding the CAO and City Managers' attempts to secure a creative solution to the library dilemma to read that a progress report be presented by May 1, 1999 instead of a final proposal. The vote was as follows:

Ayes: Supervisors Kehoe, Hawes, and Wilson

Noes: Supervisors Fust and Clarke

AUDITOR-CONTROLLER**COUNTY CLAIMS**

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$246,182.72 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham, and authorized the issuance of warrants totaling \$64.00 requiring special Board action.

HEALTH AND WELFARE**HOUSING AND COMMUNITY ACTION PROGRAMS****UPGRADE OF COMPUTER SYSTEM
BUDGET AMENDMENT**

At the recommendation of Jerry Brown, Executive Director of the Housing and Community Action Program, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved an amendment to the Housing Authority budget which increases federal housing revenue and appropriations by \$1,250 and makes various transfers within the budget unit for the purpose of purchasing nine personal computers and upgrading the department's computer system.

LAW AND JUSTICE**DISTRICT ATTORNEY****REPORT OF DISTRICT ATTORNEY'S ACCOMPLISHMENTS**

District Attorney McGregor Scott presented the first annual report summarizing his department's accomplishments for the year of 1998.

**AGREEMENT: DEPARTMENT OF SOCIAL SERVICES
WELFARE FRAUD INVESTIGATIONS PROGRAM
BUDGET AMENDMENTS
SALARY RESOLUTION NO. 1054**

District Attorney McGregor Scott presented the staff report, recommending approval of budget amendments and an agreement, adopting a salary resolution, and authorizing the purchase of a vehicle to supplement the Welfare Fraud Investigations Program.

Gary Rhodes spoke in opposition to the proposed action.

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors took the following actions to supplement the Welfare Fraud Investigations Program:

1. Approved a budget amendment to Social Services which increases welfare fraud incentive revenue and fraud investigation appropriations by \$21,600.
2. Approved a budget amendment for the District Attorney which increases revenue and appropriations by \$6,200 from State Post reimbursement, transfers \$21,600 for increased welfare fraud investigations, and makes various transfers within the budget unit.
3. Adopted Salary Resolution No. 1054 which adds one District Attorney Investigator.
4. Approved the purchase of a vehicle and the increase of the fleet assigned to the District Attorney by one car.
5. Approved and authorized the Chairman to sign an agreement authorizing the Department of Social Services to reimburse the District Attorney a total of \$876,600 for welfare fraud investigation and prosecution during Fiscal Year 1998-99.

(See Salary Resolution Book)

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to 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.

11:30 a.m.: The Board of Supervisors recessed to Closed Session.

12:07 p.m.: The Board of Supervisors recessed from Closed Session to reconvene in Open Session at 1:30 p.m.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Lynn Cereghino present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss labor relations, however, no reportable action was taken.

SCHEDULED HEARINGS

PUBLIC WORKS

**FULLERTON WAY PERMANENT ROAD DIVISION
COTTONWOOD AREA
RESOLUTION NOS. 99-17 AND 99-18**

This was the time set to conduct a public hearing and consider the formation of the Fullerton Way Permanent Road Division located in the Cottonwood area. Public Works Director Ron Hill, presented the staff report and recommended approval of this project.

The public hearing was opened, at which time Joseph Davey spoke in favor of the proposed action. Betty King addressed the Board requesting clarification of the proposed action. The Board allowed time for Mr. Hill and Mrs. King to discuss the project and continued with the next item on the Agenda.

RESOURCE MANAGEMENT

PLANNING DIVISION

**ZONE AMENDMENT 98-17, ROLLAND PETERSON,
MOUNTAIN GATE AREA**

This was the time set to hear the request for approval of Zone Amendment 98-17, Rolland Peterson, to rezone approximately 2.6 acres from a Highway Commercial District, combined with a Design Review (C-H-DR) District to a Commercial-Light Industrial (C-M) District. Senior Planner Pat Cecil presented the staff report, displayed slides of the project area, and recommended approval. The affidavit of publication and mailing notice of hearing are on file.

The public hearing was opened, at which time no one was present to speak for or against the project, and the hearing was closed.

By motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Supervisors adopted the CEQA determination of a negative declaration with a de minimus finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 99-007; introduced and waived the reading of an ordinance approving Zone Amendment 98-17, which rezones approximately 2.6 acres to a Commercial-Light Industrial (C-M) District, based upon the findings as specifically set forth in Planning Commission Resolution No. 99-007, and subject to the conditions attached to that resolution.

PUBLIC WORKS

FULLERTON WAY PERMANENT ROAD DIVISION
COTTONWOOD AREA
RESOLUTION NOS. 99-17 AND 99-18

Mr. Hill had spoken to Mrs. King and stated that there were issues he would need to further look into for her, however, there prevailed a majority vote in favor of the proposal from the residents of Fullerton Way.

Mr. Davey and Mary Kibbler spoke again in favor of the proposal including a cul-de-sac at the end of the road. Mrs. King stated that she could be in favor of the proposal, however, she did not feel that the original parcel map was being recognized.

No one else spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions:

1. Received the County Surveyor's report on the correct boundary description (the report is in the form of a map.)
2. Adopted Resolution No. 99-17 forming the division.
3. Instructed the Director of Public Works to improve the road to County standards and perform maintenance, as needed.
4. Adopted Resolution No. 99-18 overruling ballot protests and confirming the parcel charge for Fiscal Year 1999-2000.
5. Authorized the use of \$55,000 as a loan from the Dust Mitigation Fund for road improvements in the Fullerton Way Permanent Road Division.

(See Resolution Book No. 40)

1:50 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
 Clerk of the Board of Supervisors

By _____
 Deputy