

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 6, 2001

REGULAR MEETING

9:03 a.m.: Chairman Wilson 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
Administrative Board Clerk - Connie Simpson

INVOCATION

Invocation was given by Reverend James Wilson, Pray Northstate.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Director of Public Health Marta McKenzie gave a report on this year's influenza season and vaccine availability. She also expressed her appreciation of the local law enforcement agencies who have been instrumental in the implementation of local anthrax information clinics.

Russ Wade spoke on "how to win the war in Afghanistan" by suggesting the United States send over ground troops to feed and clothe the five million starving Afghans in order to win their allegiance and denounce the Taliban.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe pulled for discussion the item for the expenditures of the special claims. County Tax Collector Lori Scott explained that the monies had been in a refund account because the checks had been returned due to incorrect addresses. She explained her department's efforts to locate and properly

return these refunds to the tax payers prior to transferring these funds to the General Fund as directed in the Government Code.

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:

Authorized the issuance of warrants totaling \$107,030.90 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham and authorized the issuance of warrants totaling \$1,508.97 requiring special Board action. (Auditor-Controller)

Acknowledged receipt of the State Controller's "Award for Achieving Excellence in Financial Reporting." (Auditor-Controller)

Approved the minutes of the meetings held on October 16 and 23, 2001, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1848, which approves Zone Amendment 01-005, Jones, Palo Cedro area, as introduced on October 16, 2001. (Clerk of the Board)

(See Zoning Ordinance Book)

Approved and authorized the Chairman to sign an agreement with the City of Anderson for library services at the Anderson Branch and, in return, receive a contribution from the City in the amount of \$23,000 for Fiscal Year 2001-2002. (Library)

Adopted Resolution No. 2001-209, which formally notifies PERS that the County will report employer-paid member contributions for appointed department heads effective with the paycheck of January 4, 2002. (Support Services-Human Resources Division)

(See Resolution Book No. 42)

Adopted Resolution No. 2001-210, which approves and authorizes the Director of Housing to sign an application for \$750,000 to the Home Investment Partnerships Program for first-time home buyers and housing rehabilitation and authorizes the Chairman or Vice-Chairman to sign the contract if one is awarded. (Housing and Community Action Programs)

(See Resolution Book No. 42)

Approved and authorized the Chairman to sign Amendment No. 1 to the Fiscal Year 2001-2002 Agreement with Children and Family Futures, Inc. in the amount of \$53,600, increasing the total contract amount to \$69,850, to coordinate the Northern Counties Alcohol and Drug Programs Consortium from the date of signing through June 30, 2002. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign Amendment No. 1 to the Fiscal Year 2001-2002 Agreement with Shasta County Chemical People, Inc. in the amount of \$10,000, increasing the total contract amount to \$136,000, to provide alcohol and other drug prevention activities from the date of signing through June 30, 2002. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign the "Full Release of Agreement to Reimburse" to release a lien against the property of George W. Morgan for medical services rendered at Shasta County Hospital. (Public Health)

Approved a budget amendment to the Social Services budget which transfers \$46,000 from Other Charges to Fixed Assets to accommodate the purchase of two vans approved during the August 28, 2001 Board Meeting. (Social Services)

Took the following actions regarding an application for Federal Emergency Management Assistance through the Governor's Office of Emergency Services covering Federal Fiscal Year 2002: Authorized the Sheriff to submit the application and adopted Resolution No. 2001-211, which designates authorized signatures for submission of the application and related documents. (Sheriff)

(See Resolution Book No. 42)

Took the following actions regarding the Dry Creek Road Realignment Project: Approved and authorized the Chairman to sign two right of way contracts with Ulysse and Lisbeth Vienneau in the amount of \$4,100 and with Gregory and Joan Raffa in the amount of \$2,600 and accepted two easement deeds conveying three parcels of project right of way, totaling 0.67 acres, in the Bella Vista area. (Public Works)

Took the following actions regarding the Rock Creek Road at Rock Creek Bridge Project: Approved and authorized the Chairman to sign a right of way contract with Sierra Pacific Industries in the total amount of \$600 for the purchase of 0.045 acres and \$50 for temporary construction access across two parcels totaling 0.24 acres and accepted an easement deed for project right of way. (Public Works)

Adopted Resolution No. 433 of Ordinance No. 413-1 for the installation of a stop sign on Bullskin Ridge Road at its intersection with Oak Run Road. (Public Works)

(See Stop Sign Ordinance Book)

Awarded to the low bidder, McGuire-Pacific Constructors of Auburn, on a unit cost basis, the contract in the amount of \$71,665 for installation of street name signs at various locations. (Public Works)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the 2001 State Transportation Improvement Program Overlay Project effective October 29, 2001. (Public Works)

9:15 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

WATER AGENCY CONSENT CALENDAR

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors took the following action, which was listed on the Water Agency Consent Calendar:

Approved and authorized the Chairman to sign an addendum to the Bella Vista Water District's water supply contract with the Water Agency to allow a one-year reduction of water supplied under that contract from 469.4 acre-feet to 459.4 acre-feet for calendar year 2001. (Public Works)

9:16 a.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: COURT ADOPTION AND PERMANENCY MONTH

Director of Social Services Barbara McKend presented the staff report and introduced Mickie Harris, Administrative Parent Liaison, who spoke about the Forever Families Program, recognized staff members and families with adopted children in the audience, and expressed their desire to continue informing the public of the need for permanent adoptive families for California's foster children.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation designating November 2001 as Court Adoption and Permanency Month in Shasta County.

PRESENTATION: GEOGRAPHICAL INFORMATION SYSTEM

Assessor-Recorder Cris Andrews presented Ken McKrola from the Assessor's Office, who presented a PowerPoint® presentation to update the Board of Supervisors on the current status of the County's Geographical Information System (GIS). County Administrative Officer Doug Latimer commented that the GIS system will provide the reverse 911 system which can send evacuation messages to surrounding residents during emergency situations.

**APPOINTMENT: DAVID RUTLEDGE
PLANNING COMMISSION**

By motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors appointed David Rutledge to the Shasta County Planning Commission representing District 1, filling an unexpired term to January 2003.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

At the recommendation of Family Support Program Director Steve Baer and by motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors authorized the sending of a letter in opposition to federal child support automation penalties.

Ann Reed, County Clerk/Registrar of Voters, reported on the County's voting system that must be replaced due to decertification. She read a statement she prepared to present at an upcoming hearing regarding the voting systems currently in use and the fact that Shasta County's present punch-card system has been used since 1963 and is very accurate. She stated that she will request that the decertified voting system not be replaced until 2006. Supervisor Fust requested a letter supporting her petition be sent from the Board of Supervisors, and by consensus, the Members of the Board approved sending the letter.

Supervisors reported on issues of countywide significance.

TREASURER/TAX COLLECTOR/PUBLIC ADMINISTRATOR

At the recommendation of Treasurer-Tax Collector Lori Scott, the Board of Supervisors received and accepted the Quarterly Report of Investments for the quarter ending September 30, 2001.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT****PLANNING DIVISION****ZONE AMENDMENT NO. 01-012, SCHRAML
SHINGLETOWN/MANTON AREA**

This was the time set to hear the request of Peter and Martha Schraml to rezone approximately 160.88 acres of property in the Shingletown/Manton area to a Timber Production District and/or appropriate district(s). Senior Planner Bill Walker presented the staff report and recommended approval. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Martha Schraml asked that the Board of Supervisors approve the amendment. No one else spoke for or against the request, and the public hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors found the project statutorily exempt from the California Environmental Quality Act as specifically set forth in Planning Commission Resolution No. 01-107; made the rezoning findings as specifically set forth in Planning Commission Resolution No. 01-107; introduced and waived the reading of the ordinance approving Zone Amendment No. 01-012 to a Timber Production District; and approved an agreement with Peter and Martha Schraml to meet the timber stocking standards as set forth in Section 4561 of the California Public Resources Code and the forest practice rules adopted by the California State Board of Forestry by the fifth anniversary of the signing of the agreement.

10:40 a.m.: The Board of Supervisors recessed to sit as the Air Pollution Control Board.

10:41 a.m.: The Air Pollution Control Board adjourned, and the Board of Supervisors reconvened.

CLOSED SESSION ANNOUNCEMENT

Chairman Wilson 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 County of Shasta vs Richardson, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its Labor Negotiators County Administrative Officer Doug Latimer and Director of Support Services Joann Davis to discuss the following organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriff's Association, Sheriffs Administrative Association, Professional Peace Officers' Association, Unrepresented Employees, United Public Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

10:42 a.m.: The Board of Supervisors recessed to Closed Session.

12:12 p.m.: The Board of Supervisors recessed from Closed Session.

1:31 p.m.: The Board of Supervisors reconvened in Open Session with all Members, County Counsel Karen Jahr, and Administrative Board Clerk Linda Mekelburg present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss labor negotiations and existing litigation. On a 4-0 vote, Supervisor Kehoe being recused, the Board of Supervisors approved assignment of Richardson vs County of Shasta to the law firm of Kronick, Moskovitz, Tiedemann & Gerard. No further reportable action was taken.

SCHEDULED WORKSHOP

BOARD OF SUPERVISORS

PACIFIC GAS AND ELECTRIC (PG&E) REORGANIZATION

Supervisor Fust explained that in October 2001, he attended a presentation given at the Regional Council of Rural Counties (RCRC) regarding the proposed reorganization of PG&E through the Bankruptcy Court. At that time, it was recommended that counties poll their governing boards so that RCRC would be able to formulate a position on this issue.

Janet Walter, Community and Government Affairs Representative for PG&E, provided an overview of the proposed 12-year reorganization plan. The corporation was faced with three options: liquidation, rate increases or bailouts, or reorganization; they chose reorganization. The proposed plan will separate PG&E Company, which will provide electric and natural gas distribution, from PG&E Corporation; the generation, electric transmission, and gas transmission entities, along with PG&E National Energy Group, will remain under PG&E Corporation. Under this proposed reorganization, PG&E plans to pay all valid claims, not ask for a rate increase, and not ask for government "bail-out" money. Generation and gas transmission rates, which are currently regulated under the California Public Utilities Commission, would be regulated under the Federal Energy Regulatory Commission (FERC). Watershed land owned by PG&E will be transferred to the generation corporation; there are no plans to sell or develop the land, there are no proposed changes to the public use of the land, and managed timber production will continue consistent with current agreements and timber plans adopted by the Department of Forestry. The proposed timeline is as follows:

1. September 20, 2001: Reorganization plan filed with Bankruptcy Court;
2. End of 2001: Court approves disclosure statement;
3. Spring 2002: Creditors confirms plan;
4. Spring 2002: Judge confirms plan;
5. Fall/Winter 2002: Necessary approvals from the Federal Energy Regulatory Commission, Nuclear Regulatory Commission, and Securities Exchange Commission completed.
6. January 1, 2003: Reorganization plan goes into effect.

Assessor-Recorder Cris Andrews discussed whether the proposed reorganization plan will affect Shasta County's tax base. Pacific Gas and Electric's hydroelectric plants in Shasta County are not expected to be affected by Property Tax Rule 905, which specifies which generation plants are to be assessed locally and which are to be assessed by the State Board of Equalization. However, the effect of PG&E Company becoming a stand-alone entity may cause its assessed value to increase. Although the County should be concerned about the reorganization plan, the reorganization probably will not have a significant impact on property tax revenue as the hydroelectric plants represent only approximately two percent of the County's tax base.

Reminding the Board of Supervisors that Shasta County is one of the City of Redding's major utility customers, City of Redding's Electric Utilities Director Jim Feider expressed the concerns the City has regarding the proposed reorganization plan. These concerns include whether the plan will allow PG&E to repay its creditors (including the City indirectly), whether the Western Area Power Administration contracts with PG&E will affect the City's power supply, whether the transmission rights will be shifted to PG&E Company or to PG&E Corporation, and whether the hydroelectric facilities located in Shasta County will remain in the public domain at the end of the 12-year reorganization plan.

Resource Management Director Russ Mull spoke regarding land-use issues. Most land will probably remain in a fairly consistent status: Land associated with power generation will still remain under the jurisdiction of FERC; land not under FERC regulations (approximately 40,000 acres) will still fall under County land-use standards, whether or not PG&E sells the land.

No action was taken; however, Members of the Board of Supervisors indicated they may revisit the issue at the November 13, 2001 meeting during the legislative update discussion.

3:05 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy