

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 18, 2001

REGULAR MEETING

9:00 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

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

Jessica Livingston and John Abbott of the Swede Creek 4-H Beginning Cooking Class presented the Members of the Board of Supervisors with cookies which they had made and thanked the Board for their support of the 4-H Program.

Russ Wade spoke regarding the Board of Supervisors' position in support of oil drilling in the arctic. Mr. Wade urged the Members of the Board to reconsider their position and protect the fragile arctic environment and preserve the area for future generations.

Arnold Erickson addressed the Members of the Board regarding the environmental assessment document prepared by the City of Redding for the Knauf Plant. He stated he did not believe the document was adequate and urged the Board of Supervisors to make their comments by the December 29 deadline.

Evelyn Sutter spoke regarding Use Permit 01-049 (Goodyear), scheduled for public hearing on the Board's afternoon calendar. She asked that the Board of Supervisors accept the Planning Commissions recommendation and not allow the continued operation of the car lot due to safety issues.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Clarke pulled from the Consent Calendar for recognition the request to approve leasing space in Anderson to establish a satellite office to provide Public Health services for the Anderson, Cottonwood, Happy Valley, and southwest County residents. Supervisor Clarke pointed out the benefits this will provide to the citizens of these areas.

Supervisor Hawes pulled from the Consent Calendar for recognition the request to accept additional funding in the amount of \$150,000 and approve an agreement to provide additional tobacco control activities. He stated he wanted the public to be aware of the funding that is being made available to tobacco-related activities. Supervisor Kehoe stated he would still like to have seen more funding allocated.

CONSENT CALENDAR

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

Accepted the Audit Report of the Department of Social Services for the fiscal year ended June 30, 2001. (Auditor-Controller)

Authorized the issuance of warrants totaling \$101,983.28 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on December 11, 2001, as submitted. (Clerk of the Board)

Enacted the following ordinances, as introduced December 4, 2001: Ordinance No. 378-1850, approving Zone Amendment No. 01-015, Pelton, Manton area; Ordinance No. 378-1851, approving Zone Amendment No. 01-011, Smith, Platina area; and Ordinance No. 619, relating to the franchising of cable communications systems in the unincorporated area of Shasta County and repealing Ordinance Nos. 457,457-1, 457-2, 457-3, and 457-4. (Clerk of the Board)
(See Zoning Ordinance Book)
(See General Ordinance Book)

Approved and authorized the Chairman to sign a lease with Ward and Thomas Gandy in the amount of \$920.73 per month (\$0.32/square foot) for 2,880 square feet of records storage space at 1700 Market Street, Redding, for the County Administrative Office, Auditor-Controller, County Clerk, and Marshal's Office from December 1, 2001 through November 30, 2005. (County Administrative Office)

Approved and authorized the Chairman to sign an amendment to the agreement for legal services with the law firm of Underwood & Omstead which increases the hourly rate from \$100 per hour to \$125 per hour. (County Counsel)

Approved and authorized the Chairman to sign a contract amendment with Open Computing Platforms, Inc. to install a wireless network which extends the termination date of the contract to January 31, 2002. (Information Systems)

Adopted Resolution No. 2001-238, as required by the Public Employee Retirement System (PERS), which formally notifies PERS that the County will report employee-paid member contributions on a pre-tax basis. (Support Services-Human Resources Division)
(See Resolution Book No. 42)

Directed Risk Management to temporarily decrease required limits of insurance to \$100,000 for bodily injury and \$1,000,000 for aggregate damage in aircraft industry-related contracts. (Support Services-Risk Management Division)

Approved and authorized the Chairman to sign renewal agreements with Siskiyou and Tehama Counties in annual amounts not to exceed \$20,000 and \$337,122, respectively, for psychiatric inpatient services to be provided by Shasta Psychiatric Hospital from the date of signing through June 30, 2002, with the option to renew for two additional one-year terms. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Nevada County in an amount not to exceed \$5,000 annually for psychiatric inpatient services to be provided by Shasta Psychiatric Hospital from the date of signing through June 30, 2002, with the option to renew for two additional one-year terms. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Saroj Sakthivel DBA R House 2 in an amount not to exceed \$13,248 annually to provide non-acute 24-hour care to individuals with mental illness from the date of signing through June 30, 2002, with an option to renew for two additional one-year terms. (Mental Health)

Approved and authorized the Chairman to sign a lease agreement with Donald and Millicent Waits in the initial amount of \$930 per month (\$0.70/square foot) for 1,320 square feet of office space at 2101 Howard Street, Anderson for a two-year term beginning December 17, 2001, with an option to renew for one additional one-year term. (Public Health)

Approved and authorized the Chairman to sign an amended lease agreement with South End Properties increasing the monthly rent by \$800 per month (\$0.90 per square foot) to add 892 square feet of office space at 1670 Market Street, Suite 246 to the existing lease agreement from December 17, 2001 through October 31, 2003. (Public Health)

Approved and authorized the Chairman to sign Health Improvement Partnership (HIP) renewal agreements for the period January 1, 2002 through June 30, 2002 for: (1) Chemical People, Inc., acting as fiscal agent for the Shasta Lake City Community Action Partnership in the amount of \$15,500; (2) Child Abuse Prevention Council, Inc., acting as fiscal agent for the Anderson Partnership for Health Children in the amount of \$31,295; (3) Family Planning, Inc., acting as fiscal agent for the Garden Tract Organization in the amount of \$31,410; (4) Happy Valley Community Foundation, acting as fiscal agent for Happy Valley Youth Programs in the amount of \$21,200; (5) Shasta County Multi-Cultural Center, acting as fiscal agent for Martin Luther King Jr. Center in the amount of \$32,150; and (6) Tri County Community Network, Inc., acting as fiscal agent for Intermountain Action Growth and Education in the amount of \$13,096. (Public Health)

Approved and authorized the Chairman to sign an "Acceptance of Allocation Agreement" with the Department of Health Services, Tobacco Control Section in the amount of \$150,000 to accept Fiscal Year 2001-02 funding and approving the Allocation Agreement for the period July 1, 2001 through June 30, 2004 for tobacco control program activities. (Public Health)

Approved a contribution of privately donated funds to the Shasta County Foster Parents Association in an amount not to exceed \$1,000 to help defray expenditures associated with the preparation and hosting of a Christmas carnival for foster children, and authorize the Auditor-Controller to pay the claim when it is received. (Social Services)

Approved advancement to 'F' step for Reginald Bell, Equipment Mechanic, effective February 26, 2001. (Public Works)

Acting on behalf of County Service Area No. 17 - Cottonwood Sewer, adopted Resolution No. 2001-239, accepting the sewer system for Tract No. 1707(A), Unit 1, Phase 1 (Manor Crest), west Cottonwood area, for operation and maintenance. (Public Works)

(See Resolution Book No. 42)

Adopted Resolution No. 2001-240, which authorizes the Department of Resource Management to apply for the Fiscal Year 2001-02 Beverage Container Recycling Grant in the amount of \$60,000. (Resource Management-Community Education Section)

(See Resolution Book No. 42)

Adopted Resolution No. 2001-241, appointing Mary Pfeiffer as the Agricultural Commissioner/Sealer of Weights and Measures for a second four-year term effective January 4, 2002. (County Administrative Office)

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

WATER AGENCY CONSENT CALENDAR

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

Adopted Resolution No. 2001-242, which approves and authorizes the Chairman to accept a grant of \$134,066 from the California Department of Water Resources to continue work on the "Redding Basin Water Resources Management Plan."

(See Resolution Book No. 42)

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

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer commented that work on the proposed 1/4¢ sales tax for law enforcement is still continuing with numerous rewrites and negotiation.

Supervisors reported on issues of countywide interest.

INFORMATION SYSTEMS

AGREEMENT: MICROSOFT CORPORATION

At the recommendation of Information Systems Chief Technology Officer Charlie Haase, and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Microsoft Corporation in an estimated amount of \$465,289.41 for the period December 18, 2001 through December 17, 2004 to purchase BackOffice software licenses and upgrades for 1,465 County personal computers.

HEALTH AND WELFARE

HOUSING AND COMMUNITY ACTION AGENCY

BUDGET TRANSFER: FAMILY LITERACY PROGRAM

At the recommendation of Housing and Community Action Agency Director Jerry Brown and Sharre Littrell of the Family Literacy Program, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment in the amount of \$27,387 which recognizes increased expenditures and revenue for the Family Literacy Program.

PUBLIC HEALTH

AGREEMENT: SHASTA CHILDREN AND FAMILIES FIRST COMMISSION
SUBCONTRACT: SHASTA HEAD START CHILD DEVELOPMENT, INC.
SALARY RESOLUTION NO. 1196
BUDGET AMENDMENT

At the recommendation of Public Health Director Marta McKenzie, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the Shasta Children and Families First Commission in the amount of \$644,000 from January 1, 2002 through June 30, 2005 to develop and implement a program to decrease rates of childhood anemia and obesity; approved and authorized the Chairman to sign a subcontract with Shasta Head Start Child Development, Inc. in the amount of \$32,617 from January 1, 2002 through December 31, 2002 to collaborate with Public Health in developing and implementing that program; adopted Salary Resolution No. 1176, which adds one Public Health Nutritionist, one Public Health Assistant, and one Community Education Specialist to Public Health's Community Nutrition/WIC Division; and approved a budget adjustment in the amount of \$66,838 which recognizes additional Fiscal Year 2001-02 revenue and expenditures associated with this funding.

(See Salary Resolution Book)

LAW AND JUSTICE**PROBATION**

REORGANIZATION
SALARY RESOLUTION NOS. 1177 AND 1178

At the recommendation of Chief Probation Officer Lou Rizzo and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted job descriptions for the Supervising Probation Officer and Deputy Director of Probation Administration classifications; adopted Salary Resolution No. 1177, which deletes six Deputy Probation Officer III and one Probation Administrative Services Officer positions, and adds six Supervising Probation Officer and one Deputy Director of Probation Administration positions; adopted Salary Resolution No. 1178, which deletes the five percent premium pay for nine Deputy Probation Officer III positions; and waived Chapter 6 of the Personnel Rules on a one-time basis to allow a limited recruitment to fill the Supervising Deputy Probation Officer positions.

(See Salary Resolution Book)

SCHEDULED HEARINGS**LAW AND JUSTICE****SHERIFF**

SHERIFF'S OFFICE FEE SCHEDULE
ORDINANCE NO. 620

Sheriff's Administrative Services Officer Florence Duggan presented the staff report, reviewed the necessity of the increase in fees, and recommended that following the hearing, the Board of Supervisors approve the fee increase. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time no one spoke on the proposed fee increase, and the public hearing was closed.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors enacted Ordinance No. 620, as introduced on December 4, 2001, relating to the Sheriff's Office fee schedule which adds or increases fees for the Sheriff's Office Services Division, Photo Lab, and Coroner.

(See General Ordinance Book)

CLOSED SESSION ANNOUNCEMENT

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

1. Consider public employee appointment and public employment, pursuant to Government Code Section 54957.
2. Conduct employee performance evaluations pursuant to Government Code Section 54957 for the County Administrative Officer, County Counsel, and Clerk of the Board.
3. Confer with its Labor Negotiators, County Administrative Officer Doug Latimer and Director of Support Services Joann Davis, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs 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.

10:15 a.m.: The Board of Supervisors recessed to Closed Session.

12:15 p.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg 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 a public employee appointment, public employment, public employee performance evaluations, and labor negotiations; no reportable action was taken.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL: USE PERMIT NO. 01-049
MICHAEL GOODYEAR, CHURN CREEK BOTTOM AREA
RESOLUTION NO. 2001-243

This was the time set to conduct a public hearing and consider the applicant's appeal of the Planning Commission's action regarding Use Permit No. 01-049. The Planning Commission took the following action:

1. Denied the applicant's request to continue the item to the December Planning Commission meeting;
2. Approved Phase 1 of Use Permit 01-049, permitting the automotive electric business but denied Phase 2, the request to allow automobile sales; and
3. Required than an 80-square-foot building that was used for an automobile sales office be removed from the property.

Russ Mull introduced Senior Planner John Stokes, who presented the staff report and gave a PowerPoint® presentation. He recommended the Board of Supervisors deny the appeal and uphold the Planning Commission's approval of Use Permit 01-049. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time appellant Michael Goodyear explained that he appealed the Planning Commission's decision because his request to continue the matter to the December 2001 meeting was denied and because of the denial of the request to allow automobile sales on a portion of the parcel; he also stated his belief that the landscaping requirements listed in Phase 1 of the use permit should properly be listed in Phase 2 of the use permit.

The following spoke in favor of the appeal: James Dodd stated that requiring a fence separating the automotive electric business from a residence on the property would create traffic congestion by blocking a turn-around area; Patricia Goodyear stated that business traffic to the property is not momentous; and Bill Mitchell stated that placing a barrier between the residence and the business would devalue the property.

The following spoke in opposition to the appeal: Jerry Reid pointed out the hazardous traffic conditions in that area of Churn Creek Road; Brian Hill provided a zoning history of the property; and Victor Ogrey presented photographs which illustrate the hazardous condition of having a car lot on that curve.

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

Following further discussion regarding landscaping requirements and possible realignment of Churn Creek Road which might affect Mr. Goodyear's property, by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-243, which denies the appeal and upholds the Planning Commission's approval of Use Permit No. 01-049, Goodyear, Churn Creek Bottom area, with the withdrawal of the landscaping requirement.

(See Resolution Book No. 42)

APPEAL: TRACT 1852
ROLLAND ROBINSON, COTTONWOOD AREA
RESOLUTION NO. 2001-244

This was the time set to conduct a public hearing and consider the applicant's appeal of the Planning Commission's action regarding Tract 1852. The appellant, Rolland Robinson, is appealing a sentence in the conditions of approval which states, "It is possible that no further development of the remainder parcel beyond one single-family dwelling can occur until/unless the street system is

extended to connect with Gas Point Road.” Senior Planner John Stokes presented the staff report and gave a PowerPoint® presentation; he recommended the Board of Supervisors deny the appeal and uphold the Planning Commission’s approval of Tract 1852. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Mr. Robinson expressed his concern that the condition requiring connecting the subdivision street system to Gas Point Road would force him to cease further development of the subdivision. Edward Pearson of EDS Engineering stated that the cost of connecting the street system to Gas Point Road would be cost prohibitive in further development of the subdivision. Kathleen Alward presented a petition signed by her neighbors, who oppose connecting the subdivision to Gas Point Road.

Fred Fortes of the California Department of Forestry and Fire Protection (CDF) explained that, although CDF supports the current plan to provide a graveled secondary access to Linda Lane for the 14-lot subdivision, the purpose of the condition was to provide notice to Mr. Robinson and any subsequent landowners of the property that further development beyond a 50-lot subdivision would require a paved secondary access to an appropriate paved road.

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

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-244, which upholds the appeal of the applicant and deletes the second sentence of Condition No. 7 of the Statement of Conditions for Tract 1852: “It is possible that no further development of the remainder parcel beyond one single-family dwelling can occur until/unless the street system is extended to connect with Gas Point Road.”

(See Resolution Book No. 42)

3:45 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy