

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 13, 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. 4 - Supervisor Wilson
District No. 5 - Supervisor Clarke

District No. 3 - Supervisor Hawes - excused

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Administrative Board Clerk - Lynn Cereghino

INVOCATION

Invocation was given by County Administrative Officer Doug Latimer.

PLEDGE OF ALLEGIANCE

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

MOMENT OF SILENCE

A moment of silence was observed in memory of former Shasta County Sheriff John Balma who passed away recently.

PUBLIC COMMENT PERIOD - OPEN TIME

Sheriff Jim Pope spoke regarding former Sheriff John Balma and requested that the flag at the Courthouse be flown at half-mast through the rest of this week. The Board concurred.

Bob Dilley deferred his request to speak during Open Time until the subject of his comments (acquisition by eminent domain of parcels for the Knighton Road extension project) came up on the agenda for consideration.

ITEMS PULLED FROM THE CONSENT CALENDAR

Supervisor Fust pulled from the Consent Calendar the request regarding an agreement with Owens Pharmacy, Inc. He announced that he would have to abstain from taking action on this request as it would be a conflict of interest. By motion made, seconded (Clarke/Kehoe), and carried, the Board of Supervisors approved and authorized the Chairman to sign Amendment No. 1 to the agreement with Owens Pharmacy, Inc. for Fiscal Year 2000-2001 which increases the maximum agreement amount from \$191,000 to \$216,000. Supervisor Fust abstained. (Mental Health)

Supervisor Fust also pulled the request to adopt the recommendations for membership on the Shasta County Resource Advisory Committee because he had a revised list of nominees from the Department of Public Works, which he requested be distributed to the other Board members. By motion made, seconded (Fust/Clarke), and carried, the Board of Supervisors adopted the recommendations of the nomination screening committee, as presented on the revised list, for membership on the Shasta County Resource Advisory Committee. Supervisor Kehoe abstained from taking action on this request because of a conflict of interest. (Public Works)

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$94,570.18 for County operating funds and special districts, as submitted. (Auditor-Controller)

Enacted Ordinance No. 616 amending Attachment B, Table 1 of Ordinance No. 604 which established fees to be collected by the Building Division, as introduced on February 27, 2001. (Clerk of the Board)

(See General Ordinance Book)

Approved and authorized the Chairman to sign the sixteenth contract amendment with Shasta County Women's Refuge to allocate Marriage License Revenue for the provision of services to victims of domestic violence for calendar year 2001. (Housing and Community Action Programs)

Authorized the County Alcohol and Drug Administrator and Presiding Judge to sign the Notice of Grant Award with the State in the amount of \$64,964 to enhance the services provided to participants in the Shasta County Addicted Offender Program for Fiscal Year 2000-2001. (Mental Health/Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Telecare Corporation for the purpose of housing and caring for persistently non-adherent tuberculosis patients under a civil order of detention at Telecare's Cordilleras Mental Health Center in Redwood City, California for a maximum reimbursement to Telecare of \$25,000 for the period of date of signing through June 30, 2002. (Public Health)

Approved and authorized the Chairman to sign an amendment to the current lease with Luella Cooper for the use of office space at 36911 Main Street, Burney by the Department of Social Services at the rate of \$2,000 per month effective April 1, 2001. (Social Services)

Approved and authorized the Chairman to sign a renewal contract between the Shasta County Opportunity Center and City of Redding in an amount up to \$263,520 for recyclables sorting for the time period of January 1, 2001 through December 31, 2003. (Social Services)

Approved and authorized the Chairman to sign a personal services agreement with CH2M Hill in the amount of \$17,300 to conduct a foundation investigation for the Parkville Road at Bear Creek Bridge Replacement Project. (Public Works)

Took the following actions regarding the Texas Springs Road Improvements Project: Approved the plans and specifications and directed the Director of Public Works to advertise for bids; and authorized the opening of bids on April 6, 2001 at 11:00 a.m. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: AMERICAN RED CROSS MONTH

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which proclaims March 2001 as American Red Cross Month in Shasta County.

PROCLAMATION: ARBOR WEEK

At the recommendation of Freida Keefer and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which proclaims March 7-14, 2001 as Arbor Week in Shasta County.

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.

Supervisors reported on issues of countywide interest. Supervisor Fust requested that staff be directed to send a letter to the Bush/Cheney administration in support of the appointment of Plumas County Supervisor Bill Dennison to a position as either Undersecretary of Agriculture, Environment and Natural Resources; Deputy Undersecretary of Agriculture; or Deputy Assistant Secretary of Interior for Fish, Wildlife, and Parks. By consensus the Board directed that a letter be sent.

Supervisor Fust asked Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer to speak regarding Assembly Bill 11 (Dickerson) regarding the formation of a pest control district to combat the Olive Fruit Fly. Because this request was not part of the Board's legislative platform, County Counsel Karen Jahr advised that no action be taken on this item at this time, but that it be placed on the March 20, 2001 consent agenda for action. By consensus the Board directed that this matter be placed on the March 20, 2001 agenda for action.

CLERK OF THE BOARD

By motion made, seconded (Clarke/Kehoe), and carried, the Board of Supervisors approved the minutes of the meeting held on March 6, 2001, as corrected. Supervisor Wilson abstained.

HEALTH AND WELFARE

MENTAL HEALTH/ALCOHOL AND DRUG PROGRAMS

**AGREEMENT: STATE DEPARTMENT OF
ALCOHOL AND DRUG PROGRAMS
BUDGET AMENDMENT**

At the recommendation of Alcohol and Drug Programs Director Dave Reiten and by motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors took the following actions regarding the delivery of alcohol and other drug treatment/prevention services: Approved and authorized the Chairman to sign Amendment No. 1 to the contract with the State increasing funding for Fiscal Year 2000-2001 by \$432,908 for a total available amount of \$2,607,095, and approved a budget amendment increasing revenues and appropriations in Budget Unit 422 (Alcohol and Drug Programs) by \$189,048 and reducing revenues and expenditures in Budget Unit 425 (Perinatal) by \$45,000.

SOCIAL SERVICES

**AGREEMENT: FAMILY SERVICE AGENCY
ANSWERS BENEFITTING CHILDREN, GREAT BEGINNINGS PROGRAM
BUDGET AMENDMENT**

Social Services Director Dennis McFall presented the staff report, which was continued from the March 6, 2001 meeting. By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors approved the third contract amendment with the Family Service Agency (FSA) for administration of the Answers Benefitting Children, Great Beginnings Program in Shasta County increasing the contract amount by \$55,373.44 for a total of \$852,000.43 for the period July 1, 2000 to June 30, 2001, and approved a budget adjustment increasing revenue and appropriations by \$55,373 to pass these funds to FSA.

LAW AND JUSTICE

DISTRICT ATTORNEY

**YOUTH VIOLENCE PREVENTION COUNCIL
BUDGET AMENDMENT**

Supervisor Wilson requested that this request be continued to the March 20, 2001 Board of Supervisors meeting because of a conflict of interest due to her involvement with the Youth Violence Prevention Council and because the matter could not receive the required four-fifths vote.

9:50 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA COUNTY WATER AGENCY

PUBLIC WORKS

**PROPOSED SETTLEMENT: STATE WATER RESOURCES CONTROL BOARD
BAY/DELTA HEARINGS, PHASE 8
RESOLUTION NO. 2001-40**

Public Works Director Pat Minturn introduced Scott Wahl, the new Deputy Director of Public Works.

Mr. Minturn presented the staff report, distributed the proposed agreement, and recommended approval. By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Shasta County Water Agency adopted Resolution No. 2001-40 in support of the proposed settlement of the State Water Resources Control Board Bay/Delta Hearings, Phase 8.

(See Resolution Book No. 42)

9:59 a.m.: The Shasta County Water Agency adjourned and reconvened as the Board of Supervisors.

County Counsel Karen Jahr recommended that, since there was time before the hearing scheduled at 10:30 a.m., the Board of Supervisors recess to the Closed Session as indicated on the addendum to this meeting's agenda.

CLOSED SESSION ANNOUNCEMENT

Chairman Wilson announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Whitmore Union Elementary School District vs. County of Shasta pursuant to Government Code Section 54956.9, subdivision (a).

10:00 a.m.: The Board of Supervisors recessed to Closed Session.

10:20 a.m.: The Board of Supervisors recessed from Closed Session.

10:30 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, Wilson, and Clarke, County Counsel Karen Jahr, and Administrative Board Clerk Lynn Cereghino present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation, however, no reportable action was taken.

SCHEDULED HEARING**PUBLIC WORKS****RESOLUTION OF NECESSITY: KNIGHTON ROAD EXTENSION
ACQUISITION OF PARCELS BY EMINENT DOMAIN
RESOLUTION NO. 2001-41**

This was the time set to resume the public hearing which was continued from the March 6, 2001 Board of Supervisors' meeting. Public Works Director Pat Minturn presented the staff report and displayed a map of the area. He advised the Board that this hearing pertains to the following three findings which the Board of Supervisors must make before adopting the Resolution of Necessity: (1) That the public interest and necessity require this project; (2) that the project is located in a manner that will be most compatible with the greatest public good and the least private injury; and (3) that the right of way being acquired is necessary for this project. Mr. Minturn recommended that the Board adopt the Resolution of Necessity.

Bob Dilley spoke in support of the proposal. Gerald Pickering, representing Curtis and Carlene Nailor, expressed opposition to the "current alignment and the current form of the taking".

No one else spoke and the public hearing was closed.

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

1. Made the following findings to allow the acquisition by eminent domain of three parcels of right of way for the Knighton Road extension project:

- a. That the public interest and necessity require this project.
- b. That the project is located in a manner that will be most compatible with the greatest public good and the least private injury.
- c. That the right of way being acquired is necessary for this project.

2. Adopted Resolution No. 2001-41, a Resolution of Necessity, to allow the acquisition by eminent domain of three parcels of right of way (Frank Sholtz Trust, Charles Marx, and Curtis and Carlene Nailor) for the Knighton Road extension project.

(See Resolution Book No. 42)

10:40 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy