

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, May 15, 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 - excused

County Administrative Officer - Doug Latimer  
 County Counsel - Karen Jahr  
 Administrative Board Clerk - Linda Mekelburg

**INVOCATION**

Invocation was given by Reverend James Wilson, St. Michael's Episcopal Church

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Social Services Director Dennis McFall introduced Jane Patterson, the new Opportunity Center Manager.

Deputy Director of Social Services Barbara McKend introduced Adult Protective Services Program Manager James Livingston. Mr. Livingston informed the Board that one of the County's social workers, Emily Yantis, had recently been recognized as one of three semi-finalists in the state for the award of Exemplary Older Employee and was honored at the Governor's 2001 Older Employee Recognition Award Luncheon and Training Symposium.

Chairman Wilson introduced eight students from Enterprise High School, who attended the meeting as a part of their government class: Jessica DeMallie, Mike Carbaugh, Aaron Williams, Tim Bryant, Shane Thompson, Christine Fong, Renee Cornellier, and Misha Gill.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Fust pulled from the Consent Calendar the minutes of May 1, 2001 to make a correction to Page 112 amending John Sherra to *John Sharrah*.

Supervisor Kehoe pulled from the Consent Calendar the special claims portion of the County

claims submitted by the Auditor's Office, noting that two items do not appear to be a necessary and customary expense for the County. County Administrative Officer Doug Latimer recommended that the two items be referred back to the department to be covered by individuals as they should not be charged to the County's General Fund and that Check #310234 in the amount of \$78.38 be reissued.

Supervisor Kehoe also pulled from the Consent Calendar for clarification the agreement regarding the chaplaincy program. He questioned the difference in the amount of the contract for the original period (\$30,400) and for any extended period (\$28,100). County Counsel Karen Jahr clarified that the original term of the agreement is for 14 months, and any extended period would be 12 months, thus accounting for any difference.

### **CONSENT CALENDAR**

By motion made, seconded (Fust/Hawes), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended, with Supervisor Kehoe voting "No" on the Auditor-Controller's item requesting the issuance of warrants:

Authorized the issuance of warrants totaling \$111,817.11 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham, and authorized the issuance of warrants totaling \$78.38 requiring special Board action. (Auditor-Controller)

Approved the minutes of the meeting held on May 1, 2001, as amended. (Clerk of the Board)

Directed the Clerk of the Board of Supervisors to provide notice to the Shasta-Tehama-Trinity Joint Community College District stating that the Board of Supervisors will not authorize the issuance of tax and revenue anticipation notes on behalf of the District. (County Counsel)

Directed the Clerk of the Board of Supervisors to provide notice to the Shasta County Office of Education, Cascade Union Elementary School District, Enterprise Elementary School District, Happy Valley Union Elementary School District, Junction Elementary School District, Pacheco Union Elementary School District, Redding Elementary School District, Shasta Union Elementary School District, Shasta Union High School District, Mountain Union Elementary School District, and Gateway Unified School District stating that the Board of Supervisors will not authorize the issuance of tax and revenue anticipation notes on behalf of the Districts. (County Counsel)

Approved and authorized the Chairman to sign an agreement with Megabyte Systems, Inc. in the amount of \$90,601.56 for the purpose of providing software maintenance and support for Fiscal Year 2001-2002. (Information Systems)

Adopted Resolution No. 2001-69, which authorizes the Public Health Department to pay the amount of \$123.28 to employees who were unable to work on Tuesday, April 24, 2001 at the WIC office in the Downtown Redding Mall following an electrical fire in nearby buildings. (Public Health)  
(See Resolution Book No. 42)

Approved and authorized the Chairman to sign an Amendment to the Master Agreement and Memorandum of Understanding for the AIDS Surveillance Program, which increases the maximum amount payable for AIDS Surveillance activities from \$23,200 to \$25,900, bringing the Master Grant total for all AIDS activities to \$335,978 for the period of July 1, 2000 through June 30, 2001. (Public Health)

Authorized the submission of an AIDS Surveillance Program renewal application to the State Department of Health Services for the period July 1, 2001 through June 30, 2004; and approved the acceptance of a State Department of Health Services allocation in the amount of \$85,000 for HIV Counseling & Testing Program activities for Fiscal Year 2001-2002. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with the California State University at Chico, Research Foundation for the Mountain Caregiver Resource Center (Chico) in the amount of \$394.18 per month for the purpose of providing adult services at the Adult Services

Building on Continental Street in Redding, for the period of July 1, 2001 through March 31, 2002. (Social Services)

Approved a contract amendment with the Family Service Agency to add \$4,500 for a total amount of \$158,500 for the purpose of providing a Visitation and Parenting Center for the Children's Services Division for the period of July 1, 2000 through June 30, 2001. (Social Services)

Approved and authorized the Chairman to sign an agreement with the Shasta County Law Enforcement Chaplaincy in the amount of \$30,400 for the purpose of providing chaplaincy and ministerial services to Shasta County Jail inmates for the period of May 1, 2001 through June 30, 2002. (Sheriff)

Approved a grant application to the State Office of Criminal Justice Planning for \$100,000 Enhancement of Career Criminal Apprehension Program. (Sheriff)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Shasta County Juvenile Hall Remodel Project, and record it within 10 days of actual completion of the work. (Public Works)

Took the following actions regarding Parcel Map 97-56, Richilieu, Bella Vista area: Accepted a security in the amount of \$13,414 for faithful performance; and adopted Resolution No. 2001-70, which grants an extension of time on an agreement with the developer for completion of improvements. (Public Works)

(See Resolution Book No. 42)

Adopted Resolution No. 2001-71, which authorizes the Chairman to sign a right-of-way certificate for the Main Street at Cottonwood Creek bridge replacement project. (Public Works)

(See Resolution Book No. 42)

Adopted Resolution No. 2001-72, which authorizes the Chairman to sign a Rural Community Fire Protection grant agreement in the amount of \$4,980.69 with the California Department of Forestry and Fire Protection for the purpose of purchasing fire safety clothing for Fiscal Year 2000-2001. (Fire Warden)

(See Resolution Book No. 42)

## **REGULAR CALENDAR**

### **BOARD MATTERS**

#### **PRESENTATION: SHASTA MOSQUITO AND VECTOR CONTROL DISTRICT ANNUAL OPERATIONAL REPORT**

William C. Hazeleur, Shasta Mosquito and Vector Control District Manager, gave a presentation on the functions of the Shasta Mosquito and Vector Control District. The District's mosquito control program includes Surveillance, Biological Control, Physical Control, Chemical Control, and Public Education.

Board of Trustees Member Ernest Lusk invited Members of the Board to visit the District's facility.

## **GENERAL GOVERNMENT**

### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer Latimer reported that there were no specific Bills to discuss; there is some concern, however, regarding General Fund projections and conditions for the next two years, which indicate budget deficits for these years.

Supervisors reported on issues of countywide interest.

### **CLERK OF THE BOARD**

#### **APPROVAL OF MINUTES: MAY 8, 2001**

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on May 8, 2001, as submitted. Supervisor Wilson abstained as she was not present at that meeting.

### **INFORMATION SYSTEMS**

#### **OUTSTANDING ACCOUNTS RECEIVABLES**

At the recommendation of Information Systems Director Charlie Haase and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Auditor-Controller to cancel outstanding accounts receivables totaling \$143,484.37 that Information Systems has been carrying on its books for the time period 1987 through 1996.

### **DISTRICT ATTORNEY**

#### **REORGANIZATION: DISTRICT ATTORNEY**

#### **VICTIM WITNESS DIVISION**

#### **CONTRACT AMENDMENT: STATE BOARD OF CONTROL**

#### **BUDGET TRANSFER**

#### **SALARY RESOLUTION NO. 1154**

#### **RESOLUTION NO. 2001-73**

At the recommendation of District Attorney Criminal Program Director Ben Lambert and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a reorganization of the District Attorney's Victim Witness Division and took the following actions:

1. Adopted Salary Resolution No. 1154, which adds one Claims Supervisor, one Claims Specialist I/II, one Administrative Secretary I, deletes one Legal Process Clerk I/II, and changes the Victim Coordinator position to a management designation;
2. Approved the new job specification for a Claims Supervisor;
3. Approved a budget transfer which increases expenditures by \$29,721 offset by an increase in Board of Control Revenue by the same amount;
4. Approved an amendment to the contract with the Board of Control adding additional personnel and increasing revenue by \$29,721 from \$294,972 to \$324,693; and
5. Adopted Resolution No. 2001-73, which authorizes the District Attorney to sign, on behalf of the Board of Supervisors, an amendment to the contract with the State Board of Control for the operation of the Victim/Witness Assistance Center for Fiscal Year 2000-2001.

Supervisor Kehoe suggested it would be beneficial if these types of staff reports addressed the issue of new job classifications. Staff was directed to work on this issue.

(See Salary Resolution Book)

(See Resolution Book No. 42)

## **PUBLIC WORKS**

### **ACCEPTANCE OF GRANT DEED KNIGHTON ROAD EXTENSION PROJECT RIGHT-OF-WAY AGREEMENT (VILLA)**

At the recommendation of Public Works Director Pat Minturn, and by motion made, seconded (Kehoe/Fust), and carried, the Board of Supervisors accepted a grant deed conveying a parcel of project right-of-way for the Knighton Road Extension Project, and approved and authorized the Chairman to sign a right-of-way agreement in the amount of \$20,000 with the property owners, Anthony and James Villa. Supervisor Hawes abstained.

### **AWARD OF BID 2001 COUNTY OVERLAY PROJECT**

At the recommendation of Public Works Director Pat Minturn, and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors awarded to the low bidder, J.F. Shea, Inc., on a unit cost basis, the contract for construction of the 2001 County Overlay Project.

## **RESOURCE MANAGEMENT**

### **AGREEMENT: HAT CREEK CONSTRUCTION**

At the recommendation of Resource Management Director Russ Mull, and by motion made, seconded (Fust/Kehoe), and carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Hat Creek Construction in an amount not to exceed \$36,973 for the abatement of five public nuisances.

SHASTA COUNTY DEVELOPMENT STANDARDS  
CHAPTER 6 - FIRE SAFETY STANDARDS  
RESOLUTION NO. 2001-74

At the recommendation of Resource Management Director Russ Mull, and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-74, which revises Chapter 6 - Fire Safety Standards of the Shasta County Development Standards. County Counsel was directed to research the necessity of a four-fifths vote. By consensus, Resource Management was directed to report back to the Board regarding any other Fire Safety Standards issues which may need amending.

(See Resolution Book No. 42)

10:09 a.m.: The Board of Supervisors recessed and convened as the Redevelopment Agency (RDA).

**SHASTA COUNTY REDEVELOPMENT AGENCY**

**REGULAR CALENDAR**

DRAFT 2001-2003 SHASTECC BUDGET AND IMPLEMENTATION PLAN  
TEN-YEAR CAPITAL IMPROVEMENT PROGRAM  
RDA RESOLUTION NO. 2001-1

At the recommendation of Shasta County Redevelopment Agency Director Julie Howard, and by motion made, seconded (Hawes/Fust), and unanimously carried, the Redevelopment Agency adopted RDA Resolution No. 2001-1, which approves a Ten-Year Capital Improvement Program for the SHASTECC Redevelopment Project and received for review the Draft 2001-2003 SHASTECC Budget and Implementation Plan, which will be subject to a subsequent public hearing and adoption action.

(See RDA Resolution Book)

10:13 a.m.: The Redevelopment Agency adjourned and reconvened as the Board of Supervisors.

10:14 a.m.: The Board of Supervisors recessed to reconvene at 10:30 a.m. for a scheduled public hearing.

10:30 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, Hawes, and Wilson, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Administrative Board Clerk Linda Mekelburg present.

**SCHEDULED HEARING**

**SHERIFF**

ORDINANCE: SACRAMENTO RIVER RAIL-TRAIL  
AND KESWICK LAKE BOAT LAUNCH FACILITY

This was the time set to conduct a public hearing to introduce and waive the reading of an ordinance which would enact a new Chapter 9.10 of the Shasta County Code pertaining to the operation of motor vehicles and discharge of weapons within 100 feet of the Sacramento River Rail-Trail or the Keswick Lake Boat Launch Facility, and the nighttime closure of the Sacramento River Rail-Trail and the Keswick Lake Boat Launch Facility. This item was continued from the May 1, 2001 Board of Supervisors' meeting.

Undersheriff Larry Schaller explained that the proposed ordinance is the result of discussions with private citizens groups and several federal agencies. He introduced Recreation Planner

Bill Kuntz of the Bureau of Land Management, who provided a history and background of the Rail-Trail and its conversion from the Southern Pacific railroad grade to a non-motorized pedestrian trail.

The public hearing was opened, at which time the following spoke in favor of the ordinance: Burt Brockett of We Ski II, Michael Madden, Jack Innes of the Shasta Wheelmen, Deann Madgic, and Diana Thrasher of the Sierra Club. Marge Dunlap of the Sweat Club addressed the possibility of special permits for special events where use of the trail is a necessity for motorized vehicles.

The following spoke in opposition of closing the trail to non-motorized pedestrian traffic: Mike Wilbur, Ole Olson of the California Off-Road Vehicle Club, Stuart Helmer, and Mike Brown.

Terry Rust stated that the trail should be left open to non-pedestrian traffic until an alternative route parallel to Coram Road is established as a safety loop.

Dennis Porter of the California Off-Road Vehicle Club and Rat Pack Club addressed the issue of special permits for certain events and the issue of handicapped access under the Americans with Disabilities Act.

Charles Schultz of the Bureau of Land Management discussed the need for the ordinance due to the inability of the Bureau of Land Management, Bureau of Reclamation, and the National Park Service to provide enforcement activity. He also discussed the issue of handicapped access at various points along the Rail-Trail and the fact that the Rail-Trail is opened to motorized traffic for evacuation purposes.

Greg Tutoni and Robert Allen spoke regarding the use of off-highway vehicle (OHV) Green Sticker money for funding the Sheriff patrols of the Rail-Trail.

Andy Isola of the Bureau of Land Management reported that there are approximately 250 miles of roads and trails in the approximately 55,000-acre area west of the Rail-Trail which is dedicated for off-road vehicle use.

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

In response to a question from Supervisor Kehoe, County Counsel Karen Jahr will research the issue of handicapped access with regard to the Americans with Disabilities Act from the County's viewpoint.

Deputy County Counsel John Loomis addressed the issue of exceptions to the prohibitions on motorized vehicles, prohibitions on weapons discharges, and the nighttime closures; the ordinance was written purposely broadly to accommodate exceptions in any manner needed.

Upon motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors deferred a decision on the ordinance for up to six weeks in order to:

1. Allow additional dialog between the off-highway-vehicle communities and the Bureau of Land Management;
2. Allow County Counsel to research the Americans with Disabilities Act issue; and
3. Allow the Board of Supervisors to engage in a field trip to the Coram Road area.

11:37 a.m.: The Board of Supervisors recessed to 1:30 p.m.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Wilson, Kehoe, Fust, and Hawes, County Counsel Karen Jahr, and Administrative Board Clerk Lynn Cereghino present.

#### AFTERNOON CALENDAR

**SCHEDULED WORKSHOP**

**COUNTY CLERK**

County Clerk Ann Reed explained that following each ten-year census, the Board of Supervisors is required to adjust supervisorial districts to provide equal representation based upon the census figures.

Maps of the supervisorial districts were displayed, and a map of the Bonnyview District 5 area was distributed. Mrs. Reed reviewed two proposed redistricting plan options, pointed out the proposed areas recommended for adjustment, and indicated the number of voters in each of the areas in question.

Dwight Bailey expressed his concerns regarding “pockets” in certain areas in which no one is living, minority population, and the Buckeye School District line.

Supervisor Kehoe referred to Section 21500 of the Election Code, which refers to the responsibility of establishing districts nearly equal in population, not voters. Mrs. Reed explained that her office does not have the technology to take the census tracts and lay them over precincts. It was noted that the Board and Mrs. Reed’s office received shortly before today’s workshop an offer from Assemblyman Dick Dickerson’s office to prepare accurate population maps by computer. Mrs. Reed will contact Assemblyman Dickerson’s office and determine whether or not it will work for her office.

Supervisor Kehoe cited Section 21505 of the Election Code, which permits the Board of Supervisors to establish a citizens committee to study the necessary boundary adjustments. He suggested the formation of a nine-member committee which would consist of one nominee from each of the Supervisors, two from the League of Women Voters, and two from the judiciary. Supervisor Kehoe asked for clarification of the deadline for a final redistricting plan required by Mrs. Reed’s department. The date was determined to be July 1, 2001. It was recommended that the Chairman contact the League of Women Voters for their recommendation for committee nominees.

County Administrative Officer Doug Latimer expressed his opinion that perhaps the judiciary would not want to participate in this process as the judges are also elected officials.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors moved to appoint either a seven- or nine-person citizens committee pursuant to Section 21505 of the Election Code, allowing the Chairman the latitude of appointing the Chairman of the citizens committee. The committee will be appointed at the May 22, 2001 Board of Supervisors' meeting and will report to the Registrar of Voters and the Board of Supervisors by June 26, 2001.

2:10 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy