

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 22, 2001

REGULAR MEETING

9:01 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
- Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by the Reverend Brad Manley, Neighborhood Church of Anderson and Cottonwood.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Auditor-Controller Rick Graham requested a moment of silence for former Auditor-Controller Edward B. Davis, who passed away recently.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign an amendment to the lease for the Veterans of Foreign Wars Hall in Anderson, California, to incorporate changes to Section 13-Insurance. (Administrative Office/Board of Supervisors)

Authorized the issuance of warrants totaling \$49,499.71 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham. (Auditor-Controller)

Enacted Ordinance No. 378-1840, which approves Zone Amendment No. 00-27, Knowles, Whitmore area, as introduced on May 8, 2001. (Clerk of the Board)

(See Zoning Ordinance Book)

Approved the appointment of Roxanne Williams at E Step of the Community Development Coordinator classification. (Public Health)

Approved and authorized the Chairman to sign an agreement with the Department of Health Services, Regional Laboratory in the amount of \$40,000 for the purpose of continuing regional laboratory testing services for the period of July 1, 2001 through June 30, 2002. (Public Health)

Approved and authorized the Chairman to sign the Maternal, Child, and Adolescent Health funding application to the Department of Health Services focusing on the assessment of health needs and coordination of community and population-based services in the amount of \$358,992 for the period of July 1, 2001 through June 30, 2002. (Public Health)

Approved and authorized the Chairman to sign a renewal application to the Department of Health Services for tuberculosis (TB) local assistance funding in the amount of \$11,326 for the period of July 1, 2001 through June 30, 2002 for TB prevention and control activities in Shasta County. (Public Health)

Approved and authorized the Chairman to sign a renewal contract with Quest Intelligence Group, LLC in the amount of \$15,000 for the purpose of providing step-parent court investigations for the period of July 1, 2001 through June 30, 2002. (Social Services)

Adopted Resolution No. 2001-75, which authorizes the District Attorney to submit a grant application to the Department of Justice for continued funding for the Shasta County Major Narcotic Vendors Prosecution Program, in the amount of \$106,122. (District Attorney)

(See Resolution Book No. 42)

Approved and authorized the Chairman to sign a renewal contract with the U.S. Forest Service in the amount of \$19,200 for the purpose of having the Sheriff provide campground patrol services on U.S. Forest Service lands for the period of May 1, 2001 through September 30, 2001. (Sheriff)

Approved and authorized the Chairman to sign a renewal contract with the U.S. Forest Service in the amount of \$13,000 for the purpose of having the Sheriff provide campground patrol services on Lassen National Forest lands from May 1, 2001 through September 30, 2001. (Sheriff)

Approved and authorized the Chairman to sign a sublease with the State of California Department of Forestry & Fire Protection in the amount of \$200 per month for space within the Sheriff's South County Station in Anderson for the period of December 6, 2000 through December 5, 2003. (Sheriff)

Took the following actions regarding the Deschutes Road Widening Project: Approved plans and specifications and directed the Director of Public Works to advertise for bids upon CalTrans approval of funding; and authorized the opening of bids after a three-week advertising period. (Public Works)

Took the following actions regarding the Deschutes Road Widening Project: Approved and authorized the Chairman to sign three right-of-way contracts (the Phillips Family Trust of 1991, the WH & Norma Porter 1999 Trust, and Raymond A. Merlo and Robin Merlo) totaling \$2,975; accepted two Easement Deeds conveying parcels of project right-of-way; and adopted Resolution No. 2001-76, which authorizes the Chairman to sign a right-of-way certification. (Public Works)

(See Resolution Book No. 42)

Authorized the addition of one vehicle to the Facilities Management fleet per Administrative Policy 8-103. (Public Works)

Adopted Resolution No. 2001-77, which authorizes the Chairman to sign a right-of-way certification for the 2001 State Transportation Improvement Program Overlay Project. (Public Works)

(See Resolution Book No. 42)

Took the following actions regarding the Main Street at Cottonwood Creek Bridge Replacement Project: Adopted Resolution No. 2001-78, which adopts a California Environmental

Quality Act determination of a Mitigated Negative Declaration; approved plans and specifications and directed the Director of Public Works to advertise for bids upon CalTrans approval of funding; and authorized the opening of bids after a three-week advertising period. (Public Works)
(See Resolution Book No. 42)

Approved and authorized the Chairman to sign a tolling agreement for claims totaling \$13,598 relating to the County Service Area No. 25 - Keswick's alleged Operations and Maintenance deficit for water obtained from the Central Valley Project. (Public Works)

9:04 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

WATER AGENCY CONSENT CALENDAR

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

Approved and authorized the Chairman to sign a tolling agreement for claims totaling \$174,442 relating to the Water Agency's alleged Operations and Maintenance deficit for water obtained from the Central Valley Project. (Public Works)

9:05 a.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: EMERGENCY MEDICAL SERVICES WEEK

At the recommendation of American Medical Response Director of Operations John Lord and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 20-26, 2001 as Emergency Medical Services 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, including Senate Bill 226 (Chesbro), which would extend the County Medical Services Program governing board for an additional five years. By consensus, the Board of Supervisors directed a letter be sent in support of Senate Bill 226.

Mr. Latimer suggested a letter be sent to Senator Diane Feinstein requesting the Title 5 Maternal and Child Care Block Grant federal distribution formula be addressed. Supervisor Clarke suggested letters also be sent to Senator Barbara Boxer and Representative Wally Herger. By consensus, the Board of Supervisors directed letters be sent.

Supervisors reported on issues of countywide interest.

ASSESSOR-RECORDER

AGREEMENT: STATE DEPARTMENT OF FINANCE

At the recommendation of Assessor-Recorder Cris Andrews and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal agreement with the Department of Finance of the State of California in the amount of \$342,399 for the purpose of participating in the State-County Property Tax Administration Program, and directed the Assessor-Recorder to prepare a letter for the Chairman's signature endorsing Assembly Bill 589 (Wesson), which would continue the program.

CLERK OF THE BOARD

APPROVAL OF MINUTES: MAY 15, 2001

By motion made, seconded (Hawes/Fust), and carried, the Board of Supervisors approved the minutes of the meeting held on May 15, 2001, as submitted. Supervisor Clarke abstained as she was not present at that meeting.

INFORMATION SYSTEMS

BUDGET AMENDMENT

At the recommendation of Information Systems Director Charlie Haase and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved a budget amendment which increases Charges for Services revenue by a total of \$210,000; increases Salaries and Benefits accounts by a total of \$150,000; and increases Services and Supplies accounts by a total of \$60,000.

Mr. Haase also announced that he will leave Shasta County as he has accepted a position with Stanislaus County.

SOCIAL SERVICES

BUDGET AMENDMENT

At the recommendation of Deputy Director of Social Services Barbara McKend and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved a budget amendment which increases revenues and appropriations by \$2,775,018 to cover increased expenditures noted during the Fiscal Year 2000-2001 mid-year review.

SOCIAL SERVICES/OPPORTUNITY CENTER

BUDGET AMENDMENT

At the recommendation of Deputy Director of Social Services Barbara McKend and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors approved a budget amendment which increases revenues and appropriations by \$198,000 to cover increased client payroll and other expenditures noted during the Fiscal Year 2000-2001 mid-year review.

PUBLIC WORKS

ACCEPTANCE OF GRANT DEED
KNIGHTON ROAD EXTENSION PROJECT
RIGHT-OF-WAY AGREEMENT

At the recommendation of Public Works Director Patrick Minturn and by motion made, seconded (Clarke/Kehoe), and carried, the Board of Supervisors accepted a grant deed conveying a 1.57 acre 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 \$16,000 with the property owner, Churn Creek Golf Course. Supervisors Fust and Hawes abstained.

KNIGHTON ROAD EXTENSION PROJECT
RIGHT-OF-WAY CERTIFICATION

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Clarke/Kehoe), and carried, the Board of Supervisors authorized the Chairman to sign a right-of-way certificate for the Knighton Road Extension between Interstate 5 and Airport Road project. Supervisors Fust and Hawes abstained. This item was continued from the May 8, 2001 and May 15, 2001 meetings.

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 Tarin vs County of Shasta, County of Shasta vs Cota, and Crane vs County of Shasta pursuant to Government Code Section 54956.9, subdivision (a).

10:01 a.m.: The Board of Supervisors recessed to Closed Session.

10:29 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Members, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation and on a unanimous vote, assigned the case of Crane vs County of Shasta to Angelo, Kilday & Kilduff.

No other reportable actions were taken.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT****ZONE AMENDMENT 01-01**
BARRY BILLINGTON
MOUNTAIN GATE AREA

This was the time set to consider the request of Barry Billington to rezone approximately 2.5 acres located in the Mountain Gate area to a Planned Development (PD) District in conjunction with a proposed 9,000 square-foot building for use as a church. An exception from the California Department of Forestry and Fire Protection (CDF) 30-foot setback requirement was also requested. Scott Kaminski presented the staff report and recommended approval of the project. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Lee Sherman, a resident of Thunder Drive, spoke regarding increased traffic on Union School Road near the project and the involvement of the CDF. Barry Billington spoke in favor of the project and noted that CDF has worked with the Mountain Gate Fire Protection District on this project. Assistant Director of Resource Management Jim Cook explained that the traffic issues are addressed in the proposed ordinance. No else one spoke for or against the project, and the hearing was closed.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors approved a CDF exception as conditioned based on the findings contained in the County Fire Safety Standards, adopted a CEQA finding of a Mitigated Negative Declaration with a de minimis finding of significance, adopted the recommended rezoning findings as specifically set forth in Planning Commission Resolution No. 01-054, and introduced and waived the reading of an ordinance approving Zone Amendment No. 01-01 to a Planned Development (PD) District.

COUNTY CLERK**REDISTRICTING OF SUPERVISORIAL DISTRICTS**

This was the time set to consider the redistricting of supervisorial districts as discussed at the May 15, 2001 Board of Supervisors workshop. County Clerk and Registrar of Voters Ann Reed presented two proposed plans to the Board of Supervisors for redrawing of district lines. Plan A affects 1,852 voters in nine (9) voting precincts; Plan B affects 5,028 voters in 20 precincts. Both plans are based on registered voters rather than population and fall within the allowed parameters for percentage of voters to each district. At the Board's direction, population information has been requested from both Republican and Democratic redistricting offices. Mrs. Reed distributed a worksheet which compared Republican population information to the voter registration information, and the percentages did not appreciably differ from the previous non-partisan voter registration figures; the Democratic office has not responded. She recommended the Supervisors approve Plan B, noting that forming a citizens committee would require not only additional staffing to consult with the committee but would also require extra time; she estimated a committee would need until October 2001 to form their recommendations, and the first filing date for the March 2002 election is September 28, 2001.

Supervisor Clarke expressed her concern whether a citizens committee would do as good a job as Mrs. Reed.

Supervisor Fust noted that originally, he was in favor of utilizing a citizens committee but is worried that a committee would not finish by July; possibly, the Board should choose a plan and put it before the public for comment.

Supervisor Kehoe expressed his support for a citizens committee to analyze the data and form an objective opinion.

The public hearing was opened, at which time Dwight Bailey, representing the Libertarian party, spoke in support of a citizens committee, spoke against the use of partisan population data, and requested the Board consider placing this item on the agenda again if no vote is taken.

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

Supervisor Kehoe questioned and discouraged the use of partisan data for redrawing district lines and encouraged the use of federal census data. In response to a question from Supervisor Hawes as to when census data would be available, Resource Management Director Russ Mull replied that census data is available by census tracts and blocks but is not available by voting precinct, which may go through the middle of census tracts and blocks. It would be a labor-intensive process to overlay precincts onto census tracts and blocks, and it would probably still result with estimated population data for districts.

Citing its impact on the least amount of people and by motion made, seconded (Fust/Clarke), and carried, the Board of Supervisors approved Plan A as set forth by the County Clerk and Registrar of Voters using voter registration numbers. The vote was as follows:

AYES:	Supervisors Fust, Hawes, and Clarke
NOES:	Supervisors Kehoe and Wilson

By motion made, seconded (Fust/Clarke), and unanimously carried the Board of Supervisors set the matter for another public hearing on June 12, 2001, after citizens have a chance to look at Plan A.

In the notice of the public hearing, Mrs. Reed will include the polling places which will be affected by the proposed redistricting.

CLOSED SESSION ANNOUNCEMENT

Chairman Wilson announced that the Board of Supervisors would recess to a Closed Session at 1:30 p.m. to 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 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.

11:25 a.m.: The Board of Supervisors recessed to Closed Session at 1:30 p.m.

2:05 p.m.: The Board of Supervisors recessed from Closed Session.

2:12 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, and Administrative Board Clerk Lynn Cereghino present.

REPORT OF CLOSED SESSION ACTIVITIES

Supervisor Kehoe stated that no reportable action was taken.

2:13 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy