

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, November 5, 2002

**REGULAR MEETING**

9:00 a.m.: Chairman Kehoe 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 James Wilson, PrayNorthstate.

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS**

Introductions of the Members of the Board, county staff, elected officials, and county department heads were made.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Don Pickells spoke regarding the problems residents in the area of the proposed Goat Ranch Quarry have had obtaining appraisals for their property.

Russ Wade spoke regarding his suggestions for fighting terrorism in the world today.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Hawes pulled for separate action the item regarding negotiation of an agreement with CalTrans for improvements to the State Route 44 at Gilbert Drive intersection, and Supervisor Clarke pulled for separate action the action regarding amendments to revise the Down Payment Assistance Program portion of the Home Investment partnership Program contracts.

**CONSENT CALENDAR**

By motion made, seconded (Fust/Hawes), 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 a renewal contract with California Department of Food and Agriculture in the amount of \$80,074 for Fiscal Year 2002-2003 to fund the pest detection program. (Agricultural Commissioner)

Authorized the issuance of warrants totaling \$96,075.75 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on October 22, 2002, as submitted. (Clerk of the Board)

Appointed Joseph Churney to the Burney Cemetery District Board of Directors to fill an unexpired term to March 2006. (Clerk of the Board)

Adopted the revised Shasta County Library Media Use Policy, Internet and Computer Use Policy, and Computer Lab Policy. (Library)

Adopted Salary Resolutions No. 1209, 1210, and 1211, which make technical amendments to the Fiscal Year 2002-2003 Salary Resolution and Salary Plan. (Support Services-Personnel Division)

(See Salary Resolution Book)

Took the following actions regarding the contract with the Public Employees' Retirement System (PERS): Adopted Resolution No. 2002-190, which notifies PERS of the County's intention to provide 3% @50 Safety Retirement to the classification series of District Attorney Investigator and Deputy Marshal, effective December 15, 2002 or as soon as possible thereafter under processing restrictions imposed by PERS; and introduced and waived the reading of an ordinance which approves implementation of 3% @50 Safety Retirement for those classification series, effective December 15, 2002 or as soon as possible thereafter. (Support Services-Personnel Division)

(See Resolution Book No. 43)

Approved and authorized the County Alcohol and Drug Program Administrator to sign the Drug Court Partnership Act of 2002 Notice of Grant Award with the State Department of Alcohol and Drug Programs for a total of \$127,773 for the operation of the Shasta County Addicted Offender Program (Drug Court) for Fiscal Year 2002-2003. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Empire Recovery Center, Inc. in the amount of \$100,000 to provide nonresidential mental health/alcohol and other drug treatment services in the northern region of Shasta County for Fiscal Year 2002-2003. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Attorney's Diversified Services in an amount not to exceed \$115,000 for the period November 5, 2002 through November 4, 2003 to provide service of process, with an option to renew for one additional year. (Child Support Services)

Approved and authorized the Chairman to sign a renewal lease agreement with Bill Minton for office space at 1505 Court Street for the period November 1, 2002 through October 31, 2007 in the amount of \$4,888.36 per month for the first year with a three percent annual increase to the base rent beginning in the second year, and an option to renew for five additional years. (District Attorney)

Approved and authorized the Sheriff to submit an application for federal Emergency Management Assistance through the Governor's Office of Emergency Services for Federal Fiscal Year 2003, and adopted Resolution No. 2002-191, which designates authorized signatures for submission of application and related documents. (Sheriff/Office of Emergency Services)  
(See Resolution Book No. 43)

Found that the circumstances and factors that led to the proclamation of a local emergency due to a severe rainfall reduction causing extreme peril to livestock and property have not been totally resolved and that there is a need for the continuance of this proclamation. (Sheriff/Office of Emergency Services)

Approved and authorized the Director of Public Works to sign a Notice of Completion for construction on the 2002 Overlay Project and record it within ten days of actual completion of the work. (Public Works)

Approved and authorized the Director of Public Works to sign a Notice of Completion for construction on Long Hay Flat Road at Bailey Creek Bridge, effective November 1, 2002. (Public Works)

Took the following actions regarding the Asbestos Abatement at the Old Shasta County Hospital: Found the project categorically exempt in conformance with CEQA; approved the plans and specifications, and directed the Director of Public Works to advertise for bids; and authorized opening of bids on December 6, 2002 at 11 a.m. (Public Works)

Approved the plans and specifications for the Parkville Road at Bear Creek Bridge Replacement Project, and directed the Director of Public Works to advertise for bids; and authorized opening of bids on December 6, 2002 at 11 a.m. (Public Works)

For Conditional Certificate of Compliance No. 02-01 (Lakmann), Bella Vista area, approve and authorize the Chairman to sign an agreement with the developer for completion of improvements, and accept security for faithful performance in the amount of \$46,000 and for labor and materials in the amount of \$23,000. (Public Works)

Approved and authorized the County Administrative Officer to sign nine renewal agreements, totaling \$840 per month, for the period October 1, 2002 through September 30, 2003 for hangars at the Fall River Mills Airport. (Public Works)

Approved and authorized the Chairman to sign an amendment to the lease agreement with Gary and Glenda York for property located on Hillcrest Drive, east of Montgomery Creek, to increase the size of the parcel from approximately 0.07 acres to 0.13 acres to allow for expansion of the Montgomery Creek Volunteer Fire Station and to add the use of water from an existing well owned by the Yorks at the cost of \$5.00 per month. (County Fire)

Approved and authorized County Fire to purchase a fire engine from Westates for the total purchase price of \$222,061.13, and approved a budget amendment decreasing expenditures in the utility vehicle fixed asset and increasing expenditures in the Type 2 Fire Engine fixed asset in the amount of \$28,000. (County Fire)

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

**AGREEMENT: CALTRANS**

**IMPROVEMENTS TO THE STATE ROUTE 44 AT GILBERT DRIVE INTERSECTION**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors designated the Director of Public Works, as the Board's agent, to negotiate and sign an agreement with CalTrans for improvements to the State Route 44 at Gilbert Drive intersection in an amount not to exceed \$60,000. (Public Works)

**AGREEMENTS: HOME INVESTMENT PARTNERSHIP PROGRAM CONTRACTS  
DOWN PAYMENT ASSISTANCE PROGRAM**

At the recommendation of Director of Housing and Community Action Programs Larry Lees and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to revise the Down Payment Assistance Program (DAP) portion of all the Home Investment Partnership Program (HOME) contracts that increases the maximum allowable purchase price from \$110,000 to \$152,000 and reduces the interest rate charged from three percent to zero percent. (Housing and Community Action Programs)

9:22 a.m. The Board of Supervisors recessed and convened as the Shasta County Redevelopment Agency.

**SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

**SHASTA COUNTY REDEVELOPMENT AGENCY**

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on August 6, 2002, as submitted.

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted RDA Resolution No. 2002-3, which amends the budget for the SHASTECC Redevelopment Project for Fiscal Year 2002-2003 reducing the capital fund by \$16,162 due to passage of Assembly Bill 3002.

(See Redevelopment Agency Resolution Book)

9:24 a.m. The Redevelopment Agency adjourned, and the Board of Supervisors reconvened.

**REGULAR CALENDAR**

**BOARD OF SUPERVISORS**

**PROCLAMATION: COURT ADOPTION AND PERMANENCY MONTH**

Deputy Social Services Director Barbara McKend presented the staff report and introduced Mickey Harris, Adoptive Parent Liaison, who introduced staff members and families with adopted children in the audience. Karen Alford of Lilliput Children's Services thanked the Board of Supervisors for their support, and Alyssa Woods read a story she composed about adoption.

By motion made, seconded (Hawes/Wilson and Clarke), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 2002 as Court Adoption and Permanency Month in Shasta County.

PRESENTATION: SPEED ZONE REDUCTION PROPOSAL FOR STATE ROUTE 299 EAST THROUGH BELLA VISTA AREA

CalTrans Deputy Division Chief of Maintenance and Operations Russ Wenham explained the State's proposal for State Route 299 East through the Bella Vista Area. CalTrans conducted an engineering and traffic survey of the area which included the following components: a determination of prevailing speeds, a review of accident records, a review of conditions not readily apparent to drivers, and a consultation with the California Highway Patrol. As a result of the survey, CalTrans proposes to add safety lights, make signing and striping modifications, add left-turn lanes at Old Alturas Road and Oak Knolls, and implement downward speed zone.

EMPLOYEE OF THE MONTH

The request to adopt a resolution which recognizes Shasta County's November 2002 Employee of the Month was pulled to be brought back at the November 12, 2002 meeting.

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer stated he had no report.

Supervisors reported on issues of countywide interest.

**LAW AND JUSTICE**

**DISTRICT ATTORNEY**

ACCEPTANCE OF ASSET FORFEITURE REVENUE FROM CALIFORNIA HIGHWAY PATROL BUDGET TRANSFER

At the recommendation of Criminal Program Director Ben Lambert and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors accepted asset forfeiture revenue from the California Highway Patrol in an amount of \$5,700 to purchase materials for the Shasta County Methamphetamine Task Force, approved a budget transfer which increases revenues and appropriations by \$5,700 to purchase these materials, and directed the Auditor-Controller to approve claims for the purchase of materials and other costs.

**PROBATION**

**SERIOUS HABITUAL OFFENDER PROGRAM**  
**SALARY RESOLUTION NO. 1212**  
**BUDGET TRANSFER**

At the recommendation of Chief Probation Officer Lou Rizzo and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1212, which adds a Deputy Probation Officer I/II, and approved a budget amendment which increases appropriations and revenue by \$53,707 to reinstate the juvenile Serious Habitual Offender program.

(See Salary Resolution Book)

**SCHEDULED HEARINGS**

**RESOURCE MANAGEMENT**

**PLANNING DIVISION**

10:15 a.m.: Supervisor Fust recused himself and left the meeting.

**ZONE AMENDMENT NO. 02-008**  
**BRIAN SULLIVAN**  
**HAPPY VALLEY AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 02-008, Brian Sullivan, which would rezone acreage in the Happy Valley area from Rural Residential District combined with a Building Site Minimum (R-R-BSM) District and from a Limited Residential District combined with a Building Area 10 Acre Minimum (R-L-BA-10) District to a Rural Residential District combined with a Building Site Minimum (R-R-BSM) District and for a two-parcel land division in conjunction with a property line adjustment. Associate Planner Nancy Polk presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened. Chairman Kehoe read two letters: one from Diane E and Alfred J. Knapik and one from Alice M. Anderson and Leroy F. Weed. Both parties expressed their concern that the rezoning would affect the area in which they live and urged the Board of Supervisors to reject the proposed zoning change. Assistant Resources Management Director Jim Cook noted that neither of the properties mentioned in the letters would be affected by the proposed zoning change; Chairman Kehoe directed Mr. Cook to communicate with the writers of the letters. No one else spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Clarke/Wilson), and carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 02-008, Brian Sullivan, Happy Valley area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration with a de minimis finding significance, with the findings as specifically set forth in Planning Commission Resolution No. 02-071;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-071; and

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-008 as requested.

10:25 a.m.: Supervisor Fust returned to the meeting.

ZONE AMENDMENT NO. 02-017

PAUL GODDARD

SHINGLETOWN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 02-017, Paul Goddard, which would rezone approximately 290 acres in conjunction with a four-parcel land division in the Shingletown area from an Unclassified (U) District to a Limited Residential (R-L) District. Associate Planner Nancy Polk presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 02-017, Paul Goddard, Shingletown area:

1. Adopted the CEQA determination of a mitigated negative declaration with a de minimis finding significance, with the findings as specifically set forth in Planning Commission Resolution No. 02-078;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-078; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-017 as requested.

ZONE AMENDMENT NO. 02-011

RALPH ADAMS

COTTONWOOD AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 02-011, Ralph Adams, which would rezone approximately 11 acres in the Cottonwood area from an Interim Rural Residential (I-R) and Open Space (OS) District to a One-Family Residential combined with a Building Site Minimum and Open Space (R-1-BSM OS) District. Associate Planner Nancy Polk presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time Ralph Adams thanked the Board of Supervisors for their consideration and complimented the Planning Division on their timely actions. No one else spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 02-011, Ralph Adams, Cottonwood area:

1. Adopted the CEQA determination of a mitigated negative declaration, with the findings as specifically set forth in Planning Commission Resolution No. 02-076;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-076; and

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-011 as requested.

ZONE AMENDMENT NO. 02-014  
ROGER AND MARGIE URRICELQUI  
McARTHUR/PITTVILLE AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 02-014, Roger and Margie Urricelqui, which would rezone approximately 15 acres of a 269.3-acre parcel in the McArthur/Pittville area from an Exclusive Agricultural (EA) District to a Exclusive Agriculture District combined with an Agricultural Preserve (EA-AP) District. Associate Planner Nancy Polk presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 02-014, Roger and Margie Urricelqui, McArthur/Pittville area:

1. Found the project categorically exempt from CEQA as specifically set forth in Planning Commission Resolution No. 02-069;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-069; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 02-014 as requested.

ROAD RENAMING RN 02-02 AND 02-03  
CHURN CREEK BOTTOM AREA  
RESOLUTION NO. 2002-192

This was the time set to conduct a public hearing and consider the request to approve Road Renaming RN 02-02 and 02-03, which would rename two County roads as part of the Knighton Road extension project. The portion of Churn Creek Road in front of Pacheco School will be renamed to Pacheco School Road, and the portion of Mohegan Court south of the new Knighton Road extension will be renamed to Villa Court. Supervising Engineer Steve Preszler of the Department of Public Works presented the staff report and recommended approval of the project. The Affidavit of Publication and Notice of hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time no one spoke for or against the project request, and the public hearing was closed.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors took the following action regarding Road Renaming RN 02-02 and 02-03:

1. Found the project categorically exempt from CEQA as specifically set forth in Planning Commission Resolution No. 02-073;
2. Made the rezoning findings as specifically set forth in Planning Commission Resolution No. 02-073; and
3. Adopted Resolution No. 2002-192, which renames certain roads in the Churn Creek Bottom area identified in Renaming 02-02 and 02-03.

(See Resolution Book No. 43)

**CLOSED SESSION ANNOUNCEMENT**

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

1. 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.

10:35 a.m.: The Board of Supervisors recessed to Closed Session.

10:59 a.m.: The Board of Supervisors recessed from Closed Session.

11:02 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, and Administrative Board Clerk Linda Mekelburg present.

**REPORT OF CLOSED SESSION ACTIONS**

Chairman Kehoe reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

11:03 a.m.: The Board of Supervisors adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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