

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 4, 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 - Christie N. Jewell

INVOCATION

Invocation was given by Reverend Al Cassel, St. James Lutheran Church.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Arnold Erickson addressed the Board of Supervisors regarding the Veterans' Center location.

Patrick Pry and Lyle E. Jensen, residents of the Flanagan Road area, addressed the Board of Supervisors about their concerns in opposition to rezoning the area for the proposed Goat Ranch Quarry and the effects it will have on the children in the area.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe pulled from the Consent Calendar the request of the Housing/Community Action Programs to approve an agreement for the Ambassadors Mentoring Project AmeriCorps to be deferred to a later time.

CONSENT CALENDAR

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended: (Supervisor Kehoe voted no on the Sheriff's item requesting a budget amendment for the CAL-MMET program and the Public Works request to approve an agreement with Bondlogistix to provide arbitrage rebate compliance services because they are "sole source" purchases.)

Authorized the issuance of warrants totaling \$40,111.72 for County operating funds and special districts, as submitted. (Auditor/Controller)

Approved the minutes of the meeting held on May 28, 2002, as submitted. (Clerk of the Board)

Enacted Shasta County Ordinance No. 2002-5, which adds Chapter 2.45 to the Shasta County Code, establishing the Shasta County In-Home Supportive Services Public Authority. (Clerk of the Board)

(See Shasta County Code Ordinance Book)

Reappointed to the Anderson Fire Protection District Board of Directors Paul Bosetti for an additional four-year term to December 2005. (Clerk of the Board)

Adopted Salary Resolution No. 1198, which adds one Supervising Office Automation Consultant position and one Network Technician position; and deletes one Supervising Network Technician position and one Senior Office Automation Consultant position effective June 4, 2002. (Information Systems)
(See Salary Resolution Book)

Approved and authorized the Chairman to sign an amendment to the Department of Health Services AIDS Master Agreement and MOU for the AIDS Education Prevention Program for the period July 1, 2001 through June 30, 2004, decreasing the amount by \$24,624 for a three-year total of \$998,610. (Public Health)

Adopted Resolution No. 2002-74, which authorizes the Department of Social Services to enter into a contract with the California Department of Social Services and any amendments thereto in order to accept State adoption funds to continue the Shasta County Adoption Support Program for the purpose of serving adoptive families in Shasta County. (Social Services)

(See Resolution Book No. 43)

Approved and authorized the Chairman to sign a contract amendment with Family Service Agency to extend the term for one year through June 30, 2003, and provide compensation in the amount of \$235,173 to provide a Visitation and Parenting Center for the Children and Family Services Division. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Northern Valley Catholic Social Service to extend the term for one year through June 30, 2003, and provide compensation in the amount of \$220,000 for Cal-Learn case management. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Northern Valley Catholic Social Service to extend the term for one year through June 30, 2003 and provide compensation in the amount of \$25,000 to provide support services to enable minor teen parents to maintain their own households. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Quest Intelligence Group, LLC for the period July 1, 2002 through June 30, 2003 in the amount of \$15,000 and increasing the Fiscal Year 2001-2002 amount by \$2,100 to provide stepparent court investigations. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with the Private Industry Council, Inc. to extend the term for one year through June 30, 2003, and provide compensation in the amount of \$110,000 to provide a Learning Lab for CalWORKS clients. (Social Services)

Approved and authorized the Chairman to sign a lease with Eugene and Mary Ravizza for approximately 4,517 square feet of office space located at 1620 Market Street, Redding, which includes a base rent of \$3,252.24 per month (\$0.72/square foot) for three years, with a three percent annual increase and a one-year option to renew; and tenant improvements of \$19,775 amortized over three years at eight percent interest (an additional \$619.68 per month). (Social Services)

Approved a budget amendment which provides a net zero fiscal impact for the CAL-MMET program to adjust appropriations for fixed assets and services and supplies to coincide with actual program requirements and bids and waiving competitive bidding and approving sole-source purchase of specialized communications equipment. (Sheriff)

Awarded to the low bidder, Dunton Construction Company, Inc., on a unit-cost basis, the contract for construction on Phillips Road at Oak Run Creek Bridge in the amount of \$68,545. (Public Works)

Awarded to the low bidder, Tullis & Heller, Inc., on a unit-cost basis, the contract for construction on the 2002 Overlay Project in the amount of \$2,783,747.10. (Public Works)

Approved and authorized the Chairman to sign an agreement with Lawrence & Associates in the amount of \$31,327.20 to provide non-methane organic compound emission testing at the West Central Landfill from the date of signing through December 31, 2002. (Public Works)

Approved and authorized the Chairman to sign an agreement with Caltrans authorizing the exchange of \$672,168 in federal Regional Surface Transportation Funds for an equal amount of State Highway Account funds in Fiscal Year 2001-2002. (Public Works)

Approved and authorized the Chairman to sign an agreement with Bondlogistix in an amount not to exceed \$25,000 to provide arbitrage rebate compliance services from the date of signing until terminated by either party. (Public Works)

REGULAR CALENDAR

GENERAL GOVERNMENT

BOARD OF SUPERVISORS MATTERS

PRESENTATION: SHASTA-TRINITY NATIONAL FOREST

Forest Supervisor Sharon Heywood presented a report on the fee retention and a general update on forest activities in the Shasta-Trinity National Forest.

BOARD MATTERS

JUNE 2000 EMPLOYEE OF THE MONTH
ERIC WEDEMEYER, ASSOCIATE ENGINEER
RESOLUTION NO. 2002-75

At the recommendation of Supervising Engineer Scott Wahl, and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-75, which recognizes Associate Engineer Eric Wedemeyer with the Department of Public Works, as Shasta County's June 2002 Employee of the Month.

(See Resolution Book No. 43)

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on the State budget.

Members of the Board stated that RCRC has requested that letters be sent regarding the Williamson Act issue from the Board of Supervisors as a whole, as well as by individual Members. A letter was also requested to address PILT, which CAO Latimer stated is covered under the Board of Supervisors' Legislative Platform. Mr. Latimer stated he will finalize letters of support for the Chairman's signature on the Williamson Act issue and PILT and will provide copies to the Members of the Board prior to mailing. Individual letters will also be prepared.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

PROPOSED NEW LIBRARY
CONSTRUCTION FUNDING APPLICATION: STATE OF CALIFORNIA
RESOLUTION NO. 2002-76
AGREEMENT: CITY OF REDDING AND NEW LIBRARY NOW!
AGREEMENT: CITY OF REDDING
RESOLUTION NO. 2002-77

At the recommendation of Budget Coordinator Elaine Kavanaugh, and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors took the following actions regarding the construction of a new library facility:

1. Approved and authorized the Chairman to execute the County's application to the State of California to fund the construction of a new main library facility under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
2. Adopted Resolution No. 2002-76, which commits to providing matching and supplemental funds for the project, certifying the contents of the application, and committing to use of the new facility as a library for 40 years.
3. Approved and authorized the Chairman to sign an agreement for funding of library construction and operation with the City of Redding and New Library Now!

4. Approved and authorized the Chairman to sign a Library Real Property Agreement with the City of Redding for transfer of ownership of the library site upon award of the grant.
5. Adopted Resolution No. 2002-77, which adopts a CEQA determination of a negative declaration subject to the findings in the resolution.
6. Directed the Auditor-Controller to establish a separate, interest-bearing fund for purposes of receiving revenue and paying bills associated with the project.
7. Authorized the County Administrative Officer to make minor changes to any of the documents needed for the grant application, and authorized the Chairman to sign the revised documents.

(See Resolution Book No. 43)

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

2001 SHASTA COUNTY CROP AND LIVESTOCK REPORT

At the recommendation of Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors accepted the 2001 Shasta County Crop and Livestock Report.

HEALTH AND WELFARE

PUBLIC HEALTH

BUDGET AMENDMENT

At the recommendation of Public Health Director Marta McKenzie and by motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations and revenue in the amount of \$29,686 recognizing additional Subvention Program revenue, allowing for the purchase of a fluorescent microscope fixed asset, and aligning other expenditures with year-end projections.

PUBLIC WORKS

BUDGET AMENDMENT

At the recommendation of Deputy Director of Public Works Dan Kovacich, and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved budget amendments for public works projects initiated in Fiscal Year 2000-2001 and completed in Fiscal Year 2001-2002 as follows: decreases Contingency Reserve by \$44,026 and Library Fund Balance by \$10,228 and increases budget appropriations in the Library by \$10,228, the Marshal by \$32,444, and the Veterans Hall by \$11,582; and increases appropriations in Facilities Management by \$77,512.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT****PLANNING DIVISION****ZONE AMENDMENT NO. 02-007**
SHASTA COUNTY WINERY ORDINANCE

This was the time set to consider the request of Shasta County to approve amendments to the Shasta County Zoning Plan text to include the Winery Ordinance to establish a process to permit the development of wineries.

Director of Resource Management Russ Mull and Senior Planner Paul Bolton presented the staff report and recommended approval of the project. Mr. Bolton explained that the ordinance allows flexibility and provides options for the various sizes of winery operation. There are three sizes of wineries addressed: small wineries producing up to 5,000 cases; medium wineries purchasing between 5,000 and 25,000 cases; and the larger wineries producing over 25,000 cases. Ancillary uses, such as tasting rooms, food services, and special events, are provided for in the ordinance, mostly through the use permit process. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Roger Matson, Nels Larsen, and Oscar Matson expressed opposition to the ordinance. They expressed their belief that some revisions need to be made to the ordinance to make it fair for all sizes of winery operation, particularly the small size wineries. They stated that the road requirements, permitting process, etc., make it financially burdensome on the smaller operations. They recommended that this ordinance be referred back to the Planning Division for further revisions to ensure that the ordinance does not have to be amended in the future.

Allen Griggs urged acceptance of the ordinance. No one else spoke for or against the project, and the public hearing was closed.

Mr. Bolton recommended under the definition of Agriculture on page 1 of Section 1, 17.02.055, the words "or wholesale" be deleted from the last sentence in paragraph 1.

In response to questions from the Members of the Board, Mr. Mull explained that the ordinance could always be revised if problems arise.

Supervisors Fust and Clarke suggested more flexibility in the ordinance without ignoring the development standards. It was suggested that since there is no urgency to pass the ordinance, that it be referred back to staff, and perhaps the Planning Commission and Advisory Committee, for further review and discussion.

By motion made, seconded (Hawes/Wilson), and carried, the Board of Supervisors adopted the CEQA finding of a Negative Declaration with a de minimis finding of significance, with the findings as specifically set forth by the Planning Commission; made the findings to amend the Zoning Plan text to include the Winery Ordinance; and introduced and waived the reading of the ordinance approving Zone Amendment No. 02-007 with the amendment to the definition section as identified by staff. The vote was as follows:

AYES: Supervisors Hawes, Wilson, and Kehoe

NOES: Supervisors Fust and Clarke.

CLOSED SESSION ANOUNCEMENT

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

1. Consider existing litigation entitled Brewster vs County of Shasta, Goebel vs County of Shasta, Laws vs County of Shasta, O'Connell vs County of Shasta, Peters vs County of Shasta, Ragar vs County of Shasta, Richardson vs County of Shasta, Riley vs County of Shasta, and Walling vs County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its labor negotiators, County Administrative Officer Doug Latimer and Personnel Director Joann Davis to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriff's Association, Sheriff's Administrative Association, Professional Peace Officers' Association, Unrepresented Employees, United Public Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

11:24 a.m.: The Board of Supervisors recessed to Closed Session.

12:10 p.m.: The Board of Supervisors recessed from Closed Session.

12:13 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Fust, Kehoe, and Hawes, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Christie N. Jewell present.

REPORT OF CLOSED SESSION ACTIONS

Assistant Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. In the matter of Brewster vs County of Shasta, by unanimous vote, the Board of Supervisors referred association of the defense of the County to the Brickwood Law Office. In the matter of Ragar vs County of Shasta, by unanimous vote, the Board of Supervisors referred the defense on the indemnity cross-complaint by Harrison's Rental Center to the Brickwood Law Office. No other reportable action was taken.

12:15 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy