

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 5, 2005

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 Cibula
District No. 3 - Supervisor Hawes
District No. 5 - Supervisor Clarke

District No. 4 - Supervisor Hartman - Absent

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Deputy Clerk of the Board - Tazina Otis
Chief Deputy Clerk of the Board - Glenda Tracy

INVOCATION

Invocation was given by Pastor Gary Tracy, Gateway Community Church of the Nazarene.

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

Richard Paz asked the members of the Board of Supervisors to reconsider their opposition to the transient occupancy tax on houseboats.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**AGREEMENT: DONALD AND MILLICENT WAITS
LEASE OF OFFICE SPACE AT 2101 AND 2115 HOWARD STREET, ANDERSON**

Supervisor Kehoe pulled for discussion the item regarding the renewal lease agreement with Donald and Millicent Waits for the property at 2101 and 2115 Howard Street, Anderson.

In response to a question from Supervisor Kehoe regarding the Americans with Disabilities Act (ADA) remodeling requirements, Senior Administrative Analyst Julie Hope explained that the County is giving the lessor time to complete the ADA construction, and it will be completed as soon as possible.

By motion made, seconded (Hawes/Clarke), and carried, the Board of Supervisors approved and authorized the Chairman to sign a renewal lease agreement with Donald and Millicent Waits in the amount of \$1,786.64 per month (\$0.67/square foot) with 3 percent annual rent increases for a period of two years and four months at 2101 Howard Street, Anderson and to add a suite at 2115 Howard Street, Anderson for a total of 2,650 square feet for the South County Public Health Clinic. Supervisor Kehoe voted no as he does not agree with the County renting buildings that are not ADA compliant. (Administrative Office)

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, as amended:

Approved and authorized the Chairman to sign an agreement with the City of Redding Redevelopment Agency in the amount of \$1.2 million dollars for the new Shasta County Library - Redding Main Project. (Administrative Office)

Approved the minutes of the meeting held on March 15, 2005, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with James M. Underwood in an annual amount not to exceed \$7,500 to provide legal counsel for Shasta County's Assessment Appeals Board for the period April 1, 2004 through March 31, 2006. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with James M. Underwood in an annual amount not to exceed \$3,500 to provide Nuisance Abatement Hearing Officer services for the period June 15, 2005 through June 30, 2006 with an automatic one-year renewal. (Clerk of the Board)

Acting on behalf of County Service Area (CSA) No. 8 - Palo Cedro, enacted Ordinance No. 633, which repeals Resolution No. 1995-28 and sets charges and rates for sewer, water, and related services for CSA No. 8 - Palo Cedro Sewer and Water, as introduced March 15, 2005. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 378-1896, which approves Zone Amendment 03-026, Stephens (Cottonwood area), as introduced October 5, 2004. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Ordinance No. 378-1897, which approves Zone Amendment 04-019, Roberts (Bella Vista area), as introduced January 4, 2005. (Clerk of the Board)

(See Zoning Ordinance Book)

Approved the report of the disposition of properties offered for sale at the February 25, 2005 tax auction. (Treasurer-Tax Collector)

Authorized the County Alcohol and Drug Program Administrator and Division of Alcohol and Drug Programs Accountant-Auditor to sign the State of California Department of Alcohol and Drug Programs Safe and Drug-Free Schools and Communities Grant Agreement in the amount of \$605,012 for the project period January 1, 2003 through December 31, 2005. (Mental Health-Alcohol and Drug Programs)

Reappointed Michele Dugar, Melanie Dunn, Shane Idland, Lonna Smith, Sandy Walker to the Shasta County Alcohol and Drug Advisory Board for three-year terms to expire March 2008. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a contract with Far Northern Regional Center in the amount of \$95,616 for the period April 1, 2005 through March 31, 2006 to provide transportation services to Opportunity Center clients at such times and places when alternate transportation is not readily available. (Social Services-Opportunity Center)

Approved a budget amendment transferring \$62,000 from Probation Regular Salaries to various Service and Supply accounts to pay for computer replacement software and I.T. services; and approved a budget amendment transferring \$45,212 from Probation Regular Salaries to Juvenile Hall Maintenance of Structures and Grounds to pay for repaving of the parking lot at the Juvenile Justice Center. (Probation)

Adopted Resolution No. 2005-31, which authorizes the temporary partial closure of Coram Road south of West Side Road for an annual motorcycle race. (Public Works)
(See Resolution Book No. 46)

Accepted a quitclaim deed for 19.75 acres from the Fall River Mills Community Services District for the Fall River Mills Airport Expansion Project. (Public Works)

Took the following actions for Tract No. 1877, Likely (Cottonwood area): Approved the final map for filing; accepted on behalf of the public offers of dedication for public utility easements and; accepted an agreement with the developer for completion of improvements; and accepted a security in the amount of \$13,000. (Public Works)

Authorized the Public Works Director to release security guaranteeing faithful performance (\$6,800); and released the security guaranteeing payment (\$3,400) for Parcel Map 01-016, Kamisky (Cottonwood area). (Public Works)

Took the following actions regarding the Bear Mountain Road at Daniels Lane Reconstruction Project: Approved and authorized the Chairman to sign three sets of right of way contracts; accepted three easement deeds conveying parcels of project right of way; and accepted three quitclaim deeds releasing any of the adjoining properties' interest in the current Bear Mountain road alignment. (Public Works)

Adopted Resolution No. 2005-32, which authorizes the Department of Resource Management to apply for a Local Government Household Hazardous Waste Grant - Fiscal Year 2005/06 in the amount of up to \$300,000; and authorizes the Director of Resource Management to sign the grant application. (Resource Management-Community Education Section)
(See Resolution Book No. 46)

9:20 a.m.: The Board of Supervisors recessed and convened as the Shasta County Redevelopment Agency Board.

SPECIAL DISTRICT CONSENT CALENDAR

SHASTA COUNTY REDEVELOPMENT AGENCY

By motion made, seconded (Clarke/Cibula), and unanimously carried, the Board of Supervisors adopted RDA Resolution No. 2005-2, which approves the SHASTEC Redevelopment Project Six-Year Capital Improvement Program.
(See Redevelopment Agency Resolution Book)

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

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: MENTAL HEALTH ANNUAL REPORT

Shasta County Mental Health Board (SCMHB) Chairperson Susan Wilson presented the Annual Report of the SCMHB. The SCMHB has four standing committees: the Children's Committee, the Employment Task Force, the Housing and Transportation Task Force, and the Mental Illness Awareness Week Committee.

Children's Committee representatives Cindi Bither-Bradley and Mary Rickert spoke about the benefits of services for children with mental illness.

Employment Task Force Chairperson David Talbott discussed employment for people with mental illness.

**PRESENTATION: MENTAL HEALTH
MENTAL HEALTH SERVICES ACT
COMMUNITY PROGRAM PLANNING**

Mental Health Director Dr. Don Kingdon gave a presentation regarding the department's outreach efforts for Mental Health Services Act Community Program Planning process, which is funded by \$123,667 in State funds.

Family Nurse Practitioner Deborah Wright, Akua Agemau, Lynne Pappas, M.D., Sharon Mosley, Jeff Bosworth, M.D., Shasta Community Health Center CMO Ann Murphy, Shasta Community Health Center CEO Dean Germano, Shasta Regional Medical Center Emergency Services Director Andrew L. Knapp, M.D., Mercy Medical Center Emergency Department Director Aaron Wolff, and Mercy Medical Center Director of Emergencies Physician counterpart Rob Hamilton spoke opposing the closure of the Shasta County Mental Health inpatient unit.

10:50 a.m.: The Board of Supervisors recessed.

10:56 a.m.: The Board of Supervisors reconvened.

**PRESENTATION: CITY OF REDDING
STILLWATER INDUSTRIAL PARK PROJECT**

City of Redding Assistant Manager Nathan Cherpeski advised that a public meeting will take place regarding the Stillwater Industrial Park Project on April 12, 2005 at 4:00 p.m. to allow the public to make comments on the project.

BOARD MATTERS

**APRIL 2005 EMPLOYEE OF THE MONTH
THOMAS SCHREIBER, INFORMATION TECHNOLOGY SUPERVISOR
RESOLUTION NO. 2005-33**

At the recommendation of Information Technology Director Charlie Haas and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-33, which recognizes Information Technology Supervisor Thomas Schreiber as Shasta County's April 2005 Employee of the Month.

(See Resolution Book No. 46)

PRESENTATIONS

**PRESENTATION: BUREAU OF LAND MANAGEMENT
BUREAU OF LAND MANAGEMENT'S PROPERTY EXCHANGES**

Bureau of Land Management (BLM) Assistant Field Manager Frances Burge and Charlie Wright gave a presentation regarding the Bureau's philosophy on BLM's property exchanges.

Susan Wheel addressed the Board of Supervisors regarding the need to preserve watershed conditions in Sacramento tributary creeks.

Redding Mountaining Biking Vice President Carl Drake opposed BLM's property exchanges.

Bruce Crom opposed swapping public land with private land and the development of that land.

BOARD MATTERS

**PROCLAMATION: CHILD ABUSE PREVENTION
AWARENESS MONTH**

At the recommendation of Social Services Director Sher Huss and by motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2005 as Child Abuse Prevention Awareness Month in Shasta County.

PROCLAMATION: FAIR HOUSING MONTH

At the recommendation of Housing Director Larry Lees and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2005 as Fair Housing Month in Shasta County.

PROCLAMATION: NATIONAL TELECOMMUNICATORS WEEK

At the recommendation of SHASCOM Acting General Operation Manager Julie Willis, and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2005 as National Telecommunicators Week in Shasta County.

PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH

At the recommendation of Executive Director of Shasta County Women's Refuge Maggie John, and by motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2005 as "Sexual Assault Awareness Month" in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on specific legislation of importance to Shasta County, including Assembly Bill 474 (Cogdale) regarding prevailing wage rates in rural areas and Assembly Bill 783 (Jones) regarding a possible shift of elections cost to counties called by the governor of the state. By consensus, the Board of Supervisors directed CAO Latimer to prepare letters opposing the two bills.

Supervisors reported on issues of countywide interest.

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

**U.S.D.A. WILDLIFE SERVICES WORK AND BUDGET PLAN
BUDGET AMENDMENT**

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 approved a budget amendment to increase expenditures in Small Tools & Equipment by \$3,300 using funds from the Quantity Control Verification designated fund; recognized unanticipated revenue in the amount of \$42,459 from unclaimed gas tax and appropriate increased expenditures in the Professional and Special Services account by the same amount; appropriated an additional \$13,200 in funding from California Department of Food and Agriculture (CDFA) that was previously recognized by the Board to increase the Professional and Special Services expenditure account by the same amount; and approved and authorized the Chairman to sign an amendment extending the USDA Wildlife Services Work and Budget plan, which would increase compensation by \$58,725 (for a new total of \$94,953) and extend the term of the agreement through March 2006.

PUBLIC WORKS

**LAVERNE LANE PERMANENT ROAD DIVISION
AUTHORIZATION TO ADVERTISE FOR BIDS
BUDGET AMENDMENT**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisor took the following action regarding the Laverne Lane Permanent Road Division Project:

1. Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA);
2. Approved plans and specifications and directed the Director of Public Works to advertise for bids;
3. Authorized the opening of bids on or after April 28, 2005, at 11:00 a.m.; and
4. Approved a budget amendment in the amount of \$377,072 for project construction.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT-PLANNING DIVISION****ZONE AMENDMENT NO. 04-020****DAWN TAYLOR****MILLVILLE AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-020, Dawn Taylor, which would rezone approximately 34.61 acres in the Millville area from a Limited Residential combined with a 10-acre Minimum Building Site (R-L-BA-10) District to a Limited Residential (R-L) District. Associate Planner Brandon Rogers 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 Tim Kuni, Ann Mills, and Brian Hamilton discussed the drainage problems in the area and water supply issues.

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

Following further discussion, by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 04-020, Dawn Taylor, Millville area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2005-019;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2005-019; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-020 as requested.

ZONE AMENDMENT NO. 04-023**DEVON TASSEN****MILLVILLE AREA**

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-023, Devon Tassen, which would rezone approximately 12.90 acres in the Millville area from a Limited Residential (RL) combined with a 20-acre Minimum Building Site (BA-20) and a Rural Residential (RR) combined with a 5-acre Minimum Building Site (BA-5) zone districts to a Limited Residential (RL) District. Associate Planner Brandon Rogers 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. 04-023, Devon Tassen, Millville area:

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2005-029;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 2005-029; and

3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-023 as requested.

SHERIFF'S OFFICE

ALARM SYSTEM PERMITS

This was the time set to conduct a public hearing and consider the request to taking action regarding introduce and waive the reading of an ordinance enacting Chapter 5.25 of the Shasta County Code concerning permits for alarm systems in the unincorporated areas of Shasta County. Undersheriff Larry Schaller presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Undersheriff Larry Schaller explained that most alarm calls are false alarms and repeat false alarms, which waste resources, create a public safety hazard, and distract SHASCOM from their 9-1-1 responsibilities.

Shasta County Sheriff Captain Tom Bosenko explained that responding to false alarms is a huge cost for the Sheriff's office and prevents Sheriff officers from performing their duties.

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

Administrative Services Officer Marjie Stolze explained the basis of the fee amount.

At the request of Undersheriff Schaller, by consensus, the Board of Supervisors directed that this item be continued to the April 12, 2005 Board of Supervisors meeting.

FEE SCHEDULE FOR THE SHERIFF'S OFFICE

This was the time set to conduct a public hearing and consider the request to introduce and waive the reading of an ordinance revising the Sheriff's Office fee schedule to more accurately reflect the cost of providing services, including fees for alarm system permits and false alarms, and eliminate obsolete fees and establish fees for new services. Undersheriff Larry Schaller presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

Animal Regulations Program Manager Myra Morris explained the need for increased fees, new fees, and deleted fees.

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

At the request of Undersheriff Larry Schaller and by consensus, the Board of Supervisors directed that this item be continued to the April 12, 2005 Board of Supervisors meeting.

1:21 p.m.: The Board of Supervisors recessed and reconvened as the Shasta County Housing Authority.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA COUNTY AUTHORITY

SCHEDULED HEARING

HOUSING AUTHORITY ANNUAL PLAN
HOUSING RESOLUTION NO. 2005-1

This was the time set to conduct a public hearing to consider adopting the Housing Authority annual plan and a five-year plan to maintain Shasta County's Section 8 rental assistance program. Director of Housing and Community Action Programs Larry Lees presented the staff report and recommended approval of the plans. 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 public hearing was closed.

By motion made, seconded (Hawes/Clarke), and unanimously carried the Board of Supervisors adopted an annual plan for Fiscal Year 2005-2006 and a five-year plan for Fiscal Years 2005-2009 for the Shasta County Housing Authority; adopted Housing Resolution No. 2005-1, which authorizes the Chairman of the Housing Authority to sign the Certification of Compliance.

(See Housing Resolution Book)

1:30 p.m.: The Shasta County Housing Authority adjourned, and the Board of Supervisors reconvened.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled County of Shasta v. PG&E and Bankruptcy of Cable & Wireless USA, Inc., et al, pursuant to Government Code Section 54956.9, subdivision (a).

1:30 p.m.: The Board of Supervisors recessed to Closed Session.

1:40 p.m.: The Board of Supervisors recessed from Closed Session.

1:42 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Cibula, Hawes, and Clarke, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation.

On a unanimous vote, the Board of Supervisors, with Supervisor Hartman absent, approved a stipulated judgment by which the County would pay \$169,575 for approximately 76 acres of property in connection with the Fall River Mills Airport expansion project.

Also on a unanimous vote, the Board of Supervisors, with Supervisor Hartman absent, in the matter of the Bankruptcy of Cable & Wireless USA, Inc., et al., ratified the County Counsel's action to oppose the Bankruptcy's motion to reduce the unpaid taxes payable to Shasta County.

No other reportable action was taken.

1:45 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy