

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 16, 1999

REGULAR MEETING

9:00 a.m.: Chairman Hawes 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

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Administrative Board Clerk - Lynn Cereghino

District No. 5 - Supervisor Clarke/Absent (arrived 10:10 a.m.)

INVOCATION

Invocation was given by Dr. Ray John, Bishop Quinn High School/St. Francis Middle School.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Chairman Hawes announced that Supervisor Clarke was absent due to an emergency.

Kim Levin spoke regarding medical marijuana patient guidelines.

Russ Wade, Beverly Wade, and Patricia Cogburn spoke in opposition to the proposed Knauf plant.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Fust pulled from the Consent Calendar a request from the County Administrative Office to appoint Karen Jahr to a third four-year term of office as County Counsel. He wished to acknowledge the excellent job Mrs. Jahr has done during her first two terms.

CONSENT CALENDAR

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

Appointed Karen Jahr to a third four-year term of office as County Counsel. (Administrative Office)

Adopted Policy Resolution No. 99-5 which amends Administrative Policy No. 2-301, the Grants Policy. (Administrative Office)

(See Policy Resolution Book)

Approved and authorized the Chairman to sign a letter to Charles Menoher, Ed.D., Superintendent of Schools, which declines to expand the recently formed Shasta County Children and Families First Commission to include an appointment from the Office of Education. (Administrative Office)

Approved the minutes of the meeting held on March 9, 1999, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a lease with B & T Investments for the use of office space located at 1610 West Street in Redding by Court Collections at a cost of \$2,150 per month. (Support Services - Purchasing)

Approved the award of Request For Proposal No. 98-15, as modified, to Perkins Welding, Inc. of Sacramento for an aboveground fuel system at the Fall River Mills Airport at a cost of \$73,620. (Support Services - Purchasing)

Approved a budget amendment which transfers \$18,600 from the Professional and Specialized Services account in the Building Division to the Fleet Management Division of Support Services to purchase one all four wheel drive vehicle to be used by a Building Inspector hired to fill a vacant position, and authorized an increase in the County's vehicle fleet from 327 to 328. (Resource Management - Building Division)

Approved an amendment to the Social Services budget which transfers \$15,900 for the purchase of work stations, personal computers, and software for three previously approved CalWORKS Employment and Training positions. (Social Services)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: CALIFORNIA AGRICULTURE WEEK
CALIFORNIA AGRICULTURE DAY

At the recommendation of Mary Pfeiffer, Agricultural Commissioner/Sealer of Weights and Measures, Susan LeGrand, Executive Director of the Shasta County Farm Bureau, Laura Dierberger, and Geneva Drinkwater of the Shasta County Cattlewomen's Association, and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates the week of March 14-20, 1999 as California Agriculture Week and March 20, 1999 as California Agriculture Day in Shasta County.

PRESENTATION: BATTLE CREEK
SALMON AND STEELHEAD HABITAT RESTORATION

Russ Mull, Director of Resource Management introduced Harry Rectenwald of the U. S. Department of Fish and Game who made a presentation to the Board of Supervisors regarding the recent agreement between the Pacific Gas & Electric Company (PG&E), the Department of Fish and Game, and other government agencies in regards to the salmon and steelhead habitat restoration along Battle Creek. Jean Oscamou of Pacific Gas & Electric (PG&E) also spoke.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer reported on legislation of importance to Shasta County.

At the recommendation of CAO Latimer and by motion made, seconded (Fust/Wilson), and carried, the Board of Supervisors authorized the Chairman to sign a letter of opposition to the U. S. Forest Service's 18-month moratorium on new road construction in unroaded access areas. Prior to action on this item, Supervisor Kehoe recused, left the Chambers, and following the action, returned to the Chambers.

CAO Latimer and Assessor-Recorder Cris Andrews presented information regarding Proposed Assessment Jurisdiction Change for Electric Generation Facilities (Rule 905). At their recommendation and by consensus, the Board of Supervisors authorized the Chairman to sign a letter of support to the Board of Equalization for continued State assessment of regulated public utilities and local assessment of unregulated power producing facilities.

Mary Pfeiffer, Agricultural Commissioner/Sealer of Weights, reported to the Board that Shasta County has received funding from the California State Food and Agriculture Department which provides for a part-time Wildlife Management Services Specialist in Shasta County. It appears that additional State Funding during Fiscal Year 1999-2000 will provide another allocated position.

Supervisors Kehoe, Wilson, and Hawes reported on countywide issues of interest.

AUDITOR-CONTROLLER

COUNTY CLAIMS

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$76,456.30 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham.

CLERK OF THE BOARD

ZONE AMENDMENT 97-11
C. DONALD NELSON
WEST COTTONWOOD AREA

Action on this matter was deferred to such time that all the Supervisors are in attendance (see action later in this meeting).

HEALTH AND WELFARE

SOCIAL SERVICES

**CALIFORNIA CHILDREN'S SERVICES PROGRAM
BUDGET AMENDMENT**

At the recommendation of Dennis McFall, Director of Social Services, and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors approved an amendment to the California Children's Services Program budget which increases donation revenue and appropriations by \$9,589 to purchase two pieces of equipment designed to aid in the mobility and walking therapy of children with physical disabilities.

LAW AND JUSTICE

PROBATION

**GRANT APPLICATION: STATE BOARD OF CORRECTIONS
IMPROVEMENTS TO COUNTY JUVENILE HALL
RESOLUTION NO. 99-32**

At the recommendation of Chief Probation Officer Renny Noll and by motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chief Probation Officer to sign and submit a grant application to the State Board of Corrections in the amount of \$787,200 to provide for additional beds and make specified improvements to the County Juvenile Hall (see further action later in meeting).

(See Resolution Book No. 40)

SHERIFF

**GRANT APPLICATION: STATE BOARD OF CORRECTIONS
COMPLETION OF JAIL REMODEL PROJECT
RESOLUTION NO. 99-33**

At the recommendation of Undersheriff Larry Schaller and by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-33 which approves and authorizes the Sheriff to sign and submit a grant application to the State Board of Corrections in the amount of \$858,500 to complete the Jail Remodel Project.

(See Resolution Book No. 40)

10:10 a.m.: Supervisor Clarke returned to the meeting, at which time she abstained from taking action on this matter as the discussion took place before she entered the Chambers.

**REPLACEMENT OF DAMAGED RADIO IN REDDING PATROL
BUDGET AMENDMENT**

At the recommendation of Undersheriff Larry Schaller and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors recognized revenue in the amount of \$5,090 for the replacement of a damaged radio in Redding Patrol and authorized the sole source purchase of a Motorola Spectra mobile radio at a cost of \$5,123.

GRANT APPLICATION: STATE BOARD OF CORRECTIONS
IMPROVEMENTS TO COUNTY JUVENILE HALL
RESOLUTION NO. 99-32

Supervisor Clarke referred back to Probation's grant application to the State Board of Corrections regarding the wording of the resolution which indicates that the Board of Supervisors would approve any additional staff should that become necessary. She expressed her belief that this statement contradicts the staff report which showed that no additional staffing would be required. By consensus, staff was directed to amend the resolution to read that staff will not be increased.

(See Resolution Book No. 40)

GENERAL GOVERNMENT

CLERK OF THE BOARD

ZONE AMENDMENT 97-11
C. DONALD NELSON
WEST COTTONWOOD AREA
ORDINANCE NO. 378-1797

By motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors enacted Ordinance No. 378-1797 which approves Zone Amendment 97-11, C. Donald Nelson, west Cottonwood area, as introduced on July 29, 1997. Supervisors Hawes and Kehoe abstained from taking action on this request, because they were absent from the July 29, 1997 meeting.

(See Zoning Ordinance Book)

10:20 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

SHASTA COUNTY WATER AGENCY

PUBLIC WORKS

SHASTA COUNTY WATER RESOURCE MASTER PLAN/PHASE 2B
MCCONNELL FOUNDATION GRANT
AGREEMENT: CH2M HILL
BUDGET AMENDMENT

Pat Minturn, Assistant Director of Public Works, presented a staff report and recommended that the Board of Supervisors approve the actions necessary to fund and implement Phase 2B of the Shasta County Water Resource Master Plan.

Supervisor Kehoe asked whether or not the proposed contract with CH2M Hill for engineering services was awarded competitively, and Mr. Minturn reported that the project was not put to bid.

County Administrative Officer Doug Latimer explained that personal services contracts do not require a bid process, and the Department of Public Works is more interested in receiving quality service than awarding the project to a low bidder and receiving only marginal service.

By motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors took the following actions to fund and implement Phase 2B of the Shasta County Water Resource Master Plan:

1. Approved and authorized the Chairman to sign a grant from the McConnell Foundation in the amount of \$200,000 to partially fund engineering services related to Phase 2B.
2. Approved a budget amendment in the amount of \$409,447 in the Shasta County Water Agency Fund to increase revenue (including \$209,447 from the Redding Area Water Council and U. S. Bureau of Reclamation contributions) and appropriations for the consultant's costs to facilitate the development of Phase 2B.
3. Approved and authorized the Chairman to sign a personal services agreement with CH2M Hill in an amount not to exceed \$363,000 related to engineering services for the development of Phase 2B.

The vote was as follows:

AYES: Supervisors Hawes, Wilson, Clarke, and Fust
 NOES: Supervisor Kehoe
 ABSENT: None

Supervisor Kehoe stated that although he thinks highly of the firm that was awarded the contract, he felt that the process of noncompetitive awards should be changed in the future.

10:30 a.m.: The Shasta County Water Agency recessed and reconvened as the Board of Supervisors.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with counsel to discuss existing litigation entitled Morton vs. County of Shasta, Brewster vs. County of Shasta, Courtney vs. County of Shasta, Provencher vs. County of Shasta, Peck vs. County of Shasta, Wallen vs. County of Shasta, and Hufnagel vs. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

10:31 a.m.: The Board of Supervisors recessed to Closed Session.

11:55 a.m.: The Board of Supervisors recessed from Closed Session to reconvene in Open Session at 1:30 p.m.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Members (Supervisor Clarke arrived at 1:33 p.m.), Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston announced that the Board of Supervisors conducted a Closed Session to discuss existing litigation, however, no reportable action was taken.

1:32 p.m.: The Board of Supervisors recessed and convened as the Board of Directors of County Service Area No. 3 - Castella Water.

SPECIAL DISTRICTS/OTHER AGENCIES SCHEDULED HEARINGS

COUNTY SERVICE AREA NO. 3 - CASTELLA WATER

PUBLIC WORKS

WATER RATE ADJUSTMENT

SPECIAL DISTRICTS RESOLUTION NO. 99-4

This was the time set to conduct a public hearing regarding proposed rate changes in County Service Area (CSA) No. 3 - Castella Water, and consider adopting a resolution which adjusts the water rates and authorizing a \$25,000 loan from the General Reserve CSA Revolving Fund to Castella Operations Fund No. 374 to be repaid over a 10-year period.

Public Works Director Ron Hill presented the staff report and explained that the increases in costs have created a need to augment the water rates in CSA No. 3. The proposal would also begin to fund a reserve for future capital improvements.

The public hearing was opened, at which time Dwight Bailey commented that many of the residents of Castella he had spoken with still believe that linking with Dunsmuir for water would be easier. He suggested that the County make it clear to these residents that this would not be a feasible option.

Mr. Hill and Dan Kovacich, Deputy Director of Public Works, outlined the efforts made by staff to educate the residents about the process, the reasoning behind today's proposal, and the decision not to utilize Dunsmuir to supply water to Castella (the high cost).

Supervisor Clarke suggested that this information be sent to the residents along with their water bills.

Following further discussion by the Board Members about financing issues and the Board's policy mandating that each CSA support its expenses with revenues generated and there being no one else present to speak for or against the proposal, the public hearing was closed.

By motion made, seconded (Wilson/Kehoe), and unanimously carried, the Board of Directors of CSA No. 3 - Castella Water adopted Special Districts Resolution No. 99-4 which adjusts the water rates by amending Special Districts Resolution Nos. 72-262 and 96-7, authorized a \$25,000 loan from the General Reserve CSA Revolving Fund to Castella Operations Fund No. 374 to be repaid over a 10-year period, and reaffirmed its policy that each CSA support its expenses with revenues generated.

(See Special Districts Resolution Book)

1:46 p.m.: The Board of Directors of County Service Area No. 3 - Castella Water adjourned and reconvened as the Board of Supervisors.

1:47 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy