

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, May 11, 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. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer  
Assistant County Counsel - Michael Ralston  
Administrative Board Clerk - Lynn Cereghino

District No. 4 - Supervisor Wilson (Absent)

**ANNOUNCEMENT**

Chairman Hawes announced that Supervisor Wilson was ill and would not be in attendance during today's meeting.

**INVOCATION**

Invocation was given by Pastor Clifford Baker, Grace Presbyterian Church.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Chris Ward and Richard Levin spoke in favor of Proposition 215, the Compassionate Use Act of 1996. They requested assistance in setting up a meeting with the District Attorney in order to create some guidelines regarding the use of marijuana for medicinal purposes. Supervisor Hawes offered to facilitate a meeting between Mr. Scott, the proponents, and their physicians.

Russ Wade spoke in opposition to the proposed Knauf plant.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Hawes pulled the following items from the Consent Calendar for clarification:

1. The request from the Purchasing Division of Support Services regarding three subleases of space currently being utilized by Shasta County at 1615-A Continental Street.

Supervising Buyer Ernie Mandere explained that a request was made by the sublessee to eliminate the janitorial fee from the lease on the space currently being occupied by Mountain Caregiver Resource Center which would reduce the monthly lease payment accordingly. He asked that the Board's action reflect this amendment.

2. The request from the Agricultural Commissioner/Sealer of Weights and Measures to approve the annual Work and Budget Plan with the United States Department of Agriculture for the continuation of wildlife management services in the County.

Agricultural Commissioner Mary Pfeiffer explained that the agreement takes advantage of additional State General Fund monies which will cut the County's cost for the salary of a Wildlife Management Specialist in half. This would enable the Department to take advantage of other State funding to almost double the staffing for that program.

Supervisor Kehoe pulled from the Consent Calendar for clarification the request from the Planning Department to sign an agreement with Flying J, Inc., and a Personal Services Agreement with Quad Knopf, Inc., for the preparation of an Environmental Impact Report for the proposed Flying J Travel Plaza development.

Resource Management Director Russ Mull explained the process by which the two companies were chosen.

**CONSENT CALENDAR**

By motion made, seconded (Fust/Kehoe), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe abstained from taking action on the Sheriff's request to approve a contract with the USDA - Forest Service, Pacific Southwest Region, for controlled substance services in the Shasta-Trinity National Forest and Lassen National Forest):

Approved the minutes of the meeting held on May 4, 1999, as submitted. (Clerk of the Board)

Enacted Zoning Ordinance No. 378-1799 which approves Zone Amendment 99-4, Lawrence Gasper, Bella Vista area, as introduced on April 27, 1999. (Clerk of the Board)  
(See Zone Ordinance Book)

Enacted Zoning Ordinance No. 378-1800 which approves Zone Amendment 98-07, Fred Ryness, West Fall River Mills area, as introduced on April 27, 1999. (Clerk of the Board)  
(See Zone Ordinance Book)

Approved and authorized the Chairman to sign the United States Department of Agriculture, Animal Plant Health Inspection Services, Wildlife Services annual Work and Budget Plan to provide for the continuation of wildlife management services in the County. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved and authorized the Chairman to sign an agreement for legal services with the Law Offices of Remy, Thomas, & Moose. (County Counsel)

Adopted Salary Resolution No. 1064 which will delete one Traffic Engineer (SR M53.3) and add one Supervising Engineer (SR M53.3) in the Department of Public Works, effective June 25, 1999. (Support Services - Personnel Division)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign three subleases of space currently being leased by Shasta County located at 1615-A Continental Street, as amended. (Support Services - Personnel Division)

Approved and authorized the Chairman to sign a certification of denial of disability letter to the Public Employees Retirement System dated May 11, 1999 denying Larry L. Taylor an Industrial Disability Retirement. (Risk Management)

Adopted Resolution No. 99-52 which authorizes the Department of Resource Management's Environmental Health Division to apply for a Solid Waste Enforcement Assistance Grant for Fiscal Year 1999-2000 in the approximate amount of \$24,000. (Resource Management - Environmental Health Division)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign an agreement with Flying J, Inc., for the payment of funds concerning the preparation of an Environmental Impact Report (EIR), a Mitigation Monitoring Plan (MMP), and payment of extraordinary costs related to document production and processing of related land use permits and a Personal Services Agreement with Quad Knopf, Inc., for the preparation of the EIR and associated MMP in an amount not to exceed \$68,659, and authorized the Director of Resource Management to approve minor amendments to the contracts which provide no substantial or functional change to the original intent of the contract. (Resource Management - Planning Division)

Approved a budget amendment which transfers \$25,000 from the Public Health Budget (411) Salary and Benefits to Shasta County Health Care (412) Salary and Benefits (\$1,000) and Maintenance of Structures (\$24,000). (Public Health)

Adopted Resolution No. 99-53 authorizing the Sheriff to submit an application to the Office of Criminal Justice Planning for continued funding of the Shasta County Interagency Narcotics Task Force in the amount of \$250,608 for the period 7/1/99 through 6/30/00. (Sheriff)

(See Resolution Book No. 40)

Authorized the Sheriff to sign a contract with the USDA - Forest Service, Pacific Southwest Region, for controlled substance services through December 31, 1999, in the Shasta-Trinity National Forest and Lassen National Forest in the amount of \$15,000. (Sheriff)

## **REGULAR CALENDAR**

### **BOARD MATTERS**

#### **PROCLAMATION: JUROR APPRECIATION WEEK**

At the recommendation of Court Executive Officer Susan Null and by motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 9-15, 1999 as Juror Appreciation Week in Shasta County.

#### **APPOINTMENT: SHASTA COUNTY ARTS COUNCIL DISTRICT 2**

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors reappointed Trish Sciarani to the Shasta County Arts Council representing District 2 for a term expiring June 2002.

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

Victor Pottorff, Deputy Executive Director of the California Association of Counties Customer Relations and Services, presented a legislative update.

At the request of Supervisor Fust, Assistant Public Works Director Pat Minturn and Jim Feider, Utilities Director of the City of Redding, addressed the Board regarding the Pacific Gas and Electric (PG&E) Hydro Divestiture. The discussion included Senate Bill (SB) 1183 (Leslie) which would give counties the Right of First Refusal should a transfer (sale) of facilities take place and SB 797 which would mean that PG&E would not need approval from the California Public Utilities Commission to transfer the hydro facilities.

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter in support of SB 1183 and a letter in opposition to SB 797.

By consensus, the Board of Supervisors authorized the Chairman to sign a letter to the Regional Council of Rural Counties (RCRC) notifying them of the County's support of the City of Redding's intent to submit a Request for Qualifications to RCRC to become an operator of the hydro facilities should the counties be granted Right of First Refusal.

County Administrative Officer Doug Latimer presented an update on legislation of importance to Shasta County.

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

**ASSESSOR-RECORDER**

**BUDGET TRANSFERS**

At the recommendation of Assessor-Recorder Cris Andrews and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors approved two budget transfers which reallocate \$80,000 in Salaries and Benefits savings to accommodate an increased demand for services within Information Systems and increase Services and Supplies expenditures and Property Tax Administrative Fee revenue by \$20,000.

**AUDITOR-CONTROLLER**

**COUNTY CLAIMS**

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$41,619.93 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham, and authorized the issuance of warrants totaling \$539.47 requiring special Board action.

In response to questions from Supervisor Kehoe of Auditor-Controller Rick Graham and at the suggestion of County Administrative Officer Doug Latimer, the Board directed staff to include in future requests to accept funding, a second request to authorize the payment of related claims by the Auditor-Controller. This would eliminate the need for special Board action on these types of claims.

**CLERK OF THE BOARD****ZONE AMENDMENT 98-16, CLIFFORD HORD,  
GILMAN ROAD AREA  
ORDINANCE NO. 378-1801**

By motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors enacted Ordinance No. 378-1781 which approves Zone Amendment 98-16, Clifford Hord, Gilman Road area, as introduced on April 27, 1999. Supervisor Kehoe abstained from taking action on this matter.

(See Zoning Ordinance Book)

**CLOSED SESSION ANNOUNCEMENT**

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

1. Confer with counsel about existing litigation entitled Wallen vs. County of Shasta and Moore vs. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its Labor Negotiator, County Administrative Officer Doug Latimer, to discuss the following employee organizations, pursuant to Government Code Section 54957.6: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriff's Association, Sheriffs Administrative Association, Professional Peace Officers' Association, Unrepresented Employees, and United Public Employees of California.

10:55 a.m.: The Board of Supervisors recessed to Closed Session.

11:50 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 Supervisors Clarke, Kehoe, and Fust, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

**AFTERNOON CALENDAR****REPORT OF CLOSED SESSION ACTIONS**

Assistant County Counsel Michael Ralston reported that the Board of Supervisors conducted a Closed Session to discuss existing litigation and labor negotiations. By unanimous vote, with Supervisor Wilson being absent, the Board referred defense of the case of Moore vs. County of Shasta to the law firm of Halkides and Morgan. No other reportable action was taken.

**SCHEDULED HEARINGS****PUBLIC WORKS****EAST STILLWATER WAY PERMANENT ROAD DIVISION  
RESOLUTION NOS. 98-54 AND 98-55**

This was the time set to receive public testimony and consider the formation and activation of the East Stillwater Way Permanent Road Division. Public Works Director Ron Hill presented the staff report and the County Surveyor's report on the correct boundary description (in the form of a map), and he recommended approval of this proposal following the public hearing. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Doris Simpson spoke in support of this project and urged the Board's approval. There being no one else present to speak for or against this matter, the hearing was closed.

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors took the following actions approving the East Stillwater Way Permanent Road Division:

1. Adopted Resolution No. 98-54 which approves the formation of the division.
2. Instructed the Director of Public Works to improve the road to County standards and perform maintenance as needed.
3. Adopted Resolution No. 98-55 which overrules ballot protests and confirms the parcel charge report for Fiscal Year 1999-2000.
4. Authorized the use of \$165,000 as a loan from the Dust Mitigation Fund for road improvements in the East Stillwater Way Permanent Road Division.

(See Resolution Book No. 40)

1:36 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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