

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 20, 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. 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 - Lynn Cereghino

District No. 1 - Supervisor Kehoe (Absent)

INVOCATION

Invocation was given by Pastor Ralph Johnston, Community Church of God.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Rwan L'Connell expressed her opposition to circuses which use wild and exotic animals in their performances.

ANNOUNCEMENTS

Chairman Hawes announced that Supervisor Kehoe was out of town and would not be in attendance during the morning's session of today's meeting.

Supervisor Wilson introduced Jeremy Boiselle who was recently awarded the honor of Eagle Scout.

CONSENT CALENDAR

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

Approved the minutes of the meeting held on June 29, 1999, as submitted. (Clerk of the

Board)

Approved two Compromise and Release Agreements for Cheryl Blanco in the amounts of \$12,000 and \$30,000. (Risk Management)

Adopted Resolution No. 99-91, a “resolution of intent” to abandon and vacate a portion of Walnut Street located between Oak Street and Foster Street in the town of Cottonwood, and set a public hearing to be held on August 31, 1999 at 1:30 p.m. to consider the abandonment. (Public Works)

(See Resolution Book No. 40)

Took the following actions regarding the Parkville Road at Michaels Creek Bridge Replacement Project: approved and authorized the Chairman to sign a right-of-way contract for the project, accepted a grant deed which conveys the project right of way to the County, and adopted Resolution No. 99-92 which authorizes the Chairman to sign a right-of-way certificate. (Public Works)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign an amendment to the agreement with the Corporation for National Service which increases the amount by \$20,000 for a total of \$112,735 during the 1999 calendar year for additional Retired and Senior Volunteer Program adult literacy services. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign a renewal agreement with Dr. Michael O’Neill in the amount of \$59,800 during Fiscal Year 1999-2000 for psychiatric services. (Mental Health)

Authorized the submission of the Substance Abuse and Mental Health Services Administration Block Grant Funds renewal application to the State Department of Mental Health to continue socialization, rehabilitation, and vocational services for persons with psychiatric disabilities, and authorized the acceptance of funding in the amount of \$111,485 for Fiscal Year 1999-2000. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Redding Pathologists Laboratory in the amount of \$85,000 for laboratory and phlebotomy services during Fiscal Year 1999-2000. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Linda Jee, d.b.a. Western Jade Residential Facility, in the amount of \$13,248 during Fiscal Year 1999-2000 for residential care services for individuals with mental illness. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Owens Pharmacy in the amount of \$137,500 for the provision of medication and pharmacy services to the Shasta Psychiatric Hospital during Fiscal Year 1999-2000. (Mental Health)

Adopted Resolution No. 99-93 which approves and authorizes the Chairman to sign a renewal agreement with the California Employment Development Department in the amount of \$55,064 for CalWORKs job development and retention services during Fiscal Year 1999-2000. (Social Services)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign an agreement with Glenn County in the amount of \$17,490 to provide automated Child Welfare Services/Case Management System training to Child Welfare Services staff during Fiscal Year 1999-2000. (Social Services)

9:10 a.m.: The Board of Supervisors recessed and convened as the Boards of Directors of the Various Special Districts/Other Agencies.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

By motion made, seconded (Fust/Wilson), and unanimously carried, the Boards of Directors of the various Special Districts/Other Agencies took the following actions which were listed on the Special Districts/Other Agencies Consent Calendar, as submitted

COUNTY SERVICE AREA NO. 1 - FIRE PROTECTION

Approved and authorized the Chairman to sign an updated Memorandum of Understanding between the Shasta County Fire Department and the Volunteer Fire Companies. (Fire Warden)

COUNTY SERVICE AREA NO. 6 - JONES VALLEY WATER

Authorized the Director of Public Works to sign a Notice of Completion for the Jones Valley Water System Improvements Projects, effective June 30, 1999. (Public Works)

9:11 a.m.: The Boards of Directors of the various Special Districts/Other Agencies recessed and reconvened as the Board of Supervisors.

REGULAR CALENDAR

BOARD MATTERS

**CERTIFICATE OF RECOGNITION: MARJ SIPPEL
DIRECTOR OF THE SHASTA COUNTY CHILD ABUSE
PREVENTION COUNCIL**

At the recommendation of Dennis McFall, Director of Social Services, and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors presented a certificate of recognition to Marj Sippel which acknowledges and congratulates her for 10 years of outstanding and dedicated service as Director of the Shasta County Child Abuse Prevention Council.

HEALTH AND WELFARE

SOCIAL SERVICES

**CHILD ABUSE PREVENTION COORDINATING COUNCIL
ANNUAL REPORT**

Marj Sippel, Director of the Shasta County Child Abuse Prevention Council, presented the annual report on the Council's activities of Fiscal Year 1998-99.

AGRICULTURAL COMMISSIONER

**AGREEMENT: REPLACEMENT OF LIQUIFIED
PETROLEUM GAS TESTING PROVERS**

At the recommendation of Mary Pfeiffer, Agricultural Commissioner/Sealer of Weights and Measures, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with nine other northern counties pertaining to the title, use, maintenance, and replacement of two Liquified Petroleum Gas (LPG) testing provers, and authorized the Agricultural Commissioner/Sealer of Weights and Measures to forward the balance of funds remaining in the LPG maintenance funds to the Tehama County Auditor.

BOARD MATTERS

**CERTIFICATE OF RECOGNITION:
SHASTA COUNTY LIBRARY'S FIFTIETH ANNIVERSARY**

At the recommendation of Carolyn Chambers, Library Director, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors presented a certificate of recognition which acknowledges and celebrates the fiftieth anniversary of the Shasta County Library.

REPORT: U. S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

The Board of Supervisors received a report from Bob Nelson, Assistant Forest Engineer from the U. S. Department of Agriculture, Forest Service, Shasta-Trinity National Forest concerning the Forest transportation system (roads).

**REPORT: SACRAMENTO RIVER CONSERVATION AREA
MEMORANDUM OF AGREEMENT**

Russ Mull, Director of Resource Management, introduced Burt Bundy, Coordinator of the Sacramento River Conservation Area 1, who presented a report regarding participation in the Sacramento River Conservation Area Memorandum of Agreement (MOA), which will be presented to the Board for approval at a later date. The MOA involves agreement between the signatories on an implementation strategy for the riparian plan.

Supervisor Clarke requested that the MOA be agendized as soon as possible for Board action.

**HERGER-FEINSTEIN QUINCY LIBRARY GROUP
FOREST RECOVERY ACT DRAFT ENVIRONMENTAL IMPACT REPORT
RESOLUTION NO. 99-94**

At the recommendation of Supervisor Clarke and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-94 which outlines Shasta County's position regarding the Herger-Feinstein Quincy Library Group Forest Recovery Act Draft Environmental Impact Report.

Staff was directed to notify Frank Stewart, an industrial forester representing the Herger-Feinstein Quincy Library Group, to insure the announcement of this resolution.

(See Resolution Book No. 40)

**APPOINTMENTS: PRIVATE INDUSTRY COUNCIL
BOARD OF DIRECTORS**

By motion made, seconded (Wilson/Fust), and unanimously carried, the Board of Supervisors appointed Julie Kline, R. N., to fill a vacant private sector seat on the Private Industry Council (PIC) Board of Directors for an unexpired term to June 30, 2002, and appointed Pete Peters, private sector representative, to the position of PIC Chairman for a one-year term beginning July 1, 1999.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

At the recommendation of CAO Latimer and by consensus, the Board of Supervisors directed staff to prepare a letter to Governor Davis in opposition to Senate Bill 402 (Burton/Villaraigosa) which proposes binding interest arbitration for all law enforcement and firefighter personnel, effectively turning over ultimate salary-setting and potentially work-rule setting responsibility to a third-party arbitrator.

At the recommendation of Supervisor Wilson and by consensus, staff was directed to list the Board of Supervisors as supporters of the National Forest Counties and Schools Coalition.

The Supervisors reported on countywide issues of interest.

ASSESSOR-RECORDER

**ANNUAL STATISTICAL REPORT OF FISCAL
YEAR 1999-2000 ASSESSED VALUES AND EXEMPTIONS**

Assessor-Recorder Cris Andrews presented the annual statistical report of assessed values and exemptions for Fiscal Year 1999-2000, which included the following information:

| | <u>TOTAL TAXABLE VALUE</u> | <u>EXEMPTIONS</u> | <u>NET TAXABLE VALUE</u> |
|-----------------------|----------------------------|-------------------|--------------------------|
| Fiscal Year 1998-1999 | \$8,165,359,315 | \$547,336,465 | \$7,618,022,850 |
| Fiscal Year 1999-2000 | \$8,416,393,645 | \$575,310,961 | \$7,841,082,684 |
| Dollar Increase | \$251,034,330 | 27,974,496 | 223,059,834 |
| Percent Increase | 3.07% | 5.11% | 2.93% |

SCHEDULED HEARING

ASSESSOR-RECORDER

**ABATEMENT OF PENALTY FOR FAILURE TO FILE
CHANGE OF OWNERSHIP STATEMENT**

Assessor-Recorder Cris Andrews provided information regarding a request for abatement of penalty from Susana Benelli stating that she was out of the country at the time her signature was required, and she assumed that the escrow agent in the county in which she lives had already submitted the Change of Ownership Statement form.

The public hearing was opened, at which time no one was present to speak, and the hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors denied the request of Susana Benelli to abate the penalty assessed, pursuant to Section 482 of the California Revenue and Taxation Code, for failure to timely file a Change of Ownership Statement, as requested by the Assessor-Recorder.

AUDITOR-CONTROLLER

COUNTY CLAIMS

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$51,031.46 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham.

CLOSED SESSION ANNOUNCEMENT

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

1. Confer with counsel regarding existing litigation entitled Lyons v. County of Shasta and McDowell v. County of Shasta, pursuant to Government Code Section 54956.6, subdivision (a).
2. Conduct its semi-annual review of all pending cases, pursuant to Government Code Section 54956.9, subdivision (a).

10:58 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.

1:35 p.m.: The Board of Supervisors reconvened in Open Session with all Members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Pamela English present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr announced that the Board of Supervisors met in Closed Session to discuss existing litigation and to conduct its semiannual review of all pending cases; however, no reportable action was taken.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

ZONE AMENDMENT 99-7, JIM HENRY, NORTH ANDERSON AREA

This was the time set to receive public testimony and consider a request of Jim Henry for approval of Zone Amendment 99-7 which would rezone a 1.8-acre parcel to a Commercial-Light Industrial (C-M) Zone District, in conjunction with the construction of a mini-market with propane, gasoline, and diesel fuel service. The affidavit of publication and notice of hearing are on file.

Associate Planner Marci Gonzales presented the staff report, recommended approval of this request, and responded to questions from the Board Members. Planning Manager Jim Cook was also present to address the Supervisors' questions.

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/Fust), and unanimously carried, the Board of Supervisors took the following actions:

3. Adopted the 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. 99-48.
4. Made the rezoning findings, and introduced and waived the reading of an ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-7, Jim Henry, north Anderson area, which rezones a 1.8-acre parcel to a Commercial-Light Industrial (C-M) Zone District, in conjunction with the construction of a mini-market with propane, gasoline, and diesel fuel service, as specifically set forth in Planning Commission Resolution No. 99-48.

GENERAL PLAN AMENDMENT 99-1

ZONE AMENDMENT 99-11

COUNTY OF SHASTA

RESOLUTION NO. 99-95

This was the time set to receive public testimony and consider a request for approval of General Plan Amendment (GPA) 99-1 and Zone Amendment (ZA) 99-11, County of Shasta, countywide area, which would change existing General Plan land use designations and Zone District boundaries to be consistent with policies of General Plan Section 6.3, Minerals Element. The affidavit of publication and notice of hearing are on file.

Associate Planner Bill Walker presented the staff report, displayed slides of the project areas, and recommended approval of this request with amendments to the areas included in the proposal. He reported that the property owners had asked that all of the GPA changes for all of the areas proposed on maps 19 and 20 be deleted, as well as those portions of property shown on maps 17 and 23 which are presently in the Timber Production (TP) District. For the ZA, it was requested that the zone changes on maps T35N,R2E-F and T35N,R2E-I be deleted and that those portions of T34N,R1W-G (Bear Gulch Quarry area) and T37N,R2E-M, which are presently in the TP District, remain in the TP District. The property owners would be forced to take land out of the TP unless these changes are made to the proposal. Mr. Walker and Planning Manager Jim Cook responded to questions from the Board Members.

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/Kehoe), and unanimously carried, the Board of Supervisors took the following actions, including the amendments requested by the applicants outlined above:

1. Adopted the 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. 99-41.
2. Made the findings and adopted Resolution No. 99-95 for the amendment of the General Plan Land Use Element (Maps) identified as General Plan Amendment No. 99-1, as amended on the exhibits.

(See Resolution Book No. 40)

3. Made the rezoning findings, and introduced and waived the reading of an ordinance to amend the Zone Plan of the County of Shasta identified in Zone Amendment 99-11, as amended on the exhibits.

OTHER BOARD MATTERS

URGENCY ITEM: AUTHORIZATION FOR JULIE HOWARD TO ATTEND CITY OF REDDING COUNCIL MEETING REGARDING “STRIKING A BALANCE II: AN IMPLEMENTATION PLAN”

Supervisor Wilson made a motion, which Supervisor Kehoe seconded, to make a finding of urgency for the consideration of a matter, which was not part of the agenda, regarding the authorization of Mrs. Julie Howard to represent Shasta County at the upcoming meeting of the City of Redding’s Council concerning the report entitled Striking a Balance II: An Implementation Plan. This motion required a 4/5 vote, as explained by Assistant County Counsel Michael Ralston, and failed by the following vote:

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

2:03 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy