

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, July 27, 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  
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer  
County Counsel - Karen Jahr  
Administrative Board Clerk - Pamela English

**INVOCATION**

Invocation was given by County Administrative Officer Doug Latimer.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Danielle Tinman, representing the Communications Division of Ogden Energy Group, Inc., introduced herself and announced that she would be representing her company with regard to activities in Shasta County, e.g., the Three Mountain Power proposal.

District Attorney McGregor Scott addressed the progress of the conversion of his Family Support Division's claims process to the KIDZ system. He also presented his first annual report on the Shasta County District Attorney Family Support Division entitled "The First Two Years" Fiscal Years 1997-98 and 1998-99.

**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:

Approved and authorized the Chairman to sign the following contracts for the provision of indigent defense services during the period of July 1, 1999 through June 30, 2000: Contract A - Stephen Kennedy \$403,500, Contract B - Jack Suter \$403,500, Contract C - Jeffrey Jens \$345,600, and Contract E - Erin O'Toole-McNally \$191,520. (Administrative Office)

Adopted Resolution No. 99-96 which approves and authorizes the Chairman to sign a contract with the California Department of Food and Agriculture providing three years of funding for the enforcement of the California Organic Foods Act beginning with Fiscal Year 1999-2000. (Agricultural Commissioner)

(See Resolution Book No. 40)

Accepted the audit report of the Shasta County Water Agency for fiscal years ended June 30, 1997 and 1998. (Auditor-Controller)

Approved the Compromise and Release Agreement for Wesley McDowell in the amount of \$60,000. (Risk Management)

Approved the Compromise and Release Agreement for William Lyons in the amount of \$75,000, less permanent disability payments of \$5,100. (Risk Management)

Approved and authorized the Chairman to sign an employment agreement with Kulwinder Singh, M.D., in the amount of approximately \$123,000 to fill a vacant Senior Psychiatrist position during Fiscal Years 1999-2000 through 2001-2002. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Gary Waltz, d.b.a. LeBrun Adult Residential Care Facility, in the amount of \$79,488 for residential care services to the mentally ill during Fiscal Year 1999-2000. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Northern Valley Catholic Social Services in the amount of \$576,241 to provide living skills training through the Stillwater Learning Program during Fiscal Year 1999-2000. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with the California Department of Health Services, Office of AIDS in the amount of \$183,278 and three Memorandums of Understanding which outline the program components of AIDS testing, surveillance, and education during Fiscal Year 1999-2000. (Public Health)

Approved the submission of a renewal application to the California Department of Health Services for Project LEAN (Leaders Encouraging Activity and Nutrition) California Nutrition Network funding in the amount of \$124,967 for the period of October 1, 1999 through September 30, 2000. (Public Health)

Adopted Resolution No. 99-97 which approved and authorized the Chairman to sign a renewal agreement with the California Department of Health Services in the amount of \$46,000 for Project LEAN activities during Fiscal Year 1999-2000, authorized contract expenses, including incentives and promotional activities, and authorized the Auditor-Controller to pay related claims. (Public Health)

(See Resolution Book No. 40)

Adopted Resolution No. 99-98 which extended the Board of Supervisors' approval of Public Health outreach and health promotion activities, the expenditure of funds for promotional events and disaster preparedness, and the payment of claims for said expenditures by the Auditor-Controller. (Public Health)

(See Resolution Book No. 40)

Approved and authorized the Chairman to sign an agreement with PRINT-N-MAIL, Inc., for printing and mailing notices of family support collections and billing statements from data received via automatic transmission during the period of August 1, 1999 through June 30, 2000 (District Attorney - Family Support Division)

Took the following actions regarding construction in various Permanent Road Divisions: approved plans and specifications, instructed the Director of Public Works to advertise for bids, and authorized the opening of bids on August 27, 1999 at 11:00 a.m. (Public Works)

Took the following actions regarding the Fullerton Way Permanent Road Division project: found the project categorically exempt in conformance with the California Environmental Quality Act, approved plans and specifications, instructed the Director of Public Works to authorize for bids, and authorized the opening of bids on August 13, 1999 at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign the Sacramento River Conservation Area Memorandum of Agreement which approves an implementation strategy for a riparian plan for the fisheries and habitat of the Sacramento River and its tributaries. (Resource Management)

## REGULAR CALENDAR

### 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, as requested by Public Health Officer Andrew Deckert, and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter in support of Assembly Bill 715 (Firebaugh) which would require the State to continue to reimburse all federally qualified health centers and rural health clinics based upon 100 percent of the reasonable cost for the delivery of Medicaid services beyond September 30, 1999. Current federal law allows the State, commencing in federal Fiscal Year 1999-2000, to reduce cost reimbursement by an incremental percentage each year until October 1, 2003, when the cost reimbursement provisions are repealed.

At the recommendation of CAO Latimer and Joann Davis with the Personnel Division of Support Services and by consensus, the Board of Supervisors directed staff to prepare letters for the Chairman's signature in opposition to Senate Bill 739 (Solis) which would mandate agency shop (agency fee) agreements, without the need for a negotiated agreement with the public agency, following a 30 percent petition by employees in the representation unit, and an election in which a majority of employees voting approve the agency shop agreement. This bill would also provide for agency shop agreements to extend beyond the term of the collective bargaining agreement between the county and employee group.

SB 739 was recently amended to include substantial, additional revisions to the local agency collective bargaining law known as the Meyers-Milias-Brown Act (MMBA). Those amendments, in part, would mandate that all local agencies be subject to compulsory, binding arbitration on grievances resulting from collective bargaining agreements. Amendments would additionally extend the authority of the State Public Employment Relations Board (PERB) to hear any complaints resulting from provisions of MMBA that would be broadly defined as "unfair practices." Bill amendments would also extend the authority of the PERB to make determinations of "exclusive representative" for bargaining units. SB 739 retains the above referenced agency shop provisions, and its amendments would also extend agency shop agreements to management, supervisory, and confidential employees.

The Supervisors reported on countywide issues of interest, at which time Supervisor Hawes asked that a request from the Northern California Water Association (NCWA) be scheduled for the Board's consideration during its August 3, 1999 meeting. NCWA sent a letter to the Board of Supervisors asking for support of its Board of Directors' recently adopted policy statement encouraging CALFED and other programs to pursue "Responsible Land Acquisition for Environmental Purposes."

TAX EXCHANGE AGREEMENT FOR REORGANIZATION  
CITY OF ANDERSON ANNEX NO. 99-01 (OX YOKE)  
COUNTY SERVICE AREA NO. 20 - OX YOKE WATER  
DISSOLUTION/COUNTY SERVICE AREA NO. 1 - FIRE  
COUNTY SERVICE AREA NO. 15 - LIGHTING DETACHMENTS  
RESOLUTION NO. 99-99

At the recommendation of County Administrative Officer Doug Latimer and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 99-99 which provides for the transfer of tax revenues for a reorganization proposal involving annexation of territory to the City of Anderson, dissolution of County Service Area No. 20 - Ox Yoke Water, and detachment from County Service Area (CSA) No. 1 - Fire Protection and CSA No. 15 - Street Lighting. Also present to provide information were Auditor-Controller Rick Graham and Scott Morgan, Manager for the City of Anderson.

(See Resolution Book No. 40)

**AUDITOR-CONTROLLER**

**COUNTY CLAIMS**

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$82,575.74 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham.

**CLERK OF THE BOARD**

**MINUTES: JULY 20, 1999**

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on July 20, 1999, as submitted. Supervisor Kehoe was absent during the morning session of the meeting in question and, therefore, abstained from taking action on that portion of the minutes.

**TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR**

**TREASURER'S QUARTERLY REPORT OF INVESTMENTS**

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors accepted the Treasurer's Quarterly Report of Investments as of June 30, 1999, as amended.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its legal counsel to discuss existing litigation entitled *Finley v. City of Redding*, pursuant to Government Code Section 54956.6, subdivision (a).

10:04 a.m.: The Board of Supervisors recessed to Closed Session.

10:30 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, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Administrative Board Clerk Lynn Cereghino 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, however, no reportable action was taken. Although agendized, labor relations were not discussed during the Closed Session.

### SCHEDULED HEARINGS

#### RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL: ADMINISTRATIVE PERMIT 44-94(A)  
GARY AND FRANCES MITCHELL  
MILLVILLE AREA  
RESOLUTION NO. 99-100

This was the time set to consider the appeal of the denial of Administrative Permit 44-94(A), Gary and Frances Mitchell, Millville area, requesting a home occupation permit which would have allowed a construction business office with customer vehicle trips on a 12-acre parcel. The affidavit of publication and notice of hearing are on file.

Associate Planner Scott Kaminski presented the staff report and displayed slides of the project area. He recommended that the Board of Supervisors deny the appeal and uphold the Planning Commission's denial of the Administrative Permit, based on public testimony and the applicant's history of violating development regulations, rather than to possibly attempt to revoke the permit in the future if the terms of the permit are violated.

The public hearing was opened, at which time Stewart Altemus, representing the applicant, urged the Board to consider their appeal.

Arch Pugh, representing the property owners in opposition to the project, asked the Board to uphold the denial of the Administrative Permit.

Planning Division Manager Jim Cook responded to questions from the Board.

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

By motion made, seconded (Fust/Kehoe), and carried, the Board of Supervisors adopted Resolution No. 99-100 which denied the appeal and upheld the Planning Commission's denial of Administrative Permit 44-94(A). The vote was as follows:

Ayes: Supervisors Fust, Hawes, Wilson, and Kehoe  
 Noes: Supervisor Clarke

Supervisor Clarke expressed her belief that limits could be placed on the Administrative Permit which would allow for what is legal and appropriate in the project.

(See Resolution Book No. 40)

**WORKSHOP**

**BOARD MATTERS**

**REPORT: STRIKING A BALANCE II: AN IMPLEMENTATION PLAN**

This was the time set to conduct a workshop and consider taking action on the report entitled Striking a Balance II: An Implementation Plan.

County staff member Julie Howard presented a statement on the report.

Supervisors Fust, Clarke, and Wilson read personal statements, and Supervisor Hawes read a letter from the Builders' Exchange.

Jim Metland and Victor Ogree, local property owners, Frank Strazzarino, President and Chief Executive Officer of the Greater Redding Chamber of Commerce, Brian Hill, Sierra Club member, and Mort August, Director of Public Works for the City of Redding, addressed the Board regarding this matter.

By motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding the subject report:

1. Accepted the report entitled Striking a Balance II - An Implementation Plan.
2. Conveyed their thanks and appreciation to Mrs. Julie Howard for outstanding work and professional diligence in producing such an exemplary staff report.
3. Authorized the formation of a Shasta County Chairman's Task Group to implement the concept fashioned in Striking a Balance II. The members and leadership of said Task Group will be appointed by the Chairman and consist of the following individuals and staff groups: Doug Latimer, Julie Howard, Public Works Department, Resource Management Department, Office of the County Counsel, and members of the Board of Supervisors.

The Chairman's Task Group will produce a preliminary report to be considered by the Board of Supervisors on August 31, 1999 and a final report to be considered on October 5, 1999

4. Authorized that the Board and the County Administrative Office provide sufficient financial and staff resources to accomplish the objectives of the Chairman's Task Group.

3:08 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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