

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, August 10, 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 - Lynn Cereghino

**MOMENT OF SILENCE**

At the request of Supervisor Hawes, the Board of Supervisors observed a moment of silence in memory of Shasta County resident Beverly Wade, who recently passed away.

**INVOCATION**

Invocation was given by Pastor Dick McBride, North Valley Baptist Church.

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT PERIOD - OPEN TIME**

Captain Roger Gamst, Commander of the Redding Area California Highway Patrol, presented a report on the activities of the Highway Patrol in Shasta County during the first half of 1999. Captain Gamst has been promoted and is moving to the Sacramento area.

Linda Andrews thanked Supervisor Wilson for her assurance that there will be no fiberglass waste from the proposed Knauf fiberglass plant deposited in the West Central Landfill, which is adjacent to the proposed Veterans' Cemetery.

Stewart Oliver spoke in opposition to the location of the proposed Veterans' Cemetery.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled from the Consent Calendar a request from the Department of Social Services regarding the donation of surplus computer terminals to Synergy Corp., for redistribution to other counties within the GEMS Consortium. Staff was directed to further investigate whether or not this type of transaction is legally appropriate for the County. This item will be rescheduled for a future Board of Supervisors' meeting.

**CONSENT CALENDAR**

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

Approved the minutes of the meeting held on August 3, 1999, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement between Shasta County and the Shasta County Court for operational services during the one-year period of July 1, 1999 through June 30, 2000. (Administrative Office)

Introduced and waived the reading of an amendment to Shasta County Code section 1.04.030 in order for that section to conform with the immunities provisions of the Tort Claims Act (Government Code section 810 et seq.) (County Counsel)

Approved a workers' compensation Stipulations with Request for Award in the amount of \$21,420 to finalize the claim of James Farmer, a Deputy Sheriff with the Shasta County Sheriff's Department. (Risk Management)

Authorized the Alcohol and Drug Program Administrator and the Presiding Judge to sign a Notice of Grant Award with the State Department of Alcohol and Drug Programs in the amount of \$125,000 annually for an enhanced Addicted Offender Court Supervision Program beginning Fiscal Year 1999-2000. (Mental Health - Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with Shasta Head Start Child Development, Inc., in the amount of \$14,975 to conduct activities for Head Start participants and their families during Fiscal Year 1999-2000 to increase physical activity and promote healthy eating. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Shasta Community Health Center in the amount of \$87,320 for immunization outreach activities during Fiscal Year 1999-2000. (Public Health)

Approved and authorized the Chairman to sign a Memorandum of Understanding between the Departments of Public Health and Social Services in the amount of \$338,864 to provide Public Health nursing services to children served through the Community Caring for Children and California Children's Services programs during Fiscal Year 1999-2000. (Public Health)

Approved and authorized the Chairman to sign an agreement with the Cascade Union Elementary School District in the amount of \$35,000 for in-home visitation for head lice eradication and general neglect issues during the period of August 10, 1999 through June 30, 2000. (Social Services)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service in the amount of \$60,000 to design and implement a family unity program for Child Protective Services referrals during the period of August 10, 1999 through June 30, 2000. (Social Services)

Approved and authorized the Chairman to sign an agreement with the Shasta County Child Abuse Coordinating Council in the amount of \$12,630 to administer a community-based family resource and education program during the period of October 1, 1999 through September 30, 2000. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with Redding Medical Center to reimburse the Opportunity Center \$14,640 for grounds cleaning services to be provided during Fiscal Year 1999-2000. (Social Services)

Approved and authorized the Chairman to sign Resolution No. 99-103 which authorizes the Department of Resource Management's Community Education Section to accept the Local Government Household Hazardous Waste Grant-Seventh Cycle in the amount of \$88,185, appoints the Director of Resource Management as the agent for Shasta County, authorizes expenditures for program operation, and authorizes the Auditor-Controller to pay claims for said expenditures. (Resource Management - Community Education Section)

(See Resolution Book No. 40)

Linda Andrews requested and was given an explanation of the Consent Calendar request from County Counsel to amend a section of the County Code to conform with the immunities provisions of the Tort Claims Act.

Arnie Erickson requested and was given an explanation of the Consent Calendar request from the Department of Resource Management - Community Education Section regarding the acceptance of the Local Government Household Hazardous Waste Grant.

## REGULAR CALENDAR

### 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.

Family Support Program Director Steve Baer addressed the County's opposition to Assembly Bill (AB) 196 and Senate Bill (SB) 542 regarding the issue of child support. AB 196, as originally drafted, would have given the Board of Supervisors the authority to determine which county agency would have responsibility for the operation of the Family Support Division. The bill has since been amended to create a new county agency to handle the collection of child support. The minimum request of the Board should be that the original language giving discretion to the local boards of supervisor be reinstated into AB 196. SB 542 would create a new state Department of Child Support Services. The Board has taken the position that the Child Support Program in Shasta County should remain with the District Attorney.

Mr. Baer requested that a Board Member or the County Administrative Officer attend the Franchise Tax Board (FTB) hearings on August 12, 1999, because the FTB will take a greater role in child support enforcement if this legislation is signed by the Governor. This would, in effect, relieve the counties of approximately 60 percent of their arrears caseload, and would be detrimental to the program at a local level. It was decided the CAO would send a staff member from his office to the FTB hearings. It was suggested that Mr. Baer also request a representative from each of the City Council's of the Cities of Redding, Anderson, and Shasta Lake to attend this meeting.

The Supervisors reported on issues of countywide interest.

#### REPORT: COUNTY'S YEAR 2000 CONTINGENCY PLAN

Paul Bolton of the County Administrative Office presented a report on the current status of Year 2000 Contingency Plans being prepared by County departments.

Staff was directed to present another update to the Board when all of the County departments have submitted their plans.

## AUDITOR-CONTROLLER

#### COUNTY CLAIMS

By motion made, seconded (Wilson/Clarke), and unanimously carried, the Board of Supervisors authorized the issuance of warrants totaling \$63,757.77 for County operating funds and special districts, as submitted by Auditor-Controller Rick Graham, and authorized the issuance of warrants totaling \$11,254.05 requiring special Board action.

One of the special Board action items was a claim from the Family Support Division of the Kern County District Attorney in the amount of \$10,968 regarding the KIDZ Project, which was not covered under the current contract with Kern County. Family Support Program Director Steve Baer explained the request and recommended approval.

Supervisor Kehoe asked County Counsel Karen Jahr if there was any legal problem with paying this bill and she indicated there was none.

## INFORMATION SYSTEMS

### REPORT: YEAR 2000 STATUS AND PRIORITIES

Chief Technology Officer Charlie Haase presented a report describing the Year 2000 status for Information Systems, the accompanying list of priorities, and the process for determining priorities for County Information Systems functions related to Year 2000.

### 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 legal counsel to discuss existing litigation entitled *Barner v. County of Shasta* and *Farmer v. County of Shasta*, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code Section 54956.9.
3. Confer with its labor negotiator, County Administrative Officer Doug Latimer, to discuss the following employee organizations: 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, pursuant to Government Code Section 54957.6.

County Counsel Karen Jahr requested that the conference with legal counsel regarding anticipated litigation be postponed.

10:20 a.m.: The Board of Supervisors recessed to Closed Session

11:45 a.m.: The Board of Supervisors recessed from Closed Session to reconvene in Open Session at 1:30 p.m.

1:33 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

Assistant County Counsel Michael Ralston announced that during its Closed Session the Board of Supervisors unanimously voted to refer the defense of the case entitled *Barner v. County of Shasta* to the firm of McDonough, Holland, and Allen for representation of the County. No other reportable actions were taken.

## SCHEDULED HEARINGS

### RESOURCE MANAGEMENT - PLANNING DIVISION

#### ZONE AMENDMENT 99-10 PAUL AND JOAN WIMMER HAT CREEK AREA

This was the time set to consider the request of Paul and Joan Wimmer to rezone approximately 247 acres to an Exclusive Agricultural District, combined with an Agricultural Preserve (EA-AP) District, and to place the property in a Land Conservation (Williamson Act) contract. Associate Planner Marcelino Gonzalez presented the staff report and recommended approval of the project. The affidavit of publication and mailing notice of hearing are on file.

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 (Fust/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-10, Paul and Joan Wimmer, Hat Creek area:

1. Found the project categorically exempt from the California Environmental Quality Act (CEQA), as specifically set forth in Planning Commission Resolution No. 99-47.
2. 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 99-10, as specifically set forth in Planning Commission Resolution No. 99-47.
3. Approved and authorized the Chairman to sign the appropriate documents for a Land Conservation (Williamson Act) contract.

#### ZONE AMENDMENT 99-6

#### WESTERN MANAGERS

#### PALO CEDRO AREA

This was the time set to consider the request of Western Managers to rezone a 2.2-acre parcel to a Commercial-Light Industrial District, combined with a Design Review (C-M-DR) District. Associate Planner Marcelino Gonzalez presented the staff report explaining that due to location criteria and because the applicants have not proposed a specific use of the property at this time, staff has recommended a Design Review (DR) combining zone district. This would allow staff adequate review of projects through the use permit process. Planner Gonzalez recommended approval of the project. The affidavit of publication and mailing notice of hearing are on file.

The public hearing was opened, at which time Brian Burke, a real estate broker with Coldwell Banker Commercial C&C Properties representing the applicants, spoke in favor of this request concurring with staff's recommendation. He explained that the intent of this project was to change the zoning from retail to some type of light industrial which would allow the construction of mini-storage units.

Julie Jones, President of the Palo Cedro Chamber of Commerce, urged the Board to not approve this project. She explained that the Chamber has identified the Deschutes Road corridor from Foothill High School to Junction Middle School as an area which is vital to the success of the local business community. She further explained that the Chamber is currently working with community members for the development of a community plan for Palo Cedro as an addendum to the General Plan. Ms. Jones suggested that until the community plan is completed, every project proposed for the Palo Cedro area be approved only if it will enhance the beauty of the area and entice people to stop and shop. She expressed her belief that a mini-storage facility built at the proposed location across from Junction Middle School would not only increase traffic on Deschutes Road, but would not visually enhance the beauty of the community.

Although Supervisor Clarke supported the idea of a community plan for Palo Cedro, she was not in favor of denying all projects for this area until the completion of the plan. She explained that this plan has been in various stages of development over the past nine years.

Mr. Gonzalez responded to questions from the Board Members, he outlined the Design Review standards for the proposed project, and he indicated that the final product would need to be aesthetically pleasing.

Mr. Burke reported that the applicants have attempted to sell this property for the past 10 years. The problem has been that no one wants to locate next to a mortuary/crematorium, which is why mini-storage units are being considered. He expressed the applicants' intent to make this a visually pleasing project, and he stated that mini-storage facilities are not generally known as high traffic areas. No one else spoke for or against the proposal, and the public hearing was closed.

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 99-6, Western Managers, Palo Cedro area:

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. 99-51.
2. 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 99-6, as specifically set forth in Planning Commission Resolution No. 99-51.

### **PUBLIC WORKS**

#### **FISCAL YEAR 1999-2000 ANNUAL PARCEL CHARGE REPORTS FOR VARIOUS PERMANENT ROAD DIVISIONS RESOLUTION NUMBERS 99-104 THROUGH 99-117**

This was the time set to conduct a public hearing on the Fiscal Year 1999-2000 Annual Parcel Charge reports for the various permanent road divisions. Deputy Public Works Director Dan Kovacich presented the staff report and recommended approval. The affidavit of publication and mailing notice of hearing are on file.

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

By motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors adopted the following resolutions which confirm the Annual Parcel Charge Reports for the various Permanent Road Divisions:

- Resolution No. 99-104, Old Stagecoach Road Permanent Road Division
- Resolution No. 99-105, Sonora Trail Permanent Road Division
- Resolution No. 99-106, Shasta Meadows Drive Permanent Road Division
- Resolution No. 99-107, Ponder Way/Carriage Lane Permanent Road Division
- Resolution No. 99-108, Intermountain Road Permanent Road Division
- Resolution No. 99-109, Alpine Way Permanent Road Division
- Resolution No. 99-110, Dusty Oaks Permanent Road Division
- Resolution No. 99-111, Holiday Acres Community Permanent Road Division
- Resolution No. 99-112, Shasta Lake Ranchos Permanent Road Division
- Resolution No. 99-113, Fore Way Lane Permanent Road Division
- Resolution No. 99-114, Blackstone Estates Permanent Road Division
- Resolution No. 99-115, Logan Road Lane Permanent Road Division
- Resolution No. 99-116, Mule Mountain Parkway Lane Permanent Road Division
- Resolution No. 99-117, Ski Way Permanent Road Division

The Board further directed that the parcel charges be placed on the tax bills for Fiscal Year 1999-2000.

(See Resolution Book No. 40)

1:50 p.m.: The Board of Supervisors recessed and convened as the Board of Directors of the various County Service Areas.

**SPECIAL DISTRICTS/OTHER AGENCIES SCHEDULED HEARINGS**

**COUNTY SERVICE AREAS**

**PUBLIC WORKS**

**FISCAL YEAR 1999-2000 ANNUAL PARCEL CHARGE REPORTS  
FOR VARIOUS COUNTY SERVICE AREAS  
SPECIAL DISTRICTS RESOLUTION NUMBERS 99-5 THROUGH 99-11**

This was the time set to conduct a public hearing on the Fiscal Year 1999-2000 Annual Parcel Charge Reports for the various County Service Areas (CSAs). Deputy Public Works Director Dan Kovacich presented the staff report and recommended approval.

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

By motion made, seconded (Wilson/Fust), and unanimously carried, the Board of Directors of the various CSAs adopted the following resolutions which confirm the Annual Parcel Charge Reports for the various CSAs:

- S. D. Resolution No. 99-5, CSA No. 2 - Sugarloaf
- S. D. Resolution No. 99-6, CSA No. 6 - Jones Valley
- S. D. Resolution No. 99-7, CSA No. 7 - Burney (SW)
- S. D. Resolution No. 99-8, CSA No. 11 - French Gulch
- S. D. Resolution No. 99-9, CSA No. 14 - Belmont (Burney Area)
- S. D. Resolution No. 99-10, CSA No. 15 - Street Lighting
- S. D. Resolution No. 99-11, CSA No. 17 - Cottonwood

The Board further directed that the parcel charges be placed on the Fiscal Year 1999-2000 tax bills.

(See Special Districts Resolution Book)

**FISCAL YEAR 1999-2000 REPORT OF DELINQUENT FEES  
AND REPORT OF UNCOLLECTIBLE DEBTS  
IN VARIOUS COUNTY SERVICE AREAS  
SPECIAL DISTRICTS RESOLUTION NUMBERS 99-12 TO 99-20**

This was the time set to conduct a public hearing on the Fiscal Year 1999-2000 Report of Delinquent Fees and Report of Uncollectible Debts in the various County Service Areas (CSAs). Deputy Public Works Director Dan Kovacich presented the staff report and responded to questions from the Board Members concerning the Department's collection methods, or lack thereof, for the uncollectible debts. Mr. Kovacich indicated that he would look into and report back on the Supervisors' suggestion of hiring a collection agency for this purpose.

The public hearing was opened, at which time Mr. Kovacich read a letter from Vivian M. Cushman into the record requesting that the Department of Public Works update its records as to the official ownership of property located at 3285 Brush Street in Cottonwood by her mother, Yukiko Walker, and that the Board of Supervisors consider a waiver of the sewer fee. Mrs. Cushman's request was based on the fact that the property is vacant and the sewer services are not being used. Mr. Kovacich reported that upon receipt of this letter (Friday, August 6, 1999) staff inspected the property, and it does appear to be vacant. He recommended that the Board amend the Report of Delinquent Fees by placing this property on standby, which would reduce the fee to approximately \$60.00 per year.

Bob Foot explained that he has not yet paid the sewer fee for a development project located in the Shingletown area. In relation to this development, he further explained that he was cited by the Army Corps of Engineers for placing fill in a wetland. Mr. Foot expressed his belief that because he cannot build on this property and it is considered a wetland, this tax should not be assessed.

Public Works Director Ron Hill, Planning Manager Jim Cook, and the Board Members responded to Mr. Foot's comments. It was explained that the sewer assessment was a fee, not a tax, and he would need to discuss this problem with the Army Corps of Engineers as it had nothing to do with today's proceedings. No one else spoke for or against the request, and the public hearing was closed.

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Directors of the various CSAs approved staff's amended recommendation and adopted the following resolutions which confirm the Reports of Delinquent Fees for the various CSAs:

- S. D. Resolution No. 99-12, CSA No. 2 - Sugarloaf
- S. D. Resolution No. 99-13, CSA No. 3 - Castella
- S. D. Resolution No. 99-14, CSA No. 6 - Jones Valley
- S. D. Resolution No. 99-15, CSA No. 8 - Palo Cedro
- S. D. Resolution No. 99-16, CSA No. 11 - French Gulch
- S. D. Resolution No. 99-17, CSA No. 13 - Alpine Meadows
- S. D. Resolution No. 99-18, CSA No. 17 - Cottonwood
- S. D. Resolution No. 99-29, CSA No. 23 - Crag View
- S. D. Resolution No. 99-20, CSA No. 25 - Keswick

The Board further directed that the annual liens be placed on the Fiscal Year 1999-2000 tax bills, and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible in CSAs under the administration of this Department.  
(See Special Districts Resolution Book)

2:08 p.m.: The Board of Directors of the various County Service Areas adjourned and reconvened as the Board of Supervisors.

2:09 p.m.: The Board of Supervisors adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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