

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 20, 2001

REGULAR MEETING

9:00 a.m.: Chairman Wilson 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
Clerk of the Board - Carolyn Taylor

INVOCATION

Invocation was given by Superintendent Bill Roscoe, Good News Rescue Mission.

MOMENT OF SILENCE

A moment of silence was observed in memory of Deputy Sheriff Robert Schwan, who passed away.

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$59,732.18 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meetings held on February 6, 2001, as corrected, and the minutes of February 13, 2001, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1834 which approves Zone Amendment No. 00-13, Dale Collins, Palo Cedro area, as introduced on February 6, 2001. (Clerk of the Board)

(See Zoning Ordinance Book)

Enacted Shasta County Code Ordinance No. 2001-2 which amends Chapter 2.65 of the Shasta County Code to provide that the Shasta County Children and Families First Commission shall be a legal public entity, separate from the County, and deleting the Clerk of the Board of Supervisors as the Clerk of the Commission, as introduced on February 6, 2001. (Clerk of the Board)
(See Code Ordinance Book)

Accepted a grant in the amount of \$10,000 from the California State Library to provide catalog record enrichment/enhancement. (Library)

Approved the award of Bid No. 378 to Redding Freightliner of Redding in the total amount of \$165,600.22 (\$77,383.28 each plus tax), for the purchase of two new dump trucks for the Department of Public Works. (Support Services-Purchasing Division)

Approved a revision to the Shasta County General Assistance Manual replacing the Director of Mental Health Services designation on the General Assistance/County Medical Services Program Appeals Board with a Community-Based Agency selected by the Director of Social Services. (Social Services)

Adopted Resolution No. 2001-28 which allows the Probation Department to apply for Juvenile Local Detention Facility Construction funds in the amount of \$788,000. (Probation)
(See Resolution Book No. 42)

Adopted Resolution No.2001-29 which authorizes the submission of an application to the State of California Board of Corrections for the Mentally Ill Offender Crime Reduction Demonstration Grant Proposal in the total amount of \$3,853,799 for three fiscal years beginning July 1, 2001 and ending June 30, 2004. (Sheriff)
(See Resolution Book No. 42)

REGULAR CALENDAR

GENERAL GOVERNMENT

BOARD OF SUPERVISORS

PROCLAMATION: MARCH TO END HUNGER MONTH

At the recommendation of Superintendent Bill Roscoe of the Good News Rescue Mission and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates March 2001 as "March to End Hunger" month in Shasta County.

PRESENTATION: URBAN INTERFACE INITIATIVE PLAN

Jim Milestone, Superintendent of the Whiskeytown National Recreation Area introduced Jim Hutton who gave a slide presentation on the Urban Interface Initiative Plan (shaded fuel breaks). Mr. Hutton explained that their plan focuses on treating 758 acres by brush clearing, pile burning, and broadcast burning, to remove the threat of fire. He further stated this is being accomplished through a collaborative partnership with other groups such as the Resource Conservation District.

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Doug Latimer noted several items of legislation that could affect Shasta County and explained that the County's legislative analyst will be tracking these bills and keeping the County informed of their status.

Supervisors reported on issues of countywide interest.

LIBRARY AD HOC COMMITTEE REPORT BUDGET TRANSFER

County Administrative Officer (CAO) Doug Latimer presented the staff report and background on the Library Ad Hoc Committee recommendations, which are as follows: (1) accept the Library Ad Hoc Committee Report on the feasibility of a joint effort between the County and the City of Redding to apply for a State grant which would provide 65 per cent funding for a new library to be located in the vicinity of the Redding Civic Center complex; (2) direct staff to work with the City of Redding to hire a library building project manager, initiate preliminary drawings, and prepare CEQA environmental documents in preparation for application for a State Library Bond Act grant; and (3) approve a budget amendment which will utilize \$300,000 of Tobacco Settlement funds (currently in trust) for the County's half of the expenses to be incurred in preparation of the State Library grant proposal. This action requires a 4/5 vote of the Board of Supervisors for approval.

The following individuals spoke in support of the Library Ad Hoc Committee recommendations for the construction of a new library facility: Chairman Bryan Van Voris of the New Library Now Committee, Al Weissberg, Howard McGorvin, Dr. Earl Huyck, County Librarian Carolyn Chambers, Charlene Little, Ernest Sandoval, Lori Fowler, Mike Ashby, Archie Pugh, and Peggy Linville.

Ann Huber spoke in support of a new library and the initial funding but expressed concern about the proposed location and possible loss of a playground/tennis court area. She requested that the project proceed without specifying a location at this time.

Don Weiner spoke in opposition to the proposal. He questioned the need for an 80,000 square-foot building and where the on-going funding would come from. He stated he did not believe the voters would support the formation of a county-wide library special district in the future since it was not supported in the past. He asked that the Board of Supervisors deny the proposal.

Rick Sherman, Shasta County Fire, and Jim Harkabus, Lake Head Fire, also expressed support for the library funding, as well as the continued funding for the fire departments.

Supervisor Fust made a motion that the Board of Supervisors approve a budget amendment that will utilize up to \$300,000 of Tobacco Settlement Funds (currently in trust) for the County's half of expenses to be incurred in preparation of a State Library Grant, subject to the following conditions:

1. That the Board of Supervisors recognize that the City of Redding, the County of Shasta, and the New Library Now Citizens Committee will proceed together to take advantage of the existing opportunity for a State Library Grant.
2. That the County of Shasta and the City of Redding work together to hire a library building project manager to do a building needs assessment, initiate preliminary

drawings, and prepare CEQA environmental review documents in preparation for the application for a State Library Bond Act grant.

3. That the new library building be built on land now owned by the City of Redding in the vicinity of the Redding Civic Center Complex.
4. That the size, configuration, and anticipated staffing of the main library be designed to serve the residents of the South Central Urban Region of Shasta County (SCUR Area) as defined in the Shasta County General Plan.
5. That the new library be designed so that the increased staffing anticipated will not require more than \$250,000 per year in additional county funds.
6. That the Shasta County Board of Supervisors go on record favoring the savings in lease payments from building a new Administration Building as a source of money to finance the increased funds necessary to operate a new, larger library.
7. That the City of Redding, Shasta County, and the New Library Now Citizens Committee agree to form an independent district to own, govern, and finance a County-Wide Library System, and that a plan be jointly developed and brought to the Shasta County Board of Supervisors no later than June 30, 2001 for approval before continuing with the grant application.
8. That the Board support a County-Wide Library District that is structured to maintain a strong Branch Library System consisting of at least an Anderson Branch, and a Burney Branch, computer links in a variety of out-lying sites, and a bookmobile serving rural communities on a regular basis.
9. That the New Library Now Citizens Committee raise \$2 million in cash, pledged money, or a combination of both by July 31, 2001 to be applied to the 35 per cent local match for the State Grant. The Board shall receive a report in August 2001 from the New Library Now Citizens Committee on their efforts before deciding to proceed with the grant application.

Supervisor Fust also recommended the addition of a 10th condition which would require that the County, City of Redding, and New Library Now Committee form a partnership with the County Schools for the planning of the main library building.

Supervisor Wilson expressed concern that Condition No. 8, dealing with the branch libraries, did not mention the proposed Shasta Lake Branch. Supervisor Fust explained that the wording of the condition states "at least" an Anderson Branch and a Burney Branch, and does not exclude the proposed Shasta Lake facility.

The motion died for lack of a second.

A motion was made and seconded (Hawes/Kehoe) that the Board of Supervisors accept the Library Ad Hoc Committee Report on the feasibility of a joint effort between the County and the City of Redding to apply for a State grant which would provide 65 per cent funding for a new library to be located in the vicinity of the Redding Civic Center complex; direct staff to work with the City of Redding to hire a library building project manager, initiate preliminary drawings, and prepare CEQA environmental documents in preparation for application for a State Library Bond Act grant; and approve a budget amendment which will utilize \$300,000 of Tobacco Settlement funds (currently in trust) for the County's half of the expenses to be incurred in preparation of the State Library grant proposal.

Under discussion, Supervisor Clarke explained that she supports the library, but expressed concern about having sufficient funding for a new library, as well as for other areas. She cited decreases in the amount of local discretionary funding, the impacts from the energy crisis, the need

to continue funding county fire, and the need to address other areas such as improving the Animal Control Division. Supervisor Clarke stated her belief that current problems facing the state would mean cuts in local governmental funding and that tobacco funds receipts will not be as much as everyone believes they will be. She said she could not support funding for a new service when the County has on-going needs elsewhere and encouraged the identification of the on-going funding source before proceeding.

Supervisor Hawes stated that required on-going funding for the library is only .001% of the funds spent in the County and expressed his belief that the growth in the County would be more than that each year. Supervisors Kehoe and Wilson expressed their support for a new library and urged approval of the proposal.

The Board voted on the motion; however, the motion failed because it did not receive the required 4/5 vote. The vote was as follows:

AYES: Supervisors Wilson, Kehoe, and Hawes
NOES: Supervisors Fust and Clarke

Following additional discussion, the Board expressed their desire to review further the motion offered by Supervisor Fust. A recess was called in order to allow time to make copies of the motion for the benefit of the audience.

10:59 a.m.: The Board of Supervisors recessed.

11:08 a.m.: The Board of Supervisors reconvened, with all members present.

Discussion was held regarding possible amendments to the conditions listed in Supervisor Fust's original motion. Supervisor Kehoe suggested the June 30, 2001 date in Condition No. 7 (requiring a plan to be jointly developed and brought to the Board of Supervisors), be amended to November 30, 2001 to provide a more reasonable time frame.

Supervisor Kehoe also suggested that the deadline dates of July 31, 2001 and August 2001, as listed in Condition No. 9, be amended to November 30, 2001 and December 2001, respectively. This would allow more time to raise the required \$2 million and report back to the Board of Supervisors.

Clarification was requested regarding Condition No. 4, dealing with the size, configuration, and anticipated staffing. Supervisor Fust responded that he was concerned about over-building the facility in relation to the area it would serve. An 80,000 square-foot facility may be too large and everyone must be mindful of the limit to what can be funded.

Discussion was held on rewording Condition 10 to include the Children and Families First Commission, as well as any other appropriate parties.

Supervisor Kehoe stated that with the suggested changes, he could support Supervisor Fust's motion. Supervisor Fust recommended that Condition No. 8 be amended to include the proposed Shasta Lake Branch.

By motion made, seconded (Fust/Kehoe), and carried, the Board of Supervisors approved a budget amendment that will utilize up to \$300,000 of Tobacco Settlement Funds (currently in trust) for the County's half of expenses to be incurred in preparation of a State Library Grant, subject to the following conditions:

1. That the Board of Supervisors recognize that the City of Redding, the County of Shasta, and the New Library Now Citizens Committee will proceed together to take advantage of the existing opportunity for a State Library Grant.
2. That the County of Shasta and the City of Redding work together to hire a library building project manager to do a building needs assessment, initiate preliminary drawings, and prepare CEQA environmental review documents in preparation for the application for a State Library Bond Act grant.
3. That the new library building be built on land now owned by the City of Redding in the vicinity of the Redding Civic Center Complex.
4. That the size, configuration, and anticipated staffing of the main library be designed to serve the residents of the South Central Urban Region of Shasta County (SCUR Area), as defined in the Shasta County General Plan.
5. That the new library be designed so that the increased staffing anticipated will not require more than \$250,000 per year in additional county funds.
6. That the Shasta County Board of Supervisors go on record favoring the savings in lease payments from building a new Administration Building as a source of money to finance the increased funds necessary to operate a new, larger library.
7. That the City of Redding, Shasta County, and the New Library Now Citizens Committee agree to form an independent district to own, govern, and finance a County-Wide Library System, and that a plan be jointly developed and brought to the Shasta County Board of Supervisors no later than November 30, 2001 for approval before continuing with the grant application.
8. That the Board support a County-Wide Library District that is structured to maintain a strong Branch Library System consisting of at least an Anderson Branch, a Burney Branch, and the proposed Shasta Lake Branch, computer links in a variety of out-lying sites, and a bookmobile serving rural communities on a regular basis.
9. That the New Library Now Citizens Committee raise \$2 million in cash, pledged money, or a combination of both by November 30, 2001 to be applied to the 35 per cent local match for the State Grant. The Board shall receive a report in December 2001 from the New Library Now Citizens Committee on their efforts before deciding to proceed with the grant application.
10. That the County, City of Redding, New Library Now Citizens Committee, Children and Families First (Proposition 10 Commission), the County Schools, and any other appropriate parties study the formation of a partnership for the planning of the main library building.

The vote was as follows:

AYES: Supervisors Wilson, Kehoe, Fust, and Hawes
 NOES: Supervisor Clarke

11:24 a.m.: The Board of Supervisors recessed.

11:26 a.m.: The Board of Supervisors reconvened with all members present.

CLERK OF THE BOARD

ENACTMENT: ORDINANCE NO. 408-196
SPEED RESTRICTION, LOS ALTOS DRIVE

At the recommendation of Clerk of the Board Carolyn Taylor and by motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors enacted Ordinance No. 408-196 which establishes a 40 mile-per-hour speed zone on Los Altos Drive from Deschutes Road to the end of Los Altos Drive, as introduced on February 6, 2001. Supervisor Hawes abstained from acting on this matter.

(See Speed Restriction Ordinance Book)

HEALTH AND WELFARE

MENTAL HEALTH

SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
ESTABLISHMENT OF LOCAL TRUST FUND
RESOLUTION NO. 2001-30

At the recommendation of Administrative Analyst Kim Pickering and District Attorney Greg Scott, and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2001-30 which designates County Alcohol and Drug Programs as the County lead agency, agreeing to comply with the provisions of the Substance Abuse and Crime Prevention Act of 2000 (Act) and assuring the establishment of a local trust fund for funds received pursuant to the Act.

(See Resolution Book No. 42)

SOCIAL SERVICES/INFORMATION SYSTEMS

TRANSFER OF COMPUTER SUPPORT POSITIONS
BUDGET AMENDMENT
SALARY RESOLUTION NO. 1147

At the recommendation of Deputy Director of Social Services Alan Himmelreich and Chief Technology Officer Charlie Haase, and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1147 which adds two Senior Office Automation Consultants and one Computer Equipment Technician to the Information Systems Budget Unit and deletes one Staff Services Specialist DP, one Systems Network Specialist, and one Social Worker from the Social Services Budget Unit; approved a budget amendment which will transfer \$59,853 in Salaries and Benefits and Services and Supplies line item expenditures to an Information Systems Services expenditure line item in Social Services Budget Unit No. 50100, and also increased by \$59,853 various expenditure and revenue line items within the Information Systems' Budget Unit to accommodate the transfer of Social Services staff to Information Systems; and approved the special Y-rating for two employees and waive Section 19.7, Paragraph C of the Personnel Rules concerning Y-rating and demotion.

(See Salary Resolution Book)

CLOSED SESSION ANNOUNCEMENT

Chairman Wilson announced that the Board of Supervisors would recess to a Closed Session

to confer with its counsel to discuss existing litigation entitled Whitmore Union Elementary School District vs. County of Shasta, and the additional case of Save Burney Falls vs. Hat Creek Construction, pursuant to Government Code Section 54956.9, subdivision (a).

11:40 a.m.: The Board of Supervisors recessed to Closed Session.

12:34 p.m.: The Board of Supervisors recessed from Closed Session.

12:40 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust and Hawes, County Counsel Karen Jahr, and Clerk of the Board Carolyn Taylor present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that on a unanimous vote, the Board of Supervisors authorized the filing of a reconsideration for a re-hearing and/or a request for review to Superior Court in the matter of Whitmore Union Elementary School District vs County of Shasta. No other reportable action was taken.

12:42 p.m.: The Board of Supervisors recessed to reconvene at 1:30 p.m.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Members, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg present, except as follows: Supervisor Wilson was excused, and Supervisor Fust was recused. Vice-Chairman Kehoe presided.

AFTERNOON CALENDAR

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

APPEAL: VARIANCE NO. 00-05 AND
ADMINISTRATIVE PERMIT NO. 00-72
(GERI MacCALLUM/BRIGADOON CASTLE)
IGO AREA

This was the continuation of the public hearing begun on February 6, 2001 to consider an appeal of the Planning Commission's approval of Variance No. 00-05 and Administrative Permit No. 00-72. The Variance would allow the use of an existing detached accessory building in front of the principal residence as a guest room for a bed and breakfast, and the Administrative Permit would allow the continued use of a 4,300-square-foot residence as a three-bedroom bed-and-breakfast facility on an 83-acre parcel on Zogg Mine Road.

Resource Management Director Russ Mull explained that the County Fire Warden has requested this matter be continued for 30 days so they may adequately review the State Responsibility Area (SRA) Fire Safe Regulations in relation to this project.

The Board received further testimony from the applicant, Geri MacCallum, and the appellant's attorney, Walt McNeill, both of whom addressed whether the project may have an exception to the SRA Fire Safe Regulations.

Susan Jantz spoke in opposition to the project, expressing her concern about a business being conducted at the end of a winding, one-way road.

By consensus, the Board continued the public hearing to March 27, 2001 at 1:30 p.m.

1:45 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy