

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 5, 2002

REGULAR MEETING

9:00 a.m.: Chairman Kehoe 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
Assistant County Counsel - Michael Ralston
Clerk of the Board - Carolyn Taylor

INVOCATION

Invocation was given by Reverend Dave Lofton, River City Church.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Ernest C. Aldridge, speaking on behalf of himself and Berl K. Brown, addressed the Board of Supervisors regarding write-in votes cast in the November 7, 2001 election, which he stated were not counted. He questioned the validity of that election and previous elections held in Shasta County.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Clarke pulled from the Consent Calendar because it required a 4/5 vote, the request to approve a budget amendment which increases appropriations and revenues in the Animal Regulations Budget Unit in the amount of \$9,614 from General Fund Contingencies to allow for installation of a restroom in a recently acquired modular unit. This request will be acted upon separately from the rest of the Consent Calendar.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign a lease amendment with Donald F. Gallino for office space at 3179 Bechelli Lane, Redding which increases the total square footage to 4,030 square feet and increases compensation to \$2,750 per month (\$0.68/square foot) effective the date of signing. (Agricultural Commissioner/Sealer of Weights & Measures)

Authorized the issuance of warrants totaling \$67,819.05 for County operating funds and special districts, as submitted and authorized the issuance of warrants totaling \$1,099.09 requiring special Board action. (Auditor-Controller)

Approved the minutes of the meeting held on January 22, 2002, as corrected on Page 23, paragraph 3 to read "...language Herb Baldwin of *Sierra Pacific Industries* proposed..." (Clerk of the Board)

Enacted Ordinance No. 378-1852, which approved Zone Amendment 01-014, Stapler, Millville area, as introduced on January 15, 2002. (Clerk of the Board)
(See Zoning Ordinance Book)

Approved the reissuance of a 1996 payment to People of Progress in the amount of \$1,916.67. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign a contract amendment with Shasta County Women's Refuge extending the term of the contract to December 31, 2002 for the provision of services to victims of domestic violence. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign contracts providing funds from the Community Services Block Grant with: (1) People of Progress, Inc. in the amount of \$30,000 to provide an emergency assistance program to the poor from the date of signing through December 31, 2002; (2) Shasta Senior Nutrition Programs, Inc. in the amount of \$12,000 to maintain a food bank and distribute emergency food supplies to the poor from the date of signing through December 31, 2002; and (3) Shasta County Women's Refuge, Inc. in the amount of \$28,000 from the date of signing through December 31, 2002 to provide shelter for and services to victims of domestic violence. (Housing and Community Action Programs)

Approved submission of the Substance Abuse and Mental Health Services Administration Block Grant Application for Dual Diagnosis Set-Aside Funding and authorized Shasta County Mental Health to accept an increase in Federal funds of \$75,228, for a total of \$260,457 during Fiscal Year 2001-2002. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Edgewood Center for Children and Families, Inc. in an amount not to exceed \$26,000 to provide specialized mental health treatment services to seriously emotionally disturbed adolescents for the period December 13, 2001 through June 30, 2002. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Glenn County in an amount not to exceed \$31,440 for psychiatric inpatient services to be provided by Shasta Psychiatric Hospital from the date of signing through June 30, 2002 with an option to renew for two additional one-year terms. (Mental Health)

Appointed Diana Rhoda, Sherry Osborn, and Terrence Starr to the Shasta County Mental Health Board, filling unexpired terms to January 2005. (Mental Health)

Approved and authorized the Chairman to sign agreements to provide intensive outpatient drug abuse treatment services with Thomas Andrews, M.D., Inc. in the amount of \$90,000 from the date of signing through June 30, 2003 and Redeemed Recovery Services, Inc. in the amount of \$90,000 from the date of signing through June 30, 2003. (Mental Health-Alcohol and Drug Programs)

Adopted Resolution No. 2002-18, which allows up to \$1,500 in Public Utilities Commission funding for each meter panel conversion from overhead to underground for the upcoming Shingletown Underground Utility Project. (Public Works)

Took the following actions for Parcel Map No. 00-05 (Shaw), Palo Cedro area: (1) Approved and authorized the Chairman to sign an agreement with Tom Shaw for completion of improvements; and (2) accepted security for faithful performance in the amount of \$5,000. (Public Works)

Adopted Resolution No. 2002-19, which authorizes the Chairman to sign a right-of-way certificate for the Long Hay Flat Road at Bailey Creek bridge replacement project. (Public Works)

Took the following actions regarding the Deschutes Road at Sacramento River Bridge Seismic Retrofit Project: (1) Approved plans and specifications and directed the Director of Public Works to advertise for bids; and (2) authorized the opening of bids on March 15, 2002 at 11:00 a.m. (Public Works)

Approved the award of Bid No. 387 for one new dump truck to Redding Kenworth in the total amount of \$92,631.82. (Public Works)

Approved the award of Bid No. 388 for one transfer truck and trailer to Western Truck Parts and Equipment, Redding, California in the total amount of \$136,855.44. (Public Works)

Approved and authorized the Chairman to sign an amendment to an agreement with Nichols Melburg Rosetto for design services on the Juvenile Hall Addition to incorporate an 800-square-foot classroom into the addition and increasing compensation by \$20,000, for a total of \$112,000. (Public Works)

Approved and authorized the Chairman to sign an amendment to an agreement with Kleinfelder Inc. to relocate two monitoring wells at the West Central Landfill which increases compensation in an amount not to exceed \$1,800, for a total amount not to exceed \$23,800. (Public Works)

LAW AND JUSTICE

SHERIFF

BUDGET AMENDMENT

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved a budget amendment which increases appropriations and revenues in the Animal Regulations Budget Unit in the amount of \$9,614 from General Fund Contingencies to allow for installation of a restroom in a recently acquired modular unit.

By consensus of the Members of the Board of Supervisors, the Board directed that 4/5 vote items be placed on the Regular Calendar for action.

9:08 a.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA COUNTY WATER AGENCY

By motion made, seconded (Clarke/Fust), and unanimously carried, the Water Agency Board of Directors canceled water contract W-9, for use on the property of Norman K. Fox. (Public Works)

9:09 a.m.: The Shasta County Water Agency adjourned and the Board of Supervisors reconvened.

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

FEBRUARY 2002 EMPLOYEE OF THE MONTH

CAMBRIA OVERMAN, LVN

RESOLUTION NO. 2002-20

At the recommendation of Mental Health Director Don Kingdon, Director of Mental Health Nursing Ken Clark, and Mental Health Medical Chief Dr. Aravind Pai, and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-20, which recognizes Cambria Overman, LVN as Shasta County's February 2002 Employee of the Month.

(See Resolution Book No. 43)

**PROCLAMATION: PREVENT A LITTER MONTH
AND SPAY DAY USA**

At the recommendation of Animal Regulations Manager Myra Morris and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which designates February 2002 as Prevent a Litter Month and February 26, 2002 as Spay Day USA.

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Doug Latimer informed the Members of the Board of Supervisors that the proposed ¼¢ sales tax for fire, police, etc. and the proposed CSAC tax would not be on the election ballot.

Supervisors reported on issues of countywide interest.

Supervisor Fust noted that he had previously distributed information to the Members of the Board of Supervisors on the RCRC position regarding the Sierra Nevada Forest Plan in order to seek direction on the position the Board would like him to take at the next RCRC meeting. It was the consensus of the Members of the Board to move forward and go along with the action proposed by RCRC. Supervisor Kehoe abstained in this consensus.

SUPPORT SERVICES

HUMAN RESOURCES DIVISION

MEMORANDUM OF UNDERSTANDING

DEPUTY SHERIFFS ASSOCIATION

RESOLUTION NO. 2002-21

SALARY RESOLUTION NO. 1186

At the recommendation of Support Services Director Joann Davis and Undersheriff Larry Schaller and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-21, which establishes a comprehensive memorandum of understanding (MOU) with the Deputy Sheriffs Association for the classification series of Correctional Officer for a term of January 1, 2002 to October 31, 2005 and adopted Salary Resolution No. 1186 for Correctional Officer series salary increases for the term of the MOU of two percent on November 3, 2002, four percent on November 2, 2003, and four percent on October 31, 2004.

(See Resolution Book No. 43)

(See Salary Resolution Book)

HEALTH AND WELFARE

HOUSING AND COMMUNITY ACTION AGENCY

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT

Housing and Community Action Agency Director Jerry Brown discussed the components and uses of the 2002 Community Development Block Grant. He reviewed the four program areas: General Program, Economic Development Program, Planning and Technical Assistance Grants, and Native American Program. Mr. Brown explained that the deadline for the General Allocation of CDBG is April 12, 2002 and the public hearing is for the purpose of receiving public input on projects they would like to suggest.

Bob Nash of the Economic Development Corporation discussed with the Board the benefits of the Economic Development Program as it targets business development and job creation.

The public hearing was opened, at which time no one spoke regarding this item, and the public hearing was closed.

Supervisor Clarke expressed her hope that the \$500,000 would be targeted to all communities, pointing out a need in the Shingletown and Lakehead areas, for example. Supervisor Kehoe suggested that Mr. Brown prepare a press release to all news media in the County informing the public of the opportunity to submit proposals.

No action by the Board of Supervisors was required.

MENTAL HEALTH

ALCOHOL AND DRUG PROGRAMS

LICENSING: WRIGHT EDUCATION SERVICES, INC.
FIRST CONVICTION DRIVING UNDER THE INFLUENCE PROGRAM
RESOLUTION NO. 2002-22

Director of Alcohol and Drug Programs David Reiten presented the staff report and explained the background relating to this licensing approval. He stated that the State had interpreted the minutes to indicate that the licensing for Wright Education Services, Inc. was to provide their services only to the Cities of Anderson and Shasta Lake. To clarify this, staff is requesting the Board of Supervisors adopt a resolution which states they are allowed to also supply this service to the City of Redding.

Frederick Clement, representing Cascade Circle, stated it was their understanding that what the Board of Supervisors approved at the time was a limited license for Wright Education Services to operate as cited in the full transcript of the hearing on this request. He further stated that at the previous hearing on this matter, on a vote of 3-2, the Board approved the application with a strong direction of a need for regionalization, that County Counsel suggested an amendment to approve this on a regional basis, and the Board of Supervisors adopted that. Mr. Clement requested clarification of the Board of Supervisors' original intent in approving this licensing.

Phyllis Horner, owner of Cascade Circle, concurred with the remarks of Mr. Clement and stated that Cascade Circle should be allowed to operate in the City of Redding.

Assistant County Counsel Michael Ralston stated the question before the Board of Supervisors is whether the Board of Supervisors' action, which took place on June 26, 2001, included Wright Education Services providing services to the City of Redding along with the Cities of Anderson and Shasta Lake, or was the action limited to only approving the application for the Cities of Anderson and Shasta Lake, excluding Redding.

Supervisor Clarke stated that her intent in approving the licensing request was that it was "inclusive" of the City of Redding. Supervisors Kehoe and Fust both indicated that although they did not vote in favor of the approval, it did include all three jurisdictions, inclusive of the City of Redding.

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-22, which recommends the State Department of Alcohol and Drug Programs grant to Wright Education Services, Inc. a license to operate First Conviction Driving Under the Influence programs in the Cities of Redding, Anderson, and Shasta Lake.

(See Resolution Book No. 43)

PUBLIC WORKS

RIGHT-OF-WAY CONTRACT: KEITH GARDNER
KNIGHTON ROAD EXTENSION PROJECT
ACCEPTANCE OF GRANT DEED

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Clarke/Fust), and carried, the Board of Supervisors approved and authorized the Chairman to sign a right-of-way contract with Keith Gardner for the Knighton Road Extension Project and accepted a grant deed conveying a parcel of project right of way. Supervisor Hawes abstained.

SCHEDULED HEARINGS**RESOURCE MANAGEMENT****PLANNING DIVISION****ZONE AMENDMENT NO. 01-006****CRAIG SUTTLES****SOUTH REDDING AREA**

This was the time set to consider the request of Craig Suttles to rezone approximately seven acres of his property located in the South Redding area to a Commercial Recreation District, combined with a Restrictive Flood District for the purpose of developing a fly fishing lodge. Senior Planner John Stokes presented the staff report and recommended approval of the proposal. Notice of Hearing and Affidavit of Posting are on file in the Clerk of the Board's office.

The public hearing was opened, at which time the applicant Craig Suttles spoke in support of the project and expressed his belief that this will be the first true resort in the area and will be a "feather in the cap" of the County. No one else spoke for or against the project, 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 01-006, Craig Suttles, South Redding 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 by the Planning Commission.
2. Approved the exception to the provisions of Section 6.11 of the Fire Standards that require a through roadway.
3. Made the rezoning findings.
4. Introduced and waived the reading of an ordinance which amends the Zone Plan of the County of Shasta identified in Zone Amendment 01-006, to a Commercial Recreation District, combined with a Restrictive Flood District, as specifically set forth in Planning Commission Resolution No. 02-08.

ZONE AMENDMENT NO. 01-017**VERNE CHARLTON****SHASTA AREA**

This was the time set to consider the request of Verne Charlton to rezone ten parcels in the Shasta area to a Rural Residential District. Associate Planner Andre Benoist presented the staff report and recommended approval of the project. Notice of Hearing and Affidavit of Posting are on file in the Clerk of the Board's office.

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

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 01-016, Verne Charlton, Shasta area:

1. Adopted the CEQA determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth by the Planning Commission Resolution No. 02-07.

2. Made the rezoning findings.
3. Introduced and waived the reading of an ordinance which amends the Zone Plan of the County of Shasta identified in Zone Amendment 01-016, to a Rural Residential District, as specifically set forth in Planning Commission Resolution No. 02-07.

ZONE AMENDMENT NO. 01-17
JAMES AND LANA CHAPIN
SHINGLETOWN AREA

This was the time set to consider the request of James and Lana Chapin to rezone a six-acre parcel located in the Shingletown area to a Rural Residential District, combined with a Mobile Home District. Associate Planner Andre Benoist presented the staff report and recommended approval of the project. Notice of Hearing and Affidavit of Posting are on file in the Clerk of the Board's office.

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

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 01-17, James and Lana Chapin, Shingletown area:

1. Adopted the CEQA determination of a negative declaration with a de minimis finding of significance, with the findings as specifically set forth by the Planning Commission Resolution No. 02-01.
2. Made the rezoning findings.
3. Introduced and waived the reading of the ordinance which amends the Zone Plan of the County of Shasta identified in Zone Amendment 01-017, to a Rural Residential District, combined with a Mobile Home District, as specifically set forth in Planning Commission Resolution No. 02-01.

CLOSED SESSION ANNOUNCEMENT

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

1. Confer with its counsel to discuss existing litigation entitled Legion Insurance Company v. County of Shasta, Travelers Insurance v. County of Shasta, Goebel v. County of Shasta, Laws v. County of Shasta, Peters v. County of Shasta, Richard v. County of Shasta, Gomez v. County of Shasta, Riley v. County of Shasta, and Walling v. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

10:15 a.m.: The Board of Supervisors recessed to Closed Session.

10:40 a.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Hawes, Wilson, and Clarke, County Administrative Officer Douglas Latimer, Assistant County Counsel Michael Ralston, and Administrative Board Clerk Linda Mekelburg present. Supervisor Fust was excused.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Michael Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. On a unanimous vote, with Supervisor Kehoe recused, the Board of Supervisors approved assignment of Legion Insurance Company v. County of Shasta, Goebel v. County of Shasta, Laws v. County of Shasta, Peters v. County of Shasta, and Walling v. County of Shasta to the law firm of Kronick, Moskovitz, Tiedemann and Girard. No further reportable action was taken.

SCHEDULED WORKSHOP

SOCIAL SERVICES

Jerry Towne, Chairman of the Shasta County In-Home Supportive Services (IHSS) Advisory Committee, introduced the members of the Committee: Ken Jones, Micki Barry, Joann McCarley, Lisa Wendt, Mary Monet, Cleo Adams, Cynthi Monaghan, and Brenda Johnson. He gave an overview of the Committee's training, education, and activities since the Committee began meeting in May 2001.

Karla Lannon, Staff Services Analyst and Committee Coordinator, gave a PowerPoint® presentation on Assembly Bill (AB) 1682 and its implementation. The County must choose an employer of record and a mode or modes of service for the IHSS program.

There are three options for employer of record: Shasta County, a non-profit consortium, or a public authority (either the Board of Supervisors or a "stand-alone" authority). It is the preliminary recommendation of the IHSS Advisory Committee that Shasta County choose the public authority model as the employer of record with the Board of Supervisors acting as the public authority.

There are four options for mode of service: homemaker/individual provider mode, contract mode/individual provider mode, individual provider mode alone, or mixed mode (a combination of any of the previous three modes). Due to the costs involved, it is the preliminary recommendation of the IHSS Advisory Committee that Shasta County choose the individual provider mode of service, with the mixed mode (contract and individual provider) being held as a possible future choice based on further research into the practicality of the mixed mode of service.

Interim Social Services Director Barbara McKend indicated the next step is to return to the Board of Supervisors with a formal recommendation to implement the preliminary recommendations. After that, implementation of the recommendations will begin. As part of AB 1682, the County must insure the availability of a provider referral service and registry, provider backgrounds and investigations, and training. She distributed a handout which outlined the projected costs of the program to the General Fund through Fiscal Year 2003-2004.

Chairman Kehoe invited the public to offer their comments on AB 1862. Lawrence James and Shane Idland expressed their support for the need of a registry of providers. Patty Crampton spoke on the need for health care for the providers and the need for background checks. Ms. McKend noted that this will probably be addressed by the combination of a criminal background check and a reference check.

Joann McCarley said that one of the goals of the Committee is to address ongoing support and training for providers.

County Administrative Officer Latimer noted that all working decisions regarding providers will be done through the meet-and-confer process. He also noted concern that, according to Ms. McKend's handout, the General Fund share for the IHSS program for Fiscal Year 2003-2004 will exceed the County's contingency fund.

Mr. Towne thanked the Board of Supervisors for appointing them to the IHSS Advisory Committee.

2:13 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy