

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 2, 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
County Counsel - Karen Jahr
Clerk of the Board - Carolyn Taylor
Administrative Board Clerk - Christie Jewell

INVOCATION

Invocation was given by County Administrative Officer Doug Latimer.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Betty Doty and Michel Czehatowski spoke in opposition to Shasta County's commitment of \$100,000 to implement fluoridation and suggested better uses for the money.

Supervisor Fust noted that he felt that the presenters deserved a response to their question and requested the County Administrative Officer (CAO) review this matter and report back to the Board. By consensus of the Members of the Board, CAO Latimer was so directed.

ITEM PULLED FROM CONSENT CALENDAR

Supervisor Fust pulled from the Consent Calendar for recognition the Department of Resource Management request to apply for a Local Government Household Hazardous Waste Grant for Fiscal Year 2002-03 in an amount up to \$300,000, and pointed out the success of this program.

By motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-42, which authorizes the Department of Resource

Management to apply for a Local Government Household Hazardous Waste Grant for Fiscal Year 2002-03 in an amount up to \$300,000. (Resource Management-Community Education)
(See Resolution Book No. 43)

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$198,872.89 and special claims in the amount of \$4,120.60. (Auditor-Controller)

Approved the minutes of the meeting held on March 26, 2002, as submitted. (Clerk of the Board)

Adopted Resolution No. 2002-41, which accepts the County Clerk's Canvass of the March 5, 2002 Primary Election. (County Clerk)
(See Resolution Book No. 43)

Approved a budget amendment which transfers \$13,000 from the Transportation and Travel account to a Fixed Asset account to fund the acquisition of two file servers. (Information Systems)

Approved and authorized the Chairman to sign an agreement with the developer for completion of improvements within one year, and accepted an improvement security for faithful performance in the amount of \$10,000 for Parcel Map 00-07 (Bentley), South Redding area. (Public Works)

Awarded to the low bidder, J.F. Shea Company, Inc., on a unit-cost basis, the contract for construction on the Deschutes Road at Sacramento River Bridge Seismic Retrofit Project in the amount of \$796,775. (Public Works)

Adopted Resolution No. 2002-43, which authorizes the Department of Resource Management's Environmental Health Division to apply for Solid Waste Enforcement Assistance Grants for Fiscal Year 2002-03 in the approximate amount of \$45,000 to enhance local solid waste inspection and enforcement programs. (Resource Management-Environmental Health)
(See Resolution Book No. 43)

REGULAR CALENDAR

GENERAL GOVERNMENT

BOARD OF SUPERVISORS

PRESENTATIONS

PRESENTATION: "WHAT IS PUBLIC HEALTH?"

Deputy Director of Public Health Lynda Scheben and Cindy Dodds of Public Health, gave a video presentation entitled "What is Public Health?" Various Public Health partnerships were discussed and brochures and information regarding Public Health services were distributed.

BOARD MATTERS

SHASTA COUNTY APRIL 2002 EMPLOYEE OF THE MONTH
DON AKE, ENGINEERING TECHNICIAN III
RESOLUTION NO. 2002-44

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Fust/Hawes) and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-44, which recognizes Don Ake, Engineering Technician III, as Shasta County's April 2002 Employee of the Month.

(See Resolution Book No. 43)

PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2002 as "Sexual Assault Awareness Month" in Shasta County. Mary Stegall, Director of the Women's Refuge, Mary Jensen, and Karen Dowling, were present to accept the proclamation and address the Members of the Board.

PROCLAMATION: CHILD ABUSE AWARENESS MONTH

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates April 2002 as "Child Abuse Awareness Month" in Shasta County. Interim Social Services Director Barbara McKend and Betty Futrell addressed the Members of the Board regarding this topic and accepted the proclamation.

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, including Senate Bill 1714 (Poochigian) and Assembly Bills 1795 and 2404 (Reyes).

Senate Bill 1714 would require the controller to annually report the annual loss of property tax associated with state land acquisitions, registrations, dedications, conservation easements, land trusts and outright purchases.

Assembly Bill 1795 would require that any health plan contractors who contract with the State include provisions to include rural hospitals.

Assembly Bill 2404 would amend the reporting requirements that multiple health units must make to the state after they are licensed and approved to provide mobile services for a given geographic area.

By consensus, the Members of the Board of Supervisors authorized the Chairman to sign letters of support for each of these bills.

Supervisors reported on issues of countywide interest.

Supervisor Fust noted that he and Supervisor Clarke had attended a meeting on the Inter-Lakes Project that allows off-road vehicle usage. He pointed out that access across the dam has been closed since the September 11 terrorist attacks. The only other route for off-road vehicle

users to get into the 44,000 acres of area available for their use is through the Rail-Trail which is closed to off-road vehicles. While efforts are being made to rescind the closure of the Rail-Trail and open up the access, Supervisors Fust suggested the Board of Supervisors send a letter to the Bureau of Land Management (BLM) urging them to proceed "without delay" to open the Rail-Trail and that enforcement of the Rail-Trail closure to motorized vehicles be temporarily rescinded. It was also suggested that Charles Shultz of the BLM be invited to address the Board of Supervisors next week regarding this issue.

By consensus of the Members of the Board, County Administrative Officer Doug Latimer was directed to contact Mr. Shultz inviting him to attend the meeting of April 9, or the following week if he is unable to attend next week, to discuss this matter with the Board. The letter to the BLM will be presented for action at that time.

ADMINISTRATIVE OFFICE

APPOINTMENT: DEL R. SKILLMAN **DIRECTOR OF SOCIAL SERVICES**

At the recommendation of County Administrative Officer Doug Latimer and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors appointed Del R. Skillman at Step 'F' of the Director of Social Services classification.

Mr. Latimer introduced Mr. Skillman.

BUDGET AMENDMENT **1998 NATIONWIDE TOBACCO LITIGATION SETTLEMENT**

At the recommendation of the County Administrative Officer Doug Latimer and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors approved a budget amendment that utilizes \$18,494 of General Fund designations to augment an account for payment of fees associated with the 1998 nationwide tobacco litigation settlement.

HEALTH AND WELFARE

HOUSING AND COMMUNITY ACTION AGENCY

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT **RESOLUTION NO. 2002-45**

Housing and Community Action Agency Director Jerry Brown reviewed with the Members of the Board the two proposed uses for the grant program funds, and Phil Browning, Centerville Community Services District, commented on the expansion of the district water system.

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

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-45, which approves an application to the Community Development Block Grant Program in the amount of \$500,000 for housing rehabilitation and payment of water assessments.

(See Resolution Book No. 43)

OTHER DEPARTMENTS

SHASTA COUNTY FIRE

CAL PERS VOLUNTEER FIREFIGHTERS' LENGTH OF SERVICE AWARD SYSTEM

County Fire Division Chief Marc Romero presented the staff report and introduced Nancy Michael of CalPERS who presented information on how this program functions, and how it will benefit the volunteer firefighters.

Discussion was held regarding contract language that states "the Chairman is hereby authorized and directed to execute the contract on behalf of and as Authorized Agent of the Board of Supervisors and...hereafter to act as Authorized Agent, and so to conduct all negotiations..." The Members of the Board did not feel this was appropriate since the Chairman, in any year, would be acting on behalf of the Board of Supervisors without the approval of the Board as a whole, and recommended this language be amended. Further discussion was held regarding the County's ability to cancel this program in the future. Ms. Michael indicated that this decision would be up to the Board of Supervisors; however, Senior Deputy County Counsel John Loomis read a provision which states that decision would have to come before the electorate.

The Members of the Board of Supervisors expressed support for this program, but based upon the concerns raised, recommended and by consensus of the Members of the Board directed that the County Fire Chief, County Administrative Officer Latimer, and County Counsel review and amend this proposal and then bring it back to the Board for consideration. Fire Warden Duane Fry indicated that there was not pressing deadline this could be accomplished prior to July 1, 2002.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT - PLANNING DIVISION

ZONE AMENDMENT NO. 01-019 THE NATURE CONSERVANCY MANTON AREA

This was the time set to consider the request of The Nature Conservancy to rezone approximately 1,800 acres of property in the Manton area to an Exclusive Agriculture District, combined with an Agricultural Preserve (EA-AP) District and/or other appropriate district in conjunction with the approval of a Williamson Act contract. Senior Planner John Stokes presented the staff report and recommended approval of the project. The affidavit of publication and notice of hearing are on file.

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

By motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors adopted a CEQA finding of a categorical exemption as specifically set forth in Planning Commission Resolution No. 02-015, made the rezoning findings as set forth in Planning Commission Resolution No. 02-015, and introduced and waived the reading of an ordinance amending the Zone Plan identified in Zone Amendment 01-019, and approved and authorized the Chairman to sign the appropriate documents to enter into a Land Conservation (Williamson Act) contract.

ZONE AMENDMENT NO. 02-003
SHASTA COUNTY SIGN ORDINANCE
COUNTYWIDE

This was the time set to consider the request of Shasta County to approve various amendments to the Shasta County Zoning Plan text to include the Shasta County Sign Ordinance in Section 17.84.060 through 17.84.060. The inclusion of the sign ordinance requires other modifications throughout the remainder of the text of the plan. The provisions for signs listed in the specific zone districts and other locations in the Zoning Plan will be consolidated into the sign ordinance section. Senior Planner John Stokes presented the staff report and recommended approval of the project with some minor modifications. The affidavit of publication and notice of hearing are on file.

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 (Wilson/Clarke), and unanimously carried, the Board of Supervisors adopted the CEQA finding of a Negative Declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 02-016, made the findings to amend the Zoning Plan text to include the Sign Ordinance and delete other provisions of the Zoning Plan text as specifically delineated in Exhibit A, as amended, and introduced and waived the reading of an ordinance to amend the Zone Plan text of the County of Shasta identified in Zone Amendment 02-003, as specifically set forth in Planning Commission Resolution No. 02-016.

CLOSED SESSION ANNOUNCEMENT

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

1. Consider existing litigation entitled Citizens for Responsible Growth v. State of California, et al., Fruits v. County of Shasta, Roesner v. City of Redding, County of Shasta, and David Schutz, pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its labor negotiators, County Administrative Officer Doug Latimer and Personnel Director Joann Davis to discuss the following employee organizations: Shasta County Employees Association, Shasta Employee Mid-Management Association, Deputy Sheriff's Association, Sheriffs Administrative Association, Professional Peace Officers' Association, Unrepresented Employees, United Public Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

11:26 a.m.: The Board of Supervisors recessed to Closed Session.

12:21 p.m.: The Board of Supervisors recessed from Closed Session.

12:25 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Fust, Kehoe, Hawes, and Administrative Board Clerk Christie Jewell present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Kehoe reported that the Board of Supervisors met in Closed Session to discuss existing litigation, as well as labor negotiations; however, no reportable action was taken.

11:45 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy