

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 23, 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

INVOCATION

Invocation was given by County Administrative Officer Doug Latimer.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

Introductions of the Members of the Board, county staff, elected officials, and county department heads were made.

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:

Authorized the issuance of warrants totaling \$63,174.52 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved and authorized the Chairman to sign a renewal agreement with the State Department of Mental Health to provide administrative support to the regional Building Employment Services Team in an amount not to exceed \$9,360 annually, for a total of \$28,080, during Fiscal Years 2002-03, 2003-04, and 2004-05. (Mental Health)

Approved and authorized the Chairman to sign a contract with North State Security in amounts not to exceed \$70,440 for Fiscal Year 2002-03 and \$73,100 for Fiscal Year 2003-04 to

provide security services at three Department of Social Services locations from the date of signing through June 30, 2004. (Social Services)

Approved and authorized the Chairman to sign the Certificate of Compliance for the Fiscal Year 2002-03 Subvention Program; and an agreement to allow participation in the Fiscal Year 2002-03 Medi-Cal Cost Avoidance Program. (Veterans Service Office)

Approved the appointment of Eamon Fitzgerald at Step 'E' of the Deputy District Attorney II Classification. (District Attorney)

Approved and authorized the Chairman to sign a renewal agreement with Redding Medical Center, Inc. for forensic pathology services by the Coroner's Office for the period July 1, 2002 through June 30, 2003. (Sheriff-Coroner)

Authorized the Shasta County Fire Department to accept a grant from the State Office of Traffic Safety (OTS) in the amount of \$32,500 and allocate the funds for the purchase of fire rescue vehicles; and adopted Resolution No. 2002-98, which accepts the OTS grant funds on behalf of the Shasta County Fire Department. (County Fire)

(See Resolution Book No. 43)

Adopt Resolution No. 2002-99, which approves the Fiscal Year 2002-03 budget for the Shasta Interagency Narcotics Task Force (SINTF) in the amount of \$92,200. (Sheriff/SINTF)

(See Resolution Book No. 43)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer stated there still is no State budget and one is not expected now until mid-August.

At the request of Child Support Services Director Steve Baer, Mr. Latimer recommended that the Board of Supervisors send a letter to Congressman Herger in support of House Resolution 4857 which encourages the federal government to use child support enforcement penalties being imposed on California for improving child support children's services. Mr. Latimer pointed out this is within the scope of the Board of Supervisors' legislative platform. By consensus, the Members of the Board of Supervisors authorized sending the letter of support.

Supervisors reported on issues of countywide interest.

AUDITOR-CONTROLLER

IMPLEMENTATION PLAN FOR COUNTY FLEET MANAGEMENT TO CORRECT FINDINGS BY STATE CONTROLLER

At the recommendation of Auditor-Controller Rick Graham, and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors accepted a report entitled "Implementation Plan For Shasta County Fleet Management To Correct Findings By The State Controller."

CLERK OF THE BOARD

APPROVAL OF MINUTES

By motion made, seconded (Fust/Hawes), and carried, the Board of Supervisors approved the minutes of the meeting held on July 16, 2002, with a change to state that Supervisors Clarke and Wilson were absent.

LIBRARY**GRANT: CALIFORNIA COUNCIL FOR THE HUMANITIES
RESOLUTION NO. 2002-100**

At the recommendation of Librarian Carolyn Chambers and by motion made, seconded (Wilson/Fust), and unanimously carried, the Board of Supervisors accepted a grant from the California Council for the Humanities in the amount of \$1,000 for “California Stories: Reading *The Grapes of Wrath*” Book and Film Discussion; and adopted Resolution No. 2002-100, which challenges all citizens of Shasta County to read *The Grapes of Wrath* before October 30, 2002.

(See Resolution Book No. 43)

TREASURER-TAX COLLECTOR

At the recommendation of Treasurer-Tax Collector Lori Scott and by motion made, seconded (Clarke/Wilson), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the quarter ending June 30, 2002.

HEALTH AND WELFARE**PUBLIC HEALTH****PUBLIC HEALTH ADVISORY BOARD
RECOMMENDED HEALTH IMPROVEMENT PRIORITY AREAS**

Director of Public Health Marta McKenzie presented information on the establishment of the Public Health Advisory Board (PHAB) and then introduced Dr. Alan Krohn, recently elected Chairman of the PHAB, and Cindy Dodd, the new Vice Chairman.

Dr. Krohn explained that he was present to discuss with the Members of the Board the proposed 18 health improvement priority areas of activity being recommended by the Advisory Board. He noted that there had been some concern among the members of the PHAB regarding “advocacy” as listed in their bylaws, under item No. 7, Responsibilities, which states, “With the concurrence of the Board of Supervisors, advocate for increased action to improve community health.” He stated, however, this was clarified by County Counsel, and they are clear that they are not to participate in anything coming before the voters unless they are part of a balanced forum. The PHAB is now seeking concurrence and/or further direction from the Board on the 18 recommended areas for them to consider in order to establish a framework in which to operate.

The Board indicated that by bringing these recommendations for consideration, the PHAB was complying with bylaw item No. 7. Discussion ensued regarding specific recommendations. In discussing “oral health,” the Board of Supervisors recommended that in light of the ballot measure regarding fluoride, the PHAB not work in this area until after the electorate has voted on this issue.

CAO Latimer expressed concern over two of the recommendations: depression and suicide

and environmental health; both areas have advisory groups as required by law, and he suggested they be deleted from the PHAB list.

The area of “poverty as a social determinant of health” was also discussed, and Members of the Board of Supervisors expressed concern that this area was too broad; it was explained that this area would deal more with access to appropriate health care.

A motion was made by Supervisor Clarke, and seconded by Supervisor Wilson to concur with the 18 recommended areas. Under discussion of the motion, concerns regarding environmental health, depression/suicide, and poverty were again expressed.

Environmental Health Director Russ Mull pointed out that there are ten oversight commissions for the area of environmental health, as related to land use issues, and he cautioned that an advisory board outside a mandated process could create a conflict that could end up in litigation for the County.

Marta McKenzie explained that when discussing “environmental health” from the public health standpoint, they mean issues such as second-hand smoke, lead abatement, and asthma. and requested this not be eliminated from the list. Following further discussion it was determined that limiting the scope of the environmental health area to the three areas listed by Mrs. McKenzie would be appropriate. If other items arose in this area, the PHAB could come back to the Board for further direction. It was also suggested that the title “environmental health” be changed to “family health.”

Dr. Krohn concurred with the discussion and direction by the Board of Supervisors to limit their scope of activity in the poverty area as to how it creates a limit to health care and in the environmental health/family health area as to the effects of second-hand smoke, lead abatement, and asthma.

Supervisor Clarke amended her previous motion to concur with the 18 recommended health improvement priority areas for the Public Health Advisory Board activity to assist in improving community health, to be amended as follows: tobacco use, motor vehicle injury and death, communicable disease, obesity, physical inactivity, alcohol abuse, family violence, senior health, nutrition, disaster preparedness, other substance abuse, violence, oral health, depression/suicide, access to health care, Hepatitis C, changed environmental health to family health with the scope limited to second-hand smoke, lead abatement, and asthma, and poverty as a social determinant of health as it limits access to health care. Supervisor Wilson amended her second, and the motion passed unanimously.

PUBLIC WORKS

PARKVILLE ROAD AT BEAR CREEK BRIDGE REPLACEMENT PROJECT
RIGHT OF WAY CONTRACTS: CLYDE AND SANDRA DUBOSE AND
DEBORAH J. SHAMMO
GRANT DEEDS
RESOLUTION NO. 2002-101

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign right-of-way contracts with Clyde and Sandra DuBose and Deborah J. Shammo for the Parkville Road at Bear Creek Bridge Replacement Project; accepted grant deeds conveying two parcels of project right of way; and adopted Resolution No. 2002-101, which authorizes the Chairman to sign a right-of-way certification.

(See Resolution Book No. 43)

AGREEMENT: PACIFIC GAS AND ELECTRIC COMPANY
KNIGHTON ROAD EXTENSION PROJECT

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Clarke/Wilson), and carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Pacific Gas and Electric Company to relocate utilities on the Knighton Road Extension Project. Supervisor Hawes abstained from taking action on this item.

QUITCLAIM DEED: PACIFIC BELL
GRANT OF EASEMENT

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a quitclaim deed releasing Pacific Bell's interest in a prior easement at the County's Redding Corporation Yard, and approved and authorized the Chairman to sign a Grant of Easement.

10:02 a.m.: Supervisor Kehoe stated he had a conflict regarding the next agenda item due to his association with the U. S. Forest Services, recused himself, and left the hearing room. Vice Chairman Clarke presided.

SECURE RURAL SCHOOLS AND COMMUNITIES ACT
FEDERAL FOREST RECEIPTS

Deputy Public Works Director Dan Kovacich presented the staff report, showed a video presentation on forest restoration, and discussed with the Members of the Board the need to determine the amount of funding to allocate for Title II and Title III projects, and whether there is any direction they wished to provide to the Resource Advisory Committee (RAC).

Members of the Board expressed a desire to see more Title III projects funded in the second round of funding and to see a process developed for identifying projects that are acceptable to both the program and the County. Mr. Kovacich explained that there are specific funding guidelines that must be followed for Title III projects and recommended that a presentation be made to the Board of Supervisors further outlining and detailing these funding guidelines, what the eligible funding percentage is for use of personnel and/or equipment on federal lands, and how some of the fire safe programs can be included.

Supervisor Fust moved to accept the first two recommendations, but suggested more discussion was necessary regarding direction to the RAC. It was suggested that more focus be put on fuel breaks, designate a portion for fuel modification for fire as part of the watershed restoration, and also consider selective thinning and clearing of the underbrush. However, Members of the Board stated that it would be more appropriate to hold the requested presentation before making specific recommendations to the RAC

By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding the Secure Rural Schools and Communities Act allocation of federal forest receipts: Reserved 15 percent of the full payment amount for forest projects; designated this amount to be spent on Title II projects to be selected by the Shasta County Resource Advisory Committee; but delayed giving direction to the Resource Advisory Committee until a detailed presentation can be made on Title II and Title III projects and project guidelines.

10:50 a.m.: Supervisor Kehoe returned to the hearing room and presided.

NORTHERN CALIFORNIA WATER ASSOCIATION MEMBERSHIP
BOARD OF SUPERVISOR APPOINTEE TO SERVE AS ASSOCIATION REPRESENTATIVE

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors approved and

authorized the Chairman to sign an application for membership in the Northern California Water Association; and designated Supervisor Clarke to serve as Shasta County's representative to the Association.

COUNTY SERVICE AREA NO. 17 – COTTONWOOD
COTTONWOOD SEWER PLANT SLUDGE POND EXPANSION AND REPAIR
RESOLUTION NO. 2002-102

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-102, which declares the Cottonwood Sewer Plant Sludge Pond Expansion and Repair project as a health and safety emergency; authorized as final an appropriation in the amount of \$350,000 from the Fiscal Year 2002-03 budget; and awarded to the low bidder Dale Construction, on a lump-sum basis, the contract for construction on the Cottonwood Sewer Plant Sludge Pond Expansion and Repair.

(See Resolution Book No. 43)

RESOURCE MANAGEMENT

PLANNING DIVISION

FALL RIVER RESOURCE CONSERVATION DISTRICT
APPLICATION FOR GRANT FUNDS
RESOLUTION NO. 2002-103

At the recommendation of Resource Management Director Russ Mull, Fall River Resource Conservation District Manager Tim Weaver, USDA Conservation Service District Conservationist Bob Bailey, and property owner Jim Rickert, and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-103, which supports the application by the Fall River Resource Conservation District for grant funds to obtain three farmland conservation easements in the Fall River Valley for agricultural protection, enhanced wildlife habitats, and water quality

(See Resolution Book No. 43)

AGREEMENTS: W. E. BAKER AND W. J. BAKER AND
PARSONS HOLLAND BARTHOLOMEW & ASSOCIATES
ENVIRONMENTAL IMPACT REPORT AND
MITIGATION MONITORING PLAN
GOAT RANCH QUARRY PROJECT

At the recommendation of Resource Management Director Russ Mull and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign amendments to the agreements with W. E. Baker and W. J. Baker for an Environmental Impact Report (EIR) and Mitigation Monitoring Plan (MMP), increasing compensation by \$57,300 for increased staff costs related to land use permits for the proposed Goat Ranch Quarry project; and Parsons Holland Bartholomew & Associates to prepare the EIR and MMP for the proposed Goat Ranch Quarry project, increasing the total amount of the agreement to an amount not to exceed \$206,300.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT 02-010

WIRELESS COMMUNICATION FACILITIES

This was the time set to consider the request to approve Zone Amendment 02-010, Wireless Communication Facilities (continued from July 16, 2002). Planner Nancy Polk presented the staff report, reviewed some revisions which had been made in the ordinance, and recommended approval of the project. Affidavit of Posting and Notice of Hearing are on file in the Clerk of the Board's Office.

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

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors 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; made the findings to amend the Zoning Plan Text to include the Wireless Communication Facilities Ordinance; and introduced and waived the reading of the ordinance approving the zone amendment.

OTHER DEPARTMENTS

LOCAL AGENCY FORMATION COMMISSION

COUNTY ADMINISTRATIVE OFFICE

PRESENTATION: MUNICIPAL SERVICE REVIEWS

Local Agency Formation Commission Executive Officer Julie Howard gave a presentation regarding commencement of Municipal Service Reviews by LAFCOs as part of the Sphere of Influence determination process.

Discussion was held regarding the fact that most of the information that would be requested is readily available, and although reimbursement for the cost of doing this could be applied for through the State Mandate Reimbursement Program, the State is not making those payments at this time.

Undersheriff Larry Schaller commented that while willing to participate in this process, the request for information should be kept simple, timely, and relevant.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors directed the County Administrative Officer to coordinate the project and assign or request assignment of appropriate staff.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Michel vs County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

11:34 a.m.: The Board of Supervisors recessed to Closed Session.

12:18 a.m.: The Board of Supervisors recessed from Closed Session.

12:23 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors, County Counsel Karen Jahr, and Administrative Board Clerk Christie Jewell present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr 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.

12:24 a.m.: The Board of Supervisors recessed to reconvene on Tuesday, July 30, 2002 at 8:00 a.m. in the West Street Parking Lot located behind the Shasta County Courthouse, 1500 Court Street, Redding to participate in an all-day bus field tour of the Shasta County road system.

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 30, 2002

8:10 a.m.: The Board of Supervisors reconvened to participate in a field tour of the County road system with all Supervisors, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, Public Works Director Pat Minturn, various Public Works and Resource Management Department staff, Clerk of the Board Carolyn Taylor, and Administrative Board Clerk Linda Mekelburg present

PUBLIC WORKS

ROAD TOUR

The narrated road tour included stops at various County locations, including the Buckeye Landfill, various subdivision areas, permanent road division sites, road and lighting project sites, road widening/improvements projects, the Palo Cedro/Bella Vista Water System Interconnect project site, and bridge retrofit/replacement project sites.

2:50 p.m.: The Board of Supervisors adjourned.

Chairman

CAROLYN TAYLOR
Clerk of the Board of Supervisors

By _____
Deputy