

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 9, 2005

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 Cibula
District No. 3 - Supervisor Hawes
District No. 4 - Supervisor Hartman
District No. 5 - Supervisor Clarke

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Deputy Clerk of the Board - Elaine Grossman
Deputy Clerk of the Board - Tazina Otis

INVOCATION

Invocation was given by County Administrative Officer Doug Latimer.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Gracious Palmer complimented Captain Denis Carroll of the Sheriff's substation in Shasta Lake.

Deputy Sheriffs Association Executive Vice President Jon Ruiz said the Association endorses Bradd McDannold as interim Sheriff. Supervisor Clarke reminded those present that the Board cannot discuss the situation until Sheriff Pope tenders his resignation.

CONSENT CALENDAR

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

Adopted Salary Resolution No. 1273, which deletes one Agricultural & Standards Program Assistant I/II position and one Typist Clerk I/II position; and adds one Administrative Secretary II position effective October 2, 2005. (Agricultural Commissioner/Support Services-Personnel Division)

(See Salary Resolution Book)

Approved County claims in the amount of \$0. (No claims required approval.) (Auditor-Controller)

Approved the minutes of the meetings held on July 26 and August 2, 2005, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with Decision Management Company, Inc. (DMC) in an amount not to exceed \$19,900.52 for the Questys document imaging and text management software and LegisStream paperless agenda module for the period August 9, 2005 through one year from final system acceptance. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with Public Health Institute in an amount not to exceed \$31,000 for Leaders Encouraging Activity and Nutrition (Project LEAN) activities which promote improved nutrition choices and physical activity for the period July 1, 2005 through June 30, 2006. (Public Health)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: CALIFORNIA DEPARTMENT OF HEALTH SERVICES VECTOR BORNE DISEASE SECTION MOSQUITO ABATEMENT SERVICES

Supervisor Cibula requested that the item in regard to an Acceptance of Award for the Vector Borne Disease Section be pulled for clarification. Director of Public Health Marta McKenzie said additional money awarded for West Nile Virus will provide preventative mosquito abatement services.

By motion made, seconded (Cibula/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an Acceptance of Award with the Department of Health Services (DHS), Vector Borne Disease Section in the amount of \$75,000 to provide mosquito abatement services in areas of Shasta County not currently served by a mosquito control district for the period from the date of receipt by DHS through June 30, 2006. (Public Health)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: HEALTH CENTER WEEK

At the recommendation of Shasta Consortium representative Doreen Bradshaw and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 7-13, 2005 as Health Center Week in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on specific legislation of importance to Shasta County and announced that the Veterans' Cemetery Endowment Fund balance was \$108,000 at the close of Fiscal Year 2004-05. The Veterans' Cemetery Grand Opening is scheduled for Veterans Day 2005.

Supervisor Clarke stated she would like the Board of Supervisors to prepare a letter to be sent opposing HR 3420, the National Forest Protection & Restoration Act, which will prohibit timber sales on Federal land. A letter will be prepared and agendized for the August 16, 2005 Board of Supervisors meeting for review and approval.

Supervisors reported on issues of countywide interest.

PUBLIC WORKS

**AGREEMENT: GIFFORD CONSTRUCTION, INC.
SHASTA COUNTY LIBRARY – REDDING MAIN CONTRACT**

At the recommendation of Public Works Associate Engineer Eric Wedemeyer and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors awarded to the low bidder, Gifford Construction, Inc., the contract for construction of the new Shasta County Library – Redding Main in the amount of \$11,535,000.

PRESENTATION: SHASTA COUNTY LIBRARY – REDDING MAIN

Public Works Associate Engineer Eric Wedemeyer presented a status report of the Shasta County Library – Redding Main.

New Library Now! President Kathleen Jordan stated donors' contributions are being received.

Senior Administrative Analyst Julie Hope noted that final recommendations of the Library Task Force Committee will be given following completion of the City tax study. The next Task Force meeting is September 6, 2005.

**RITTS MILL ROAD PERMANENT ROAD DIVISION FORMATION
RESOLUTION NOS. 2005-99 AND 2005-100**

Chairman Kehoe requested the clerk to announce the results of the vote on the formation of Ritts Mill Road Permanent Road Division as required by Proposition 218; the vote was as follows:

FOR:	12
AGAINST:	3
BLANK BALLOTS:	0

At the recommendation of Deputy Public Works Director Scott Wahl and by motion made, seconded (Clarke/Hartman), and unanimously carried, the Board of Supervisors received the County Surveyor's report on the correct boundary description; adopted Resolution No. 2005-99, which forms Ritts Mill Road Permanent Road Division; and adopted

Resolution No. 2005-100, which overrules ballot protests and confirms the parcel charge report for Fiscal Year 2005-06.

(See Resolution Book No. 46)

**ROBLEDO ROAD PERMANENT ROAD DIVISION FORMATION
RESOLUTION NOS. 2005-101 AND 2005-102**

Chairman Kehoe requested the clerk to announce the results of the vote on the formation of Robledo Road Permanent Road Division as required by Proposition 218; the vote was as follows:

FOR:	15
AGAINST:	5
BLANK BALLOTS:	1

At the recommendation of Deputy Public Works Director Scott Wahl and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors received the County Surveyor's report on the correct boundary description; adopted Resolution No. 2005-101, which forms Robledo Road Permanent Road Division; and adopted Resolution No. 2005-102, which overrules ballot protests and confirms the parcel charge report for Fiscal Year 2005-06.

(See Resolution Book No. 46)

**PRESENTATION: SHASTA COUNTY
CONSTRUCTION PROJECTS**

Public Works Director Pat Minturn presented a report on the status of various Public Works projects, including ten road projects, nine bridge projects, and eight building construction projects. In response to a question by Supervisor Clarke, Mr. Minturn replied that the Sacramento River bridge replacement on Airport Road is scheduled for 2007.

**PAYMENT OF FIXED ASSET CHARGES,
EQUIPPING OF REPLACEMENT VEHICLES,
AND PAYMENT OF CAPITAL PROJECTS EXPENDITURES
RESOLUTION NO. 2005-103**

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-103, which repeals Resolution No. 2005-94, which authorizes payment of fixed asset charges for certain vehicles and capital projects; allows the equipping of replacement vehicles, as approved during Fiscal Year 2004-05; and approves payment of expenditures on ongoing capital projects prior to the adoption of the Fiscal Year 2005-06 Final Budget.

(See Resolution Book No. 46)

SCHEDULED HEARINGS

PUBLIC WORKS

BLUE JAY LANE ABANDONMENT

This was the time set to conduct a public hearing to consider declining the request of petitioners to adopt a resolution which abandons a portion of the existing 40-foot wide easement along a portion of Blue Jay Lane in the Anderson area. Public Works Director Pat Minturn presented the staff report and recommended declination of the request. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

The public hearing was opened, at which time property owner Josh Morris expressed his concerns over previous contacts with the Department of Public Works staff and the maintenance of the easement next to his property. Mr. Morris stated that a buffer zone would be needed to allow work on fences on his property due to the shoulder work exposing tree roots.

Property owner Jessica Morris discussed issues regarding spraying blackberry bushes, grading, and the future bridge replacement.

No one else spoke for or against the request, and the hearing was closed.

Supervisor Clarke said she contacted the owners and visited the subject area, stating concern over the ability of safety vehicles to enter the area and for children waiting by the road for school buses to arrive. She said the Morrises will not always be the property owners of the dairy land, and if the zoning changes, there is potential for development in the area.

In response to a question by Supervisor Cibula, Mr. Minturn replied that the road width is necessary for proper drainage, flood response, and public safety vehicles access.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors declined the petitioners' request to adopt a resolution which abandons a portion of the existing 40-foot wide easement along a portion of Blue Jay Lane in the Anderson area.

ANNUAL PARCEL CHARGE REPORTS
PERMANENT ROAD DIVISIONS
RESOLUTION NO. 2005-104

This was the time set to conduct a public hearing to confirm the Annual Parcel Charge Reports for the various Permanent Road Divisions in Shasta County and to direct the parcel charges be placed on the property tax bills for Fiscal Year 2005-06. Deputy Public Works Director Scott Wahl presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

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 (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-104, which confirms the Annual Parcel Charge Reports for the following Permanent Road Divisions in Shasta County in the same amount as currently charged, and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2005-06:

Old Stagecoach Road	Blackstone Estates	Amber Ridge
Sonora Trail	Logan Road	Coloma Drive
Shasta Meadows Drive	Mule Mountain Parkway	Marianas Way
Ponder Way/Carriage Lane	Ski Way	Valparaiso Way
Intermountain Road	Fullerton Way	Lark Court
Alpine Way	East Stillwater Way	Manor Crest
Dusty Oaks Trail	Deer Flat Road	Santa Barbara Estates
Holiday Acres Community	Vedder Road	Victoria Highlands Estates
Shasta Lake Ranchos	Craig Lane	Country Fields Estates
Fore Way Lane	River Hills Estates	Amber Lane
China Gulch	Manzanillo Orchard	Manton Heights

(See Resolution Book No. 46)

ANNUAL PARCEL CHARGE REPORTS
COUNTY SERVICE AREAS
RESOLUTION NO. 2005-105

This was the time set to conduct a public hearing to confirm the Annual Parcel Charge Reports for various County Service Areas (CSAs) and to direct the parcel charges be placed on the property tax bills for Fiscal Year 2005-06. Deputy Public Works Director Scott Wahl presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

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 (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-105, which confirms the Annual Parcel Charge Reports for the following CSAs, and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2005-06:

CSA No. 2 - Sugarloaf	CSA No. 11 - French Gulch
CSA No. 6 - Jones Valley	CSA No. 14 - Belmont
CSA No. 7 - Burney	CSA No. 15 - Street Lighting
	(See Resolution Book No. 46)

DELINQUENT FEES AND UNCOLLECTIBLE DEBTS
COUNTY SERVICE AREAS
RESOLUTION NO. 2005-106

This was the time set to conduct a public hearing and consider confirming the Reports of Delinquent Fees and Uncollectible Debts for various County Service Areas (CSAs). Deputy Public Works Director Scott Wahl presented the staff report and recommended approval. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to a request by Chairman Kehoe, Deputy Public Works Director Scott Wahl replied that the amount of delinquent fees for County Service Area #17 - Cottonwood is normal, as the average is \$20,000 to \$21,000. Supervisor Clarke said the majority of these delinquent fees are from rentals; the owners make payment after it appears on the tax rolls. In response to a question by Chairman Kehoe, Mr. Wahl replied that he would inquire as to including first names on the list provided with the annual delinquent fees staff report.

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 (Hawes/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-106, which confirms the Reports of Delinquent Fees for the following CSAs, directed that the annual liens be placed on the property tax bills for Fiscal Year 2005-06, and approved a discharge of accountability for collection of unpaid water and sewer service accounts in the amount of \$674.23 that are uncollectible:

CSA No. 3 - Castella	CSA No. 17 - Cottonwood
CSA No. 6 - Jones Valley	
	(See Resolution Book No. 46)

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 Rudy Chatreau v. County of Shasta, pursuant to Government Code Section 54956.9, subdivision (a).

URGENCY ITEM

FINDING OF URGENCY: TOWNE V. COUNTY OF SHASTA

County Counsel Karen Jahr requested an emergency item addition to the Closed Session. Service of a complaint was received August 8, 2005 on a matter Towne v. County of Shasta, and a Finding of Urgency is appropriate.

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved a Finding of Urgency in the case of Towne v. County of Shasta.

10:46 a.m.: The Board of Supervisors recessed to Closed Session.

11:08 a.m.: The Board of Supervisors recessed from Closed Session.

11:08 a.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, CAO Doug Latimer, County Counsel Karen Jahr, and Deputy Clerks of the Board Elaine Grossman and Tazina Otis present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation. In the matter of Rudy Chatreau v. County of Shasta, on a unanimous vote the Board of Supervisors approved assignment of defense of the action to the Law Firm of Gary Brickwood. In the matter of Towne v. County of Shasta, on a unanimous vote the Board of Supervisors approved assignment of defense of the action to the Law Firm of Gary Brickwood. No other reportable action was taken.

11:09 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy