

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, January 18, 2004

**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  
Chief Deputy Clerk of the Board - Glenda Tracy

**INVOCATION**

Invocation was given by Pastor Bill Gillis, First Baptist Church of Redding.

**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.

**PUBLIC COMMENT PERIOD - OPEN TIME**

County Fire Warden Ken McLean advised that recent legislation effective January 1, 2005, has increased the minimum clearance required around structures from 30 feet to 100 feet and this will affect the County Fire Standards; and development of a community-wide fire-protection plan will provide a map for fire-safe projects and will open up opportunities for federal grants to do those projects.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Kehoe pulled for correction the County Claims list and the ordinance enacting a Zone Amendment for Les Schwab Tires. He noted that the amount of the County claims was changed from \$2,080.40 to \$1,896.45, and that the correct Zone Amendment number for the Les Schwab (Burney area) matter is Zone Amendment No. 03-004.

In response to a question from Supervisor Cibula regarding the agreements for services to Mental Health patients, CAO Latimer explained that a six-month period of public input on Proposition 63 has taken place. Mental Health has had the first public exploratory session with several planned over the next six months; at that time the Board of Supervisors and the department will then have a clearer picture of where the entire Mental Health expenditures will occur.

### **CONSENT CALENDAR**

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, with Supervisor Hawes abstaining from the minutes of the January 11, 2005 meeting as he was absent:

Authorized the issuance of warrants totaling \$1,896.45 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on January 11, 2005, as submitted. (Clerk of the Board)

Enacted Ordinance No. 378-1889, which approves Zone Amendment No. 03-004, Les Schwab (Burney area), as introduced July 15, 2003. (Clerk of the Board)  
(See Zoning Ordinance Book)

Adopted Resolution No. 2005-7, which approves the amended Conflict of Interest Code and Appendix regarding designated positions and disclosure categories for the Enterprise Elementary School District. (Clerk of the Board)  
(See Resolution Book No. 46)

Reappointed Diana Garside and Jo Sutherland to the Shasta County Community Action Board for five-year terms to December 2009. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with the California Department of Mental Health in the amount of \$130,765 to provide state hospital services to patients referred by Shasta County for Fiscal Year 2004-05. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Vista Pacifica Center, Inc. increasing the annual maximum compensation by \$40,000 (for a maximum annual compensation of \$194,000) to provide skilled nursing services for the period January 18, 2005 through June 30, 2006. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Right Road Recovery Programs, Inc. in an amount not to exceed \$280,000 to provide nonresidential alcohol and other drug treatment services for the period February 1, 2005 through June 30, 2006. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an agreement with the Shasta Community Health Center in an amount not to exceed \$6,534 to provide dental sealant services for the period January 1, 2005 through June 30, 2005, with two automatic one-year renewals. (Public Health)

Approved and authorized the Chairman to sign an agreement with the cities of Redding and Anderson to operate the Integrated Public Safety System for the period January 18, 2005 through January 17, 2010. (Sheriff)

Took the following actions regarding the Sweetbriar Tree Removal project: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Director of Public Works to

advertise for bids; and authorized opening of bids on or after February 10, 2005 at 11 a.m. (Public Works)

Adopted Resolution No. 2005-8, which approves and authorizes the Chairman to sign an amendment to the cooperative fire protection agreement with the California Department of Forestry and Fire Protection increasing maximum compensation by \$2,311,145 (for a total maximum of \$6,215,103) and retaining the term of July 1, 2002 through June 30, 2005 to administer and operate the Shasta County Fire Department. (County Fire)  
(See Resolution Book No. 46)

9:20 a.m.: The Board of Supervisors recessed and reconvened as the Shasta County Water Agency.

**SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

**SHASTA COUNTY WATER AGENCY**

By motion made, seconded (Hartman/Cibula), and unanimously carried, the Board of Directors of the Shasta County Water Agency took the following action, which was listed on the Consent Calendar:

Adopted Water Agency Resolution No. 2005-3, which assigns 578 acre-feet of the Water Agency's contract for Central Valley Project water to the Bella Vista Water District; approved and authorized the Chairman to sign the Assignment Contract; and approved and authorized the Chairman to sign a contract to refund \$73,990.25 to the Bella Vista Water District.  
(See Water Agency Resolution Book)

9:20 a.m.: The Shasta County Water Agency recessed and reconvened as the Board of Supervisors.

**REGULAR CALENDAR**

**BOARD MATTERS**

**CHAIRMAN'S 2005 APPOINTMENTS**

Chairman Kehoe presented the recommended 2005 Chairman's appointments. By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors approved the Chairman's appointments and liaison assignments for the year 2005, as follows:

**Supervisor Kehoe, District 1**

- County Functional Area - Health and Human Services
- CSAC Committee - Health and Human Services
- Redding Area Bus Authority
- Northern California Supervisors Association
- Superior California Economic Development Corporation
- Regional Council of Rural Counties

**Supervisor Cibula, District 2**

- County Functional Area - General Government
- CSAC Committee - Government Finance and Operations
- Regional Transportation Planning Agency, Alternate

Supervisor Hawes, District 3

County Functional Area - Land Use  
 CSAC Committee - Agriculture and Natural Resources  
 Regional Transportation Planning Agency

Supervisor Hartman, District 4

County Functional Area - Veterans Affairs/Land Use  
 CSAC Committee - Housing, Land Use, and Transportation  
 Regional Transportation Planning Agency  
 Children and Families First Commission  
 Area Agency on Aging, PSA II, Executive Board, Alternate  
 Northern California Supervisors Association, Alternate  
 Redding Area Bus Authority, Alternate  
 Superior California Economic Development Corporation, Alternate

Supervisor Clarke, District 5

County Functional Area - Administration of Justice  
 CSAC Committee - Administration of Justice  
 Area Agency on Aging, PSA II, Executive Board  
 Regional Transportation Planning Agency  
 Regional Council of Rural Counties, Alternate

**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 including discussion at a CAO Association meeting in Sacramento on January 14, 2005 regarding impacts of the State budget. The budget will affect county departments and agencies, including the Road Department (Public Works), the Sheriff's Office, Public Health, Social Services, and the Education Community.

Supervisors reported on issues of countywide interest.

**LAW AND JUSTICE****DISTRICT ATTORNEY****DISTRICT ATTORNEY 2003-04 BIENNIAL REPORT**

District Attorney Jerry Benito presented the biennial report for 2003-04 regarding the accomplishments of the District Attorney's Office. Mr. Benito highlighted the cooperation of staff and the multitude of programs and many achievements throughout the period. In response to a question from Chairman Kehoe, Mr. Benito advised that the biennial report packets are available at his office, and will be posted on their website. CAO Latimer stated that copies will be supplied at the libraries.

GRANT AWARD  
REDDING RANCHERIA COMMUNITY FUND  
PURCHASE OF BULLET-PROOF VESTS  
BUDGET AMENDMENT

At the recommendation of District Attorney Jerry Benito, and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors approved the acceptance of a grant award from the Redding Rancheria Community Fund at Shasta Regional Community Foundation in the amount of \$4,500 to purchase bullet-proof vests for District Attorney Investigators, approved a budget amendment increasing revenues and appropriations in Services and Supplies by \$4,500, and authorized the Auditor-Controller to pay claims related to the project.

**PROBATION**

BUDGET TRANSFER

At the recommendation of Chief Probation Officer Jim Kuhn and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors approved a budget transfer from the Probation budget to the Support Services-Fleet Management budget in the amount of \$7,200 to purchase a used Ford Explorer.

**OTHER DEPARTMENTS**

**COUNTY FIRE**

BUDGET TRANSFER

At the recommendation of Deputy Fire Warden Kelly Dreesmann and by motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved a budget transfer in the amount of \$18,031 from Small Tools and Equipment-EMS to create a fixed asset account to purchase two monitor/defibrillator units for use by firefighters.

GRANT: SCHWAB FUND FOR CHARITABLE GIVING  
SHINGLETOWN, SOLDIER MOUNTAIN, AND WHITMORE  
VOLUNTEER FIRE COMPANY BUDGETS  
BUDGET AMENDMENT

At the recommendation of Deputy Fire Warden Kelly Dreesmann and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to accept a grant from the Schwab Fund for Charitable Giving in the amount of \$1,000 each for the Shingletown, Soldier Mountain, and Whitmore Volunteer Fire Companies, and approved a budget amendment increasing revenues and appropriations in the amount of \$1,000 each for the Shingletown, Soldier Mountain, and Whitmore Volunteer Fire Company budgets.

**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 Abbey v. Hernandez, Jayne v. Pope, Carey v. Andrews, Pineda v. Bridgett, Wilson v. City of Redding, Barber v. Shasta County Mental Health, Wurtz v. Skillman, pursuant to Government Code Section 54956.9, subdivision (a).

- 9:36 a.m.: The Board of Supervisors recessed to Closed Session.
- 11:00 a.m.: Supervisor Cibula recused himself from the discussions regarding Pineda v. Bridgett, Wilson v. City of Redding, and Wurtz v. Skillman due to a conflict because of past associations with parties to the lawsuits and left the room.
- 11:15 a.m.: The Board of Supervisors recessed from Closed Session.
- 11:19 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Clarke, Hawes, and Cibula, Assistant County Counsel Mike Ralston, and Chief Deputy Clerk of the Board Glenda Tracy present.

### **REPORT OF CLOSED SESSION ACTIONS**

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing litigation. By unanimous vote, defense of Carey v. Andrews was referred to the law firm of Gary Brickwood. By unanimous vote, with Cibula recused, the defense of Pineda v. Bridgett was referred to the law firm of Gary Brickwood. By unanimous vote, with Cibula recused, defense of Wilson v. City of Redding was referred to the law firm of Larry Moss.

No other reportable action was taken.

- 11:20 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy