

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 15, 2005

REGULAR MEETING

9:03 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
Assistant County Counsel - Mike Ralston
Deputy Clerk of the Board - Tazina Otis
Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Jim Wilson, Pray Northstate.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Peter Klimansky spoke about his opposition to the war in Iraq.

Russ Wade spoke against the Knauf fiberglass facility's operating permit.

Richard Paz requested information explaining the use of Housing and Urban Development monies to impact affordable housing within the County in the years 2000 through 2004.

Dorothy Robbins spoke of the life of George Washington.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the minutes of the meeting held on January 25, 2005 were pulled at the request of the department.

CONSENT CALENDAR

By motion made, seconded (Clarke/Hawes), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the parking meter ordinance; and Supervisor Cibula abstained from the parking meter ordinance and from the Shasta County Administration Center Sewer Connection Fee as he has a real property interest near the Administration Center):

Authorized the issuance of warrants totaling \$8,515.66 requiring special board action.
(Auditor-Controller)

Enacted Ordinance No. 378-1890, which approves Zone Amendment No. 04-013, Stevenson (Oak Run area), as introduced September 21, 2004. (Clerk of the Board)
(See Zoning Ordinance Book)

Enacted Ordinance No. SCC 2005-1, which enacts Chapter 10.02 of the Shasta County Code concerning parking regulations and parking meters, and Ordinance No. 632, which establishes a parking plan pursuant to Chapter 10.02 of the Shasta County Code. (Clerk of the Board)

(See Shasta County Code Ordinance Book)
(See General Ordinance Book)

Reappointed Ernest Bruce, Arlo Prins, Daniel Marcum, and Dale Kroschel to the Pine Grove Mosquito Abatement District for two-year terms to January 2007. (Clerk of the Board)

Appointed Rod McArthur to the Fall River Resource Conservation District to fill an unexpired term to December 2008. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with Cresswell Physical Therapy and Hand Rehabilitation in an annual amount not to exceed \$10,000 to provide ergonomic intervention solutions for County staff from the date of signing through June 30, 2007. (Support Services)

Approved and authorized the Chairman to sign amendments to two agreements with the Whitmore Community Center, Inc. with no increase in compensation to construct the Whitmore Community Center and extending the term from December 31, 2004 to May 31, 2006. (Housing and Community Action Programs)

Adopted Resolution No. 2005-11, which authorizes the Director of Housing and Community Action Programs to donate surplus books and curricula remaining from the transfer of the Retired and Senior Volunteer Program (RSVP) Adult Literacy Program to the Shasta-Tehama-Trinity Joint Community College District. (Housing and Community Action Programs)
(See Resolution Book No. 46)

Approved and authorized the Chairman to sign a renewal agreement with the California Department of Rehabilitation in the amount of \$65,185 to provide vocational rehabilitation services for the period July 1, 2005 through June 30, 2006; and adopted Resolution No. 2005-12, which authorizes Mental Health to prepare, sign, and submit reports required for the program. (Mental Health)

(See Resolution Book No. 46)

Reappointed Dianna Rhoda Branch, Diane Gerard, Marjorie Hall, and Terrence Starr to the Mental Health Advisory Board for three-year terms to January 2008. (Mental Health)

Approved and authorized the Chairman to sign a contract amendment with Thomas Wright, DBA Wright Education Services increasing maximum compensation by \$5,000 (for a maximum amount of \$24,000) to provide anger management services and retaining the term of July 1, 2004 through June 30, 2005. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with New Directions to Hope, Inc. increasing maximum compensation by \$1,000 (for a maximum amount of \$4,000) to provide anger management services and retaining the term of July 1, 2004 through June 30, 2005. (Social Services)

Adopted Resolution No. 2005-13, which approves and authorizes the Chairman to sign an agreement with the California Department of Rehabilitation in an amount not to exceed \$200,000 to provide employment services for people with mental illness for the period July 1, 2005 through June 30, 2006; and approved and authorized the Chairman to sign related contract documents. (Social Services)

(See Resolution Book No. 46)

Approved a budget amendment which increases Services and Supplies and decreases Salaries and Benefits by \$60,913 to provide victim treatment services to children. (District Attorney)

On behalf of County Service Area (CSA) No. 8 - Palo Cedro Sewer, adopted Resolution No. 2005-14, which requests initiation of Local Agency Formation Commission (LAFCO) proceedings to annex one parcel into the CSA. (Public Works)

(See Resolution Book No. 46)

Approved and authorized the Chairman to sign an agreement with RIOH-Redding Occupational Medicine Inc. in an annual amount not to exceed \$9,999 to provide medical evaluations and respirator fit testing of designated Public Works employees from the date of signing through February 14, 2008. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with Omni-Means, LTD with no increase in compensation to complete a Traffic Impact Fee Program adoption process for the Interstate 5/Deschutes Road Interchange and extending the term to December 31, 2005. (Public Works)

Authorized payment of \$313,988.47 in sewer connection fees for the Shasta County Administration Center to the City of Redding. (Public Works)

Approved and authorized the Chairman to sign a grant application to the Federal Aviation Administration (FAA) in the amount of \$3,601,000 for construction of various improvements to the Fall River Mills Airport. (Public Works)

Approved and authorized the Chairman to sign a grant application to the FAA in the amount of \$157,895 for an update of the Airport Layout Plan for the Shingletown Airport. (Public Works)

For Parcel Map No. 03-066, Hoag (south Redding area), approved and authorized the Chairman to sign an agreement with Marvin Hoag for completion of improvements within one year; and accepted securities for faithful performance in the amount of \$160,000 and for labor and materials in the amount of \$80,000. (Public Works)

Approved and authorized the Chairman to sign the State Department of Food and Agriculture Division of Fairs and Expositions budget for the Inter-Mountain Fair in the amount of \$638,560 for the period January 1, 2005 through December 31, 2005. (Inter-Mountain Fair)

REGULAR CALENDAR

PRESENTATIONS

PRESENTATION: CHILD SUPPORT SERVICES

Child Support Services Director Steve Baer gave a presentation regarding the conversion of child support collections KIDZ system to the Computer Assisted Support Enforcement System (CASES).

PRESENTATION: U.S. FOREST SERVICE SHASTA-TRINITY NATIONAL FOREST OFF-HIGHWAY VEHICLE WORKSHOPS

U.S. Forest Service Shasta-Trinity National Forest Public Uses Staff Officer John Schuyler gave a presentation regarding Off-Highway Vehicle (OHV) public workshops.

PRESENTATION: MENTAL HEALTH SERVICES ACT

Mental Health Director Dr. Don Kingdon gave a presentation regarding the Proposition 36 known as the Mental Health Services Act and the associated planning process, explaining that the state will evaluate each county's proposed service expansion plan and provide each county with a distribution from the funds available. The state will then contract for the provision of services with each county mental health program through the annual performance contract process.

PRESENTATION: EMPLOYMENT AND VOCATIONAL TRAINING PROGRAMS

Opportunity Center Manager Jane Patterson and Mental Health Adult Systems of Care Clinical Division Chief Ron Parton gave a presentation on the employment and vocational training programs available for persons diagnosed with mental illness.

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 that County lobbyist Don Peterson reports of are two bills of County interest.

By request of CAO Latimer and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign the following letters:

1. A letter to Senator Dianne Feinstein describing the benefits of the Secure Rural Schools and Community Self-Determination Act of 2000 ("Act") as an unqualified success;
2. A letter to Senator Denise Ducheny thanking her for supporting the SB 6 - Enterprise Zone Program Extension; and

3. A letter inviting Governor Schwarzenegger and Ms. Schriver to visit Redding and Whiskeytown National Recreation Area to celebrate the first anniversary of the opening of the Sundial Bridge.

Supervisors reported on issues of countywide interest.

LIBRARY

GRANT: CALIFORNIA STATE LIBRARY SERVICES FOR SMALL BUSINESSES IN A BOX PROGRAM

At the recommendation of Library Director Carolyn Chambers and by motion made, seconded (Hawes, Cibula), and unanimously carried, the Board of Supervisors accepted a grant from the California State Library with an approximate value of \$45,000 for the Services for Small Businesses in a Box program; and approved a budget amendment increasing revenue and appropriations in the amount of \$7,000 to reflect the allocation and allow spending.

SCHEDULED HEARINGS

HEALTH AND WELFARE

HOUSING AND COMMUNITY ACTION PROGRAMS

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION NO. 2005-15

This was the time set to conduct a public hearing and consider approving a grant application for Community Development Block Grant (CDBG) funds. Housing Director Larry Lees presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing 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/Hartman), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-15, which approves a CDBG Program economic development grant application in the amount of \$350,000 to implement a microenterprise assistance program.

(See Resolution Book No. 46)

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 04-015 THEODORE C. HUGHES SHINGLETOWN AREA

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 04-015, Theodore C. Hughes, which would rezone approximately 24.28 acres in the Shingletown area. Associate Planner Zach Bonnin presented the staff report and

recommended approval of the project. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time Mrs. Hughes requested information regarding the payment of fees to complete the application. No one else spoke for or against the proposal, and the hearing was closed.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment No. 004-013, Theodore C. Hughes, Shingletown area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration with a de minimis finding of significance, with the findings as specifically set forth in Planning Commission Resolution No. 2004-130A;
2. Make the rezoning findings as specifically set forth in Planning Commission Resolution No. 2004-130A; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 04-013 as requested.

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 Brummett v. Teske, Skelton v. County of Shasta, Balma v. County of Shasta, Love v. California State Department of Corrections, confer with its counsel to discuss existing litigation entitled Crosby v. County of Shasta, Smith v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a).
2. Confer with its counsel to discuss one case of anticipated litigation entitled Shasta County Deputy Sheriffs' Assoc. v. County of Shasta (Labor Code section 4850) pursuant to Government Code Section 54956.9, subdivision (c).

10:22 a.m.: The Board of Supervisors recessed to Closed Session.

10:44 a.m.: The Board of Supervisors recessed from Closed Session.

12:15 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Hawes, and Cibula, County Administrative Officer Doug Latimer, Assistant County Counsel Mike Ralston, and Deputy Clerk of the Board Tazina Otis 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 as well as anticipated litigation. On a unanimous vote, the Board of Supervisors tendered the defense of the County in the matter of Brummett v. Teske to California Forensic Medical Group and referred the defense to the Law Office of Gary Brickwood. On a unanimous vote, the Board of Supervisors referred the defense of Balma v. County of Shasta to the Law Office of Gary Brickwood. Also on a unanimous vote, the Board of Supervisors referred the defense of Skelton v. County of Shasta to the Law Office of Harr, Art, Hofer, & Ayres. In the matter of Love v. California State Department of Corrections, the Board

of Supervisors tendered the defense to California Forensic Medical Group and referred the defense to the Law Office of Gary Brickwood. No other reportable action was taken.

12:16 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy