

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, September 24, 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. 5 - Supervisor Clarke (arrived at 9:02 a.m.)

District No. 4 - Supervisor Wilson (absent)

County Administrative Officer - Doug Latimer  
County Counsel - Karen Jahr  
Administrative Board Clerk - Linda Mekelburg

**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.

9:02 a.m.: Supervisor Clarke entered the room.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Betty Doty spoke regarding the current fluoridation issue being brought to the City of Redding electorate in November.

**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 (Supervisor Hawes abstained on the item regarding a personal services agreement with Placer Title Company):

Adopted Salary Resolution No. 1207, which increases the existing half-time Housing Repair Technician to full-time within the Housing Rehabilitation budget unit. (Administrative Office)

(See Salary Resolution Book)

Accepted the Shasta County Grazing Advisory Board's recommendation to approve funding for one range improvement project in the amount of \$6,581.17 utilizing Federal Grazing Fees. (Agricultural Commissioner)

Authorized the issuance of warrants totaling \$103,037.38 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on September 17, 2002, as submitted. (Clerk of the Board)

Approved a personal services agreement with the Placer Title Company in an amount not to exceed \$21,200 to provide "party of interest" information to the Treasurer-Tax Collector on a maximum of 118 parcels that may be sold at tax auction February 21, 2003. (Treasurer-Tax Collector)

Took the following actions regarding the AmeriCorps\* VISTA Project Application (Parts A and B): Approved and authorized the Chairman and Director of Housing and Community Action Programs to sign the replacement application, authorized the County Administrative Officer to sign the Statement of Assurances, authorized the Director of Housing and Community Action Programs to sign the replacement application for federal assistance, and approved and authorized the Chairman to sign the memorandum of agreement with the Corporation for National Service for the assignment of up to twenty AmeriCorps\* VISTA members for the period of March 12, 2002 through March 11, 2003. (Housing and Community Action Programs)

Adopted Resolution No. 2002-164, which approves and authorizes the Chairman to sign Amendment No. 2 to the agreement with the State of California increasing funding by \$18,158 (for a total of \$232,486) to provide services to persons living in poverty, and authorizes the Director of Housing and Community Action Programs to sign all required Community Services Block Grant Program reports. (Housing and Community Action Programs)

(See Resolution Book No. 43)

Approved and authorized the Chairman to sign a contract amendment with Department of Health Services to include an intellectual property rights provision to provide immunization education and promotion activities for Fiscal Year 2002-2003. (Public Health)

Approved a waiver to Personnel Rules, Section 4.7, Work Out of Classification, to allow Jerry Thacker, Supervising Community Education Specialist, to continue working out of classification as Public Health Program Manager for the Community Health Division through December 31, 2002. (Public Health/Support Services)

Approved and authorized the Chairman to sign a contract amendment with the University of California, Davis which increases the amount of the contract by \$11,600 (for a total of \$31,900) to provide two social worker training classes for the period July 1, 2002 through June 30, 2003. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Acorn Community Enterprises to extend the term for nine months through June 30, 2003 with no increase in the total compensation amount of \$60,000 to provide completion of a sector analysis and intervention feasibility study. (Social Services)

Approved and authorized the Chairman to sign a contract with Northern Valley Catholic Social Service in the amount of \$133,405 to administer the Independent Living Program for the period October 1, 2002 through June 30, 2003. (Social Services)

Awarded to the low bidder, Ken Behnke General Contractor, on a unit-cost basis, the contract for construction of the Alcohol and Drug Office Remodel Project in the amount of \$73,700. (Public Works)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Big Bend Road at Pit River Bridge Barrier Railing Replacement Project and record it within ten days of actual completion of the work. (Public Works)

Adopted Resolution No. 2002-165, which authorizes the Department of Resource Management to accept the Used Oil Recycling Block Grant (Eighth Cycle) for the period of Fiscal Year 2002-2003 in the amount of \$40,074 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake, appoints the Director of Resource Management as the agent for Shasta County for the purposes of this program, authorizes program expenditures to be included in the budget for Fiscal Year 2002-2003, and authorizes the Auditor-Controller to pay claims for said expenditures. (Resource Management)

(See Resolution Book No. 43)

## **REGULAR CALENDAR**

### **PRESENTATIONS**

#### **PRESENTATION: RETIREMENT PLAQUE CAROLYN C. TAYLOR, CLERK OF THE BOARD**

In recognition of more than 20 years of service to Shasta County, the Board of Supervisors presented Clerk of the Board Carolyn C. Taylor with a plaque of appreciation upon the occasion of her retirement.

### **BOARD MATTERS**

#### **SHASTA COUNTY VIETNAM VETERANS MEMORIAL BRIDGE RESOLUTION NO. 2002-166**

At the recommendation of Supervisor Fust and Director of Public Works Pat Minturn, and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-166, which dedicates the Placer Road at Clear Creek Bridge as the Shasta County Vietnam Veterans Memorial Bridge. Veterans Service Officer Don Mangrum invited the Members of the Board of Supervisors to the dedication of the Bridge, which is tentatively scheduled for November 11, 2002. Leo Simon, State Commander of the American Veterans, presented Pat Minturn with a plaque expressing appreciation for his efforts on behalf of veterans in Northern California.

(See Resolution Book No. 43)

9:27 a.m.: The Board of Supervisors recessed.

9:29 a.m.: The Board of Supervisors reconvened.

#### **PROCLAMATION: NATIVE AMERICAN DAY**

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors proclaimed September 27, 2002 as Native American Day in Shasta County. High school students William Thurston, Mandy Horn, Yvonne Scofield, Cara Bowen, Trisha Horn, Jonathan Riggins, and Randy Sauder and Yvonne Banks of the LIFE Center thanked the Board of Supervisors for the proclamation. Rod Lindsay thanked the Board of Supervisors for the opportunity to allow students to see how government works.

DECLARATION OF LOCAL EMERGENCY  
RESOLUTION NO. 2002-167

At the recommendation of County Fire Warden and Emergency Services Officer Duane Fry and Agricultural Commissioner Mary Pfeiffer, and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2002-167, which ratifies the proclamation of a local emergency due to drought conditions.

(See Resolution Book No. 43)

**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.

Supervisors reported on issues of countywide interest. Supervisor Hawes noted that he had received a letter from the Hanna family regarding State acquisition of the Lava Creek Lodge. By consensus, the Board of Supervisors directed that this matter be placed on the October 1, 2002 agenda to take action in the form of sending a letter.

INDIGENT DEFENSE COUNSEL SERVICE

County Budget Officer Elaine Kavanaugh presented the Board of Supervisors with the following four options for continuing to provide indigent defense counsel services in Shasta County:

1. Renew the five existing contracts for an additional term to be determined through a process of negotiation with each contractor or a specific term directed by the Board;
2. Direct staff to proceed with the establishment of a County-operated department for Public Defense, and return to the Board with organizational and budget changes necessary to begin the process;
3. Direct staff to prepare Requests for Proposals for the selection of contractors to continue the current method of providing services; or
4. Direct staff to renew the existing contracts for an additional term and proceed to establish a County department of Public Defense to handle homicide and second-conflict cases with the intent of expanding the scope of services over time.

Since 1995, Shasta County has maintained contracts with five attorneys to provide indigent defense services: two primary contractors, two conflict contractors, and one juvenile justice contractor. CAO Latimer noted that in researching this issue, they found there is no perfect system; no one is happy with their system, no matter which type they use, so this decision will be strictly a policy decision. In response to questions, Ms. Kavanaugh stated that the staff recommendation would be to choose Alternative 4. She believes the time has come for Shasta County to begin the process of establishing a department; there is better accountability, and the cost will be less in the long term. The Board of Supervisors discussed the possibility of requesting the Courts to provide an evaluation of the current program; CAO Latimer will contact the Court Executive Officer and the Presiding Judge for their comments.

Supervisor Hawes made a motion to renew the five existing contracts for an 18-month term and conduct an evaluation in 12 months based on the results of CAO Latimer's dialog with the Courts. Supervisor Fust seconded the motion.

Following further discussion regarding the need of waiting 12 months for an evaluation, Supervisors Hawes and Fust withdrew their motion and second.

By motion made, seconded (Fust/Clarke), and unanimously carried, the matter was deferred for up to three weeks, and CAO Latimer and Supervisor Kehoe were requested to approach the Court Executive Officer and Presiding Judge to engage them in a dialog regarding this program.

## HEALTH AND WELFARE

### PUBLIC HEALTH

#### AGREEMENTS: COTTONWOOD UNION SCHOOL DISTRICT, CITY OF REDDING, CITY OF SHASTA LAKE, NORTHERN CALIFORNIA EDUCATIONAL TELEVISION ASSOCIATION, INC., REDDING SCHOOL DISTRICT, SUN OAKS TENNIS AND FITNESS CENTER, TRI COUNTY COMMUNITY NETWORK, AND TRUE NORTH, INC. PHYSICAL ACTIVITY PROMOTION

Public Health Director Marta McKenzie presented the staff report and recommended approval of the listed contracts. Melody Brown of the Grant Elementary School Site Council requested information as to the standards used in selecting who would be awarded grants as her school's request was denied. Following discussion of the standards used, Ms. McKenzie offered to assist the school in seeking other funding. Dennis Kessenger, Grant Administration Director for the City of Shasta Lake, thanked the Board of Supervisors for their consideration of the City of Shasta Lake's application.

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign physical activity promotion agreements with the Cottonwood Union School District in the amount of \$25,000 for the period October 1, 2002 through March 31, 2003; the City of Redding in the amount of \$15,000 for the period October 1, 2002 through June 30, 2003; the City of Shasta Lake in the amount of \$17,264 for the period October 1, 2002 through March 31, 2004; Northern California Educational Television Association, Inc., KIXE-TV, in the amount of \$10,000 for the period October 1, 2002 through March 31, 2004; Redding School District, Manzanita School in the amount of \$24,000 for the period October 1, 2002 through March 31, 2004; Sun Oaks Tennis and Fitness Center in the amount of \$10,472 for the period October 1, 2002 through March 31, 2004; Tri County Community Network in the amount of \$25,000 for the period October 1, 2002 through September 30, 2003; and True North, Inc. in the amount of \$2,500 for the period January 1, 2003 through September 30, 2003.

#### PROPOSED NEW SHASTA COUNTY PUBLIC HEALTH LABORATORY

Public Health Director Marta McKenzie introduced Program Manager Mikki Mills and Senior Staff Analyst Leanne Link, who narrated a PowerPoint® presentation on the state of the current Public Health laboratory and the designs for the proposed laboratory.

## PUBLIC WORKS

#### AGREEMENT: NICHOLS, MELBURG & ROSSETTO, ARCHITECTS ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW PUBLIC HEALTH LABORATORY

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Nichols, Melburg & Rossetto, Architects in an amount not to exceed \$282,500 and expiring 90 days after the County files a Notice of Completion to provide architectural and engineering services for the New Public Health Laboratory.

**RESOURCE MANAGEMENT****AGREEMENT: WASTE RECOVERY WEST, INC.  
WASTE TIRE COLLECTION DAY**

Accountant Auditor Ronnie Taddei presented the staff report and recommended approval of the agreement. Happy Valley resident Johanna Trenary spoke regarding the recent Happy Valley Community Pride Day and expressed support of the project. By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approving and authorizing the Chairman to sign a personal services agreement with Waste Recovery West, Inc. in an amount not to exceed \$12,000 to provide assistance to the County for its October 26, 2002 waste tire collection day.

**SCHEDULED HEARINGS****SHERIFF****SUPPLEMENTAL LOCAL LAW ENFORCEMENT (COPS) PROGRAM  
BUDGET AMENDMENT**

This was the time set to consider the request of the Sheriff's Office for front-line law enforcement services funding in the amount of \$129,600 and for the Main Jail in the amount of \$57,000 and approval of a budget amendment which increases appropriations and revenues in the amount of \$186,600 from funds made available under the program. Undersheriff Larry Schaller presented the staff report and recommended approval of the department request. The affidavit of publication and notice of hearing are on file.

The public hearing was opened, at which time Happy Valley resident Johanna Trenary expressed her support for the project. No one else spoke for or against the request, and the public hearing was closed.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved the request from the Sheriff front-line law enforcement services funding in the amount of \$129,600 and for the Main Jail in the amount of \$57,000 and approved a budget amendment which increases appropriations and revenues in the amount of \$186,600 from funds made available under the program.

**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 Abby v. Hernandez, et al., Cardona v. County of Shasta, and Bishop v. Stanley, et al., pursuant to Government Code Section 54956.9, subdivision (a).

11:07 a.m.: The Board of Supervisors recessed to Closed Session.

12:05 a.m.: The Board of Supervisors recessed from Closed Session.

1:30 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, Assistant County Counsel Mike Ralston, and Administrative Board Clerk Linda Mekelburg present.

**AFTERNOON CALENDAR**

**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 labor negotiations. The matters of Abby v. Hernandez, et al. and Bishop v. Stanley, et al. were assigned to the Law Offices of Gary Brickwood. No other reportable action was taken.

**SCHEDULED HEARINGS**

**RESOURCE MANAGEMENT - PLANNING DIVISION**

**APPEAL: ADMINISTRATIVE PERMIT NO. 02-050**  
**GEORGIA FISHER, ANDERSON AREA**

This was the time set to conduct a public hearing and consider Mrs. Fisher's appeal of certain conditions of the Planning Commission's approval of Administrative Permit No. 02-050. However, because of the absence due to illness of Supervisors Fust and Wilson and the anticipated recusal of Supervisor Hawes, the matter was continued to Tuesday, October 1, 2002 at 1:30 p.m.

1:31 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

CAROLYN TAYLOR  
Clerk of the Board of Supervisors

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