

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 4, 2003

REGULAR MEETING

9:01 a.m.: Chairman Clarke 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
Deputy Clerk of the Board - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Lyle Faudree, Redding Christian Fellowship.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Douglas Bennett, representing the Citizens for Responsible Government, and Iraja Sivadas, representing the Green Party, expressed their concern that The Patriot Act (Public Law 107-56) is a significant threat to citizens' civil rights and encouraged the Board of Supervisors to adopt a resolution to protect citizens' rights and support the Bill of Rights.

Colleen Leavitt discussed a letter she had received from the Air Quality Management District regarding emissions from the Knauf Fiberglass facility and her concern that neither the Environmental Protection Agency nor the Air Quality Management District seem to be taking responsibility for overseeing the permit process.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke pulled for recognition the item regarding the canvass of the October 7, 2003 Special Statewide Election. County Clerk/Registrar of Voters Ann Reed complimented her staff on the excellent job they had done during the election. Copies of the Official Canvass are available from her office. Chairman Clarke noted that Shasta County was the only one of nine de-certified counties that had a touch-screen voting system up and running in time for the election.

Supervisor Kehoe pulled for clarification the budget transfer for the FY 03 Homeland Security Grant and FY 02 State Domestic Preparedness Grant. Undersheriff Larry Schaller explained that when the budgets for the programs are first created, many line items are estimated and then are changed once the grants are approved. Undersheriff Schaller indicated he would be prepared to address the specifics of the budget transfer when the item regarding Local Law Enforcement Block Grant Funding is heard during the Regular Calendar. By consensus, the Board of Supervisors delayed action on this item until that time.

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 \$374,239.67 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the consolidation of the Grant Elementary School District bond election with the March 2, 2004 Primary Election; and authorized the County's Election Department to conduct the election. (Clerk of the Board)

Adopted Resolution No. 2003-213, which accepts the County Clerk/Registrar of Voters' Official Canvass of the October 7, 2003 Special Statewide Election. (County Clerk/Registrar of Voters)

(See Resolution Book No. 44)

Adopted Salary Resolution No. 1237, which rescinds Salary Resolution No. 1233 and changes the effective date of the addition of a Local Agency Formation Commission Administration Secretary I position from January 1, 2004 to November 4, 2003. (Support Services)

(See Salary Resolution Book)

Approved and authorized the Director of Housing and Community Actions Programs to sign and submit a grant application to the Scripps Howard Foundation in the amount of \$12,000 to continue adult literacy services provided by the Shasta County Retired Senior Volunteer Program (RSVP) Adult Literacy Program. (Housing and Community Action Programs)

Adopted Resolution No. 2003-214, which approves and authorizes the Chairman to sign an application to the California Department of Housing and Community Development 2003 HOME Program in the amount of \$400,000 for first-time homebuyers' down payment assistance and \$200,000 for housing rehabilitation, approves and authorizes the Chairman to sign a contract if one is awarded, and approves and authorizes the Director of Housing and Community Actions Program to sign additional required application and participation documents. (Housing and Community Action Programs)

(See Resolution Book No. 44)

Introduced and waived the reading of an ordinance which amends Section 2.45.070 of the Shasta County Code to provide for the reimbursement of members of the In-Home Supportive Services (IHSS) Advisory Committee; and received the amended IHSS Advisory Committee Bylaws that primarily make changes to Article VII, Expenses. (In-Home Supportive Services (IHSS) Public Authority)

Approved and authorized the Chairman to sign a renewal agreement with Jeff Bosworth, M.D. in an amount not to exceed \$9,000 annually to provide medical consultation services from the date of signing through June 30, 2004, with an automatic renewal for two additional one-year terms. (Mental Health)

Approved and authorized the Chairman to sign amendments with the following counties increasing the daily rate to \$962.32 per patient for Shasta County to provide psychiatric inpatient services from the date of signing through June 30, 2004: Colusa County (for a total not to exceed \$3,000), Plumas County (for a total not to exceed \$100,000), Tehama County (for a total not to exceed \$337,122), and Trinity County (for a total not to exceed \$36,000). (Mental Health)

Approved and authorized the Chairman to sign an agreement with St. Helena Hospital DBA California Specialty Hospital in an amount not to exceed \$40,000 annually to provide psychiatric inpatient services from the date of signing through June 30, 2004, with an automatic renewal for one additional one-year term. (Mental Health)

Approved a budget amendment adjusting appropriations in Fixed Assets and Services and Supplies by \$11,889 to create a new fixed asset account to purchase two optical jukeboxes (data storage devices). (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Tri-County Community Network decreasing compensation by \$6,970 (for a total of \$58,430) to provide the service of InterMountain Employment Coordinator. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with the Shasta County Foster Parent Association, Chapter 20 to allow a \$3,750 advance for Fiscal Year 2003-04 for providing foster parent training and recruitment. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Loomis, Fargo & Co. increasing maximum compensation by \$1,200 (for a total of \$6,950) and extending the term through January 31, 2004 to provide armed transport and delivery of food stamp coupons. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Shasta Community College decreasing maximum compensation by \$18,048 (for a total of \$18,049 for Fiscal Year 2003-04) to provide an onsite college counselor at CalWORKs. (Social Services)

Approved and authorized the Chairman to sign a renewal contract with the Quest Intelligence Group, LLC in the amount of \$10,625 to provide stepparent court investigations from the date of signing through June 30, 2004. (Social Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Kent Dacre DBA Kent's Investigations increasing compensation by \$20,000 (for a total of \$30,000) and extending the term to June 30, 2005 to provide pre-employment polygraph examinations for the Sheriff's Office. (Sheriff)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Placer Road at Texas Springs Road Left Turn Lane Project and record it within ten days of actual completion of the work. (Public Works)

Approved and authorized the Director of Public Works to sign a Notice of Completion for construction on Various Permanent Road Divisions Project and record it within ten days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign an agreement with Sara Seeger, M.D. in an amount not to exceed \$1,000 to provide psychiatric evaluation services for the period of November 4, 2003 through June 30, 2004. (Support Services)

REGULAR CALENDAR

PRESENTATIONS

**PRESENTATION: RETIREMENT PLAQUE
COUNTY ADMINISTRATIVE OFFICER ASSISTANT CARLENE RICHELIEU**

In recognition of more 30 years of service to Shasta County, the Board of Supervisors presented County Administrative Officer Assistant Carlene Richelieu with a plaque of appreciation on the occasion of her retirement.

PRESENTATION: STATE VETERANS BOARD MEMBER

Chairman Clarke noted that this item was being pulled as Dr. William R. Shaddish was unable to attend today's meeting.

PROGRESS REPORT: SHASTA COUNTY ADMINISTRATION CENTER

Stewart Coulter and Brian Zarr of Kitchell CEM gave a PowerPoint presentation on the progress of the construction of the Shasta County Administration Center. Construction is under budget and approximately two weeks ahead of schedule.

STATUS REPORT: NEW SHASTA COUNTY LIBRARY

Library Director Carolyn Chambers reported that the California Public Library Construction and Renovation Board approved Shasta County's application for funding for a new library. She noted that two factors enabled the Board of Supervisors to single out Shasta County's project: the project has strong community support, and the library will serve as a resource for the 11 rural counties in the north state. Ms. Chambers introduced many of the people who were instrumental in getting the project approved: Kathleen Jordan, President of New Library Now!; Charlie Pool, President of the Friends of Shasta County Libraries; Evelyn Pool; Peggy Linville, Treasurer of New Library Now!; and Missy McArthur Emerson, Deborah Smiddy, and Executive Director Peggy O'Lea of the Shasta Library Foundation.

The Members of the Board of Supervisors congratulated everyone on their efforts in the approval of the funding.

BOARD MATTERS

**NOVEMBER 2003 EMPLOYEE OF THE MONTH
SHERIFF'S OFFICE DEPUTY PHIL TUNIN
RESOLUTION NO. 2003-215**

At the recommendation of Sheriff Jim Pope and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-215, which recognizes Sheriff's Office Deputy Phil Tunin as Shasta County's November 2003 Employee of the Month.

(See Resolution Book No. 44)

FIRE UPDATE

FIRE UPDATE
COUNTY FIRE DEPARTMENT

Deputy County Fire Warden Marc Romero updated the Board of Supervisors on the status of several recent fires in Shasta County: a Platina area fire totaled 53 acres, a West Valley area fire totaled 80 acres, a Happy Valley-Olinda area fire totaled 50 acres, a Dersch Road and Highway 44 fire totaled 23 acres, a Mountain Gate area fire totaled 15 acres, and the Whitmore fire totaled 1,000 acres.

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, noting that the only item of importance at present is the California State Association of Counties (CSAC) initiative to consider a constitutional amendment which freezes property tax revenues to counties at their current level. CSAC believes all issues have been addressed, but the County's lobbyist, Orange County, and Shasta County have many concerns regarding the low funding levels currently received by some counties, such as Orange (\$0.06 per \$1.00 of property tax) and Shasta (\$0.13 per \$1.00 of property tax), while the statewide average is approximately \$0.185 per \$1.00 of property tax.

Supervisor Fust recently attended a Northern Rural Training and Employment Consortium (NoRTEC) meeting in Mount Shasta.

Supervisors reported on issues of countywide interest.

LEASE: ANDERSON VETERANS OF FOREIGN WARS
ANDERSON VETERANS HALL

At the recommendation of Administrative Analyst Celeste Buckley and by motion made, seconded (Wilson/Hawes), and unanimously carried, the Board of Supervisors approved and authorized a renewal lease with the Anderson Veterans of Foreign Wars, Post #9650 (VFW) in the amount of \$1 per year for the VFW to manage and maintain the Anderson Veterans Hall for the period January 1, 2004 through December 31, 2006.

DONATION: COMMUNITY ACTION AGENCY
BUDGET TRANSFER
AUTHORIZATION OF COMMUNITY PROJECT EXPENDITURES
RESOLUTION NO. 2003-216

At the recommendation of County Budget Officer Kim Pickering and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors accepted a donation from the Community Action Agency in the amount of \$53,238.72, approved a budget transfer increasing appropriations and revenue within the Recreation and Park Development budget by \$53,239 for charges associated with the Boggs Community Center and other projects, and adopted Resolution No. 2003-216, which authorizes community project expenditures.

(See Resolution Book No. 44)

CLERK OF THE BOARD

APPROVAL OF MINUTES: OCTOBER 28, 2003

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on October 28, 2003, as submitted.

ZONE AMENDMENT NO. 03-009

KIM AND WILBUR DOWNING AND RON AND MARY HALE (SHASTA LAKE AREA) ORDINANCE NO. 378-1873

By motion made, seconded (Wilson/Hawes), and unanimously carried, the Board of Supervisors enacted Ordinance No. 378-1873, which approves Zone Amendment No. 03-009, Kim and Wilbur Downing and Ron and Mary Hale (Shasta Lake area), as introduced July 15, 2003.

(See Zoning Ordinance Book)

ADMINISTRATIVE POLICY MANUAL UPDATE

Chief Deputy Clerk of the Board Glenda Tracy presented the staff report and recommended approval of the policy resolution which makes recommended amendments to the Administrative Policy Manual to reflect current County practices, ensure compliance with State regulations, and update provisions. Many changes are ministerial.

In response to a question from Chairman Clarke on changes to Administrative Policy 3-101, Policy and Procedures for Medical-Dental, Life, Vision, and Disability Income Plans, Director of Support Services Joann Davis explained that retirees are not impacted by the changes to the policy; the changes only reflect actual current practices.

Information Systems Chief Technology Officer Charlie Haase noted that the changes to Administrative Policy 4-101, Information Systems Policy, include updating references for the Information Systems (IS) Steering Committee to the IS Advisory Committee and clarifying responsibility for certain hardware and software and responsibility for training. Chairman Clarke questioned the deletion of the subsection requiring Information Systems Projects Requests to be approved by the Board of Supervisors. CAO Latimer noted that any such requests would be part of the budget process, and Mr. Haase also noted that any agreements must be approved by the Board of Supervisors.

Chairman Clarke noted that over the years, the Board of Supervisors' meetings, including the budget process, have shortened and more streamlining of County business has occurred. She expressed her concern that fewer items come to the Board of Supervisors for approval and that, therefore, the public is not informed of decisions made, especially in the area of budget decisions. Supervisor Kehoe agreed, noting that sufficient time, effort, and research need to be spent in the budget process reviewing details. Supervisor Fust suggested that it might be appropriate to have a budget workshop before the Board of Supervisors votes on the budget.

Supervisors discussed leaving in the sentence requiring Information Systems Projects Requests to be approved by the Board of Supervisors. Mr. Haase explained that in the past, projects were rarely undertaken and were large in scope. Currently, projects are undertaken every day and are more routine in nature, and contracts for major projects would continue to be brought before the Board of Supervisors for approval. Chairman Clarke suggested that policy language may need to be modified to redefine "major."

County Counsel Karen Jahr reviewed the changes to Administrative Policy 6-101, Shasta County Contracts Manual. Administrative Policies 6-101 (formerly known as Delegation of Contract Authority), 5-101 (Purchasing, Leasing and Contracting Policies and Procedures), and 3-201 (Insurance Requirements for Contractors and County-Funded Entities) have been consolidated into one policy. Additional and clarifying text has been added regarding advance payment on contracts, performance measures and monitoring, disposition of surplus property,

written justification for retroactive agreements. The main substantive change recommended is the increase of department head contract authority from \$5,000 to \$10,000 per contract and CAO contract authority from \$10,000 to \$50,000 per contract. This authority does not apply to leases, construction contracts, grant application contracts, contracts requiring budget amendments, or contracts for medical/psychological/therapeutic services. This could affect as many as 85 contracts per year. The Board of Supervisors could also choose to allow CAO contract authority at \$50,000 for renewal contracts and amendments only, requiring that new contracts continue to be approved by the Board.

Chairman Clarke expressed concern that, although she trusts the current CAO and department heads, policies adopted must work well regardless of the personalities involved. Supervisor Fust suggested looking at some of the alternatives suggested for Policy 6-101. Ms. Jahr noted that the Board could also set CAO contract authority somewhere between \$10,000 and \$50,000, such as \$25,000 or \$30,000.

Following further discussion and by consensus, the Board of Supervisors continued the matter to the November 25, 2003 meeting. Supervisor Kehoe noted that he will be prepared to present suggestions on widening the open-government concept at that time.

HEALTH AND WELFARE

PUBLIC HEALTH

AGREEMENT: COUNTY OF TRINITY INTERIM HEALTH OFFICER SERVICES

At the recommendation of Public Health Deputy Director Donnell Ewart and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the County of Trinity in an amount not to exceed \$10,000 for Shasta County to provide interim Health Officer services for Trinity County for the period September 23, 2003 through December 22, 2003.

SCHEDULED HEARINGS

LAW AND JUSTICE

SHERIFF

LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS SOLICITATION FOR BIDS - VEHICLE MOBILE RADIO UPGRADE BUDGET AMENDMENT

This was the time to conduct a public hearing and consider taking the following action regarding the use of \$51,209 in Local Law Enforcement Block Grant Funds from the Bureau of Justice Assistance and \$5,690 in required matching funds from the Sheriff's asset forfeiture account; the recommendation of the Local Law Enforcement Block Grant Advisory Board to use subject funds for technology equipment/radio infrastructure; the CAO to sign the pending award document and Special Conditions; a budget amendment increasing appropriations and revenues in the amount of \$56,899; and solicitation of competitive bidding for the upgrade of vehicle mobile radios with analog/digital communications capability, and authorize the Purchasing Division to award the bid to the lowest responsible bidder. 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 request, and the public hearing was closed.

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors took the following actions regarding the Local Law Enforcement Block Grant Funds from the Bureau of Justice Assistance and authorized the use of \$51,209 and \$5,690 in required matching funds from the Sheriff's asset forfeiture account; accepted the recommendation of the Local Law Enforcement Block Grant Advisory Board to use subject funds for technology equipment/radio infrastructure; approved and authorized the CAO to sign the pending award document and Special Conditions; approved a budget amendment increasing appropriations and revenues in the amount of \$56,899; and authorized solicitation of competitive bidding for the upgrade of vehicle mobile radios with analog/digital communications capability, and authorized the Purchasing Division to award the bid to the lowest responsible bidder.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

LAW AND JUSTICE

SHERIFF

BUDGET AMENDMENT

Undersheriff Larry Schaller presented the staff report and recommended approval of the budget amendment. Sheriff Administrative Services Officer Margie Stolze explained that when the budgets for the programs are first created, many line items are estimated and then are changed once the grants are approved. For the FY 03 Homeland Security Grant and the FY 02 State Domestic Preparedness Grant, the Sheriff's Office had planned to buy two hazard categorizing kits as fixed assets; however, when the grant was received, they were able to buy five kits, but they were no longer fixed assets. They had also planned to buy a chemical detector, but that item must now be considered a fixed asset.

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved a budget amendment for the FY 03 Homeland Security Grant and FY 02 State Domestic Preparedness Grant to adjust appropriations for fixed assets and services and supplies to coincide with actual program requirements and bids.

CLOSED SESSION ANNOUNCEMENT

Chairman Clarke 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 Neathamer v. County of Shasta, C.D. v. Shasta County Department of Mental Health (Administrative Proceeding), and K Mart Corporation v. Anchorage Alaska Municipal Tax Assessor, et al., pursuant to Government Code Section 54956.9, subdivision (a).
2. Confer with its counsel to discuss anticipated litigation, pursuant to Government Code Section 54956.9, subdivision (b).
3. Confer with its Real Property Negotiators, Agency Negotiator Kirk Trost, to negotiate price and terms of payment to Union Pacific regarding Union Pacific property, Oregon Street, Redding, pursuant to Government Code Section 54956.8.
4. Confer with its Labor Negotiators, County Administrative Officer Doug Latimer and Director of Support Services Joann Davis, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-management Association, Deputy Sheriffs Association, Sheriffs Administrative Association, Professional Peace Officers Association, Unrepresented Employees, United Public

Employees of California, and Trades and Crafts, pursuant to Government Code Section 54957.6.

11:30 a.m.: The Board of Supervisors recessed to Closed Session.

1:25 p.m.: The Board of Supervisors recessed from Closed Session.

1:31 p.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Kehoe, and Hawes, and Deputy Clerk of the Board Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Clarke 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.

1:32 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy