

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 10, 2003

REGULAR MEETING

9:00 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 - Christie N. Jewell

INVOCATION

Invocation was given by Reverend John Roland, First Baptist Church of Cottonwood

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Colleen Leavitt addressed concerns she had regarding the behavior of the Board of Supervisors during Open Time.

Celeste Draisner spoke regarding the Bankruptcy Appellate Panel and the credits that Knauf Fiberglass are trying to purchase from the defunct Shasta Paper Company.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke announced that the item from the Treasurer-Tax Collector Public Administrator regarding a budget amendment transferring funding in the amount of \$20,000 from Social Services and \$10,000 from the Assessor combined with \$10,506 from Treasurer-Tax Collector's Services & Supplies to appropriate \$40,506 for the purchase of electronic forms software was pulled at the request of the department head.

Supervisor Kehoe pulled for clarification the item regarding the lease amendment with the June Girard Fund Limited Liability Company to change the physical address, to correct the amount of office space for Child Support Services, and allow for payment of improvements before June 30, 2003 rather than in five annual installments. In response to questions from Supervisor Kehoe, Director of Child Support Services Steven Baer explained the reason for the

recalculation of the square footage was because the pedestals inside the building were not big enough, and wider aisle space was needed to position furniture and work stations. Mr. Baer noted the Section 42 costs would be paid immediately instead of over a 5-year period.

CONSENT CALENDAR

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

Adopted Resolution No. 2003-96, which amends Resolution Nos. 2001-123 (adopted August 7, 2001) and 2001-213 (adopted November 13, 2001) by providing for the transfer of property tax revenues for a reorganization proposal involving the detachment of territory from the City of Redding and annexation of territory to County Service Area No. 1 - Fire Protection (Texas Springs Road/Southwest Redding area). (Administrative Office)

(See Resolution Book No. 44)

Authorized the issuance of warrants totaling \$407,247.39 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$6,060.00 requiring special board action. (Auditor-Controller)

Approved a budget amendment which increases Cost Applied in the amount of \$21,484, creates a fixed asset account in the amount of \$6,002, and increases appropriations in the amount of \$15,482 to purchase a server and archival software; and approved and authorized the Chairman to sign an addendum to the Bi-Tech Software Agreement in the amount of \$15,482 to add software licenses for the Archive Online software product. (Auditor-Controller)

Enacted Ordinance No. SCC 2003-1, which amends various sections of Chapter 17 of the Shasta County Code, Zoning, as introduced on May 27, 2003. (Clerk of the Board)

(See Shasta County Code Ordinance Book)

Appointed Theodore G. Chase to the Shasta Lake Fire Protection District Board of Directors in lieu of election to fill an unexpired term to December 2005. (Clerk of the Board)

Approved and authorized the Chairman to sign a software maintenance and support agreement with Megabyte Systems, Inc. in the amount of \$95,852.16 to continue to support the property tax system for the period July 1, 2003 through June 30, 2004. (Information Systems)

Approved and authorized the Chairman to sign an amendment to the agreement with Family Services Agency, HART Center increasing compensation by an amount not to exceed \$12,000 (for a total not to exceed \$42,000) to provide emergency shelter, care, and supervision to Shasta County youth. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Empire Recovery Center, Inc. in an amount not to exceed \$142,035 annually to provide alcohol and other drug residential recovery services for the period July 1, 2003 through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Empire Recovery Center, Inc. in an amount not to exceed \$130,000 annually to provide nonresidential mental health/alcohol and other drug treatment services in the northern region of Shasta County for the period July 1, 2003 through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Redeemed Recovery Services in the amount of \$40,000 to provide intensive outpatient drug abuse treatment

services for the period July 1, 2003 through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Right Road Recovery Programs, Inc. in an amount not to exceed \$130,000 annually to provide combined nonresidential mental health/alcohol and other drug treatment services for the period July 1, 2003 through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a renewal agreement with Shasta County Chemical People, Inc. in the amount of \$137,000 annually to provide alcohol and other drug prevention services for the period July 1, 2003 through June 30, 2004, with an option to renew for two additional one-year terms. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a contract amendment with Anita Kemp, Ph.D. increasing compensation by \$10,000 for Fiscal Year 2003-2004 (for a total of \$20,000) and extending the term for one year through June 30, 2004 to provide psychological evaluations for the clients of the Department of Social Services, Children and Family Services Division. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Wright Education Services increasing compensation by \$7,500 for Fiscal Year 2003-2004 (for a total of \$11,700) and extending the term for one year through June 30, 2004 to provide counseling and mental health services to the clients of the Department of Social Services, Children and Family Services Division. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with Wright Education Services increasing compensation by \$16,000 for Fiscal Year 2003-2004 (for a total of \$32,000) and extending the term for one year through June 30, 2004 to provide anger management and domestic violence treatment services. (Social Services)

Approved and authorized the Chairman to sign an amendment to the lease with the June Girard Fund Limited Liability Company to change the physical address to 2600 Park Marina Drive, correct the amount of office space from 40,000 square feet to 41,973 square feet in accordance with Building Owners and Managers Association standards, and allow for payment of specified improvements before June 30, 2003 rather than in five annual installments (Child Support Services)

Adopted Resolution No. 2003-97, which approves the discharge of accountability for insufficient-fund checks in the amount of \$779.68. (Sheriff)

(See Resolution Book No. 44)

Adopted Resolution No. 2003-98, which approves the Fiscal Year 2003-2004 budget for the Shasta Interagency Narcotics Task Force in the amount of \$108,200. (Sheriff)

(See Resolution Book No. 44)

Adopted Resolution No. 2003-99, which authorizes the Director of Public Works to temporarily close portions of certain streets in or around the French Gulch area for events sponsored by the Women's Auxiliary to the French Gulch Fire Department. (Public Work)

(See Resolution Book No. 44)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Shirley Street at Gas Point Creek Bridge effective June 6, 2003. (Public Works)

Approved and authorized the Director of Public Works to sign a Notice of Completion for the Amber Lane Permanent Road Division and record it within 10 days of actual completion of the work. (Public Works)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer noted that there has been little progress on the State Budget.

Supervisor Kehoe reported that Terry Starr and Sue Wilson were re-elected to the Mental Health Board as Chairman and Vice-Chairman.

Supervisor Wilson reported that she and CAO Latimer attended a meeting with the Redding Gun Club, and they have raised enough money to purchase land to build a gun club. CAO Latimer noted that the Gun Club will be built in a two-stage process. The first phase will be 63 acres, and the second phase will be 97 acres.

Supervisor Hawes reported that he and Supervisor Fust recently attended Airport Day in Eastern Shasta County in Fall River Mills.

Supervisor Fust reported that the Regional Council of Rural Counties (RCRC) is formulating a "Go See the Legislators' Day," which he and others from RCRC plan to attend.

Chairman Clarke reported that as a representative of PSA II, she received a letter from the Shasta Senior Nutrition Program expressing their concern that many seniors throughout the County will not receive home delivered meals as a result of budget cuts. She also reported that she, CAO Latimer, and Director of Public Works Patrick Minturn met with City of Anderson representatives over previously discussed economic development issues, including the Ox Yoke annexation and the signal light to be placed at that location, and the area by the Factory Stores/Deschutes/I-5 interchange. The Anderson City Manager has been invited to do a presentation before the Board of Supervisors on the new designs for the Deschutes/I-5 interchange.

CLERK OF THE BOARD

APPROVAL OF MINUTES: JUNE 3, 2003

By motion made, seconded (Hawes/Wilson), and carried, the Board of Supervisors approved the minutes of the meeting held on June 3, 2003, as submitted. Supervisor Fust abstained from taking action on the minutes since he was not present at the meeting.

INFORMATION SYSTEMS

INFORMATION SYSTEMS SUPERVISOR POSITION
SALARY RESOLUTION NO. 1230

At the recommendation of Chief Technology Officer Charlie Haase and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1230, which adds an Information Systems Supervisor classification, deletes the Telecommunications Manager and Supervising Office Automation Consultant classifications, and reclassifies four positions; and adopted a job description for the Information Systems Supervisor.

(See Salary Resolution Book)

SUPPORT SERVICES-RISK MANAGEMENT

BUDGET TRANSFER

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors approved a budget transfer in the amount of \$300,000 from Retained Earnings to Workers' Compensation to cover increased activity in the Workers' Compensation program.

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

**ESTABLISHMENT OF CASH DIFFERENCE AND OVERAGE ACCOUNTS
RESOLUTION NO. 2003-100**

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-100, which authorizes the establishment of cash difference and overage accounts for payment processing.

(See Resolution Book No. 44)

HEALTH AND WELFARE

PUBLIC HEALTH

FEE SCHEDULE: PUBLIC HEALTH DEPARTMENT

This was the time set to conduct a public hearing and consider the request to amend fees to be charged by the Public Health Department. Public Health Director Marta McKenzie 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 item, and the public hearing was closed.

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance setting and amending fees to be charged by the Public Health Department.

PUBLIC WORKS

**BID PROTEST: FLINTCO CONSTRUCTIVE SOLUTIONS
SHASTA COUNTY ADMINISTRATION CENTER**

County Counsel Karen Jahr advised that a bid protest was filed by Flintco Constructive Solutions. Under State law, the County may accept a bid which substantially conforms to requests for bids even though it is not strictly responsive if the variance would not have affected the amount of the bid or given a bidder an advantage or benefit not allowed other bidders. Flintco alleged four defects in the bid documents submitted by Gifford Construction, Inc.:

1. Required documentation about the audio-visual subcontractor specified by sub-paragraph 1.2.1.1.1. was not submitted;

2. The corporate resolution authorizing signature of the bid documents was not submitted;
3. Section 00313, Bidder Information Sheet ("Information Sheet") was altered and incomplete;
4. Section 00314, State of Experience was incomplete.

Ms. Jahr further advised that the alleged defects have been corrected or do not exist. The Information Sheet was filled out appropriately, and the other three irregularities do not affect the bid amount or other issues of concern, such as favoritism, influence on other potential bidders, or the ability to make bid comparisons.

Ms. Jahr further advised that the existing irregularities are minor, inconsequential, and do not affect the low bid. She recommended the Board of Supervisors make a finding that the four irregularities are inconsequential and minor and may be waived. By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors rejected the bid protest of Flintco Constructive Solutions based on the findings that the irregularities are minor and inconsequential.

Senior Vice President David Parkes of Flintco Constructive Solutions discussed the four defects in the Gifford bid and explained the specific procedures and instructions that need to be followed by any organization when requiring bids on projects.

AGREEMENT: GIFFORD CONSTRUCTION, INC.
SHASTA COUNTY ADMINISTRATION CENTER

Upon recommendation of Director of Public Works Patrick Minturn and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors awarded the bid for the Public Works Construction Contract for the construction of the Shasta County Administration Center to Gifford Construction, Inc.

RESOURCE MANAGEMENT

PLANNING DIVISION

COTTONWOOD CREEK
RETURN OF MONIES FOR FUNDING MASTER ENVIRONMENTAL DOCUMENTS
RESOLUTION NO. 2003-101

Director of Resource Management Russ Mull presented the staff report and recommended approval. Viera Swearinger, Coordinator for the Cottonwood Creek Watershed Group, Carl Harral, an environmental scientist from the Department of Fish and Game, and Department of Fish and Game Habitat Restoration Coordinator Patricia Bratcher spoke in favor of keeping the money and giving it to the Watershed Group to proceed with the study, noting that refunds could help pay for further studies that are needed to review analysis data on gravel extraction in Cottonwood Creek.

By motion made, seconded (Fust/Hawes) and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-101, which authorizes the Director of Resource Management to return all monies in an appropriate amount of \$47,000 collected for the purpose of funding master environmental documents dealing with the Cottonwood resources and directs the Auditor-Controller to process the payments.

(See Resolution Book No. 44)

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 Peters, Tamplen, Pratt 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 pursuant to Government Code section 54956.9, subdivision (b).
3. 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.

10:40 a.m.: The Board of Supervisors recessed to Closed Session.

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 Clarke, Kehoe, and Fust, and Deputy Clerk of the Board Christie N. Jewell present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Clarke reported that the Board of Supervisors met in Closed Session to discuss existing and anticipated litigation, noting that labor negotiations were not discussed; however, no reportable action was taken.

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

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy