

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 13, 2003

REGULAR MEETING

9:03 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
 Chief Deputy Clerk of the Board - Glenda K. Tracy

INVOCATION

Invocation was given by Chaplain David Honey, Good News Rescue Mission.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

California Youth Connection Outreach Coordinator Hemal Sharifzada invited the Members of the Board of Supervisors to the Third Annual Community Dinner on Thursday, May 15, 2003 at 6:00 p.m. at Our Lady of Mercy Church in Redding.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke announced that, at the request of the Clerk of the Board, the minutes of the meeting held on May 6, 2003 were withdrawn from the agenda to be brought back for action at the May 20, 2003 meeting.

Chairman Clarke pulled for discussion the item submitted by the Department of Public Works regarding writing off \$25 worth of bad checks. Public Works Director Pat Minturn advised that the Department of Public Works had attempted to collect on two bad checks issued in 2000; however, the Auditor-Controller's Office had advised that the discharge of uncollectible debts must be approved by the Board of Supervisors. Auditor-Controller Rick Graham advised that he is willing to work with the County Administrative Office to prepare a resolution for the Board of Supervisors review, specifying an appropriate amount for department heads to have the authority to discharge uncollectible debts.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$59,472.43 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the reappointment of David A. Kehoe, Dr. Andrew Deckert, Del Skillman, Maxine Wayda, Judie Englesby-Smith, Barry Reed, and Barbara Lapp to the Shasta Children and Families First Commission for annual terms to expire January 2004. (Clerk of the Board)

Approved the reappointment of David Winningham and J.R. Murray to the Burney Basin Mosquito Abatement District for two-year term to expire January 2005. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the agreement with Angelo, Kilday & Kilduff to increase the billing rates from \$135 to \$150 per hour for partners, from \$110-\$120 to \$125-\$130 per hour for associates, and from \$65 to \$75 per hour for paralegals and law clerks for work on matters assigned to the firm by Shasta County. (County Counsel)

Approved and authorized the Chairman to sign an amendment to the agreement with Brickwood Law Office to increase the billing rates from \$100 to \$135 per hour for work on matters assigned to the firm by Shasta County. (County Counsel)

Approved and authorized the Chairman to sign a contract amendment with North State Security increasing compensation by \$5,270 (for a total of \$75,710) for Fiscal Year 2002-2003 and by \$32,000 (for a total of \$105,100) for Fiscal Year 2003-2004 and retaining the term of July 23, 2002 through June 30, 2004 to provide security services to two additional Department of Social Services locations. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with the Family Service Agency increasing compensation by \$6,495 (for a total of \$217,900) and retaining the term of July 1, 2002 through June 30, 2003 for additional costs in the areas of direct services, supplies, and overhead to administer the Answers Benefiting Children Great Beginnings Program. (Social Services)

Approved and authorized the Chairman to sign a contract amendment with the Shasta County Child Abuse Prevention Coordinating Council increasing compensation by \$5,000 (for a total of \$75,000) and retaining the term of October 8, 2002 through June 30, 2003 for increased parent participation in the Child Abuse Prevention, Intervention, and Treatment Afternoon Childcare, Structure Activity, and Parent Mentoring Program. (Social Services)

Approved and authorized the Chairman to sign a contract with Shasta Senior Nutrition Program in the amount of \$50,000 to establish and administer an Emergency Food Assistance Resource Fund from the date of signing through June 30, 2005. (Social Services)

Adopted Resolution No. 2003-76, which authorizes the District Attorney to submit a grant application in the amount of \$106,368 to the Department of Justice for continued funding for the Shasta County Major Narcotic Vendors Prosecution Program. (District Attorney)
(See Resolution Book No. 44)

Approved and authorized the Chairman to sign a grant award application/agreement with the Office of Criminal Justice Planning in the amount of \$41,720 for an expanded Integrated Justice System Expedited Law Enforcement Referral Process program. (Probation)

Adopted Resolution No. 2003-77, which authorizes the discharge of accountability for two insufficient-fund checks in the amount of \$25 and grants the discharge. (Public Works)
(See Resolution Book No. 44)

Approved and authorized the Chairman to sign an agreement with Curry Group, Inc. in an amount not to exceed \$95,000 annually to provide specialized construction materials testing services on an as-needed basis from the date of signing through May 12, 2004, with an option to renew for two additional one-year terms. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: FOSTER CARE AWARENESS MONTH

At the recommendation of Social Services Director Del Skillman and Shasta County Foster Parent Association President Mickey Harris and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 2003 as Foster Care Awareness Month in Shasta County.

PRESENTATIONS

PRESENTATION: PIT RIVER WATERSHED ALLIANCE

Pit River Watershed Alliance Representative James Rickert gave a PowerPoint® presentation and update regarding the activities of the Alliance.

BOARD MATTERS

ELECTION: WESTERN SHASTA RESOURCE CONSERVATION DISTRICT

By motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors directed the Western Shasta Resource Conservation District to hold an election to fill an unexpired term to November 2005.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer provided an update on specific legislation of importance to Shasta County including two letters for the Chairman's signature prepared by Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer pursuant to her discussion at the Board meeting of May 6, 2003. By motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter requesting the Central Valley Water Quality Control Board to take no action to modify or rescind the "Conditional Waiver for Irrigation Return Flows and Storm Water Runoff from Irrigated Lands" adopted December 5, 2002, and a letter advising Representative Wally Herger regarding an increased continuous appropriation to the

U.S.D.A.-A.P.H.I.S. Wildlife Services budget to support California's Cooperative Wildlife Services Program.

In addition, CAO Latimer recommended opposing Assembly Bill 972 (Correa), the False Claims Act, as it would cause an undue burden by requiring local governments to prosecute numerous false claims acts against contractors. By consensus, the Board of Supervisors directed staff to agendize this item for the May 20, 2003 meeting.

County Administrative Officer Doug Latimer also noted that the upcoming state budget may impact the Child Support Services and Probation budgets.

Supervisors reported on issues of countywide interest.

LIBRARY

PARTNERSHIP STATEMENT: GRANT APPLICATION TO DEVELOP THE USE OF BROADBAND TECHNOLOGIES FOR LEARNING

At the recommendation of Library Director Carolyn Chambers and by motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a Partnership Statement allowing the Shasta County Library, with the Turtle Bay Exploration Park and Shasta County Office of Education, to apply for a grant for a two-year project to develop the use of broadband technologies for learning; and approved and authorized the Chairman to sign a grant application in the amount of \$500,000 to develop the use of broadband technologies for learning.

SUPPORT SERVICES

HUMAN RESOURCES DIVISION

PAY RATE CHANGE FOR CORRECTIONAL OFFICER RESOLUTION NO. 2003-78

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-78, which will allow a different pay rate for a correctional officer when qualified and ordered to work in the capacity of a Reserve Deputy Sheriff, effective May 18, 2003.

(See Resolution Book No. 44)

PILOT ALTERNATIVE WORK SCHEDULE ASSESSOR-RECORDER'S OFFICE RESOLUTION NO. 2003-79

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-79, which implements a pilot alternative work schedule program in the Assessor-Recorder's Office and approves a side letter agreement with the United Public Employees of California, effective May 18, 2003.

(See Resolution Book No. 44)

MILITARY LEAVE OF ABSENCE POLICY
RESOLUTION NO. 2003-80

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-80, which extends through June 30, 2004 the temporary amendment to Shasta County's Military Leave of Absence Policy, Section 14.3.1 of the Shasta County Personnel Rules, as adopted in Resolution No. 2001-226 on November 13, 2001.

(See Resolution Book No. 44)

PUBLIC WORKS

2003 OVERLAY PROJECT

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors took the following actions regarding the 2003 Overlay Project: Found the project categorically exempt in conformance with the California Environmental Quality Act; approved plans and specifications, and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after June 6, 2003.

SCHEDULED POLICY SESSION

CLERK OF THE BOARD

MINUTES OF THE BOARD OF SUPERVISORS

Due to time constraints, by consensus, the Board of Supervisors continued this item to May 20, 2003.

URGENCY ITEM

FINDING OF URGENCY

At the recommendation of County Counsel Karen Jahr and by motion made, seconded, (Fust/Hawes), and unanimously carried, the Board of Supervisors made a finding that an urgency situation exists with regard to a Closed Session item to confer with its Labor Negotiators.

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 Laskiewicz v. County of Shasta, O'Connell v. County of Shasta, and Vanoy and Bushey 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 (c).

3. Confer with its counsel to discuss one case of anticipated litigation pursuant to Government Code section 54956.9, subdivision (b).
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.

10:30 a.m.: The Board of Supervisors recessed to Closed Session.

11:52 a.m.: The Board of Supervisors recessed from Closed Session.

11:57 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Clarke, Kehoe, and Fust, 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 anticipated and existing litigation, as well as labor negotiations; however, no reportable action was taken.

11:58 a.m.: The Board of Supervisors recessed.

Wednesday, May 15, 2003

8:30 a.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Administrative Office Doug Latimer, County Counsel Karen Jahr, and Chief Deputy Clerk of the Board Glenda Tracy present to begin interviews for the position of District Attorney.

DISTRICT ATTORNEY INTERVIEWS

In preparation for conducting interviews of candidates for the position of District Attorney, Chairman Clarke presented the rules that the Board must follow during the interview process. The interviews then began and were conducted over the following two-day period: Wednesday, May 15, 2003 and Thursday, April 16, 2003. The Board of Supervisors recessed at the end of Wednesday and reconvened in Open Session at 9:15 a.m. on Thursday morning.

Each candidate interviewed was given an opportunity to present an overview of his experience and qualification. Each candidate then answered individual, prepared questions by each Board Member, followed by additional questions regarding their application information or clarification of a previous answer. Following the formal question and answer session, the applicants presented closing statements and/or asked specific questions of the Board of Supervisors relative to the position. The following candidates were interviewed by the Board of Supervisors:

Gerald Benito	David Hirsch
Jason Feldman	Stewart Jankowitz
James Fallman	Brent Ledford
Dennis Fordham	Robert Maloney
Gregory Gaul	Jonathan Skillman

Candidates Troy Benson, Charles Murawski, and Evan Sorensen withdrew their applications.

At the conclusion of the interview process, each Board Member presented his or her list of their top three or four candidates and explained the basis for their recommendations. Following this discussion, and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors appointed Jerry Benito to the position of District Attorney.

1:30 p.m.: The Board of Supervisors adjourned on Thursday, May 15, 2003.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy