

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 5, 2003

REGULAR MEETING

9:05 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 Tracy

INVOCATION

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

PLEDGE OF ALLEGIANCE

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

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke pulled the minutes of the July 22, 2003 meeting of the Board of Supervisors for correction to pages 170 and 173. On page 170, the first paragraph referencing the item pulled for discussion was changed from "*Supervisor Hawes pulled . . .*" to "*Chairman Clarke pulled. . . .*" On page 173, the second paragraph regarding the Congressional budget document was changed from "*. . . letters be written in support of funds being distributed to States to support local Area Agencies On Aging during state budget impasses . . .*" to "*. . . letters be written in support of funds being distributed the Area Agencies On Aging. . . .*"

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:

Approved and authorized the Chairman to sign an agreement with Disability Access Consultants, Inc. in an amount not to exceed \$156,900 to provide Americans with Disabilities Act consulting services for the period August 1, 2003 through December 31, 2005. (Administrative Office)

Authorized the issuance of warrants totaling \$162,276.97 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on July 22, 2003, as amended. (Clerk of the Board)

Adopted Salary Resolution No. 1234, which changes one alternately staffed Deputy County Counsel I/II/III position to an alternately staffed Deputy County Counsel I/II/III/Senior position. (County Counsel)

(See Salary Resolution Book)

Waived Personnel Rule 4.8.D. to extend work-out-of-class pay as a Library Assistant for a period of 12 months for Library Clerk II Linda Mandere. (Library)

Adopted Resolution No. 2003-129, which notifies the Public Employees Retirement System (PERS) that the Teamsters (Trades and Crafts Unit) will withdraw from PERS group health programs effective January 1, 2004. (Support Services-Human Resources)

(See Resolution Book No. 44)

Ratified the net amount due Richard Woolf for his Compromise and Release Agreement as \$49,810.89, less any permanent disability advances made pending approval of the settlement by the Workers' Compensation Appeals Board. (Support Services-Risk Management)

Approved and authorized the Chairman to sign the following renewal agreements for the period July 1, 2003 through June 30, 2004: With the Department of Health Services in the amount of \$147,170 to continue immunization outreach activities; and with Shasta Community Health Center in the amount of \$97,000 to continue immunization improvement services. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Not Another Corporation, Inc. in the amount of \$14,400 to use California Medical Management Software for the period July 1, 2003 through June 30, 2004. (Public Health)

Approved and authorized the Chairman to sign a renewal agreement with University of California, Davis in the amount of \$20,300 to provide Social Worker Training from the date of signing through June 30, 2004. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with University of California, Davis in the amount of \$60,900 to provide Eligibility Worker Training from the date of signing through June 30, 2004. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with Shasta County Private Industry Council, Inc. in an annual amount of \$40,530 to provide inmate computerized instructional educational services in the Main Jail for the period July 1, 2003 through June 30, 2006. (Sheriff)

Approved and authorized the Chairman to sign a renewal agreement with Identix in the amount of \$39,681.71 to provide software maintenance and support for the LiveScan electronic fingerprint equipment for Fiscal Year 2003-04. (Sheriff)

Adopted Resolution No. 2003-130, which summarily abandons a 0.20-acre unnamed easement in the town of Shasta. (Public Works)

(See Resolution Book No. 44)

Adopted Resolution No. 2003-131, which authorizes the temporary partial closure of various roads in the Palo Cedro area for an event by the Palo Cedro Community Action Team. (Public Works)

(See Resolution Book No. 44)

Adopted a revised policy and rental agreement regarding the renting of the Redding Veterans Memorial Hall. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with Mead and Hunt, Inc. in the amount of \$25,000 (for a total of \$325,000) to add on-call engineering services in connection with improvements to the Fall River Mills Airport runway extension. (Public Works)

REGULAR CALENDAR

BOARD MATTERS

AUGUST 2003 EMPLOYEE OF THE MONTH ADMINISTRATIVE SECRETARY MARGIE URRICELQUI RESOLUTION NO. 2003-132

At the recommendation of Farm Advisor Larry Forero and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted a Resolution No. 2003-132, which recognizes Administrative Secretary Margie Urricelqui as Shasta County's August 2003 Employee of the Month.

(See Resolution Book No. 44)

APPOINTMENT: PATRICIA BUNNELL ADVISORY BOARD OF THE NORTH STATE COOPERATIVE LIBRARY SYSTEM

At the recommendation of Library Director Carolyn Chambers and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors appointed Patricia Bunnell to the Advisory Board of the North State Cooperative Library System for a two-year term to June 2005.

PROCLAMATION: BREASTFEEDING WEEK AND BREASTFEEDING MONTH

At the recommendation of Breastfeeding Coalition Representative Jennifer Snider and by motion made, seconded (Hawes/Wilson), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 1-7, 2003 as Breastfeeding Week and August 2003 as Breastfeeding Month in Shasta County.

PROCLAMATION: CHILD SUPPORT AWARENESS MONTH

At the recommendation of Child Support Director Steve Baer and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 2003 as Child Support Awareness Month in Shasta County.

PROCLAMATION: HEALTH CENTER WEEK

At the recommendation of Shasta Consortium Executive Director Pam Tupper and by motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 10-16, 2003 as Health Center Week in Shasta County.

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. He noted that an invitation was recently sent to the Department of the Interior at the request of Whiskeytown National Recreation Area Park Superintendent Jim Milestone for the 40th Anniversary of Whiskeytown. Mr. Milestone has requested that Superior Court Judge Craig Mason (retired) and Fish & Wildlife Assistant Secretary and National Park Service Director Fran Manilla also be invited. By consensus, the Members of the Board of Supervisors directed that these additional letters be sent.

CAO Latimer stated that the state budget is improved but is not finalized. One concern is the possible reduction of public safety funds, which the Regional Council of Rural Counties (RCRC), California State Association of Counties (CSAC), and the State Sheriffs' Association have opposed. Through their efforts, the proposed reduction will be reconsidered when the Senate reconvenes.

CAO Latimer advised that the Vehicle License Fees (VLF) issue is now being handled by the counties agreeing to loan the State the VLF funds for three months; the State has agreed to pay this amount back in 2006. CSAC recommends that all counties borrow the money, making it a bonded indebtedness, forcing the state to pay it back in 2006. The State has allocated \$40 million to assist cities and counties with hardships from reduced VLF. The CAO's office is working with the State and documented that Shasta County receives almost as much in VLF as received in property taxes. An application will be submitted to the State on behalf of Shasta County.

CAO Latimer noted that the State will take one-half cent of the local sales tax to repayment of the debt and will give the County an equivalent amount of Educational Revenue Augmentation Fund (ERAF) money. However, sales tax is paid to the County monthly and property tax is paid twice a year, so this will require a careful watch on cash flow and a stringent budget.

Supervisors reported on issues of countywide interest.

PUBLIC HEALTH REALIGNMENT FUNDS**RESOLUTION NO. 2003-133**

This was the time set for a public hearing to consider the reallocation of 10 percent (not to exceed \$500,000) of the Fiscal Year 2003-04 Public Health Realignment funds to Social Services as allowed by law.

Budget Officer Kim Pickering discussed the realignment funding as it pertains to Mental Health, Public Health, and the Department of Social Services.

The public hearing was opened.

Public Health Director Marta McKenzie addressed the Board of Supervisors expressing concern regarding Public Health programs that will be eliminated or reduced due to the possible realignment funding.

Public Health Advisory Board member Sally Riley reminded the Members of the Board of Supervisors that the Shasta County Grand Jury Report spoke highly of the work being done by the Department of Public Health and requested consideration of a lesser funding reduction.

Shasta Consortium Executive Director Pam Tupper spoke regarding the concern of the budget reductions and stated that Public Health is considered a public safety entity.

No others spoke for or against the request, and the public hearing was closed.

Supervisor Fust stated that he understood the proposals of the speakers, but stated that when faced with funding reductions, it is necessary for all departments to be responsible to look into grants and shared services.

Chairman Clarke advised that the departments involved have scheduled a retreat to look into shared services and continued cooperation and noted that decisions in matters that involve budget reductions are reviewed annually.

By motion made, seconded (Fust/Kehe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-133, which authorizes and directs the Auditor-Controller to reallocate 10 percent (not to exceed \$500,000) of the Fiscal Year 2003-04 Public Health Realignment funds to Social Services as allowed by law.

(See Resolution Book No. 44)

SCHEDULED HEARINGS

PUBLIC WORKS

“NO PARKING” ZONE **COTTONWOOD**

Public Works Director Pat Minturn discussed the establishment of a “No Parking” zone on the east side of Main Street in Cottonwood from Fourth Street to Musket Way. He also discussed the traffic situation and provided input regarding the proposed zone change, noting that for safety reasons, parking should be precluded in the subject area.

Cottonwood resident John Roland spoke in favor of the request, describing the danger of the current street area.

By motion made, seconded (Hawes/Fust), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which establishes a “No Parking” zone on the east side of Main Street in Cottonwood from Fourth Street to Musket Way.

RESOURCE MANAGEMENT

ZONE AMENDMENT NO. 03-002 **JERRY MACKNEY** **EAST ANDERSON AREA**

This was the time set for a public hearing to consider taking the following actions regarding Zone Amendment No. 03-002, Jerry Mackney (East Anderson area), which would rezone approximately 74.2 acres from a Limited Residential District combined with Mobile Home and Building Acreage Minimum 40 Acres, Restrictive Flood (R-L-T-BA-40, F-2) District to a Limited Residential combined with Mobile Home, Restrictive Flood (R-L-T, F-2) District and from a Limited Residential combined with Mobile Home and Building Acreage Minimum 40 Acres (R-L-T-BA-40) District to a Limited Residential combined with Mobile Home (R-L-T) District and/or other appropriate districts. Associate Planner Nancy Polk 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 no one 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 took the following actions regarding Zone Amendment No. 03-002, Jerry Mackney (East Anderson area):

1. Adopted the California Environmental Quality Act (CEQA) determination of a mitigated negative declaration with a de minimis finding significance, with the findings as specifically set forth in Planning Commission Resolution No. 03-068;
2. Adopted the rezoning findings as specifically set forth in Planning Commission Resolution No. 03-068; and
3. Introduced and waived the reading of an ordinance approving Zone Amendment No. 03-002 as requested.

CLOSED SESSION ANNOUNCEMENT

Chairman Clarke announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Goebel and Laws v. County of Shasta, Peters v. County of Shasta, and Richardson, Gomez, and Riley v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a).

10:58 a.m.: The Board of Supervisors recessed to Closed Session.

11:55 a.m.: The Board of Supervisors recessed from Closed Session.

12:00 noon: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Clarke, and Chief Deputy Clerk of the Board Glenda Tracy present.

REPORT OF CLOSED SESSION ACTIONS

Chairman Clarke reported that the Board of Supervisors met in Closed Session to discuss existing litigation; however, no reportable action was taken.

12:00 noon: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy