

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 7, 2004

REGULAR MEETING

9:01 a.m.: Chairman Hawes 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

District No. 4 - Supervisor Wilson - Absent

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Deputy Clerk of the Board - Linda Mekelburg
Deputy Clerk of the Board - Tazina Otis

INVOCATION

Invocation was given by Pastor Rick Rogers, Bonnyview Baptist Church.

PLEDGE OF ALLEGIANCE

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

INTRODUCTION

Deputy Clerk of the Board Linda Mekelburg introduced Tazina Otis, the new Administrative Board Clerk in the Clerk of the Board Office.

PUBLIC COMMENT PERIOD - OPEN TIME

Dean Oilar expressed his concerns regarding setback requirements on a proposed shop building and noted that he will discuss those concerns with the Planning Commission.

Colleen Leavitt noted that the Final Environmental Impact Report (FEIR) for the Knauf fiberglass facility has failed to answer many questions.

Arnold Erickson discussed the emission reduction credits involved with the Knauf fiberglass facility.

Celeste Draisner asked that the public attend the next Air Pollution Control Board meeting on September 21, when the Knauf fiberglass facility FEIR will be discussed.

SWEARING-IN CEREMONY

Clerk of the Board H. Douglas Latimer performed the swearing-in ceremony for Catherine Darling, County Clerk/Registrar of Voters.

ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Fust pulled for recognition the item regarding the assignment of a surplus vehicle to the Happy Valley Citizens' Volunteer Patrol.

Supervisor Kehoe pulled for discussion the items regarding an agreement with the Economic Development Corporation of Shasta County and a lease with Robert and Dorothy Nutto for office space at 1600 Court Street/1815 Yuba Street.

In response to questions from Supervisor Kehoe regarding the agreement with the Economic Development Corporation of Shasta County (EDC), CAO Doug Latimer noted that for next year's agreement, a performance measure relating to business retention could be added and that the performance measure to site new primary industry employers in Shasta County could be broadened to site one new primary industry in the unincorporated area of Shasta County. CAO Latimer also indicated he would forward the overhead rate in the agreement to the Supervisors. By consensus, the Board of Supervisors directed that these points be discussed with EDC before the contract is signed next year.

In response to a question from Supervisor Kehoe regarding the lease with Mr. and Mrs. Nutto, CAO Latimer explained that the Substance Abuse Crime Prevention Act program may be placed into part of the space due to its proximity to the Courthouse. Also, CAO Latimer noted that discussions are underway with the Court Executive Officer regarding placement of the Public Defender, and the two offices are working to prepare a joint staff report for September 21 to discuss plans for the courthouse with the California Administrative Office of the Courts and the Board of Supervisors. By consensus, the Board of Supervisors directed that the lease be held until it is determined whether the additional office space is necessary.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign an agreement with the Shasta Cascade Wonderland Association in the amount of \$18,500 to provide tourism marketing and promotional services for Fiscal Year 04-05. (Administrative Office)

Approved and authorized the Chairman to sign an agreement with the Economic Development Corporation of Shasta County in the amount of \$54,180 to provide business expansion, retention, and recruitment services for Fiscal Year 04-05. (Administrative Office)

Authorized the issuance checks totaling \$1,838.82 requiring special board action. (Auditor-Controller)

Adopted Resolution No. 2004-117, which approves the Fiscal Year 04-05 Countywide Tax Rate, the Unitary Debt Service Rate, and the tax rates for bond sinking funds, state school building loan payments, and voter-approved debt. (Auditor-Controller)

(See Resolution Book No. 45)

Authorized the Director of Housing and Community Action Programs to sign and submit a grant application, and any subsequent amendments, in the amount of \$8,500 to the Great Valley Center's Land Use, Economic Development, Growth, Agriculture and Community Investment (LEGACI) grant program to fund the Retired Senior and Volunteer Program (RSVP) Veteran's History Project. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign a renewal agreement with Crestwood Behavioral Health, Inc. in an amount not to exceed \$58,400 annually to provide special treatment programs and enhanced services to adults with severe and persistent mental illness from the date of signing through June 30, 2005, with two additional one-year renewals. (Mental Health)

Authorized the County Alcohol and Drug Program Administrator to sign the Drug Court Partnership Act of 2002 Notice of Grant Award with the California Department of Alcohol and Drug Programs in the amount of \$132,867 for Fiscal Year 04-05 to provide services to the participants in the Addicted Offender Program. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign an "Acceptance of Allocation Agreement" with the California Department of Health Services Tobacco Control Section in the amount of \$150,000 to allow Public Health to accept tobacco control funding for Fiscal Year 04-05. (Public Health)

Approved and authorized the Chairman to sign an amendment to the Public Health Institute Grant Agreement to extend the grant activity period for Partnership for the Public's Health (PPH) program activities through December 31, 2004. (Public Health)

Approved and authorized the Chairman to sign an augmented agreement with the California Office of Traffic Safety increasing the amount by \$100,000 (for a total of \$400,000) to implement a driving-under-the-influence (DUI) prevention and seat-belt-use project; and adopt Salary Resolution No. 1256, which adds one Community Education Specialist I/II. (Public Health)

(See Salary Resolution Book)

Adopted Resolution No. 2004-118, which authorizes the purchase of certain specialty items and services; authorizes the Auditor-Controller to allow such purchases up to \$3,000 and waives the contracting, purchasing, or leasing requirements of Administrative Policy 6-101, Shasta County Contracts Manual; and repeals Resolution No. 2002-159. (Social Services)

(See Resolution Book No. 45)

Approved and authorized the Chairman to sign a Certificate of Compliance for the California Department of Veterans Affairs to allow the Veterans Service Office to participate in the Medi-Cal Cost Avoidance program for Fiscal Year 04-05 and a Subvention Certificate of Compliance for submittal to the Department of Veterans Affairs. (Veterans Service Office)

Adopted Resolution No. 2004-119, which authorizes the Department of Child Support Services to make expenditures for out-of-county services or the purchase of recorded documents from government entities located outside Shasta County and authorizes the Auditor-Controller to allow such expenditures without a personal services agreement or purchase order. (Child Support Services)

(See Resolution Book No. 45)

Approved and authorized the Chairman to sign an agreement with the County of Merced in the amount of \$66 per day per bed for five reserved beds to place children at Crystal Creek Juvenile Detention Facility from the date of signing through September 6, 2007. (Probation)

Approved and authorized the Chairman to sign a contract with Northern Valley Catholic Social Services in an amount not to exceed \$4,000 to provide life skills counseling classes for juvenile offenders from the date of signing through June 30, 2005. (Probation)

Took the following actions regarding the provision of an inmate commissary system: Approved the award of Bid No. 04-017 to Aramark Correctional Services, Inc.; and approved and authorized the Chairman to sign an agreement with Aramark Correctional Services, Inc. to provide the system from the date of signing through August 24, 2007, with the option to renew for two additional one-year terms. (Sheriff)

Authorized the Sheriff to assign the use of a County-owned Ford Crown Victoria to the Sheriff's Office Citizens' Volunteer Patrol in Happy Valley; and authorized Fleet Management to assign a surplused Sheriff's vehicle to the Sheriff's Office Citizens' Volunteer Patrol in Happy Valley, subject to certain specified conditions. (Sheriff)

Found that the circumstances and factors that led to the proclamations of local emergencies due to extreme peril to the safety of persons and property caused by wildland fires identified as the "Bear Fire" and "French Fire" have not been totally resolved and that there is a need for the continuance of this proclamation. (Sheriff/Office of Emergency Services)

Awarded to the low bidder, Hutchins Paving & Engineering, Inc., on a unit-cost basis, the contract for construction on the Shasta County Corporation Yard Asphalt Concrete Overlay project in the amount of \$148,705. (Public Works)

For the Foster Road at Mark Creek Bridge Replacement project: Awarded to the low bidder, Dunton Construction, on a unit-cost basis, the contract for construction in the amount of \$186,587; and adopted a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, and authorize the Public Works Director to file a Notice of Determination. (Public Works)

Approved the final map for filing for Tract No. 1884, Jenkins (Oak Run area). (Public Works)

Adopted Resolution No. 2004-120, which authorizes Resource Management to accept the Used Oil Recycling Block Grant - Tenth Cycle in the amount of \$28,442 on behalf of the County of Shasta and the Cities of Anderson and Shasta Lake for Fiscal Year 04-05, appoints the Director of Resource Management as the agent for Shasta County for the purpose of the grant, authorizes program expenditures to be included in the budget for Fiscal Year 04-05, and authorizes the Auditor-Controller to pay claims for said expenditures. (Resource Management-Community Education Section)

(See Resolution Book No. 45)

Adopted Resolution No. 2004-121, which revises Chapter 6-Fire Safety Standards of the Shasta County Development Standards to modify Emergency Fire Escape Road standards. (County Fire)

(See Resolution Book No. 45)

REGULAR CALENDAR

PRESENTATIONS

UPDATE FROM COUNTY SUPERINTENDENT OF SCHOOLS REGARDING FLAMMABLE MATERIALS ON SCHOOL PROPERTY

County Superintendent of Schools Carol Whitmer reported that during the August 24, 2004 Board of Supervisors' meeting, a citizen complained to the Board of Supervisors regarding flammable materials on school property. Further investigation revealed that a pile of branches existed on Shasta Union School District property located on Mary Street. The material was cleaned up by August 26, 2004.

BOARD MATTERS

SEPTEMBER 2004 EMPLOYEE OF THE MONTH
JACLYN WILLERS, EXECUTIVE ASSISTANT-CONFIDENTIAL
RESOLUTION NO. 2004-122

At the recommendation of Child Support Services Director Steve Baer and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2004-122, which recognizes Executive Assistant-Confidential Jacklyn Willers as Shasta County's September 2004 Employee of the Month.

(See Resolution Book No. 45)

PROCLAMATION: RECOVERY HAPPENS MONTH

At the recommendation of Mental Health Alcohol and Drug Programs Administrator David Reiten and Shasta County Recovery Happens Coordinator Janice Casner and by motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 2004 as Recovery Happens Month 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, including Assembly Bill 2121, which would adopt principles and guidelines for maintaining instream flows in certain streams in accordance with state policy for water quality control and would degrade water rights. By consensus, the Board of Supervisors directed that a letter be sent to Governor Schwarzenegger opposing AB 2121.

Supervisors reported on issues of countywide interest.

APPROVAL OF MINUTES: AUGUST 17, 2004

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on August 17, 2004, as submitted.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Tiexeira v. County of Shasta, Philapandeth v. County of Shasta, Koeth v. California Highway Patrol, Hansen v. California Highway Patrol, and Haas v. California Highway Patrol, pursuant to Government Code Section 54956.9, subdivision (a).

9:59 a.m.: The Board of Supervisors recessed to Closed Session.

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

1:40 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Deputy Clerk of the Board Linda Mekelburg present.

AFTERNOON CALENDAR

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation. On a unanimous vote, with Supervisor Wilson being absent, the Board of Supervisors approved the defense of the following cases to the Law Office of Gary Brickwood: Philapandeth v. County of Shasta, Koeth v. California Highway Patrol, Hansen v. California Highway Patrol, and Haas v. California Highway Patrol. In the matter of Tiexeira v. County of Shasta, should defense of that case become necessary, the Board of Supervisors authorized assignment to the Law Offices of Larry Moss. No other reportable action was taken.

FISCAL YEAR (FY) 2004-05 BUDGET HEARINGS

PUBLIC COMMENT PERIOD - OPEN TIME

Chairman Hawes reminded those present that requests to speak during open time are due 20 minutes before the start of the meeting and that in the future, requests to speak will not be accepted if they are presented at the time the meeting is scheduled to start.

Arnold Erickson and Colleen Leavitt expressed concern that approximately one-third of comments submitted for the Knauf fiberglass facility--those that were postmarked or faxed on the last day of the public comment period--were not included in the proposed Supplemental Final Environmental Impact Report.

Celeste Draisner asked that the Air Pollution Control Board keep an open mind regarding the Knauf fiberglass facility.

COMMENCEMENT OF FY 2004-05 BUDGET HEARINGS

OVERVIEW OF SUPPLEMENTAL BUDGET REPORT-PROPOSED REVISIONS

County Administrative Officer (CAO) Doug Latimer provided an overview of the supplemental budget report-proposed revisions. A budget workshop held on May 4, 2004 addressed concerns and core missions of various County departments at that time. The final budget has not changed substantially since the adoption of the preliminary budget in June. The State budget shifted approximately \$350 million in property taxes statewide--an approximate \$1.6 million impact to Shasta County each year for two years. The Sheriff's Office has been allowed to continue to charge and cities to be reimbursed for booking fees this year; however, next year, booking fees will be capped at one-half, and cities will no longer be reimbursed. Rural County Law Enforcement funds in the amount of \$500,000 were restored, and \$549,399 in child support federal penalties has been deferred.

CAO Latimer summarized the revisions to the final budget. In the Elections budget, \$10,000 has been added to allow for secure storage of paper ballots. A portion of the Contingency Reserve has been set aside to assist with the cost of staffing the recent Bear and French Fire Assistance Center. In the Public Defender budget, funds are being transferred from Indigent Defense contracts into that budget; it is anticipated that staff will begin being hired in November. Child Support Services has received an additional allocation from the State for costs associated with conversion to another automated child support system.

Public Safety Augmentation Revenue (Proposition 172) funds exceeded initial projections, and the funds are recommended to be allocated to the District Attorney (\$100,000), Probation (\$150,000), and Sheriff's (\$150,000) Departments. The Sheriff's Office will utilize the additional Rural County Law Enforcement funds and Public Safety Augmentation Revenue, along with Indian Gaming funds and Cal-METT funds, to fill vacancies. The Animal Control vacancy will be addressed at midyear to see if it can be filled at that time. Supervisor Clarke suggested working in conjunction with the cities to fund a shelter.

Public Health will utilize approximately \$2.2 million in fund balance this year. As part of the State budget, Social Services will no longer receive a state match for the Child Welfare Services program. In the Opportunity Center budget, client benefit payments have not been suspended.

The State has not funded the State Library Trust Fund at previous levels, causing additional problems in the Library budget, and several positions will be reduced. The Risk Management budget includes an appropriation for additional staff due to passage of Workers' Compensation Reform. County Fire has already used most of their fund balance this year.

The budget has been balanced using \$7 million of General Fund carryover, including Recorder fees and Tobacco Settlement fund. Remaining reserves in General Fund have been maintained in accordance with Board of Supervisors direction from the May 4, 2004 workshop. The current County workforce of 1,968 employees has a 15% vacancy rate of 303.

County Clerk Cathy Darling noted that in looking at other counties using the same electronic voting system as Shasta County, it was decided to provide additional security for both paper electronic ballots.

Undersheriff Larry Schaller noted that the Sheriff's Office is in a better position than they expected with the Rural County Law Enforcement funding and thanked everyone involved in the budget preparation.

Supervisors discussed the budget problems at the State level, noting that the State has not addressed their budget situation properly either last year or this year.

District Attorney Jerry Benito thanked the Board of Supervisors for working diligently to allow them to maintain prosecutorial services. Changes will be made to be more efficient and effective in prosecutorial efforts.

PROPOSED BUDGET HEARING SCHEDULE AND FORMAT

By motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors approved the proposed hearing schedule and format, which includes consent and regular items.

REVISIONS TO FY 2004-05 PROPOSED BUDGET

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors approved amendments in appropriations and revenue and other revisions to the FY 2004-05 Proposed Budget, as outlined in the Supplemental Budget Report.

CONSENT CALENDAR

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Board of Supervisors approved those budget units which had not been formally appealed and had no major policy considerations or outstanding issues, as follows:

GENERAL FUND (060)

General Government

100	General Revenue and Transfers
101	Board of Supervisors
102	County Administrative Office
103	Clerk of the Board
110	Auditor-Controller
111	Treasurer-Tax Collector
112	Assessor
113	Purchasing
120	County Counsel
130	Personnel
140	Elections
165	Economic Development
172	Surveyor
173	Miscellaneous General #1
174	Tobacco Settlement Grants
175	CSA Administration
199	Central Service Costs (A-87)

Public Protection

201	Trial Courts
203	Public Defender
208	Grand Jury
221	County Clerk
237	Sheriff Civil Unit
241	Marshal (History)
256	Victim/Witness Assistance
280	Agriculture Commissioner/Sealer of Weights & Measures
290	Recorder
292	Public Guardian
295	Local Agency Formation Commission (LAFCo)
297	Animal Control
299	Public Administrator

Public Ways and Facilities

332	Shingletown Airport
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Health and Public Assistance

543 Housing Authority
570 Veterans Services
590 Community Action Agency

Education and Recreation

620 Farm Advisor
621 Joint Lassen/Shasta Farm Advisor
622 Cooperative Extension Forestry Program
701 Recreation and Parks
710 Veterans' Halls

Debt Service/Contingency

802 Shasta County Debt
900 Reserves for Contingencies

ACCUMULATED CAPITAL OUTLAY (040)

161 Accumulated Capital Outlay

CAPITAL PROJECTS-COURTHOUSE REMODEL FUND (041)

163 Courthouse Remodel

CAPITAL PROJECTS-LIBRARY BUILDING FUND (043)

167 Library Building

CAPITAL PROJECTS-ADMINISTRATION BUILDING FUND (044)

169 Administration Building

COUNTY MEDICAL SERVICES PROGRAM FUND (061)

409 County Medical Services

CAPITAL PROJECTS - GENERAL (062)

166 Land, Buildings, and Improvements

PRODUCTIVITY IMPROVEMENT FUND (063)

177 Productivity Improvement Program

RESOURCE MANAGEMENT FUND (064)

282 Building Inspection
286 Planning
400 Resource Management General Revenues
402 Environmental Health

GENERAL FEDERAL FOREST TITLE III FUND (065)

176 Title III Projects

MENTAL HEALTH FUND (080)

410 Mental Health
422 Alcohol and Drug Programs
424 Substance Abuse Crime Prevention
425 Perinatal Program

INTER-MOUNTAIN FAIR FUND (100)

159 Inter-Mountain Fair

LIBRARY FUND (110)

610 Library

OPPORTUNITY CENTER FUND (120)

530 Opportunity Center

SOCIAL SERVICES FUND (140)

501 Social Services
540 County Indigent Cases
541 Cash Aid Payments

WILDLIFE FUND (150)

294 Wildlife Control

GENERAL RESERVE FUND (170)

160 General Reserves

ENDANGERED SPECIES FUND (188)

285 Knighton Road Beetle Mitigation

ROAD FUND (190)

301 Roads

ROADS DUST MITIGATION FUND (191)

302 Sacramento Valley Air Pollution Paving

CHILD SUPPORT SERVICES FUND (192)

228 Child Support Services

COUNTY TRANSIT FUND (193)

303 Shasta County Transit

PUBLIC SAFETY FUND (195)

220 Public Safety General Revenues
227 District Attorney
235 Sheriff
236 Boating Safety
246 Detention Annex
260 Jail
261 Burney Station
262 Juvenile Hall
263 Probation
264 Crystal Creek Camp
287 Coroner
288 Central Dispatch
901 Public Safety Contingency Reserve

PUBLIC HEALTH FUND (196)

411 Public Health
 412 Shasta County Health Care
 417 California Children's Services

SHASTA HOUSING REHABILITATION FUND (197)

596 Housing Rehabilitation Administration

DEBT SERVICE (198)

801 Debt Service

INTERNAL SERVICE FUNDS

Fund 201 Fleet Management (BU 940)
 Fund 202 Risk Management (BU 950)
 Fund 203 Information Systems
 Fund 204 Facilities Management
 Fund 205 Shasta Co. Utilities Admin.

ENTERPRISE FUNDS

Fund 200 Fall River Mills Airport
 Fund 206 R. W. Curry West Central Landfill Replacement & Improvement Fund
 Fund 207 Solid Waste Administration
 Fund 209 R. W. Curry West Central Landfill Closure/Post-Closure Fund

SPECIAL DISTRICTS UNDER BOARD OF SUPERVISORS

Fund 300- County Service Areas and Permanent Road Divisions (Includes Fund 391,
 396 CSA #1 - County Fire)

2:14 p.m.: The Board of Supervisors recessed and convened as the Shasta County Water Agency.

WATER AGENCY CONSENT CALENDAR

By motion made, seconded (Kehoe/Clarke), and unanimously carried, the Shasta County Water Agency adopted the FY 2004-05 Water Agency budget Fund 371, as listed on the consent calendar.

2:15 p.m.: The Water Agency adjourned and convened as the Shasta County Air Pollution Control Board.

AIR POLLUTION CONTROL BOARD CONSENT CALENDAR

By motion made, seconded (Clarke/Fust), and unanimously carried, the Shasta County Air Pollution Control Board adopted the FY 2004-05 Air Quality Management District budget Fund 373, as listed on the consent calendar.

2:15 p.m.: The Air Pollution Control Board adjourned and convened as the Shasta County Redevelopment Agency.

REDEVELOPMENT AGENCY CONSENT CALENDAR

By motion made, seconded (Fust/Wilson), and unanimously carried, the Shasta County Redevelopment Agency adopted the FY 2004-05 Redevelopment Agency Administration budget Fund 944, as listed on the consent calendar.

2:16 p.m.: The Redevelopment Agency adjourned and convened as the Shasta County In-Home Supportive Services Public Authority.

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY CONSENT CALENDAR

By motion made, seconded (Clarke/Kehoe), and unanimously carried, the Shasta County In-Home Supportive Services Public Authority adopted the FY 2004-05 In-Home Supportive Services Public Authority budget Fund 851, as listed on the consent calendar.

2:17 p.m.: The In-Home Supportive Services Public Authority adjourned and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR

DEPARTMENT APPEALS

There were no budget units which had policy considerations or outstanding issues.

FY 2004-05 FINAL BUDGET RESOLUTION

By motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors directed the County Administrative Officer to prepare, for subsequent Board consideration and action, the FY 2004-05 Final Budget Resolution, which will reflect subsequent technical adjustments to the FY 2004-05 Proposed Budget required as additional information regarding State legislative action becomes available, as directed by the Board of Supervisors during the budget hearings.

2:18 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy