

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 11, 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. 4 - Supervisor Wilson
District No. 5 - Supervisor Clarke

District No. 3 - Supervisor Hawes - Absent

County Administrative Officer - Doug Latimer
County Counsel - Karen Jahr
Chief Deputy Clerk of the Board - Glenda K. Tracy
Deputy Clerk of the Board - Linda K. Mekelburg

INVOCATION

Invocation was given by Pastor Rick Caldwell, Youth for Christ.

PLEDGE OF ALLEGIANCE

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

MOMENT OF SILENCE

A moment of silence was observed for the passing of Homer Park, known locally as the "father" of the Palo Cedro bee industry.

PUBLIC COMMENT PERIOD - OPEN TIME

Russell Wade asked the Board of Supervisors to consider a resolution of non-support of a war with Iraq.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Clarke pulled for separate action the item regarding a budget transfer to replace two vehicles destroyed by storm damage, noting that the budget transfer required a 4/5 vote for approval.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$86,675.23 for County operating funds and special districts, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on March 4, 2003, as submitted. (Clerk of the Board)

Adopted Resolution No. 2003-31, which rescinds Resolution No. 2002-163 and notifies the Department of Justice that all new employees are required to be fingerprinted. (Support Services-Human Resources Division)

(See Resolution Book No. 44)

Authorized the Director of Housing and Community Action Programs to sign and submit a Beaumont Foundation Grant application to the Points of Light Foundation in the amount of \$3,000 for two laptop computers to provide outreach functions to the Retired and Senior Volunteer Program. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign an agreement with Sheela Stocks, Ph.D. in an amount not to exceed \$20,000 annually to provide mental health services to Medi-Cal beneficiaries from the date of signing through June 30, 2003, with an option to renew for two additional one-year terms. (Mental Health)

Approved and authorized the Chairman to sign an agreement with the Superior Court of California, County of Shasta in the amount of \$14,600 to purchase transitional housing for participants in the Addicted Offender Program from the date of signing through October 31, 2003. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign a contract with Anita Kemp, Ph.D. in an amount not to exceed \$10,000 to provide psychological evaluations for the clients of the Children and Family Services Division from the date of signing through June 30, 2003. (Social Services)

Approved and authorized the Chairman to sign the following contracts to provide counseling and mental health services to the clients of Children and Family Services Division from the date of signing through June 30, 2003, each contract in an amount not to exceed \$4,200 (for a total of \$37,800): Melinda Adams, LCSW; Shasta Treatment Associates; Family Service Agency; Pamela Hoppes, LCSW; J. Reid McKellar, Ph.D.; New Directions to Hope; Jerry and Helen Stovall, LCSWs; Remi Vista; and Wright Education Services. (Social Services)

Approved the following budget amendments: Transfer \$150,000 from the General Assistance Budget Unit from Other Charges to Services & Supplies; reduce General Fund contribution and increase Cost Applied by \$150,000 within the Social Services Administrative budget; and increase the General Fund Contingency Reserve by \$150,000. (Social Services)

Adopt Resolution No. 2003-32, which summarily abandons an old superseded alignment of Balls Ferry Road at Ash Creek Road. (Public Works)

(See Resolution Book No. 44)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

BUDGET TRANSFER

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors authorized a budget transfer for replacement of two vehicles destroyed by winter storms for the Farm Advisor's Office which transfers \$5,230 from the Vehicle Replacement Fund and \$27,942.90 from Risk Management to a fixed asset account. (Support Services)

REGULAR CALENDAR

BOARD MATTERS

APPOINTMENT: LARRY L. FREDRICKSON
SHASTA COUNTY ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS

By motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors appointed Larry L. Fredrickson to the Superior California Economic Development Corporation Board of Directors as recommended by District 5 Supervisor Clarke, filling an unexpired term to January 2004.

Upon recognition of an error in the name of the Board to which Mr. Fredrickson was being appointed, by motion made, seconded (Kehoe/Wilson), and unanimously carried, the Board of Supervisors deleted the previous motion and appointed Larry L. Fredrickson to the Shasta County Economic Development Corporation Board of Directors as recommended by District 5 Supervisor Clarke, filling an unexpired term to January 2004.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer presented an update on the State budget, noting that it appears Vehicle License Fees will be returned to previous levels, although some legislators have indicated they may bring suit to prevent this. A State budget will probably not be adopted until around Thanksgiving 2003.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES - HUMAN RESOURCES DIVISION

MEMORANDUM OF UNDERSTANDING:
PROFESSIONAL PEACE OFFICERS ASSOCIATION
SALARY RESOLUTION NO. 1222
RESOLUTIONS NO. 2003-33, 2003-34, AND 2003-35

At the recommendation of Support Services Director Joann Davis and by motion made, seconded (Wilson/Fust), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-33, which approves a comprehensive Memorandum of Understanding with the

Professional Peace Officers Association (PPOA) for the period January 1, 2003 through December 31, 2005; adopt Salary Resolution No. 1222, which implements the salary adjustments for all PPOA-represented employees and approves increases of 2 percent on February 9, 2003, 2 percent on February 9, 2003 towards the Public Employees' Retirement System (PERS) employer-paid member contributions for eligible employees, 3 percent on December 28, 2003, "F" step on June 27, 2004 for eligible employees, and 3 percent on December 26, 2004; adopted Resolution No. 2003-34, which modifies Personnel Rules Chapter 21, Travel and Other Expenses, effective March 23, 2003; and adopted Resolution No. 2003-35, which notifies PERS of the changes in the County's monthly group health contributions for PPOA.

(See Resolution Book No. 44)

(See Salary Resolution Book)

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

REPORT ON DISPOSITION OF TAX-DEFAULTED PROPERTIES

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori J. Scott and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors accepted a report on the disposition of tax-defaulted properties offered for sale at the February 21, 2003 County tax auction.

HEALTH AND WELFARE

MENTAL HEALTH-ALCOHOL AND DRUG PROGRAMS

BUDGET TRANSFERS

At the recommendation of Alcohol and Drug Program Administrator David Reiten and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors approved two budget transfers for Budget Units 422 and 425 to reflect final state and federal funding allocations which increase budgeted revenues and appropriations by \$230,195 in Budget Unit 422 (Alcohol and Drug Programs) and align the budget with the Auditor-Controller's General Ledger; and increase revenues by \$168,403 and decrease appropriations by \$16,799 within Budget Unit 425 (Perinatal Program) to align the budget with the Auditor-Controller's General Ledger.

LAW AND JUSTICE

SHERIFF

AGREEMENT: BUREAU OF RECLAMATION PATROLS AND WARRANT CHECKS BUDGET TRANSFER

At the recommendation of Undersheriff Larry Schaller and by motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with the United States Bureau of Reclamation (BOR) increasing the maximum amount from \$66,000 to \$100,000 to add warrants checks and additional patrols on BOR land for the period September 4, 2002 through December 31, 2003; and approved a budget amendment increasing appropriations and revenues in the amount of \$34,000 from increased revenues for the period September 4, 2002 through June 30, 2003, including a technical adjustment which correctly separates revenue received from the Bureau of Land Management and the Bureau of Reclamation.

OTHER DEPARTMENTS**COUNTY FIRE****REVISIONS TO DEVELOPMENT STANDARDS**

County Fire Warden Duane Fry presented the staff report and recommended setting a public hearing and advertising to consider revisions to Chapter 6, Fire Safety Standards of the Development Standards regarding emergency fire escape routes. Since 1992, emergency escape roads have been required for certain types of developments. However, once built, many of these roads have either not been maintained or have had their access locked by gates.

The proposed revisions address three areas:

1. The location or placement of emergency fire escape roads;
2. The language and regulations concerning the maintenance of emergency fire escape roads; and
3. The separation distances between emergency fire escape roads or through roads from an existing road.

The proposed amendments would apply only to emergency fire escape roads approved and constructed after the adoption of the Standards. In response to a question from the Board of Supervisors, County Fire Warden Fry replied that they have the ability to notify property owners of the state of their emergency fire escape road so that they, in turn, can pursue a repair solution.

The Board of Supervisors discussed liability issues surrounding creation of a permanent road division for maintenance of fire escape roads. In response to a question, Public Works Director Pat Minturn explained that once permanent road divisions are created for fire escape roads, they will be added to the County's liability insurance policy. In addition, County Fire Warden Fry noted that since the County gave final approval to placement and condition of a road when a subdivision was completed, there appears to be less liability to the County when the roads are included in a permanent road division. He also noted that by making the fire escape roads part of the County-maintained mileage, community volunteer man-hours (through the California Department of Forestry and Fire Protection) can be utilized for maintenance.

By consensus, the Board of Supervisors directed County Counsel to prepare a legal memorandum regarding the exposure of the County for previously constructed emergency exit roads and identify the legal risks and what, if anything, can be done to minimize these risks.

The Board of Supervisors discussed possible dates for public hearings. County Fire Warden Fry indicated he would work with the Clerk of the Board Office to set a date for the public hearing so that sufficient notice of the hearing can be given to County residents. At the suggestion of the Board of Supervisors, notice will be published more than once and will be published in outlying newspapers, as well as in the local media.

By motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors directed a public hearing be set and advertised to consider revisions to Chapter 6, Fire Safety Standards of the Development Standards regarding emergency fire escape routes.

10:02 a.m.: The Board of Supervisors recessed and convened as the In-Home Supportive Services Public Authority.

SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

EMPLOYER-EMPLOYEE RELATIONS OF IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

RESOLUTION NO. 2003-36

LETTER REQUESTING APPROVAL OF RESOLUTION

At the recommendation of In-Home Supportive Services Program Manager Ken Field and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-36, which establishes and governs employer-employee relations of the In-Home Supportive Services Public Authority; and authorized the Chairman to sign a letter to the California Department of Social Services requesting approval of the resolution.

(See Resolution Book No. 44)

10:04 a.m.: The In-Home Supportive Services Public Authority adjourned and reconvened as the Board of Supervisors.

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 Barrowcliff v. County of Shasta and Foster 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 counsel to discuss one case of anticipated litigation, pursuant to Government Code Section 54956.9, subdivision (c).

10:05 a.m.: The Board of Supervisors recessed to Closed Session.

11:40 a.m.: The Board of Supervisors recessed from Closed Session.

11:44 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors, County Counsel Karen Jahr, and Deputy Clerk of the Board Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing and anticipated litigation. On a unanimous vote, with Supervisor Hawes being absent, the Board of Supervisors authorized bringing an eminent domain action against Union Pacific for acquisition of property for a County parking lot adjacent to Oregon Street in Redding, California. No other reportable action was taken.

11:46 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy