

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, May 20, 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  
Chief Deputy Clerk of the Board - Glenda Tracy

**INVOCATION**

Invocation was given by Pastor Dennis McGowan, Faith Community Church.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance to the Flag was led by Chairman Clarke.

**ITEMS PULLED FROM CONSENT CALENDAR**

Supervisor Kehoe pulled the request by Mental Health for approval of a lease agreement with CCHNC Redding Hotel Inc. Shasta County Mental Health Director Dr. Donald Kingdon was unable to respond to Supervisor Kehoe's question of whether there is now other space available. It was determined to hold this agenda item for one week for more research to be done. This will be brought back before the Board at the May 27, 2003 board meeting.

Chairman Clarke pulled the minutes of the May 13, 2003 meeting for a correction. On page 100, the last paragraph on the page should be corrected to read, "*Chairman Clarke* pulled for discussion ...".

Supervisor Fust pulled the minutes of the May 6, 2003 meeting for a correction. On page 90, the last sentence on the page should be corrected to read, "Director of Social Services DelSkillman advised that there *will be an anticipated \$5,000 vehicle loan increase* in the upcoming year."

**CONSENT CALENDAR**

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

Authorized the Chairman to sign a contract amendment with Vavrinek, Trine, Day & Co., LLP to perform the County's outside financial audit for Fiscal Year 2002-2003, increasing total compensation by an amount not to exceed \$68,580 and extending the term to the completion of the audit or June 30, 2004, whichever is later. (Administrative Office/Board of Supervisors)

Authorized the issuance of warrants totaling \$278,198.74 for County operating funds and special districts, as submitted; and authorized the issuance of checks totaling \$217.30 requiring special board action. (Auditor-Controller)

Approved the minutes of the meetings held on May 6 and 13, 2003, as amended. (Clerk of the Board)

Directed the Clerk of the Board to provide notice to the Shasta County Office of Education and 14 school districts stating that the Board of Supervisors will not authorize the issuance of tax and revenue anticipation notes on behalf of the Districts. (County Counsel)

Approved and authorized the Chairman to sign an agreement with Redding Pathologists Laboratory for three years from the date of signing, with the option to renew for two additional one-year periods, to provide pre-employment drug and alcohol testing services on a per-service basis as set forth in the agreement. (Support Services)

Approved the award of Bid No. 415 to Western Business Products of Redding for five years in the approximate amount of \$.0170625 per copy for rental/lease of 44 photocopiers for various County Departments; and directed the Purchasing Division to sign any appropriate documents and issue appropriate purchase orders for the machines. (Support Services-Purchasing Division)

Approved and authorized the Chairman to sign an agreement with the City of Shasta Lake to authorize the City to apply the Community Development Block Grant (CDBG) Program to the City Hall instead of the Business Incubator building. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign a contract amendment with Shasta County Women's Refuge extending the term of the contract to December 31, 2003 to provide services to victims of domestic violence. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign an amendment to the Memorandum of Understanding with the Corporation for National and Community Service to extend the term of the current Americorps\*VISTA Entrepreneur Program to July 17, 2003. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign an agreement with Carolyn F. Furnish, L.M.F.T. 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 periods (no General Fund impact). (Mental Health)

Adopted Resolution No. 2003-81, which authorizes the Director of Mental Health Services or his designee to authorize non-County employee members of the Shasta County Alcohol and Drug Advisory Board, Drug Court Partnership Advisory Board, and Substance Abuse and Crime Prevention Act Implementation Committee to attend out-of-County conferences and workshops at County expense; and directed the Auditor-Controller to pay related claims. (Mental Health-Alcohol and Drug Programs)

(See Resolution Book No. 44)

Adopted Resolution No. 2003-82, which approves the purchase of specialty items by the Division of Alcohol and Drug Programs that are allowable under various state funding allocations; and directed the Auditor-Controller to pay related claims. (Mental Health-Alcohol and Drug Programs)

(See Resolution Book No. 44)

Approved and authorized the Chairman to sign a contract with the Shasta Consortium of Community Health Centers in the amount of \$200,000 to administer a Dental Resource Fund from the date of signing through June 30, 2005. (Social Services)

Adopted Resolution No. 2003-83, which approves and authorizes the District Attorney to sign a renewal contract with the State Victim Compensation and Government Claims Board in the amount of \$64,572 to fund the Shasta County Restitution Program for the period July 1, 2003 through June 30, 2004. (District Attorney-Victim Witness)

(See Resolution Book No. 44)

9:05 a.m.: The Board of Supervisors recessed and convened as the In-Home Supportive Services Public Authority.

### **SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

#### **IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

By motion made, seconded (Hawes/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a Memorandum of Understanding with the City of Redding at no charge to use an un-terminated fiber optic line from the Redding Police Department to connect with the County network from the date of signing through June 30, 2005.

9:06 a.m.: The In-Home Supportive Services Public Authority adjourned and reconvened as the Board of Supervisors.

### **REGULAR CALENDAR**

#### **BOARD MATTERS**

#### **PROCLAMATION: EMERGENCY MEDICAL SERVICES WEEK**

At the recommendation of American Medical Response Director of Operations John Lord and by motion made, seconded (Fust/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation designating May 18-24, 2003 as Emergency Medical Services Week in Shasta County.

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Administrative Officer (CAO) Doug Latimer presented a legislative update on specific legislation related to Shasta County's legislative platform. County Counsel Karen Jahr spoke at the request of Administrative Officer Latimer, advising that the County Counsel Association has recommended that county Boards of Supervisors send letters opposing AB972 (Correa), which amends the False Claims Act regarding the construction contractor's fraudulent claims, filed most often with the use of change orders. Supervisor Kehoe asked County Counsel Jahr why there would be any potential concerns, as change orders were mutually agreed upon prior to given action. County Counsel Jahr advised that possible disputes may be caused by inclement weather, causing fulfillment of the agreed work to not be able to be

completed as originally planned. Discussion was held to send a letter opposing AB972. By consensus, the Board of Supervisors authorized staff to send a letter opposing AB972, with Supervisor Kehoe abstaining, noting that he did not feel comfortable taking a position on it as he did not know enough about it.

Administrative Officer Latimer advised that SB936 (Escutia) will maintain continuity of employment for In-Home Supportive Services (IHSS) providers during periods in which clients are hospitalized. Concerns for the County would be that it imposes another unfounded mandate on the County, increasing costs of the IHSS. This would be a cost that the County would have to pick-up. By consensus, the Board of Supervisors authorized sending a letter opposing SB936.

Administrative Officer Latimer stated that a request has been received from California State Association of Counties (CSAC) asking for support of the Jobs Growth Tax Reconciliation Act of 2003. This would provide a \$20 billion package in state and local fiscal relief and provides opportunity to assist California and its local governments through a budget crisis of significant proportions. By consensus, the Board of Supervisors authorized sending a letter supporting this package funding fiscal relief.

Supervisors reported on issues of countywide interest.

### **ADMINISTRATIVE OFFICE**

#### **PUBLIC DEFENDER POSITION** **SALARY RESOLUTION NO. 1228**

County Administrative Officer Doug Latimer presented the staff report and recommended approval. He spoke of the need for a Public Defender to oversee the five law firms currently being used to provide indigent defense, and he advised that 80-85 percent of people going through the court process qualify for County-funded defense. He also explained that as a County department head, the Public Defender would be able to observe in court the handling of cases and determine that all indigent cases are receiving equal and adequate defense.

In response to a question from Supervisor Kehoe, Administrative Officer Latimer advised that the salary and expenses would be derived from the general fund.

Supervisors Fust and Kehoe supported the concept because of increased accountability but expressed concern due to uncertainties in the budget. Administrative Officer Latimer advised that the position would not be filled until September or October and requested that the Board approve the staff report and the job description can be modified and brought to the Board for further consideration.

By motion made, seconded (Fust/Kehoe), and unanimously carried, the Board of Supervisors adopted Salary Resolution No. 1228, which adds one Public Defender classification, directed the Administrative Officer to negotiate one-year contract extensions with the two primary and two conflict indigent defense contractors and a two-year extension with the juvenile/mental health contractor; directed staff to include a Public Defender position in the Fiscal Year 2003-2004 Recommended Budget as a first step to organize a County Office of Public Defense; and directed the Administrative Officer to work on revising the job description for the Public Defender and return to the Board of supervisors for authorization to recruit for the position.

(See Salary Resolution Book)

**COUNTY CLERK-ELECTIONS**

**AGREEMENT: SEQUOIA VOTING SYSTEMS, INC.**  
**BUDGET AMENDMENT**

County Clerk Ann Reed presented the staff report and recommended approval, noting that the set-up fee is \$200 per precinct per election. At the recommendation of County Clerk Ann Reed and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Sequoia Voting Systems, Inc. in the amount of \$1,719,066, plus a set-up fee of approximately \$22,000 per election and an annual service fee of \$25,000 beginning July 2004, to purchase electronic touch-screen voting equipment and services and an absentee voting system for an initial term of May 21, 2003 through December 31, 2006; and authorized a budget amendment in the amount of \$1,719,066 to recognize revenue in the amount of \$1,156,557 from the State Voting Modernization Fund and additional anticipated revenue in the amount of \$562,509 from federal funds through the Help America Vote Act of 2002 and establish a fixed asset account in the amount of \$1,719,066 for the purchase of the new voting systems.

**ASSESSOR-RECORDER**

**AGREEMENT: STATE OF CALIFORNIA DEPARTMENT OF FINANCE**  
**STATE-COUNTY PROPERTY TAX ADMINISTRATION GRANT PROGRAM**

At the recommendation of Assessor-Recorder Cris Andrews and by motion made, seconded (Wilson/Hawes), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the State of California Department of Finance in the amount of \$342,399 to participate in the State-County Property Tax Administration Grant Program for Fiscal Year 2002-2003; and authorized the Auditor-Controller to establish an interest-bearing trust fund for the Program.

**HEALTH AND WELFARE**

**HOUSING AND COMMUNITY ACTION PROGRAMS**

**BUDGET AMENDMENT**

At the recommendation of Housing and Community Actions Program Director Larry Lees and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors approved a budget amendment which increases appropriations and revenues in Budget Unit 543 (Housing Authority) by \$5,038, decreases appropriations and revenues in Budget Unit 590 (Community Action Agency) by \$2,438, and decreases appropriations and revenues in Budget Unit 596 (Community Development Block Grant) by \$20,000 to reflect projected expenditures and revenues for Fiscal Year 2002-2003.

**MENTAL HEALTH**

**DETENTION OF PERSONS WITH MENTAL DISORDERS**  
**RESOLUTION NO. 2003-84**

At the recommendation of Mental Health Director Don Kingdon and by motion made, seconded (Kehoe/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2003-84, which rescinds Resolution No. 89-273 and designates professional

persons who may take or cause to be taken into custody persons for placement in the Shasta Psychiatric Hospital for 72-hour treatment and evaluation.

(See Resolution Book No. 44)

### **SCHEDULED POLICY SESSION**

#### **CLERK OF THE BOARD**

#### **MINUTES OF THE BOARD OF SUPERVISORS**

Chief Deputy Clerk of the Board Glenda Tracy presented the staff report and submitted several different formats should the Board of Supervisors wish to alter the format or content of the Minutes as currently recorded:

1. A transcript of the proceedings (verbatim minutes);
2. Action-only minutes for Consent Calendar items with more in-depth minutes for Regular Agenda items; or
3. Action-only minutes as are currently recorded.

Members of the Board of Supervisors discussed the matter and made several suggestions, such as including more Board of Supervisors discussion when changes are made to staff recommendations, more in-depth discussion of the legislative platform and Supervisors' reports, responses to germane questions asked by the Board of Supervisors and the name of the questioning Supervisor.

In response to a question from Supervisor Kehoe, County Counsel Karen Jahr noted that State law does not prescribe what minimum details are to be included in Boards of Supervisors' Minutes; however, video and audio recordings are considered ancillary to minutes.

Administrative Officer Latimer noted that it may be appropriate to issue a Minute Order to department heads when direction or a time limit is given to staff or department heads to accomplish tasks; he would be willing to work with the Chief Deputy Clerk of the Board on the mechanics of implementing such a system.

Supervisor Fust and Chairman Clarke observed that during the Supervisors' reports, it would be appropriate to record Supervisors' attendance at meetings where they are appointed to represent Shasta County.

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Clarke announced that the Board of Supervisors would recess to a Closed Session to take the following actions, noting that the item regarding existing litigation entitled Neathamer v. County of Shasta was pulled at the request of Support Services Director Joann Davis:

1. Confer with its counsel to discuss one case of anticipated litigation pursuant to Government Code section 54956.9, subdivision (b).
2. 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.

10:55 a.m.: The Board of Supervisors recessed to Closed Session.

11:20 a.m.: The Board of Supervisors recessed from Closed Session.

11:25 a.m.: The Board of Supervisors reconvened in Open Session with Chairman Clarke, Supervisors Fust and Hawes, 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, as well as labor negotiations; however, no reportable action was taken.

11:25 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

H. DOUGLAS LATIMER  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy