

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 26, 2004

REGULAR MEETING

9:00 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. 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
Deputy Clerk of the Board - Tazina Otis

INVOCATION

Invocation was given by County Administrative Officer Doug Latimer.

PLEDGE OF ALLEGIANCE

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

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**DEFERRED COMPENSATION PROGRAM
FOR EXTRA HELP EMPLOYEES IN LIEU
OF SOCIAL SECURITY
RESOLUTION NO. 2004-152**

Supervisor Kehoe pulled for clarification the Support Services request to adopt a resolution initiating a deferred compensation program for extra-help employees in lieu of Social Security.

Director of Support Services Joann Davis explained to the Board of Supervisors that federal law allows employers to establish an alternate retirement program instead of Social Security for extra-help employees.

By motion made, seconded (Fust/Wilson), and carried, the Board of Supervisors adopted Resolution No. 2004-152, which initiates the process to establish an alternate retirement program in lieu of Social Security for extra-help employees effective January 1, 2005, or as soon thereafter as all the necessary paperwork is completed, and delegates authority to the Auditor-Controller, or assigned designee to serve as the County's Plan Administrator and to sign all documents required to implement the program. Supervisor Kehoe voted no as he did not believe it would be in the best interests of the affected employees. (Support Services-Human Resources Division)

(See Resolution Book No. 45)

LEASE AGREEMENT
LUELLA COOPER
36911 MAIN STREET, BURNEY

Supervisor Kehoe pulled for discussion the item to approve a lease with Luella Cooper for office space located at 36911 Main Street, Burney. Supervisor Kehoe questioned whether the building is American with Disability Act (ADA) compliant.

Social Services Director Sher Huss stated that the building is not completely ADA compliant at this point in time. County Administrative Officer (CAO) Doug Latimer explained that the lessor has agreed to make ADA changes over time as the budget allows.

Supervisor Clarke advised that it would be in the best interest of the community to keep providing services in the Intermountain area while ADA repairs are being made.

By motion made, seconded, (Fust/Wilson), and carried, the Board of Supervisors approved and authorized the Chairman to sign a lease with Luella Cooper for approximately 3,040 square feet of office space at 36911 Main Street, Burney at \$2,600 per month (\$0.86/square foot) for the period December 1, 2004 through November 30, 2009, with options for two additional two-year terms, with an annual rate increase not to exceed three percent per year. Supervisor Kehoe voted no as the building is not ADA compliant. (Social Services)

CONSENT CALENDAR

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

Adopted Salary Resolution No. 1259, which deletes one Agricultural and Standards Investigator position and adds one Agricultural and Standards Program Associate position; and approved job specifications for the new job classification. (Agricultural Commissioner)
 (See Salary Resolution Book)

Authorized the issuance of checks totaling \$9,933.00 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign a second amendment to the agreement for legal services with McDonough, Holland & Allen to represent the County in an eminent domain action against Pacific Gas and Electric for the Fall River Mills Airport Expansion Project. (County Counsel)

Approved and authorized the Treasurer-Tax Collector to sell up to 104 tax-defaulted properties at public auction to the highest bidder on February 25, 2005 and re-offer at a lower minimum bid amount any parcel that does not sell. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign a renewal agreement with Attorney's Diversified Services in an amount not to exceed \$100,000 to provide process service for the period November 5, 2004 through November 4, 2005, with an option to renew for one additional year. (Child Support Services)

Authorized the Public Works Director to sign a Notice of Completion for the Happy Valley Safe Routes to School Project and record it within 10 days of completion. (Public Works)

Authorized the Public Works Director to sign a Notice of Completion for the McArthur Road at Fall River Bridge Project and record it within 10 days of completion. (Public Works)

Authorized the Public Works Director to release security guaranteeing the street maintenance of Ark Way and Granola Way for Tract No. 1839(A) in the amount of \$23,000. (Public Works)

For Tract No. 1886, Palo Cedro Park Estates (Palo Cedro area), approved the final map for filing; accepted on behalf of the public offers of dedication for public roads, public utility easements, and dedicated access rights; adopted Resolution No. 2004-153, which consents to but does not accept offers of dedication for private roads or for any other public use; and approved and authorized the Chairman to sign an agreement with Lon Tatom for completion of improvements, and accepted a performance security in the amount of \$72,750 and a payment security in the amount of \$36,375. (Public Works)

(See Resolution Book No. 45)

For Parcel Map No. 03-047, Donahue (Shingletown area), approved and authorized the Chairman to sign an agreement with John Donahue for completion of improvements within one year; and accepted securities for faithful performance in the amount of \$36,000 and for labor and materials in the amount of \$18,000. (Public Works)

Enacted Ordinance No. 378-1886, which approves Zone Amendment No. 04-006, Monvik (Shasta Lake area), as introduced on October 12, 2004. (Clerk of the Board)

(See Zoning Ordinance Book)

REGULAR CALENDAR

PRESENTATIONS

AWARD: OUTSTANDING CONTRACTOR OF THE YEAR

U.S. Forest Service (U.S.F.S) representative Theadoris Broussard presented a National Award for Outstanding Contractor of the Year to the Shasta County Opportunity Center for the outstanding work their employees have performed for the U.S.F.S.

BOARD MATTERS

UPDATE ON QUINCY LIBRARY GROUP

U.S.F.S. Pacific Southwest Regional Forester Jack Blackwell gave an update regarding Quincy Library Group (QLG) progress. Due to appeals and court actions, the QLG plan has not been fully implemented.

Supervisor Hawes complimented the U.S.F.S. on the quick harvesting, restoration, and reforestation after the recent fires.

U.S.F.S. District Supervisor Sharon Heywood provided an update on Bear Fire efforts.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer Doug Latimer had no report.

Supervisors reported on issues of countywide interest.

CLERK OF THE BOARD

APPROVAL OF MINUTES: OCTOBER 12, 2004

By motion made, seconded (Clarke/Fust), and unanimously carried, the Board of Supervisors approved the minutes of the meeting held on October 12, 2004, as submitted. Supervisor Wilson abstained as she was absent from that meeting.

LIBRARY

**GRANT: CALIFORNIA STATE LIBRARY
LIBRARY MATERIALS IN NON-ENGLISH LANGUAGES
BUDGET AMENDMENT**

At the recommendation of Library Director Carolyn Chambers and by motion made, seconded (Kehoe/Fust), and unanimously carried, the Board of Supervisors accepted a grant from the California State Library in the amount of \$3,000 to purchase and promote library materials in non-English languages; and approved a budget amendment which increases revenue and appropriations in the amount of \$3,000 to reflect the allocations and allow spending.

**SHASTA LIBRARY FOUNDATION
SELF-CHECK SYSTEM**

At the recommendation of Library Director Carolyn Chambers and by motion made, seconded (Fust/Wilson), and unanimously carried, the Board of Supervisors accepted a Self-Check System valued at \$27,870 from the Shasta Library Foundation.

SUPPORT SERVICES-FLEET MANAGEMENT DIVISION

BUDGET TRANSFERS

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Kehoe/Clarke), and unanimously carried, the Board of Supervisors approved budget transfers recognizing a total of \$176,368 in replacement funds and insurance proceeds to New Fixed Asset accounts to purchase 11 replacement vehicles; recognized revenue in an amount not to exceed \$42,882 from the Sheriff's Office, Probation, and Resource Management in New Fixed Asset accounts to complete the purchase of the replacement vehicles; and established a designated retained earnings account for underground fuel storage tank depreciation.

SUPPORT SERVICES-RISK MANAGEMENT DIVISION

**RECLASSIFICATION OF REVENUE
RESOLUTION NO. 2004-154**

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. 2004-154, which reclasses \$1,863,998.74 of Risk Management revenues from Fiscal Years 1996-97 through 2003-04 from liability to workers' compensation.

(See Resolution Book No. 45)

TREASURER-TAX COLLECTOR-PUBLIC ADMINISTRATOR

QUARTERLY REPORTS OF INVESTMENTS

At the recommendation of Treasurer-Tax Collector-Public Administrator Lori Scott and by motion made, seconded (Fust/Clarke), and unanimously carried, the Board of Supervisors accepted the Quarterly Report of Investments for the quarter ending September 30, 2004.

OTHER DEPARTMENTS

COUNTY FIRE

**AGREEMENT: U.S. FOREST SERVICE
LASSEN AND SHASTA-TRINITY NATIONAL FORESTS
PERSONNEL/EQUIPMENT REIMBURSEMENT**

10:14 a.m.: Supervisor Kehoe recused himself due to his association with the U.S. Forest Service and left the room.

At the recommendation of Deputy Fire Warden Scott Holmquist and by motion made, seconded (Fust/Wilson), and unanimously carried (4-0), the Board of Supervisors approved and authorized the Chairman to sign an agreement with U.S. Forest Service, Lassen National Forest and Shasta-Trinity National Forest to establish negotiated reimbursement rates for personnel and equipment used in providing fire protection resources within the boundaries of the Lassen and Shasta-Trinity National Forests for the period of five years from the date of signing.

**GRANT: CALIFORNIA DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
VOLUNTEER FIRE ASSISTANCE PROGRAM
BUDGET AMENDMENT
RESOLUTION NO. 2004-155**

At the recommendation of County Fire Deputy Chief Marc Romero and by motion made, seconded (Clarke/Fust), and unanimously carried (4-0), the Board of Supervisors adopted Resolution No. 2004-155, which authorizes acceptance of grant funding from the California Department of Forestry and Fire Protection (CDF) and authorizes County Fire Warden Ken McLean to sign a Volunteer Fire Assistance Program Agreement with CDF for Fiscal Year 2004-05 in the amount of \$11,000 to obtain funds to purchase replacement radios; and approved a budget amendment increasing revenues and expenditures by \$11,000 to purchase replacement radios.

(See Resolution Book No. 45)

10:20 a.m.: Supervisor Kehoe returned to the chambers.

CLOSED SESSION ANNOUNCEMENT

Chairman Hawes 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 Santos v. Sheriff of Shasta County, pursuant to Government Code section 54956.9, subdivision (a).
2. Confer with its counsel to discuss one case of anticipated litigation entitled County of Shasta v. Hill, pursuant to Government Code section 54956.9, subdivision (c).
3. Confer with its real estate negotiators to negotiate price and terms of payment to the Administrative Office of the Courts regarding property at 1500 Court Street, Redding pursuant to Government Code section 54954.2.

10:24 a.m.: The Board of Supervisors recessed to Closed Session.

11:29 a.m.: The Board of Supervisors recessed from Closed Session.

11:34 a.m.: The Board of Supervisors reconvened in Open Session with Supervisors Kehoe, Fust, and Hawes, Assistant County Counsel Mike Ralston, and Deputy Clerk of the Board Tazina Otis.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel Mike Ralston reported that the Board of Supervisors met in Closed Session to discuss existing and anticipated litigation, as well as real estate negotiations. On a unanimous vote, the Board of Supervisors referred the defense of the County in the matter of Santos v. Sheriff of Shasta County to the Law Office of Gary Brickwood. Also on a unanimous vote, in the matter of County of Shasta v. Hill, the Board authorized and instructed County Counsel to undertake the prosecution of the action to recover monies due the County. No other reportable action was taken.

11:40 p.m.: The Board of Supervisors recessed to reconvene at 1:30 p.m. to attend the Ribbon Cutting Ceremony at the Shasta County Administration Center, 1450 Court Street, Redding.

RIBBON CUTTING CEREMONY

1:30 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Administrative Officer Doug Latimer, County Counsel Karen Jahr, and Chief Deputy Clerk of the Board Glenda Tracy present.

RIBBON CUTTING CEREMONY

The Board of Supervisors participated in the Shasta County Administration Center Ribbon Cutting Ceremony at 1450 Court Street.

2:30 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy