

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 2, 2005

REGULAR MEETING

9:02 a.m.: Chairman Kehoe 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 Cibula
 District No. 3 - Supervisor Hawes
 District No. 4 - Supervisor Hartman
 District No. 5 - Supervisor Clarke

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 Bill Giovannetti, Neighborhood Church of Redding.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

Introductions of the Members of the Board, County staff, elected officials, and County department heads were made.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the minutes of the July 27, 2005 Board of Supervisors Meeting were pulled at the request of the department. He also announced that the item regarding the enactment of an ordinance amending Shasta County Code section 3.04.010, *Purchases By Shasta County Purchasing Agent*, would be acted upon in conjunction with the item regarding the contract authority of the County Administrative Officer.

CONSENT CALENDAR

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

Authorized the issuance of warrants totaling \$5,280.64 requiring special board action. (Auditor-Controller)

Adopted Policy Resolution No. 2005-6, which approves recommended amendments to the Administrative Policy Manual to reflect current County practices, ensure compliance with State regulations, and update provisions. (Clerk of the Board)

(See Policy Resolution Book)

Appointed Pam Branson to the Shasta County Community Action Board to fill an unexpired term to May 2008. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with the City of Anderson for services at the Anderson Branch Library and in return, receive a contribution from the City of Anderson in the amount of \$23,000 for Fiscal Year 2005-06. (Library)

Adopted Resolution No. 2005-95, which revises Personnel Rules section 6.10 to allow for a collateral allocation to be established for training of a new employee when an incumbent is leaving a position to work in another County department. (Support Services)

(See Resolution Book No. 46)

Approved and authorized the Chairman to sign a contract with Dade Behring, Inc. for lease of equipment, hardware, and software and for testing reagents to provide a drug-abuse testing system for the period August 2, 2005 through June 30, 2008, with two optional one-year renewals; directed the Purchasing Division to procure the system as approved by the Public Health Department; and directed the Auditor-Controller to pay all claims related to the agreement. (Support Services-Purchasing Division/Public Health)

Adopted Resolution No. 2005-96, which authorizes the Director of Social Services to sign an agreement with the California Department of Social Services to provide the Northern County Consortium with funding for a child welfare consultant to assist Consortium counties in developing and implementing family-centered practices and programs for the period January 1, 2005 through June 30, 2009. (Social Services)

(See Resolution Book No. 46)

Approved and authorized the Chairman to sign an agreement with University of California, Davis in an amount not to exceed \$99,960 to provide a northern regional child welfare consultant for the period August 2, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an amendment to the agreement with Family Service Agency of Shasta County, Inc. increasing compensation by \$15,000 (for a total not to exceed \$263,563), providing for monthly advance payments to provide a visitation and parenting center for the Children and Family Services Division, and retaining the term of July 1, 2005 through June 30, 2006. (Social Services)

Adopted Resolution No. 2005-97, which approves and authorizes the Chairman to sign a Joint Powers Agreement with Caltrans in the amount of \$110,174.40 for the Opportunity Center to provide mailroom services for Caltrans for the period September 1, 2005 to August 31, 2008; and authorizes the Director of Social Services to sign the Contractor Certification Clauses. (Social Services)

(See Resolution Book No. 46)

Approved and authorized the Chairman to sign the Federal Annual Certification Report for the period July 1, 2004 through June 30, 2005, outlining receipt and expenditure of federal asset forfeiture sharing funds during Fiscal Year 2004-05. (Sheriff)

For the Blue Jay Lane at Anderson Creek Bridge Replacement Project, approved and authorized the Chairman to sign right-of-way contracts with John Hancock Life Insurance Company (0.27 acres for \$3,900), Robert and Barbara Mason (0.08 acres for \$1,000), and Joshua and Jessica Morris (0.12 acres for \$1,100); and accepted three deeds from John Hancock Life Insurance Company, Robert and Barbara Mason, and Joshua and Jessica Morris conveying parcels of project right of way. (Public Works)

For the Lone Tree Road at Anderson Creek Bridge Replacement Project, approved and authorized the Chairman to sign a right-of-way contract with The Benny Lee Newland Separate Property Trust (0.04 acres for \$700); and accepted a deed from The Benny Lee Newland Separate Property Trust conveying one parcel of project right of way. (Public Works)

Awarded to the low bidder, Hutchins Paving & Excavating, on a unit-cost basis, the contract for construction on Various Permanent Road Divisions in the amount of \$159,594. (Public Works)

Authorized the Public Works Director to sign a Notice of Completion for the Burney Veterans' Hall Paving Project and record it within ten days of the actual completion of the work. (Public Works)

For the Santa Barbara Estates, Phase 2 Zone of Benefit Street Lighting (north Redding area), received the petition for formation of a zone of benefit within CSA No. 15 - Street Lighting, affidavit verifying petition information, County Surveyor's report, and parcel charge report; and set a public hearing for September 20, 2005 at 9:00 a.m. (or as soon thereafter as may be heard). (Public Works)

For the Mountain Gate Meadows Permanent Road Division (Mountain Gate area), received petitions for formation and activation, affidavit verifying petition information, maintenance cost estimate, County Surveyor's report, and parcel charge report; and set a public hearing for September 20, 2005 at 9:00 a.m. (or as soon thereafter as may be heard). (Public Works)

REGULAR CALENDAR

BOARD MATTERS

AUGUST 2005 EMPLOYEE OF THE MONTH **LESLIE MORGAN, AUDITOR-APPRAISER III** **RESOLUTION NO. 2005-98**

At the recommendation of Assessor-Recorder Cris Andrews and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-98, which recognizes Auditor-Appraiser III Leslie Morgan as Shasta County's August 2005 Employee of the Month

(See Resolution Book No. 46)

PROCLAMATION: CHILD SUPPORT AWARENESS MONTH

At the recommendation of Director of Child Support Services Terri Love and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 2005 as Child Support Awareness Month in Shasta County.

PROCLAMATION: AUGUST 2005 BREASTFEEDING AWARENESS MONTH
AUGUST 1-7, 2005 BREASTFEEDING AWARENESS WEEK

At the recommendation of Shasta County Breastfeeding Coalition representative Robin Schurig and by motion made, seconded (Hartman/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 2005 as Breastfeeding Awareness Month in Shasta County and August 1-7, 2005 as Breastfeeding Awareness Week in Shasta County.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Administrative Officer (CAO) Doug Latimer noted that the Assembly and Senate are still in recess.

By motion made, seconded (Clarke/Cibula), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to Whiskeytown Lake National Recreation Area Park Superintendent Jim Milestone which supports naming a newly discovered waterfall near Whiskeytown Lake "Whiskeytown Falls."

Supervisors reported on issues of countywide interest.

PUBLIC WORKS

9:42 a.m.: Supervisor Cibula recused himself as the selection of property may involve property in the immediate vicinity of his real estate holdings, and he left the Chambers.

GULF WAR ERA VETERANS MONUMENT

Public Works Director Pat Minturn presented the staff report and explained that, of the potential sites available, four seem the most appropriate:

1. Existing Library: The site is currently available, and landscaping is in place.
2. New Shasta County Library-Redding Main: The site will be available in 2007, and landscaping can be modified to accommodate the monument.
3. Softball Diamonds, City of Shasta Lake: The site is currently available, and location would need to be approved by the Shasta Lake City Council.
4. Anderson River Park, City of Anderson: The site is currently available, and location would need to be approved by the Anderson City Council.

Families Honoring Our Troops (FHOT) representative Colleen Tannenbaum thanked the Board of Supervisors for their support, and explained that they are looking for the best site for the monument.

Michael Luera of FHOT noted that FHOT will take the time and make the effort to make the monument an important place.

Duane Lyon encouraged the Board of Supervisors to look at a wider range of locations, such as the Redding Municipal Airport or the Redding Convention Center. Also, acting as a representative of New Library Now!, Mr. Lyon also discussed possible dates for the groundbreaking-ceremony dates for the Shasta County Library-Redding Main. Chairman Kehoe asked Mr. Lyon to work with County staff to arrange an agreeable date for the ceremony.

In response to a question from Supervisor Clarke, the members of Families Honoring Our Troops in the audience indicated it was their preference that the monument be placed at the new library site.

By motion made, seconded (Clarke/Hartman), and carried, the Board of Supervisors authorized the placement of the Gulf War Era veterans monument at the new Shasta County Library-Redding Main site, approved and authorized the Chairman to sign a letter of support for the monument, and directed Public Works Director Pat Minturn to work with existing library organizations and the City of Redding (the Library Project Management Team) to find a mutually agreeable location at the site.

10:04 a.m.: Supervisor Cibula returned to the Chambers.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE

ADMINISTRATIVE POLICY 6-101 SHASTA COUNTY CONTRACTS MANUAL POLICY RESOLUTION NO. 2005-7

CAO Latimer explained that his staff had reviewed the contracts processed through the Administrative Office in the last three months and found that 42 were for amounts under \$30,000, and 21 were for amounts between \$30,000 and \$50,000. He recommended that, should the Board of Supervisors choose to reduce the CAO's signature authority, a \$30,000 limit would be a reasonable compromise.

Construction Industry Force Account Council (CIFAC) Regional Field Representative Sally Riley stated that Shasta County has consistently supported competitive bidding, and CIFAC supports an increase from \$25,000 to \$30,000 for public works projects and an increase to \$125,000 for informal bidding processes. She also noted that setting the CAO signature authority at \$30,000 should not impede the public's access to open government.

By motion made, seconded (Clarke/Hartman), and carried, the Board of Supervisors approved an amendment to Administrative Policy 6-101, *Shasta County Contracts Manual*, setting the County Administrative Officer's signature authority at \$30,000; and adopted Policy Resolution No. 2005-7, which amends Administrative Policy 6-101, *Shasta County Contracts Manual*, effective September 1, 2005. Supervisor Cibula voted no as he believes the language in section 5.3 should be strengthened, and Supervisor Kehoe voted no as he supports having the fullest amount of competitive business.

(See Policy Resolution Book)

SHASTA COUNTY CODE SECTION 3.04.010 PURCHASES BY PURCHASING AGENT ORDINANCE NO. SCC 2005-5

Supervisor Clarke explained that she had requested this item be pulled from the Consent Calendar so that a possible amendment could be made to set the County Purchasing Agent's purchasing authority at the same level as the County Administrative Officer's contract authority.

In response to a question from Supervisor Clarke regarding amending an ordinance which has already been introduced, County Counsel Karen Jahr explained that a proposed change reducing the purchasing authority of the purchasing agent is minor enough (and the public has been made adequately aware of what changes to the ordinance may entail) that the Board of Supervisors may proceed with enactment of the ordinance without reintroducing it.

By motion made, seconded (Clarke/Hawes), and carried, the Board of Supervisors enacted Ordinance No. SCC 2005-5, which amends Shasta County Code section 3.04.010, *Purchases by Purchasing Agent*, as introduced July 19, 2005, with the exception that subsection B is further amended to set the purchasing agent authority at \$30,000 instead of \$50,000. Supervisor Kehoe voted no as he supports having the fullest amount of competitive business, and the proposed contract authority seems to be the direct opposite of open government.

(See Shasta County Code Ordinance Book)

SCHEDULED HEARINGS

PUBLIC WORKS

FORMATION OF RITTS MILL ROAD PERMANENT ROAD DIVISION BALLOT TABULATION

This was the time set to conduct a public hearing and consider taking action regarding the formation of Ritts Mill Road Permanent Road Division in the Shingletown area. Deputy Public Works Director Scott Wahl presented the staff report. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board. Deputy Clerk of the Board Linda Mekelburg announced the date, time, and location of the proposed tabulation of ballots regarding the proposed parcel charge.

The public hearing was opened, at which time no one spoke for or against the increase, and the public hearing was closed.

Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the parcel charge increase.

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors directed the Clerk of the Board to tabulate the results of the vote to consider formation of Ritts Mill Road Permanent Road Division as required by Proposition 218; and continued the matter until August 9, 2005, at 9 a.m., or as soon thereafter as may be heard, at which time the results of the vote will be announced.

FORMATION OF ROBLEDO ROAD PERMANENT ROAD DIVISION BALLOT TABULATION

This was the time set to conduct a public hearing and consider taking action regarding the formation of Robledo Road Permanent Road Division in the Palo Cedro area. Public Works Director Pat Minturn presented the staff report. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board. Mr. Wahl announced the date, time, and location of the proposed tabulation of ballots regarding the proposed parcel charge.

The public hearing was opened, at which time no one spoke for or against the increase, and the public hearing was closed.

Mr. Wahl noted that in accordance with Proposition 218, the property owners must approve the parcel charge increase.

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors directed the Clerk of the Board to tabulate the results of the vote to consider formation of Robledo Road Permanent Road Division as required by Proposition 218; and continued the matter until August 9, 2005 at 9 a.m., or as soon thereafter as may be heard, at which time the results of the vote will be announced.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to conduct its annual review of pending civil cases pursuant to Government Code section 54956.9, subdivision (a), as follows:

1. Abby v. Joseph Hernandez, et al.
2. Anderson v. County of Shasta, et al.
3. Arbo v. Sheriff's Department, et al.
4. Balma Family Trust v. County of Shasta
5. Barber v. Shasta County Mental Health
6. Berlinghoff v. County of Shasta
7. Brummett v. Teske, County of Shasta, et al.
8. Burgess v. Cris Andrews
9. California Farm Bureau Federation, et al. v. California Department of Forestry and Fire Protection, et al.
10. County of Shasta v. Shasta County Superior Court
11. Hinton v. Homen, County of Shasta
12. Horisk v. County of Shasta
13. Jayne v. Jim Pope, et al.
14. Koeth v. County of Shasta, et al.
15. Leavitt v. Shasta County Board of Supervisors and Air Pollution Control Board
16. Legion Insurance Company v. County of Shasta
17. Love v. County of Shasta
18. McCaskill v. County of Shasta
19. McFadyen v. Jim Pope, County of Shasta
20. Meyers v. Sheriff Jim Pope, et al.
21. Nichols, et al. v. County of Shasta, et al.
22. Philapandeth v. County of Shasta
23. Pineda v. Stephanie Anne Bridgett
24. Pringle v. Jim Blalock, et al.
25. Ragar v. County of Shasta, et al.
26. Santos v. Shasta County Sheriff's Department
27. Skelton v. County of Shasta
28. Teixeria v. County of Shasta, et al.
29. Thompson v. City of Shasta Lake, County of Shasta, et al.
30. Travelers Property and Casualty Ins. Co. v. Shasta County
31. Vischjager v. Mike Wallace
32. Walling v. County of Shasta
33. Weber v. Bill Lockyer, Jim Pope, Shasta County Sheriff, et al.
34. Whitmore Union School District v. County of Shasta
35. Wilson v. City of Redding, County of Shasta, et al.
36. Wurch v. Del Skillman, County of Shasta
37. Yokoyama, et al. v. County of Shasta, et al.

10:40 a.m.: The Board of Supervisors recessed to Closed Session.

12:08 p.m.: The Board of Supervisors recessed from Closed Session.

12:09 p.m.: The Board of Supervisors reconvened in Open Session with all Supervisors, County Counsel Karen Jahr, and Deputy Clerk of the Board Elaine Grossman present.

REPORT OF CLOSED SESSION ACTIONS

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

12:10 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy