

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 28, 2005

REGULAR MEETING

9:00 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 - Elaine Grossman

INVOCATION

Invocation was given by Bill Price, Restoration Enterprises.

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

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

PUBLIC COMMENT PERIOD - OPEN TIME

Richard Paz invited the Members of the Board of Supervisors and the public to visit the website for the Breast Cancer Site, which funds mammograms for underprivileged women.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe announced that the item requesting approval of an amended California State Association of Counties-Excess Insurance Authority (CSAC-EIA) Joint Powers Agreement was pulled at the request of the department.

He also announced that the items regarding the County claims requiring special action and the budget transfer for the Veterans Service Office would be acted upon after the Consent Calendar.

CONSENT CALENDAR

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

Approved and appointed Ken Murray representing the City of Redding as a replacement member to the Indian Gaming Local Community Benefit Committee (LCBC); and received a report by the Committee on the Fiscal Year 2004-05 grant recipients. (Administrative Office)

Approved a budget amendment decreasing Unallocated Expenditures by \$80,000 and increasing property tax revenue by \$70,000 in general funds to finance the Trial Courts Undesignated Fee transfer appropriation, as approved by Board of Supervisors June 7, 2005. (Administrative Office)

Approved the minutes of the meeting held on June 21, 2005, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a software support agreement renewal with SunGard Bi-Tech Inc. to provide support and maintenance of the County's financial systems in an amount not to exceed \$57,020.01 for the period July 1, 2005 through June 30, 2006. (Information Technology)

Approved a Waiver of Personnel Rules Section 4.8, *Work Out of Classification*, for a Public Safety Service Officer working as a Senior Sheriff's Service Officer in the Jail for up to six months. (Support Services-Human Resources Division)

Approved a request for an Authorization of Discharge of Accountability in the amount of \$132,529.92 for uncollectible assessments made in calendar year 1992 pursuant to Revenue and Taxation Code section 2611.1. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign an agreement with the City of Anderson (City) to administer the City's funds acquired from the Community Development Block Grant (CDBG) for the City's CDBG housing rehabilitation program with compensation to Shasta County in an amount not to exceed \$16,000 for activity delivery and \$8,108 for general administration (for a total of \$24,108) from the date of signing through December 31, 2006. (Housing and Community Action Programs)

Approved and authorized the Chairman to sign an agreement with Crestwood Behavioral Health, Inc. to provide skilled nursing care in an amount not to exceed \$1,379,558 for the period July 1, 2005 through June 30, 2006, with two automatic one-year renewals. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with ECHO Consulting Services of California, Inc. increasing annual maximum compensation by \$6,785.25 (for a total of \$182,604.31) to provide software maintenance and support of the Mental Health Department's billing and data collection system for the period July 1, 2005 through June 30, 2006. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with the County of El Dorado in an amount not to exceed \$200,000 to provide psychiatric inpatient hospital services for the period July 1, 2005 through June 30, 2007. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with NorCal Center on Deafness, Inc. in an amount not to exceed \$10,000 annually (the maximum

amount remains the same) to update the fee schedule for interpreter services for the hearing impaired for the period July 1, 2005 through June 30, 2006, with an automatic one-year renewal. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Remi Vista, Inc. increasing annual maximum compensation by \$296,456 (for a total of \$598,104) to provide mental health services to Medi-Cal-eligible children and youth for the period July 1, 2005 through June 30, 2006, with an automatic one-year renewal. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Sharon Saunders, DBA Sale Lane Residential Facility increasing maximum annual compensation by \$2,100 (for a total of \$23,220) to provide adult residential board and care services from the date of signing through June 30, 2006. (Mental Health)

Approved and authorized the Chairman to sign an agreement with Victor Community Support Services, Inc. in an annual amount not to exceed \$1,428,862 to provide mental health services to children and families for the period of July 1, 2005 through June 30, 2006, with two optional one-year renewals. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Victor Community Support Services, Inc., increasing the maximum compensation for Family Assessment and Support by \$50,000 and decreasing the amount available for Therapeutic Behavioral Services by \$50,000, creating no change in the maximum compensation of \$1,172,120. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Vista Del Mar Child and Family Services in an annual amount not to exceed \$73,000 to provide mental health services to Medi-Cal-eligible children for the period July 1, 2005 through June 30, 2006, with an automatic one-year renewal. (Mental Health)

Approved and authorized the Chairman to sign an amendment to the agreement with Willow Glen Care Center in an annual amount not to exceed \$58,400 to increase the daily rates to provide residential treatment services for mentally disabled older adults for the period July 1, 2005 through June 30, 2006, with an automatic one-year renewal. (Mental Health)

Approved and authorized the Chairman to sign a renewal agreement with Shasta County Chemical People, Inc. in an amount not to exceed \$107,000 to provide alcohol and other drug prevention services throughout Shasta County for the period July 1, 2005 through June 30, 2006. (Mental Health-Alcohol and Drug Programs)

Approved and authorized the Chairman to sign the California Department of Health Services Children's Medical Services Branch "Certification Statement" in support of program plans and budgets totaling \$1,463,887 (Child Health and Disability Prevention Program - \$431,426, Health Care Program for Children in Foster Care - \$154,194, and California Children's Services Administration - \$878,267) for the period July 1, 2005 through June 30, 2006; and granted the Public Health Director limited authority to execute amendments to the program budget(s) which result in a net change of no more than 5 percent of the total budget, and other minor, nonmonetary amendments as necessary. (Public Health)

Approved and authorized the Chairman to sign an agreement with Steven Layton in an amount not to exceed \$41,500 to provide health education and tobacco compliance activities for the period July 1, 2005 through June 30, 2006, with the option of renewal for two additional years under the same terms and conditions. (Public Health)

Approved and authorized the Chairman to sign an agreement with Lilliput Children's Services in an amount not to exceed \$176,500 to provide an adoptions support program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the chairman to sign an agreement with Mayers Memorial Hospital District, Crossroads Clinic in an amount not to exceed \$6,500 to provide parenting classes, counseling, drug and alcohol group counseling, and drug testing specimen collection to the clients of Children and Family Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with New Directions to Hope, Inc. in an amount not to exceed \$5,000 to provide counseling and mental health services to the clients of Children and Family Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$144,000 to provide Cal-Learn case management services for clients of the CalWORKs program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$90,000 to provide case management to move CalWORKs clients from motels to appropriate housing and to administer the CalWORKs housing loan fund for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$67,000 to provide a career-clothing and related mentoring center (Clothes That WORK) for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$72,000 to provide counseling, mental health services, and psychological evaluations for the clients of Children and Family Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Shasta County Private Industry Council, Inc. DBA SMART Business Resource Center in an amount not to exceed \$54,800 to provide CalWORKs WorkFirst services for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with the City of Redding in an amount not to exceed \$87,848 for the Police Department to investigate elder crimes and abuse for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with the Child Abuse Prevention Coordinating Council in an amount not to exceed \$75,000 to provide a Child Abuse Prevention, Intervention, and Treatment Afternoon Childcare, Structured Activity, and Parent Mentoring Program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a contract with Shasta Treatment Associates, Inc. in an amount not to exceed \$10,000 to provide counseling and mental health services to the clients of Children and Family Services Division for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign an agreement with Victor Treatment Centers, Inc. in an amount not to exceed \$240,900 to administer Residential, Mental Health, and Intensive Day Treatment Program for the period July 1, 2005 through June 30, 2006. (Social Services)

Approved and authorized the Chairman to sign a renewal agreement with Holly Hetzel in an amount not to exceed \$79,280 to implement and oversee the Shasta County Drug-Endangered Children Program for the period July 1, 2005 through June 30, 2006. (District Attorney)

Approved and authorized the Chairman to sign an agreement with Randall J. Hauser, DBA ENPLAN in an amount not to exceed \$131,588.16 for archaeological surveys for the East Fork Road at Clear Creek Bridge from the date of signing through December 31, 2007. (Public Works)

Awarded to the low bidder, Hat Creek Construction and Materials, Inc., on a lump-sum basis the contract for construction on the Burney Veterans Hall Paving Project in the amount of \$36,253.85. (Public Works)

Authorized the Public Works Director to sign a Notice of Completion for the Foster Road at Mark Gulch Bridge Replacement project and record it within ten days of actual completion of the work. (Public Works)

Authorized the Public Works Director to sign a Notice of Completion for the Laverne Lane Permanent Road Division project and record it within ten days of the actual completion of the work. (Public Works)

Awarded to the low bidder, Tullis, Inc., on a unit-cost basis, the contract for construction on 2005 Polymer Modified Chip Seals on Various County Roads project in the amount of \$824,350. (Public Works)

For Construction in Various Permanent Road Divisions, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Director of Public Works to advertise for bids; and authorized opening of bids on or after July 21, 2005 at 11:00 a.m. (Public Works)

For the Wisteria Estates Permanent Road Division in the Anderson 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 August 16, 2005 at 9:00 a.m. (or as soon thereafter as may be heard) to consider formation and activation. (Public Works)

For Tract 1873, Spring Hill Commons, Phase 1 (Cottonwood area), adopted Resolution No. 2005-75, which grants an extension of time to the developer for completion of improvements by May 14, 2006; and approved and authorized the Chairman to sign an amendment to the agreement with Hat Creek Construction extending the time of completion. (Public Works)

(See Resolution Book No. 46)

For Parcel Map No. 03-056, Schuler (east Redding area), approved and authorized the Chairman to sign an agreement with Joseph Schuler for completion of improvements within one year; and accepted a performance security in the amount of \$16,300 and a payment security in the amount of \$8,150. (Public Works)

For the Cove Road at Hatchet Creek Bridge project, adopted Resolution No. 2005-76, which makes a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration subject to certain findings. (Public Works)

(See Resolution Book No. 46)

On behalf of the County Service Area (CSA) No. 8 - Palo Cedro Sewer and Water, adopted Resolution No. 2005-77, which requests initiation of Local Agency Formation Commission (LAFCO) proceedings to annex one parcel into the CSA. (Public Works - County Service Area No. 8)

(See Resolution Book No. 46)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

Supervisor Kehoe explained that there has been an increase in the number of claims on the County claims list from departments not following the County's purchase order process. In the future, he will request that department heads explain why their departments have not followed the County's purchase order process.

In response to a question from Supervisor Kehoe regarding the Veterans Memorial Fund, CAO Latimer explained that the Veterans Service Office has maintained funds in its budget from various veterans groups, and it is recommended that these funds be transferred to the Shasta County Veterans Affiliated Council. Veterans Service Officer David Lanford noted that the funds were transferred to the County when the California Veterans Cemetery Association was dissolved in 1999. At its most recent meeting, the Veterans Cemetery Advisory Committee voted unanimously to return the remaining funds to the Council, less approximately \$1,600 used for the groundbreaking ceremony at the Cemetery.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors approved the following action on items pulled from the Consent Calendar:

Authorized the issuance of warrants totaling \$8,616.52 requiring special board action. (Auditor-Controller)

Approved and authorized the Chairman to sign a budget amendment transferring \$3,597.73 and any accumulated interest from the Veterans Memorial Fund to the Shasta County Veterans Affiliated Council. (Veterans Service Office)

REGULAR CALENDAR

BOARD MATTERS

**PROCLAMATION: CALIFORNIA DEPARTMENT OF FORESTRY
AND FIRE PROTECTION 100-YEAR ANNIVERSARY CELEBRATION**

By motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted a proclamation which designates 2005 as California Department of Forestry and Fire Protection 100-Year Anniversary Celebration in Shasta County.

**RECOGNITION OF 2005 WALKING CHALLENGE
TEAM AND INDIVIDUAL WINNERS**

Director of Support Services Joann Davis recognized the winners of the 2005 Walking Challenge, and plaques were presented. Sandra Albrecht was the individual winner, and the Shasta County Clerk's Office "Chads" were the departmental champions.

**JULY 2005 EMPLOYEE OF THE MONTH
INFORMATION SYSTEMS COORDINATOR III MARK MEYERS
RESOLUTION NO. 2005-78**

At the recommendation of Director of Child Support Services Terri Love and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-78, which recognizes Information Systems Coordinator III Mark Meyers as Shasta County's July 2005 Employee of the Month.

(See Resolution Book No. 46)

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, noting that the State Legislature and Governor Schwarzenegger's staff are discussing both the budget and the governor's planned budget initiative.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

SHASTA COUNTY BUDGET

FISCAL YEAR 2005-06

RESOLUTION NO. 2005-79

County Budget Officer Kim Pickering presented the recommended budget and noted that staff will request three changes at the time the Fiscal Year 2005-06 final budget is adopted in August:

1. Contribution of \$9,000 instead of \$8,000 to the Quincy Library Group lawsuit fund;
2. Allocation of approximately \$500,000 to Americans with Disabilities Act (ADA) barrier removal funds for requested projects; and
3. Allocation of approximately \$300,000 in proceeds from the sale of the former Balls Ferry Park property to the Redding Main Library project to complete the County's obligation for financing of the facility.

In response to a question from Supervisor Cibula regarding long-term plans for the Animal Control facility, CAO Latimer noted that an architect has been hired, and staff plans to bring a proposed building plan to the Board of Supervisors within the next two years.

In response to a question from Supervisor Cibula regarding an apparent funding decrease in the Parks and Recreation budget, CAO Latimer and Ms. Pickering explained that the Fiscal Year 2004-05 budget was inflated due to revenues received to rebuild restrooms destroyed in the French Fire and due to one-time revenues received to fund several community projects and County park system projects; however, the Fiscal Year 2005-06 budget reflects actual budget amounts. Supervisors discussed the County's failed attempts to fund community parks with communities assuming maintenance of the park in comparison with funding and maintaining its own park system.

In response to a question from Supervisor Cibula, CAO Latimer explained that a letter had been received from the McConnell Foundation offering a \$400,000 contribution toward construction of the Library on the condition that the City of Redding and the County of Shasta also contribute \$400,000 each. He expressed his concerns that in order to provide the requested funding, the Board of Supervisors must approve withdrawal of money from its Contingency Fund and also that the McConnell Foundation may not be aware of the difference in fiscal resources between the County and the City.

This was also the time set to conduct a public hearing to authorize reallocation of realignment funds to the Mental Health Department. CAO Latimer noted that since the staff report was written, the County Medical Services Program (CMSP) Governing Board approved

waiving the annual assessment fee to Counties, so the reallocation is expected to be approximately \$300,000.

The public hearing was opened, at which time Mental Health Director Dr. Don Kingdon thanked Public Health Director Marta McKenzie for her department's willingness to assist the Mental Health Department. No one else spoke for or against the recommendation, and the public hearing was closed.

Following further discussion regarding a possible contribution to the Library and by consensus, the Board of Supervisors directed CAO Latimer to meet with Lee Salter of the McConnell Foundation to discuss whether there are other options to the requested \$400,000 donation, return to the Board of Supervisors prior to August 16, 2005 with a variety of funding options, and receive direction as to whether to include the donation in the budget.

By motion made, seconded (Hawes/Hartman), and unanimously carried, the Board of Supervisors accepted and approved the recommended Shasta County Budget for Fiscal Year 2005-06 with total appropriations of \$357,341,153, including General Operating funds - \$296,404,639; Internal Service funds - \$28,787,792; Enterprise funds - \$23,066,574; and Special Districts governed by the Board of Supervisors totaling \$9,082,148; set Tuesday, August 16, 2005, at 1:30 p.m. for a public hearing on the Final Shasta County Budget for Fiscal Year 2005-06; approved a fund balance designation in the amount of \$248,496 for the Animal Shelter; and adopted Resolution No. 2005-79, which authorizes and directs the Auditor-Controller to reallocate ten percent (not to exceed \$600,000) of the Fiscal Year 2005-06 Public Health Realignment funds to Mental Health as allowed by law.

(See Resolution Book No. 46)

MENTAL HEALTH SERVICES STATUS REPORT

Administrative Analyst Celeste Buckley and Shasta Consortium of Community Health Centers Executive Director Doreen Bradshaw provided an update on activities since the May 24, 2005 Mental Health workshop. Ms. Bradshaw noted that the medical and community stakeholders met June 19, 2005. This first meeting focused on the response to emergency psychiatric care, and the group decided the first step was to gather data on hospital emergency department (ED) usage. The group will meet again July 5, 2005 to review the preliminary data gathered for the period February-April 2005.

Ms. Buckley noted that between February 1 and April 30, 2005, 399 patients (representing 513 contacts) received emergency mental health care. The three emergency departments at the hospitals received 386 of the 513 contacts; of these 386 contacts, 162 represented contacts by repeat patients (frequent utilizers). Section 5150 dispositions were written for 163 of the contacts; of these, 84 were written by law enforcement, and 79 were written by the Mental Health Department.

In response to direction given at the May 24, 2005 workshop, the following actions have been accomplished or planned regarding §5150 designation of authority to community physicians:

1. A memorandum was submitted to the Board of Supervisors from both County Counsel and the Mental Health Department discussing legal and administrative ramifications of the designation of professional persons and liability issues;
2. A §5150 Medical Community Forum facility by attorney-at-law Larry Moss is scheduled within the next three weeks; and
3. Data will be compiled discussing §5150 practices of other California counties.

A final decision regarding the designation of §5150 authority to community physicians will be requested at the July 26, 2005 update.

The group has identified two areas of opportunity:

1. Frequent Utilizers: Information has been requested from Merced County on an interagency frequent-utilizers program in partnership with primary health-care providers, law enforcement, and others to effectively case manage those individuals and refer them to services for long-term management of their medical conditions to reduce ED congestion and minimize long-term costs and trips to the ED.
2. Increased Access to Shasta County Mental Health Department Physicians: CAO Latimer has met with Drs. Ronald Reece and William Reeder to determine a proposed solution to the problem:
 - a. Mental Health will institute 24-hour-per-day phone access from emergency department doctors to Mental Health Department psychiatrists;
 - b. Institute a combination of quarterly meetings with Mental Health psychiatrists and emergency department doctors, as well as admitting privileges for Mental Health psychiatrists; and
 - c. Set up a diversion system to stop law enforcement or other ways to stop frequent utilizers from going to emergency departments and set up legal requirements for emergency departments to handle them.

Ms. Bradshaw discussed the group's intent to pursue a grant through the California Endowment to garner funds to enable a larger Request for Proposal process to hire a consultant to make an independent assessment.

Shasta County Community Health Care Executive Director Dean Germano said that it is important that doctors work together to get a patient to the point where he or she is stable and able to enter the system at a more cost-effective point than as a §5150 patient.

Shasta County Mental Health Senior Psychiatrist Dr. Patrick Brown expressed his concern that if psychiatrists are placed in emergency departments, it would reduce their ability to function as outpatient psychiatrists.

Shasta County Mental Health Senior Psychiatrist Dr. Richard Zarriello explained that he meets with staff of Shasta Regional Medical Center and Mercy Medical Center on a bi-monthly basis. He also explained that although the mental health psychiatrists carry pagers and encouraged emergency department doctors to utilize the pagers and discuss patient situations with psychiatrists, any final approval regarding the assessment, treatment, and stabilization of all patients is the responsibility of the emergency department doctor.

Dr. Okechukwu Nwangburuka reminded the Board of Supervisors that it is important to consider the needs of children's services, as well as adult services.

Dr. Lynne Pappas noted that she believes the change in the system can be made and the quality medical care can be provided.

North Valley Medical Association representative Dr. William Reeder expressed his concern that the wait for a member of the crisis response team to arrive in the emergency department is sometimes several hours. The Association can assist the psychiatrists' and emergency departments' collaborative efforts for solutions.

Mercy Medical Center Chief of Operations Carlos Priestley noted that there is a decision point between the emergency department physician and a consulting physician where the ED physician can demand the consulting physician come to the emergency room.

Dr. Anne Murphy requested that the Board of Supervisors clarify their expectations of their employees with regard to the duties requested of them in cooperating with emergency departments.

Mental Health Director Dr. Don Kingdon asked the Board of Supervisors to recognize that the Mental Health Department is in the middle of the process of establishing relationships between the public and private sector. It is important to reconfirm the County's commitment to collaborate and move forward to obtain an inpatient facility in Shasta County.

By motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors directed staff to pursue potential grant funding through The California Endowment to support the cost of the Request for Proposal (RFP) and independent assessment.

**STATEMENT OF UNDERSTANDING: AMERICAN RED CROSS, SHASTA CHAPTER
DISASTER-RELATED EMERGENCY CARE AND SHELTER ACTIVITIES**

At the recommendation of Administrative Analyst Leanne Link and by motion made, seconded (Hawes/Cibula), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a Statement of Understanding with the American Red Cross, Shasta Area Chapter for disaster-related emergency care and shelter activities.

AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

2004 SHASTA COUNTY CROP AND LIVESTOCK REPORT

At the recommendation of Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer and by motion made, seconded (Hartman/Cibula), and unanimously carried, the Board of Supervisors accepted the 2004 Shasta County Crop and Livestock Report.

CLERK OF THE BOARD

11:57 a.m.: Supervisor Cibula recused himself due to a possible conflict with his law firm, and he left the room.

**NON-PAPER DISCOVERY ITEMS
ORDINANCE NO. 638**

By motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors enacted Ordinance No. 638, which establishes fees for non-paper discovery provided to defense attorneys in criminal cases, as introduced June 14, 2005.

(See General Ordinance Book)

11:58 a.m. Supervisor Cibula returned to the room.

SUPPORT SERVICES-FLEET MANAGEMENT DIVISION

**FLEET MANAGEMENT REPLACEMENT VEHICLES
RESOLUTION NO. 2005-80**

At the recommendation of Director of Support Services Joann Davis and by motion made, seconded (Clarke/Hawes), and unanimously carried, the Board of Supervisors adopted Resolution No. 2005-80, which allows the Fleet Management Division to complete equipping of

seven replacement vehicles, as approved during Fiscal Year 2004-05, and put them into service during Fiscal Year 2005-06.

(See Resolution Book No. 45)

PUBLIC WORKS

BUDGET AMENDMENT

At the recommendation of Public Works Administrative Services Officer Barbara Young and by motion made, seconded (Hawes/Clarke), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$16,826 in the Department of Resource Management Building Division Budget Unit, transfer to Lands, Buildings, and Improvements to adjust the budget.

BUDGET AMENDMENT

Public Works Director Patrick Minturn presented the staff report and recommended approval of the budget amendment to address a deficit in the operations budget for County Service Area (CSA) No. 2 - Sugarloaf Water. Supervisor Kehoe questioned whether the community advisory board of the county service area (CSA) was governed by the Brown Act since the staff report mentioned that, due to a canceled meeting, the members of the CSA board were polled by telephone to gauge support of the recommendation. County Counsel Karen Jahr explained that as long as the CSA board members were polled individually and given no indication of the vote of the other members, then it does not appear that the Brown Act was violated. Mr. Minturn indicated that he did not believe the board members were given any indication of the other board members' votes.

In response to a question from Supervisor Clarke regarding the action of the advisory board in comparison to the action of the Board of Supervisors, Ms. Jahr noted that there are two different activities in question: the recommendation of the advisory board and the action of the Board of Supervisors. She recommended that the Board of Supervisors can proceed with the requested action, and Mr. Minturn can schedule another meeting with the advisory board to obtain their recommendation; should they have a different recommendation than the Board of Supervisors' action, then Mr. Minturn can return to the Board of Supervisors.

Mr. Minturn noted that it would be preferable for the issue to be resolved before the end of the fiscal year; had the advisory board recommended against the budget amendment, he would still have come to the Board of Supervisors recommending the budget amendment be approved.

By motion made, seconded (Hartman/Hawes), and carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$8,000 in the County Service Area No. 2 - Sugarloaf Water to adjust the budget to appropriate the deficit in operational services and supplies, with the recommendation that the Public Works Director schedule another meeting with the County Service Area No. 2 - Sugarloaf Water Community Advisory Board to obtain their recommendation. Supervisor Cibula voted no as he would prefer that all legal issues be resolved.

DIRECTION TO PUBLIC WORKS DIRECTOR ON VOTE FOR PROPOSED SHASTA MOSQUITO AND VECTOR CONTROL DISTRICT ASSESSMENT INCREASE

Public Works Director Patrick Minturn explained that approximately 1,300 ballots have been received from the Shasta Mosquito and Vector Control District requesting a response as to whether the District may increase its fees to fund enhanced mosquito surveillance and control services.

By motion made, seconded (Clarke/Hawes), and carried, the Board of Supervisors directed the Public Works Director to cast "Yes" votes on all ballots and return them to the Shasta Mosquito and Vector Control District. Supervisor Kehoe abstained, noting that although he is personally supportive of the initiative, he is concerned about the reciprocal of the County's vote intruding on the electoral process.

SCHEDULED HEARINGS

PUBLIC WORKS

BURNEY GARBAGE DISPOSAL SERVICE ANDERSON-COTTONWOOD DISPOSAL SERVICE RESOLUTION NOS. 2005-81 AND 2005-82

This was the time set to conduct a public hearing regarding the proposed increases in rates charged by Burney Garbage Disposal Service, Inc. and Anderson-Cottonwood Disposal Service. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, no one spoke for or against the proposal, and the hearing was closed.

At the recommendation of Public Works Administrative Services Officer Barbara Young and by motion made, seconded (Hawes/Clarke), and carried, the Board of Supervisors adopted Resolution No. 2005-81, which increases the rates charged by Burney Garbage Disposal Service, Inc. effective August 1, 2005 and Resolution No. 2005-82, which increases the rates charged by Anderson-Cottonwood Disposal Service effective August 1, 2005. Supervisor Kehoe voted no.
(See Resolution Book No. 46)

SEWER RATE CHANGES COUNTY SERVICE AREA NO. 17 - COTTONWOOD SEWER

This was the time set to conduct a public hearing and consider taking action regarding the sewer rates for County Service Area No. 17 - Cottonwood Sewer. Public Works Director Patrick Minturn presented the staff report and recommended approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

The public hearing was opened, at which time Marvin Picard opposed the increase, requesting the Board of Supervisors to consider whether a 33 percent increase in the sewer rates was needed and whether the increase could be extended over a three-year period.

12:39 p.m.: Supervisor Cibula recused himself due to a possible conflict, and he left the room.

No one else spoke for or against the request, and the hearing was closed.

By motion made, seconded (Clarke/Hartman), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which repeals Resolution No. 97-10 and establishes new sewer rates for County Service Area No. 17 - Cottonwood Sewer effective August 1, 2005.

12:45 p.m.: Supervisor Cibula returned to the room.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to confer with its counsel to discuss existing litigation entitled Siler v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (a).

12:46 p.m.: The Board of Supervisors recessed to Closed Session.

1:03 p.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, CAO Doug Latimer, County Counsel Karen Jahr, and Deputy Clerks of the Board Linda Mekelburg and Elaine Grossman present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Karen Jahr reported that the Board of Supervisors met in Closed Session to discuss existing litigation. In the matter of Siler v. County of Shasta, on a unanimous vote the Board of Supervisors approved acceptance of service of the complaint and approved assignment of defense of the action to the Law Firm of Gary Brickwood. No other reportable action was taken.

1:04 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

H. DOUGLAS LATIMER
Clerk of the Board of Supervisors

By _____
Deputy