

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 28, 2015

REGULAR MEETING

9:03 a.m.: Chairman Moty 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 Moty
 District No. 3 - Supervisor Giacomini
 District No. 4 - Supervisor Schappell
 District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
 County Counsel - James Ross
 Administrative Board Clerk - Jennifer Lange
 Administrative Board Clerk - Camile Woodstrom
 Typist Clerk III - Ayla Tucker

INVOCATION

Invocation was given by Pastor Jim Howe, First Presbyterian Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: CHILD SUPPORT AWARENESS MONTH

At the recommendation of Shasta County Department of Child Support Services Director Terri Morelock and by motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 2015 as Child Support Awareness Month in Shasta County.

SHASTA COUNTY PLANNING COMMISSION

At the recommendation of District 2 Supervisor Moty appointed Tim MacLean to the Shasta County Planning Commission to fill an unexpired term to January 2017.

PUBLIC COMMENT PERIOD - OPEN TIME

Peter Scales expressed concern regarding County Service Area (CSA) No. 6-Jones Valley and other CSAs increase in water rates.

Ruth Rhodes, Bonnie Collins, Robert C. Matthews, and Shirley Martineau expressed the importance of home healthcare workers and recommended a wage increase.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Moty noted that the item regarding the approval of the minutes of the meeting held July 21, 2015, has been pulled by the department.

CONSENT CALENDAR

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

Adopted Resolution No. 2015-089, which authorizes a loan from the County's General Fund to the Mountain Gate Community Services District in the amount of \$75,000 to be repaid from the December 2015 secured property tax apportionment. (Administrative Office)

(See Resolution Book No. 56)

Approved a budget amendment to fund transfer-out to Shasta County Health Care Budget in the amount of \$294,369 and decreased appropriations and revenue to the Shasta County Health Care Budget in the amount of \$294,369. (Administrative Office)

Enacted Ordinance No. 706, which establishes new bi-monthly water rates for County Service Area No. 3-Castella Water to be effective September 1, 2015. (Clerk of the Board)

(See General Ordinance Book)

Enacted Ordinance No. 707, which establishes new bi-monthly water rates for County Service Area No. 6-Jones Valley Water to be effective September 1, 2015. (Clerk of the Board)

(See General Ordinance Book)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Aurora Behavioral Healthcare-Santa Rosa, LLC in an amount not to exceed \$100,000 per County fiscal year to provide psychiatric inpatient hospitalization services for the period July 1, 2015 through June 30, 2016 with two automatic one year renewals; and approved and authorized the Health and Human Services Agency (HHS) Director, or any HHS Branch Director as designated by the Director, to sign minor amendments, including retroactive, to include rate changes not to exceed 10 percent over the original rate and do not increase the maximum amount payable during the entire term of this agreement, that do not result in a substantial or functional change to the original intent of the agreement and otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual* (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign an evergreen agreement with Experian Information Solutions, Inc. (Experian) to provide consumer credit reports for youth in the Shasta County Foster Care Program (no compensation associated with this evergreen agreement); and approved and authorized the County Executive Officer to sign agreements with Equifax Information Services, LLC and TransUnion, LLC provided they are in substantially similar form to Experian, to provide consumer credit reports for youth in the Shasta County Foster Care Program (no compensation associated with these evergreen agreements). (HHS-Childrens Services/Probation)

Approved and authorized the Chairman to sign a retroactive first amendment to the agreement with the California Department of Public Health (CDPH) Network for a Healthy California, now known as CDPH Nutrition Education and Obesity Prevention Agreement (No. 13-20016, A01), increasing revenue by \$66,216.91, for a new Federal Fiscal Year 2015 total of \$875,457.91 for the period October 1, 2014 through September 30, 2015, and new total compensation of \$2,493,939.91 for the period November 8, 2013 through September 30, 2016; approved and authorized the Chairman to sign a first amendment to the agreement with Shasta County Office of Education (SCOE) increasing compensation by \$51,964.20 for a total compensation of \$212,358.47 for the period October 1, 2014 through September 30, 2015 to provide increased nutrition education, physical activity, and access to healthy food and beverages at a minimum of 22 Shasta County Schools and after school programs; and approved and authorized the HHSA Director to sign minor amendments, including retroactive, and other related documents with CDPH and SCOE to facilitate nutrition and physical activity promotion that do not result in a substantial or functional change to the original intent of the agreements and otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (HHSA-Public Health)

For Tract No. 1972, Irish Creek subdivision, Irish Creek Permanent Road Division (Division) (West Redding area), received the petition for formation and the petition for activation; received an affidavit verifying information contained in the petition; received the maintenance cost estimate; received the County Surveyor's report on the boundary description (in the form of a map); received the Consent and Waiver to Assess Annual Parcel Charges; received the annual parcel charge report; adopted Resolution No. 2015-090, which forms the Division; and adopted Resolution No. 2015-091, which confirms the annual parcel charge report for Fiscal Year 2015-16; and for Tract 1972 Irish Creek, approved the Final Map for filing; accepted on behalf of the public, offers of dedication for public roads, public utility easements, and relinquished access rights as shown on the Final Map; and executed a maintenance agreement with the developer guaranteeing workmanship on the project roads and accepted security for maintenance in the amount of \$8,000. (Public Works)

(See Resolution Book No. 56)

Adopted Resolution No. 2015-092, which authorizes Shasta County to recover its penalties, fines, and costs ordered as a result of nuisance abatement hearings on several parcels where the County directly abated the nuisance conditions, by means of special assessments and liens in the amount of \$136,563.52 and adopted Resolution No. 2015-093, which authorizes the County to recover penalties, fines, and costs ordered as a result of nuisance abatement hearings on several parcels where abatement was carried out by others, by means of special assessments and liens in the amount of \$62,369.05. (Building Division)

(See Resolution Book No. 56)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisors reported on issues of countywide interest.

COUNTY SERVICE AREA NO. 23-CRAG VIEW WATER

Public Works Director Pat Minturn explained current economic conditions of County Service Area (CSA) No. 23-Crag View Water, and the current status of water supply. He stated the residents of CSA No. 23 have decreased water usage by 3 percent, short of the 25 percent goal set by Governor Brown. Additionally, CSA No. 23 has a current reserve fund balance of \$16,000 and after projected service and operations costs may be approximately \$390 by years end.

Mr. Minturn explained that the Water Agency purchased water from the McConnell Foundation (McConnell) to insure sufficient water supply. Other CSAs agreed to purchase this water however; CSA No. 23 had a majority protest against purchasing the water and increasing their water rates, now requiring stringent conservation measures. CSA No. 23 may receive fines from the State Water Resource Control Board for insufficient water levels, and fines from the State of California for inadequate water conservation levels. Mr. Minturn reiterated he has discussed with Shasta County Auditor/Controller Brian Muir the reserve account of CSA No. 23, who confirmed that without a source of income, CSA No. 23 will become insolvent which threatens the entire operation of the system.

Residents have been informed throughout the process via written correspondence and town hall meetings in which Public Works Supervising Engineer Eric Wedemeyer was in attendance and responded to questions. Mr. Minturn stated CSA No. 23 does not have a Community Advisory Board (CAB) in place due to the lack of volunteers from CSA No. 23 residents. He stated the best possible route for CSA No. 23 to remain in compliance with legal requirements is to move forward with mandatory conservation measures.

Public comment period was opened at which time Robert Harryman questioned the road expense being charged to CSA No. 23. Walter Osterberg said the reported 3 percent water conservation rate is incorrect and feels that CSA No. 23 is being punished for protesting against the water rate increase. Colleen Batman stated the residents of CSA No. 23 are horticulturists and work on conserving water, are willing to work with the County, and they are willing to pay a rate increase.

In response to a question by Robert Harryman regarding a \$1,700 monthly charge for road maintenance expense, Mr. Minturn stated that the CSA does not maintain a road in that area but will research the expense further as it is not part of the spreadsheet that was provided. He clarified that the 3 percent water conservation figure came from data retrieved in June, compared to data from 2013.

In response to a question by Supervisor Baugh, Mr. Minturn confirmed that numerous notices regarding the water rate increase were sent to every property owner in Crag View.

In response to a question by Supervisor Moty, Supervising Engineer Eric Wedemeyer explained the Proposition 218 process to the residents of Crag View but does not recall stating the outcome if a petition was submitted.

Supervisor Schappell commented on the history of CSA 23 and how it was formed and stated a CAB should be formed for these types of processes. He stated a public hearing was not held at the July 21, 2015 board meeting and motioned for staff to review and make recommended changes and return to the Board in three weeks. Motion failed due to lack of a second. Chairman Moty clarified that a hearing was held July 21, 2015 and that the petition that was submitted by CSA No. 23 to the Board prior to the meeting prevented further action by the Board.

In response to a question by Supervisor Baugh, Assistant County Counsel James Ross confirmed that due to the majority protest from CSA No. 23, the Board was prevented from acting on the rate increase for CSA No. 23 at the July 21, 2015 meeting.

By motion made, seconded (Kehoe/Giacomini) and unanimously carried, the Board of Supervisors directed staff to compile a menu of potential mandatory water conservation measures to curtail the demand to minimize the water rights exposure for County Service Area No. 23-Crag View and return to the August 18, 2015 Board of Supervisors meeting with those recommendations.

CLOSED SESSION ANNOUNCEMENT

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled Refugia Kent v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

10:58 a.m.: The Board of Supervisors recessed to Closed Session.

11:45 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Moty, Giacomini, and Baugh, County Executive Officer/Clerk of the Board Larry Lees, and Assistant County Counsel James Ross. Supervisor Schappell was not present.

REPORT OF CLOSED SESSION ACTIONS

Assistant County Counsel James Ross reported that the Board of Supervisors met in Closed Session to discuss existing litigation however, no reportable action was taken.

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

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy