

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, August 25, 2015

**REGULAR MEETING**

9:00 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. 5 - Supervisor Baugh  
 District No. 4 - Supervisor Schappell - Absent

County Executive Officer - Larry Lees  
 County Counsel - Rubin E. Cruse, Jr.  
 Administrative Board Clerk - Jennifer Lange  
 Administrative Board Clerk - Camile Woodstrom

**INVOCATION**

Invocation was given by Pastor Gary Tracy, Retired.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**PRESENTATIONS**

**NORTHEASTERN CALIFORNIA SMALL BUSINESS DEVELOPMENT CENTER  
 AND CENTER FOR ECONOMIC DEVELOPMENT**

Northeastern California Small Business Development Center (SBDC) and Center for Economic Development Director Dan Ripke provided an update on the SBDC programs in Shasta County. The focus of the group is to assist in launch and growth local businesses. The Northeastern California SBDC Region encompasses 23 counties, with funding of the Federal government and some matching local agencies.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Wayne Brunsmas, Bonnie Collins, and Millie Martinez expressed the importance of home healthcare workers and recommended a wage increase.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Moty noted that the items regarding the agreement with the California Department of Health Care Services and the resolution of intent to consider ordinance amendments have been pulled for discussion.

Chairman Moty noted that the HHSA-Regional Services agreement with Redwood Toxicology Laboratory, Inc. has been pulled from the Agenda by the department.

**CONSENT CALENDAR**

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

Approved and authorized the Chairman to sign two retroactive rental agreements with the Inter-Mountain Fair Heritage Foundation d.b.a the Inter-Mountain Fair and Event Center, which allow County departments to provide services at the Inter-Mountain Fair: For the Shasta Lassen Joint Farm Advisor in the amount of \$8,184.96, due within 15 days of date of signing (\$4,092.48 for Fiscal Year (FY) 2014-15 and \$4,092.48 for FY 2015-16) for use of office and storage space for the period March 1, 2014 through June 30, 2016; and for the Health and Human Services Agency in the amount of \$50 per day for use of the furnished boardroom for the period March 1, 2014 through June 30, 2019. (Administrative Office)

Approved the minutes of the meeting held on August 18, 2015, as submitted. (Clerk of the Board)

Adopted Salary Resolution No. 1469, effective August 23, 2015, which deletes one Full-Time Equivalent (FTE) vacant Business Office Clerk position in the Mental Health budget; adds one FTE Office Assistant I/II position in the Mental Health budget; deletes one FTE vacant Social Worker/Assistant Social Worker position in the Mental Health Alcohol and Drug (MHAD) budget; and adds one FTE Alcohol and Drug Counselor I/II position in the MHAD budget. (Health and Human Services Agency (HHS)-Business and Support Services)

See Salary Resolution Book

Approved and authorized the Chairman to sign a retroactive renewal amendment to the revenue agreement with the City of Redding, effective July 1, 2015, in the amount of \$70,109.07 for Janitorial Services provided by the Shasta County Opportunity Center extending the term from July 1, 2015 through December 31, 2015. (HHS-Regional Services-Opportunity Center)

Approved and authorized the Chairman to sign an amendment to the revenue agreement with the City of Redding effective September 1, 2015 at the current monthly compensation rate of \$28,443.47 for Recycling Materials Sorting Services provided by the Shasta County Opportunity Center extending the term of the agreement from September 1, 2015 through November 30, 2015. (HHS-Regional Services-Opportunity Center)

Approved and authorized the Chairman to sign the Equitable Sharing Agreement and Certification Affidavit (ACA) outlining receipt and expenditure of federal asset forfeiture sharing funds for the Sheriff's Office and the District Attorney's Office during Fiscal Year (FY) 2014-15 and authorized the person named as the Finance Contact in each department to electronically submit, by email, the ACA for FY 2014-15. (Sheriff/District Attorney)

Approved and authorized the Chairman to sign a grant agreement with the State of California Office of Traffic Safety in the amount of \$98,000 for the purchase of three sets of extrication tools for the period October 1, 2015 through September 30, 2016; approved a budget amendment increasing revenue and appropriations in the amount of \$100,000; and approved a new capital asset account for the extrication tools in the amount of \$101,000. (County Service Area (CSA) No. 1-County Fire)

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

**RENEWAL AGREEMENT NO. 15-92124**  
**CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES**

Health and Human Services Agency (HHS) Director Donnell Ewert described the data used to establish performance criteria for the provision of mental health services. This includes a triennial audit, performed by the State of California in 2014, evaluations from several outside agencies on the effectiveness of the mental health care system, verification of response to complaints, deadlines, program integrity, legal billing requirements, and program improvement among them.

In response to questions by Supervisor Kehoe, Mr. Ewert stated areas of focus for the upcoming Fiscal Year include improving wait time in local emergency rooms for mental health services, and purchasing a data base program to assist in tracking and improving success rates and re-hospitalization rates.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a retroactive renewal agreement (No. 15-92124) with the California Department of Health Care Services at no compensation to establish performance criteria for Shasta County in the provision of mental health services, and to allow access to certain federal and state resources and local realignment funds to support mental health care delivery for the period July 1, 2015 through June 30, 2016, and the Contractor Certification Clauses FormCCC-307. (HHS-Mental Health)

**SHASTA COUNTY BUILDING CODE AND**  
**SHASTA COUNTY ZONING PLAN**  
**RESOLUTION No. 2015-097**

Resource Management Mr. Rick Simon stated the Resolution of Notice of Intention would allow Resource Management to react in a more-timely manner to the residents of the county in the event of a disaster

By motion made, seconded (Giacomini/Kehoe) and unanimously carried, the Board of Supervisors adopted a Resolution of Intent to consider amendments to the Shasta County Building Code to allow temporary occupancy of property; to the Shasta County Zoning Plan to allow reconstruction or replacement of non-conforming uses and structures; and to Resolution No. 96-133 to allow replacement of mobile and manufactured homes that would apply when the Board of Supervisors declares a local emergency due to disaster events where property and structures are damaged or destroyed and residents are displaced. (Resource Management)

See Resolution Book No. 56

**REGULAR CALENDAR, CONTINUED**

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

At the recommendation of County Executive Officer (CEO) Larry Lees and by motion made, seconded (Kehoe/Giacomini), and unanimously carried the Board of Supervisors approved and authorized a letter to Governor Edmund G. Brown Jr., in support of AB 1262 (Wood) *Telecommunications: Universal Service: California Advance Services Fund.*

Supervisor Giacomini recently attended Superior California Economic Development District meeting. She requested a letter which supports the proposed discontinuation of grazing Regulations be presented for approval at the September 1, 2015 Board of Supervisors meeting.

Supervisor Baugh recently attended a Rural County Representatives of California meeting.

Supervisors reported on issues of countywide interest.

#### **SHASTA COUNTY REAL ESTATE FRAUD INVESTIGATION UNIT**

Chief Deputy District Attorney Stephanie Bridgett, Deputy District Attorney Anand “Lucky” Jesrani, and District Attorney’s Investigator II Joseph Hendrix, provided a report for the Real Estate Fraud Investigations Unit. The Unit is targeting a variety of areas including construction fraud, insurance fraud and Craig’s List fraud. Ms. Bridgett noted the Unit has developed close working relationships with Craig’s List which has allowed for expedient removal of fraudulent listings thereby eliminating a potentially fraudulent transaction.

In response to questions by Supervisors, Ms. Bridgett stated most real estate fraud entails shoddy workmanship and billing the customer for work never completed.

By motion made, seconded (Baugh/Giacomini), and unanimously carried, the Board of Supervisors accepted and approved the Fiscal Year 2014-15 Real Estate Fraud Investigations Unit report.

#### **SCHEDULED HEARINGS**

##### **COUNTY SERVICE AREA (CSA) NO. 23-CRAG VIEW WATER WATER USAGE RESTRICTIONS AND PENALTIES**

This was the time set to conduct a public hearing to consider adopting an ordinance which, pursuant to Water Code section 375, restricts water usage, prohibits certain uses of water, requires mandatory installation of water conservation devices and enacts other water conservation measures and penalties for County Service Area (CSA) No. 23-Crag View Water. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Public Works Mr. Pat Minturn explained the immediate need to conserve water and increase the fund balance for CSA No. 23-Crag View Water. Crag View is estimated to deplete the fund balance by early 2016. Additionally, with the proposed conservation measures in this ordinance, it is anticipated Crag View could conserve seven acre feet, an insufficient amount to recoup what has been used thus far creating an impact to the County General Fund. This proposed ordinance would minimize the damage.

The public hearing was opened at which time Robert Harryman stated the previous conservation figure of three percent, which was provided by Mr. Minturn at a previous meeting, was incorrect and the actual conserved water amount was in excess of 40 percent.

Linda Ost stated that the majority of Crag View residents are at or below poverty level and rely heavily on homegrown fruits and vegetables to feed their family, and requested that the portion of the ordinance regarding watering of fruits and vegetables be removed.

Pamela Harryman indicated she agreed that a rate hike may be necessary but the limitations proposed in this ordinance are unreasonable.

**SCHEDULED HEARINGS (Continued)**

Walter Osterberg agreed that a small rate increase may bring the fund balance back to a positive amount and he is of the opinion it would be criminal to implement the ordinance as written, further stating McConnell Foundation water is currently being used by Crag View.

Colleen Batman said she is willing to pay for McConnell water, and she never received notification that Crag View was running out of water and running out of funds.

Warren Blanchard stated the ordinance, as written, is an extreme document and believes that Crag View residents are being singled out by the Public Works director.

No one else spoke for or against the item and the public hearing was closed.

Mr. Minturn addressed the conservation rates and indicated he received incorrect information about the Crag View conservation rate and the percentage was actually in the 40 percent range. Mr. Minturn stated there was a meeting in Crag View in April 2015 with Crag View which included the topic of the need to purchase McConnell water. Unfortunately, once Crag View residents protested the increase, several options were no longer available.

In response to questions by Supervisor Giacomini, Mr. Minturn stated the April 2015 meeting was relatively well attended with approximately 50 members of the public present and further communications were made by letters to the residents.

In response to questions by Supervisor Kehoe, Mr. Minturn stated a proposed rate increase could not come before the Board until September 15, 2105 based on Prop. 218 guidelines. Supervisor Kehoe indicated he had concerns that a future rate increase would be approved by the Crag View residents.

Supervisor Baugh opined that the County is responsible for several County Service Areas (CSAs) and it is not appropriate for other CSAs to pay for the deficit in Crag View. He also expressed his appreciation for the willingness of residents to pay for the water, however, in the interim, Crag View is using water they don't have the funds to pay for.

Chairman Moty provided a summary stating that the Board of Supervisors, the County, and its' citizens are in an extraordinary circumstance at this time. The ability to purchase water and divide the cost between CSAs, thus reducing the costs for all involved was somehow lost in translation during the April 2015 meeting with Crag View. In response to questions by Supervisor Moty, Rubin Cruse, Legal Counsel, stated Crag View residents would be billed for fines associated with the CSA. He indicated the County may lend funds to the CSA based on Prop 218.

In response to questions by Chairman Moty Mr. Minturn stated that amending the ordinance to exclude gardens would be difficult to control and monitor. He would not recommend amending the proposed ordinance.

In response to Supervisor Giacomini, Mr. Minturn did state the residents could use their "gray" water to water the plants and vines.

By motion made, seconded (Kehoe/Baugh), the Board of Supervisors approved Ordinance 708 which repeals a portion of Ordinance 702 as it relates to County Service Area No. 23-Crag View Water, pursuant to Water Code section 375, restricts water usage, prohibits certain uses of water, requires mandatory installation of water conservation devices, enacts other water conservation measures as provided in the proposed ordinance, and provides for enforcement of the ordinance including potential civil and criminal penalties.

AYES: Supervisors Kehoe, Giacomini and Baugh  
NOES: Supervisor Moty  
ABSENT: Supervisor Schappell

10:51 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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