

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, October 13, 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. 4 - Supervisor Schappell  
District No. 5 - Supervisor Baugh

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

**INVOCATION**

Invocation was given by Pastor Kyle Stevens, Vineyard City Church.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**PRESENTATIONS**

**PROCLAMATION: INDIGENOUS PEOPLE'S HISTORY DAY  
OCTOBER 17, 2015**

By motion made, seconded (Kehoe/Schappell) and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 17, 2015 as Indigenous People's History Day in Shasta County. Shasta County Historical Society Chairman Gary Lewis accepted the proclamation.

**HIGH SCHOOL VOTER EDUCATION WEEKS PRESENTATION**

County Clerk/Registrar of Voters Cathy Darling Allen presented the success which resulted from the High School Voter Education Weeks that took place September 14-25, 2015 in Shasta County.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Millie Martinez voiced the importance of an increase in IHSS wages.

**CONSENT CALENDAR**

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

Approved the minutes of the meeting held on October 6, 2015, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive agreement with Lewis Brisbois Bisgaard & Smith at rates ranging from \$140 per hour to \$295 per hour, depending upon which personnel are involved, to provide legal services beginning September 21, 2015, for three years or until the completion of all cases or matters assigned. (County Counsel)

Approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$120,000 over the entire term of the agreement, to provide counseling programs and services for juvenile offenders effective the date of signing to June 30, 2016, with two automatic one-year renewals. (Probation-Juvenile Division/Juvenile Rehabilitation Facility)

Adopted Resolution No. 2015-123 which recognizes that the circumstances and factors that led to the May 6, 2014 proclamation of a local emergency due to drought conditions have not been resolved and that there is a need to continue the proclamation. (Public Works)  
(See Resolution Book No. 56)

Approved a budget amendment re-allocating appropriations within capital assets in the Roads Administration budget to purchase an asphalt recycler, mower, concrete dry packer, and pickup truck in lieu of a dump truck. (Public Works)

Adopted Resolution No. 2015-124 declaring a local emergency related to the closure of the Cassel-Fall River Road at Pit River Bridge. (Public Works)  
(See Resolution Book No. 56)

**REGULAR CALENDAR, CONTINUED**

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

Supervisors Moty and Giacomini attended a meeting of the California State Association of Counties (CSAC) along with various CSAC subcommittees.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE  
PACIFIC GAS AND ELECTRIC'S LAND CONSERVATION COMMITMENT  
RESOLUTION NO 2015-125

Executive Director of the Pacific Forest and Watershed Lands (Stewardship Council) Allene Zanger delivered a presentation regarding Pacific Gas and Electric's (PG&E) Land Conservation Commitment.

In response to questions by Supervisor Giacomini, Ms. Zanger stated that negotiations on the land donations have begun in most cases, with approval by the Public Utility Commission anticipated to begin in 2016 with land donations finalized by the end of that year with the balance to be completed throughout 2017, 2018, and if necessary, into 2019. She further explained that funds are currently available for whichever payment option the County selects, either a lump sum where funds would be distributed to the County within 60 days of the transaction closing date or an annual payment to the County within the same tax year from a third party trustee. As to a priority order, Ms. Zanger clarified that there are numerous steps that take place in the transaction process and that the Stewardship Council hopes to have all lands transferred and completed by 2018.

In response to questions by Supervisor Schappell, Ms. Zanger confirmed that PG&E holds Fee Title to all properties. She also remarked on the benefits of donated lands CAL FIRE will be receiving and how conservation easements take away development rights on the donated property and it protects that land for conservation values. Ms. Zanger affirmed funds for property tax neutrality payments are available immediately and if annual payments are chosen they will continue indefinitely.

In response to questions by Supervisor Kehoe, Ms. Zanger stated that PG&E will retain properties around Iron Canyon Reservoir and due to the conservation easement in place, there will be no change in PG&E's current operations. Ms. Zanger responded that there will be no re-examination of the value of a property once a valuation is made at the time of transfer.

Supervisor Moty clarified that the tax value of the land is established at the time of the transfer and that the particular value is set indefinitely. Ms. Zanger noted the Stewardship Council agreed that a tax value would be determined at the time of the transfer of property to a tax exempt entity.

In response to questions by Supervisor Kehoe, County Executive Officer Larry Lees spoke that there will be a fixed value at the time of transfer of properties so that the County is held harmless with the downside being the County not receiving any tax revenue growth and an upside of the County not losing tax revenue if the property was to decrease in value.

Supervisor Moty re-stated tax value is made at one single point in time and the fluctuation in annual payments comes from when the lump sum payment for property tax neutrality is invested and the County is at the mercy of the market.

Mr. Lees stated that the Stewardship Council would like to make a lump sum payment to the County to have the payments completed. The County wants to ensure that the smaller special districts receive revenue indefinitely which is why it would be ideal to receive annual payments; monies are received each year versus having the lump sum and the money being spent within a year or so.

In response to questions by Supervisor Baugh, Mr. Lees stated that he was unsure as to how the Assessor does not have to assess the value of the donated lands annually. Ms. Zanger clarified that if land is donated to non-profit entities the land is no longer assessed for a tax value because the land is transferred to an entity exempt from paying property taxes. The State Board of Equalization will continue to assess the tax value on PG&E retained lands.

In response to questions by Supervisor Schappell, Ms. Zanger clarified that the County will be paid on a four percent cap rate after inflation and investment manager fees. Mr. Lees confirmed that a third party financial institution will manage the endowment.

By motion made, seconded (Kehoe/Giacomini), and unanimously carried, with clarification from County Counsel Rubin Cruse that the option being approved is the annual payment option, the Board of Supervisors adopted Resolution No. 2015-125 which authorizes the County Executive Officer to sign agreements in a form similar to the agreement attached to the resolution, to approve the County's receipt of payments from the Stewardship Council as compensation for tax revenue lost for conveyed land from PG&E to a non-profit or other entity that is exempt from paying property taxes.

(See Resolution Book No. 56)

SUPPORT SERVICES-PURCHASING  
NORTHERN BUSINESS PRODUCTS INC d.b.a. WESTERN BUSINESS PRODUCTS,  
RAY MORGAN COMPANY, AND WESTERN BUSINESS EQUIPMENT INC. d.b.a.  
CARREL'S OFFICE MACHINES AGREEMENTS

Support Services Director Angela Davis expressed that the Purchasing Division of the Support Services Department completed a request for information for Multi-Functional Devices (MFDs), and a pool of vendors was produced to meet the needs for particular departments when choosing MFDs.

In response to questions by Supervisors Schappell, Mrs. Davis stated that having three vendors to choose from is a benefit to County department operational needs by controlling costs as well as offering what equipment is beneficial to that particular department. Service is included within the maintenance agreement of each of the three vendors.

In response to questions by Supervisor Baugh, Mrs. Davis clarified that the benefit of having a vendor pool is that County departments can negotiate costs, maintenance, and types of machines and establish what their independent needs are.

In response to questions by Supervisor Kehoe, Mrs. Davis stated that the justification for having three different vendors is that departments can negotiate price based on their specific needs; however, there is a cap to how much each vendor can charge and at this time each department is currently negotiating with the current vendor for MFDs with Purchasing Division retaining final approval.

Supervisor Moty remarked that each department being able to expedite their own equipment is much easier than having to request that same equipment through a larger entity which takes up valuable time. He noted that it is not so much the contract that is the concern, but the services and equipment departments receive and that there are a number of ways that the County can move forward with new technology to better perform services for individual departments or the County as a whole.

In response to questions by Supervisor Baugh, Mrs. Davis stated that the Purchasing Department will remain involved with the purchasing process with each department to ensure that the purchase of MFDs will be within the realms of the agreement. She also stated that her department listened to the County departments who expressed that they would like more of an opportunity to research and review different types of machines, maintenance agreements, and a different level of customer service.

In response to questions by Supervisor Kehoe, Mrs. Davis affirmed that continuity would be within the three vendors that are providing the MFDs.

Supervisor Schappell observed that it would be wise to track vendor service and recommended a log so that the departments can view what type of service each vendor provides in relation to that particular departments agreement.

By motion made, seconded (Giacomini/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign three agreements between the County and the following: Northern Business Products Inc. d.b.a. Western Business Products, Ray Morgan Company, and Western Business Equipment Inc. d.b.a. Carrel's Office Machines, with a total maximum compensation of \$1,000,000 for the entire term of each agreement, which establishes a pool of vendors for the purpose of providing Multi-Functional Devices and related maintenance services to the County, effective November 1, 2015, for a term of three years with two automatic one-year renewals.

**CLOSED SESSION ANNOUNCEMENT**

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss anticipated litigation pursuant to Government Code section 54956.9(d)(4) and existing litigation entitled Carl Champagne v. County of Shasta pursuant to Government Code section 54956.9(d)(1).

10:34 a.m.: The Board of Supervisors recessed to Closed Session.

11:03 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive Officer/Clerk of the Board Larry Lees, and County Counsel Rubin E. Cruse Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

There was no reportable action.

11:04 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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