

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, September 22, 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

**INVOCATION**

Invocation was given by Pastor Pauline Bowen, Trinity United Methodist Church.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**BOARD MATTERS**

**PROCLAMATION: 4-H WEEK  
OCTOBER 4-10, 2015**

At the recommendation of Agriculture and Natural Resource Advisor Larry Forero and by motion made, seconded (Giacomini/Schappell), and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 4-10, 2015 as 4-H Week in Shasta County.

**PROCLAMATION: DYSLEXIA AWARENESS MONTH  
OCTOBER 2015**

By motion made, seconded, (Baugh/Schappell) and unanimously carried, the Board of Supervisors adopted a proclamation which designates October 2015 as Dyslexia Awareness Month in Shasta County. North State Literacy Connections representative Lisa Riggs accepted the proclamation.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Shasta County Auditor-Controller Brian Muir announced Shasta County has been awarded a Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association.

Millie Martinez, Shirley Martineau, Bonnie Collins, and Ashlee Hoffman expressed the importance of home healthcare workers and requested a wage increase.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Moty noted that the agreements with Youth Violence Prevention Council and Northern Valley Catholic Social Service have been pulled from the agenda by the department.

**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, as amended:

Adopted Resolution No. 2015-107 authorizing a loan from the County's General Fund to the Fall River Cemetery District in the amount of \$4,000 to be repaid from the December 2015 Secured and Unitary property tax apportionment. (Administrative Office)

(See Resolution Book No. 56)

Approved and authorized the Chairman to sign an agreement with Shaw/Yoder/Antwih, Inc. with a maximum compensation of \$1,300 per month, not to exceed \$15,600 per year, for legislative advocacy services effective October 1, 2015 with an evergreen term. (Administrative Office)

Adopted the following resolutions which notify the California Public Employees' Retirement System (CalPERS) of the County's contribution to the 2016 group health insurance premiums effective January 1, 2016: Resolution No. 2015-108 for the Deputy Sheriff's Association, Resolution No. 2015-109 for the Deputy Sheriff's Association-Correctional Officers, Resolution No. 2015-110 for the Mid-Management Bargaining Unit, Resolution No. 2015-111 for the Professional Peace Officers Association, Resolution No. 2015-112 for the Shasta County Employees Association-Supervisory Unit, Resolution No. 2015-113 for the Sheriff's Administration Association, Resolution No. 2015-114 for the United Public Employees of California (UPEC) General Unit, Resolution No. 2015-115 for the UPEC Professional Unit, Resolution No. 2015-116 for the Unrepresented Confidential Employees, and Resolution No. 2015-117 for the Unrepresented Managers Unit. (Support Services-Personnel)

(See Resolution Book No. 56)

Approved a payment to the California Mental Health Services Authority (CalMHSA), a Joint Powers Authority, in the amount of \$11,485 to provide support for suicide prevention to the statewide Prevention and Early Intervention (PEI) Phase II Sustainability Plan for the period July 1, 2015 through June 30, 2016; and authorized the Director of Health and Human Services Agency, or his/her designee, to approve payment of an invoice in an amount not to exceed \$13,000 from CalMHSA for the PEI Phase II Sustainability Plan for the period July 1, 2016 through June 30, 2017, upon receipt of invoice. (Health and Human Services Agency (HHS))

Approved and authorized the Chairman to sign a retroactive renewal agreement with Cascades Management, Inc., d.b.a. Ridgeview Residential Care Home, for an amount not to exceed \$1,839,600 during the entire term of the agreement, to provide residential care home services for the period August 1, 2015 through June 30, 2016, with two automatic one-year renewals. (HHSA-Adult Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Fall River Joint Unified School District and Mountain Union School District in an amount not to exceed \$30,000 to provide support to the Positive Action® Program for the period August 1, 2015 through June 30, 2016. (HHSA-Children's Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Northern Valley Catholic Social Service, Inc., with a maximum compensation amount not to exceed \$1,053,883 for Fiscal Year 2015-16 to provide mental health services for eligible children including Triple P® interventions with parents to address the needs of their children for the period July 1, 2015 through June 30, 2016 with one automatic one-year renewal and a maximum compensation amount not to exceed \$1,084,598 for Fiscal Year 2015-16. (HHSA-Children's Services)

Approved and authorized the Chairman, HHSA Interim Branch Director-Business and Support Services Tracy Tedder, and HHSA Branch Director-Public Health Director Terri Fields-Hosler to sign a revenue agreement (#AL1603) with the California Office of Traffic Safety to pay Shasta County an amount not to exceed \$146,043 to promote safe driving through the Shasta Teens Behind the Wheel for the period October 1, 2015 through September 30, 2016; and approved and authorized the HHSA Director or HHSA Branch Director, or his/her designee, limited authority to sign prospective and retroactive amendments and other documents associated with this agreement that result in a net change of no more than \$20,000 as required by the State during the term of the agreement, and that otherwise comply with the requirements of Administrative Policy 6-101, *Shasta County Contracts Manual*. (HHSA-Public Health)

Adopted Resolution No. 2015-118 which designates authorized agents for the purpose of obtaining funding through the Homeland Security Grant Programs for Federal Fiscal Year 2015. (HHSA-Public Health)

(See Resolution Book No. 56)

For Opportunity Center participants to provide landscape maintenance services at the United States Department of Agriculture Forest Service (USDA) Northern California Service Center (NCSC): Ratified the Health and Human Services Agency (HHSA)-Regional Services Branch Director's signature on Agreement No. AG-9A73-P-14-0011, in the amount of \$21,999.70, for the period December 1, 2013 through September 30, 2014 with two additional follow-on years; and Modification No. 0001 to Agreement No. AG-9A73-P-14-0011/0001, in the amount of \$4,399.94 for the period December 1, 2013 through November 30, 2014, and approved and authorized the Chairman to sign a retroactive follow-on year one Agreement No. AG-91S8-P-15-0019, in the amount of \$25,386.96 for the period December 1, 2014 through November 30, 2015; and a retroactive Modification No. 0001 to Agreement No. AG-91S8-P-15-0019 in the amount of \$1,200, to correct the total compensation for the period December 1, 2014 through November 30, 2015. (HHSA-Regional Services-Opportunity Center)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Child Abuse Prevention Coordinating Council of Shasta County in an amount not to exceed \$120,520 over the entire term of the agreement, to provide up to four full-time equivalent AmeriCorps members to enhance various youth and family activities beginning October 1, 2015 and ending on the final funding period of the North State Rural Assets Project grant or December 31, 2016, whichever comes first. (Probation)

Approved and authorized the Chief Probation Officer to sign and submit a Letter of Interest on behalf of Shasta County to the Board of State Community Corrections accepting funds allocated to Shasta County for Fiscal Year (FY) 2015-16; for the Community Recidivism Reduction Grants Program in Shasta County, approved and authorized the Chief Probation Officer to sign and submit Letters of Interest for this purpose in future years; sign and process other documents in FY 2015-16 and in future years; accept funds for this purpose in FY 2015-16 and in future years; and continue to implement this program in FY 2015-16 and in future years. Approved the ongoing use of the previously approved overview and application for the Community Recidivism Reduction Grants Program; and approved a budget amendment increasing appropriations and revenue by \$25,000 in the Probation budget in order to recognize and award the grant funds. (Probation)

Approved and authorized the Chairman to sign the following: an agreement with the State of California, Department of Parks and Recreation, Division of Boating and Waterways (DBW) in an amount not to exceed \$52,500, to provide funding for the Sheriff's Office Boating Safety training for the period from the date of the Notice To Proceed Letter from DBW through September 30, 2018; the Recycled Content Certification; and the Drug-Free Workplace Certification; and approved a budget amendment increasing appropriations and revenues by \$17,500 in the Sheriff's Boating Safety budget. (Sheriff-Boating Safety)

Approved and authorized the Sheriff to sign grant award documents for acceptance of the 2015 Edward Byrne Memorial Justice Grant award; and a Fiscal Year 2015-16 budget amendment increasing appropriations and revenue by \$37,720 in the Sheriff's budget. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Park Avenue and Tamarack Avenue Road Widening project, Contract No. 702001, and record it within 15 days of actual completion of the work. (Public Works)

The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

### **SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR**

#### **SHASTA COUNTY WATER AGENCY**

By motion made, seconded (Kehoe/Baugh) and unanimously carried, the Shasta County Water Agency approved and authorized the Chairman to sign a letter to the Department of Water Resources requesting a subsidence survey. (Water Agency)

The Shasta County Water Agency adjourned and reconvened as the Board of Supervisors.

### **REGULAR CALENDAR, CONTINUED**

#### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Executive Officer Larry Lees had no legislative update.

Supervisor Giacomini reported she recently attended meetings with the Superior California Economic Development District Loan Committee and the Sierra-Nevada Conservancy Institute.

Supervisor Kehoe recently attended a meeting of the Redding Area Bus Authority.

Supervisors reported on issues of countywide interest.

### **SCHEDULED HEARINGS**

**COUNTY SERVICE AREA (CSA) NO. 23-CRAG VIEW WATER**  
**WATER USE RESTRICTIONS**  
**ORDINANCE NO. 711**  
**REPEAL ORDINANCE NO. 708**

This was the time set to conduct a public hearing to consider repealing Ordinance No. 708 and adopt an ordinance which restricts landscape irrigation within CSA No. 23 to a maximum of two days per week and establishes penalties for watering in excess of the established maximum. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Public Works Director Pat Minturn stated due to action taken at the Board of Supervisors meeting September 15, 2015 wherein the Board of Supervisors raised rates in order to purchase water and provide funds to the CSA No. 23 operating budget, the Public Works staff recommends that drought provisions in CSA No. 23 be relaxed to match the other CSAs in the county. Mr. Minturn presented water conservation figures for August 2015 and CSA No. 23 achieved 49 percent water savings, surpassed only by CSA No. 25-Keswick Water, which achieved 52 percent water savings.

Supervisor Kehoe stated he was not in favor of using General Fund monies to support CSA No. 23.

The public hearing was opened, at which time Colleen Batman stated it has been a hardship to conserve so much water and questioned the legality of the previously passed Ordinance. Walter Osterberg requested that Ordinance No. 708 be repealed today and inquired as to the effective date of the proposed ordinance.

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

In response to questions by Colleen Batman, Shasta County Counsel Rubin Cruse, Jr., explained due to required legal notices, the County was obligated to follow the required time frame before taking action. In response to questions by Walter Osterberg, Mr. Cruse stated the Ordinance being discussed today could be enacted effective immediately if the Board of Supervisors opted to amend the language and take action.

By motion made, seconded (Schappell/Kehoe) and unanimously carried the Board of Supervisors voted to introduce, waive the reading of, and enact Ordinance No. 711 which repeals Ordinance No. 708, restricts landscape irrigation within CSA No. 23 to a maximum of two days per week, and establishes penalties for watering in excess of the established maximum, effective immediately.

(See General Ordinance Book)

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss initiation of litigation entitled Thomas Alford v. Timothy Pappas pursuant to Government Code section 54956.9(d)(1))

9:50 a.m.: The Board of Supervisors recessed to Closed Session.

10:05 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**

County Counsel Rubin E. Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation in the matter of *Thomas Alford v. Timothy Pappas*, a case involving allegations of breach of contract, fraud and general negligence, the Board of Supervisors, by a 5-0 vote, gave approval to legal counsel to defend this action and authorized the County Counsel’s Office to assign the defense in this case to James Wyatt, Esq.

There was no other reportable action.

10:06 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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