

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, April 26, 2016

REGULAR MEETING

9:00 a.m.: Chairman Giacomini 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 - Candice Marlar
 Administrative Board Clerk - Camile Woodstrom

INVOCATION

Invocation was given by Father Guillermo Ramirez, Our Lady of Mercy Catholic Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION

OLDER AMERICANS MONTH, MAY 2016

By motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors of Shasta County adopted a proclamation designating May 2016 as "Older Americans Month" in Shasta County.

Supervisor Baugh invited Shasta Senior Nutrition Program Executive Director Jennifer Powell to receive the proclamation.

Ms. Powell thanked the Board of Supervisors for their recognition.

PUBLIC COMMENT PERIOD - OPEN TIME

Vernon Price spoke regarding his concern for hate crimes which may be occurring in our community and issues with his Social Security Administration application.

Thomas Hildebrand expressed his concern regarding taxes, payments made to the Treasurer-Tax Collector and Sheriff, and wages paid to County and City employees.

Supervisor Moty informed the audience that the City of Redding Police Department will investigate any potential hate crime.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Giacomini noted that the claims list had been pulled from the consent calendar for discussion.

CONSENT CALENDAR

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

Approved a budget amendment increasing the budget by \$50,000 in the Fiscal Year 2015-16 Land Building and Improvement Budget, offset by a transfer-in from Accumulated Capital Outlay. (Administrative Office/Public Works)

Approved and authorized the Auditor-Controller to sign the CommerceVantage Master Services Agreement and the CommerceVantage Card Service Agreement with Commerce Bank at no participation cost for the period from the date of signing through cancellation to allow the County to participate in Commerce Bank's flexible payment-management program, CommerceVantage AP Card; and approved and authorized the Auditor-Controller or Assistant Auditor-Controller to sign minor prospective amendments and other documents related to the agreement that do not result in a substantial or functional change to the original intent of the agreement and that otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Auditor-Controller)

Approved and authorized the Chairman to sign a letter designating the Shasta Senior Nutrition Program, Inc. as the official Shasta County Food Bank for Fiscal Years 2016-17, 2017-18 and 2018-19. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive third amendment, effective December 1, 2015, to the agreement with Vista Pacifica Enterprises, Inc. to add the Restoration to Competency Program and include the rate for this service while retaining the original maximum compensation not to exceed \$6,700,000 and retaining the term July 1, 2014 through June 30, 2017. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign an agreement with North State Resources, Inc. for a fixed fee of \$89,030.21 to provide environmental services for two Deschutes Road Widening projects (Anderson area) for the period April 26, 2016 through April 26, 2019. (Public Works)

Took the following actions regarding the Mental Health and Public Health Roofing Project, Contract Nos. 111016 and 111021 respectively: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) Section 15301, Class 1-Existing Facilities; approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after June 2, 2016 at 3:00 p.m. (Public Works)

Adopted Resolution No. 2016-034 which certifies that the County maintained 1,189.859 miles of road for year 2015. (Public Works)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign an agreement with Shasta-Tehama-Trinity Joint Community College District (District) in an amount not to exceed \$70,000 for the District to help fund construction of bicycle facilities in the area of the Shasta College campus and Old Oregon Trail effective from the date of signing to expire in accordance with the agreement. (Public Works)

Approved and authorized the Chairman to sign a retroactive triennial lease agreement with Robert King in the amount of \$250 per month for one fixed hangar at the Fall River Mills Airport for the period April 1, 2016 through March 31, 2019. (Public Works-Fall River Mills Airport)

Took the following actions regarding the Inwood Road at South Fork Bear Creek Bridge Replacement Project (Shingletown area) Contract No. 705925: Adopted a resolution which adopts a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration subject to findings; approved plans and specifications and directed the Public Works Director to advertise for bids pending Caltrans approval; and authorized the opening of bids on or after May 26, 2016 at 11:00 a.m. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

COUNTY CLAIMS LIST

In response to questions by Supervisor Kehoe, Health and Human Services Agency-Business and Support Services Branch Director Tracy Tedder detailed the mechanisms in place including ongoing training and monthly reconciliations of purchases made, in order to avoid future payment delays. Ms. Tedder confirmed the items referenced in the Claims List relate to various program supplies.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved the County Claims list as submitted. (Auditor-Controller)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees requested approval of a letter opposing AB 2395 (Low) *Telecommunications* which seeks to allow abandonment of current telecommunications infrastructure by "legacy" carriers which may present a safety concern to some rural residents of Shasta County.

Supervisor Baugh reiterated should AB 2395 be approved, "legacy" carriers such as AT&T would be granted approval to abandon services and discontinue providing land-line coverage. He stated these types of telecommunications providers do not take into account rural California when making these determinations.

In response to questions by Supervisor Kehoe, Supervisor Baugh confirmed AB 2395 was being sponsored by AT&T.

Supervisor Moty expressed his concern regarding some rural residents in western Shasta County and their inability to obtain landline or cell phone coverage service presently along with the corresponding hazards of not receiving emergency services due to the lack of phone service.

In response to questions by Supervisor Kehoe, Supervisor Baugh confirmed the “High Cost B Fund” referenced in the letter relates to monies paid by the rate payer to secure, maintain and develop infrastructure which may be abandoned with the passing of this legislation.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved the Chairman to sign a letter opposing AB 2395 (Low) *Telecommunications* – adding Section 711 to the Public Utilities Code.

Supervisor Schappell recently attended a Shasta Children and Families Commission meeting,

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

Supervisors reported on issues of countywide interest.

PUBLIC WORKS/RESOURCE MANAGEMENT

AMENDING SHASTA COUNTY CODE TITLE 18-ENVIRONMENT ADDING CHAPTER 18.10 – STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROLS

Public Works Director Pat Minturn introduced the proposed ordinance in follow up to the Federal Clean Water Act. Phase I was instituted several years ago, affecting larger cities with Phase II implementation occurring now and being regulated by the State Water Resources Board. These regulations are to prevent gross discharges and anything other than storm water from being deposited into storm drains or other surface drainages; any other discharge would require special permits. Special permit requests will be handled on a case by case basis with current staff through the Public Works and Resource Management Departments.

In response to questions by Supervisor Schappell Mr. Minturn reiterated the types of discharges that may require a permit and further stated that the County is not requiring special treatment of roof runoff water.

By motion made, seconded (Kehoe/Schappell), and unanimously carried, the Board of Supervisors took the following actions regarding Shasta County Code Title 18-*Environment*: Found the adoption of this ordinance categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15307 of the CEQA Guidelines; and introduced and waived the reading of an ordinance amending Shasta County Code Title 18-*Environment* by adding Chapter 18.10 *Storm Water Quality Management and Discharge Controls* which establishes: Controls to manage storm water discharges within certain urban unincorporated areas in the County, and a countywide prohibition of non-storm water discharges to storm water systems or other surface drainages.

RESOURCE MANAGEMENT-ENVIRONMENTAL HEALTH DIVISION

**RESOLUTION OF INTENT TO IMPLEMENT THE
LOCAL AGENCY MANAGEMENT PROGRAM (LAMP)
RESOLUTION 2016-036**

Resource Management Director Rick Simon presented the Local Agency Management Program (LAMP) as prepared by the Environmental Health Division. The LAMP allows the County to coordinate with the Regional Water Quality Control Board to adopt standards and regulations for the use of Onsite Wastewater Treatment Systems (OWTS). Legislation adopted in 2000 addressed potential contamination of groundwater supplies with the use of OWTS. The LAMP will provide an avenue for new development and existing OWTS needing repair, to comply with legislation.

Mr. Simon explained that his department hosted an informational meeting with industry professionals; developers, contractors, and design professionals, as well as interested public in an effort to provide clarification and information of the pending rules and regulations and how it may affect these industries.

Mr. Simon stated, in the case of Shasta County, these regulations are more of a preventive measure rather than a corrective measure, cautioning that should the County not move forward with a local regulation plan, we would be obligated to implement the state prescriptive standard. Upon adoption of the resolution, the LAMP will be reviewed for a one year period by the Central Valley Regional Water Quality Control Board after which the County will be expected to update any related ordinances with full implementation expected by 2018.

In response to questions by Supervisor Baugh, Mr. Simon provided information related to when a repair is acceptable and when a new system may be required.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-036, authorizing the Director of Resource Management to submit a Local Agency Management Program (LAMP), completeness checklist, and other supporting documents to the Central Valley Regional Water Quality Control Board (Regional Water Board); and states the County's intent to implement the Regional Water Board approved LAMP in compliance with requirements as specified in the State Water Resources Control Board's adopted *Water Quality Control Policy for Sitting, Design, Operation, and Maintenance of Onsite Wastewater Treatment System*.

10:04 a.m.: 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

Public Works Director Pat Minturn detailed the process, costs involved, and the order of which water, including purchased water, is used regarding the various County Service Areas (CSA's). He explained that due to conservation on the part of certain CSA's and Cemetery Districts, bonus water was available for re-allocation to other CSA's who were in need.

In response to questions by Supervisor Kehoe, Mr. Minturn confirmed the Shasta County Water Agency (Water Agency) only pays for water used when purchasing from the Bureau; this is not the case with water purchased from the McConnell Foundation (McConnell). He further stated, the purchase price of McConnell water was well below the market price and by retaining the bonus water would assist the CSA's and the Water Agency in the future.

In response to questions by Supervisor Schappell, Mr. Minturn clarified the order in which water is used by the CSA's and explained how bonus water is calculated.

In response to questions by Supervisor Baugh, Mr. Minturn confirmed McConnell Foundation is not obligated to sell water to the Water Agency and could potentially sell outside the area at double the price.

Roy Vincent spoke on a variety of items regarding County Service Area No. 6-Jones Valley.

County Executive Officer Larry Lees clarified the Central Valley Project (CVP) water used by CSA's will be charged at the CVP rate, and when using McConnell water will be charged at the McConnell Water rate which will provide accurate financial and water use reporting and continue to allow for a sufficient water supply.

In response to questions by Supervisor Baugh, Mr. Minturn confirmed the Water Agency does not recover the water costs when purchasing water from McConnell.

By motion made, seconded (Kehoe/Baugh) and unanimously carried, the Board of Supervisors provided the following direction to staff with a retroactive effective date of March 1, 2016: Subcontractors shall be billed for Central Valley Project (CVP) water by Water Year (March through February); CVP supplies shall be allocated among the subcontractors by methodologies substantially similar to those employed by the U. S. Bureau of Reclamation (Bureau) to establish Water Agency CVP supplies; when CVP supplies are curtailed by the Bureau, staff shall endeavor to secure supplemental supplies to meet projected demands within County Service Areas (CSA's) subject to contract approval by the Board of Supervisors (Board); CVP supplies which have been deferred by their subcontractors (Bonus) may be reallocated to CSA's and other subcontractors only upon Board approval and after all supplemental supplies have been expended; CSA No. 6-Jones Valley shall receive a credit in the amount of \$2,172 for water use in calendar year 2014 with reallocation of Bonus water; CSA No. 25-Keswick shall receive a credit amount of \$11,703 for water use in calendar year 2014 with allocation of Bonus water; and subcontractors shall be billed for CVP water for calendar year 2015 and the first two months of calendar year 2016 with reallocation of Bonus water.

11:04 a.m.: The Shasta County Water Agency adjourned and re-convened as the Shasta County Board of Supervisors.

11:05: a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy