

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, March 28, 2017

REGULAR MEETING

9:01 a.m.: Chairman Kehoe 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 Rickert
 District No. 4 - Supervisor Morgan
 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 Pastor Dennis Tucker, Word of Life

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

**PROCLAMATION: SEXUAL ASSAULT AWARENESS MONTH
 APRIL 2017**

At the recommendation of Supervisor Baugh, and by motion made, seconded (Bauhg/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation that designates April 2017 as "Sexual Assault Awareness Month" in Shasta County. District Attorney Stephanie Bridgett was present to accept the proclamation.

One Safe Place Executive Director Angela Jones gave a brief update regarding upcoming local events relating to sexual assault awareness.

**PROCLAMATION: CRIME VICTIMS' RIGHTS WEEK
 APRIL 2-8, 2017**

At the recommendation of Supervisor Rickert, and by motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors adopted a proclamation that designates April 2-8, 2017 as "Crime Victims' Rights Week" in Shasta County. District Attorney Stephanie Bridgett was present to accept the proclamation.

PRESENTATIONS

PRESENTATION: SHASTA-TRINITY NATIONAL FOREST UPDATE

Shasta-Trinity National Forest Supervisor Dave Myers stated historically firefighting has been a function of the Forest Service, but recently firefighting has risen to exceed 50 percent of the budget (over 200 percent increase over 20 years) encompassing more of the focus than ever before. Approximately \$1.7 billion was spent during the 2016 fire season and \$230 million was taken from other programs to offset fire costs. Weather extremes, drought versus heavy rains, frequent fires, longer fire seasons, and higher than average temperatures are challenges facing forests and forest services.

In addition, Mr. Myers stated that in 2014, the Shasta-Trinity National Forest supported an estimated 1,470 jobs and \$64,300,000 labor income in the local area. Jobs supported by the National Forest and Grasslands are often in small, rural communities and are therefore an important contribution to the areas economic and social sustainability.

In response to questions by Supervisor Moty, Mr. Myers verified timber is not currently being harvested at the same level as growth.

In response to questions by Supervisor Rickert, Mr. Myers stated that illegal marijuana grow sites have posed significant negative environmental, budget, and safety problems.

In response to questions by Supervisor Kehoe, Mr. Myers stated that fiscal constraints have created substantial impacts on day to day operations.

Shasta-Trinity National Forest District Ranger Lesley Yen stated that inclement and rainy weather has created road, culvert, and landslide issues.

PUBLIC COMMENT PERIOD - OPEN TIME

Vernon Lee Price expressed appreciation for the Woodland Hills project recently approved by the Board of Supervisors.

Heidi Marker and Thomas Twist expressed frustration with the current policies and enforcement regarding vacation rentals within the unincorporated areas in Shasta County.

John Sharrah expressed concerns over the proposed ordinance regarding Onsite Wastewater Treatment Systems.

County Executive Officer (CEO) Larry Lees expressed his desire to reevaluate the current ordinance regarding vacation rentals and update as needed.

In response to questions by Supervisor Baugh, CEO Lees stated that he will report back to the Board of Supervisors and will give a detailed timeline of revising the current ordinance regarding short term vacation rentals.

CONSENT CALENDAR

By motion made, seconded (Morgan/Moty), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Kehoe voted no on the agreement with Rushmore Group of South Dakota, LLC as it requires advance payments):

Approved and authorized the Assessor-Recorder to: Sign an amendment to the agreement with DFM Associates, Inc. (DFM) for software and software maintenance, effective the date of

signing, which terminates the agreement June 30, 2018 and allows the County to terminate the agreement sooner upon 30 days' written notice to DFM; and exercise the written notice of termination of the agreement if necessary. (Assessor-Recorder/County Clerk/Registrar of Voters)

Approve the minutes of the meetings held on March 14 and March 21, 2017, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a lease with Parlay Investments, Inc. in the amount of \$6,552 per month (approximately \$1.04 per square foot) for the period April 1, 2017 through June 30, 2022 with annual Consumer Price Index increases or decreases of no more than two percent per year for 6,300 square feet of office space at 1560 Market Street, Redding, with two two-year and one one-year optional renewals. (Health and Human Services Agency-Business and Support Services Health/Human Services Agency-Children's Services)

Adopted Salary Resolution No. 1507, effective April 2, 2017, which: Deletes 1.0 Full-Time Equivalent (FTE) vacant Epidemiologist/Senior Staff Analyst position, adds 1.0 FTE Senior Staff Services Analyst position, and adds 1.0 FTE Account Clerk III position in the Health and Human Services Agency budget; and deletes 1.0 FTE vacant Business Office Clerk I/II in the Perinatal Program budget. (Health and Human Services Agency-Business and Support Services)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign an agreement with the Rushmore Group of South Dakota, LLC in an amount not to exceed \$177,000 (including an annual advance payment in the amount of \$27,000 for software maintenance and support) to provide an electronic case review and reporting database for the Health and Human Services Agency-Regional Services Branch-Eligibility and Employment for the period March 28, 2017 through March 27, 2019. (Health and Human Services Agency-Regional Services)

Approved and authorized the Chairman to sign a renewal agreement with ACT, Inc. d.b.a. Workforce Curriculum in the amount of \$9,200 to provide CalWORKs Welfare-to-Work participants a variety of on-line courses to assist them in developing or enhancing skills necessary to more effectively compete in the current job market and to build future career pathways effective when the County signs through March 31, 2020. (Health and Human Services Agency-Regional Services)

Took the following actions: Approved and authorized the Chairman to sign an evergreen equipment lease and maintenance agreement in an amount not to exceed \$200 per quarter with Pitney Bowes, Inc. to replace the current Postage Meter with a new one for the Health and Human Services Agency (HHS)A-Regional Services Branch-Burney Office for an initial term of five years effective April 1, 2017; and authorized the HHS)A Director, or Branch Director as authorized by the Director, to exercise any option set forth in Section L6 of the Western States Contracting Alliance Master Agreement with Pitney Bowes so long as the chosen option otherwise complies with Administrative Policy 6-101, *Shasta County Contracts Manual* and/or Shasta County Code 3.04, *Purchasing*. (Health and Human Services Agency-Regional Services)

Adopted Resolution No. 2017-037, which recognizes that the circumstances and factors that led to the January 24, 2017 ratification of a proclamation of a local emergency due to storm damage which occurred in the incorporated and unincorporated areas of Shasta County during January 2017, the February 7, 2017 continuation, and the March 7, 2017 continuation of the proclamation have ceased and the proclamation should be terminated. (Sheriff)

(See Resolution Book No. 58)

Approved a budget amendment increasing appropriations by \$40,999 in the Sheriff's Dispatch budget to be offset by use of Public Safety Fund balance to align the Dispatch budget with projected expenditures. (Sheriff)

Took the following actions regarding the Oak Tree Lane Permanent Road Division: Received the petition for activation; received the maintenance cost estimates; received the annual

parcel charge report; and set a public hearing for May 16, 2017, at 9 a.m. or as soon thereafter as may be heard, to consider activation of the Oak Tree Lane Permanent Road Division. (Public Works)

Took the following actions regarding the Old 44 Drive at Oak Run Creek Bridge Replacement Project, Contract No. 705927: Adopted a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration subject to the findings in Resolution No. 2017-038; approved and authorized the Chairman to sign right-of-way contracts with: Ronald and Louise Masingale for right-of-way valued at \$8,944.34 for 0.06 acres; and True and Leslie Myers for right-of-way valued at \$5,800.00 for 0.23 acres and a Temporary Construction Easement valued at \$1,700.00 for 0.28 acres; and accepted two Easement Deeds conveying the right-of-way parcels. (Public Works)

(See Resolution Book No. 58)

Adopted Resolution No. 2017-039, which designates certain officials to act as agents for the County regarding federal disaster assistance grants. (Public Works)

(See Resolution Book No. 58)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

CEO Lees presented an update on specific legislation of importance to Shasta County, including the potential delegated In-Home Supportive Services expenses to the counties.

Supervisor Moty recommended a ministerial change and a change in recipients for the proposed letter regarding Senate Bill 54 (De León), *Law Enforcement: Sharing Data*. Supervisor Moty requested the approved letter be sent to Senator Ted Gaines and Assemblyman Brian Dahle instead of Senator Kevin De León.

Supervisor Rickert recommended the approved letter also be copied to Doug LaMalfa.

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter in opposition to Senate Bill 54 (De León), *Law Enforcement: Sharing Data*, as amended.

Supervisor Rickert recently attended Sacramento River Forum and Sierra-Nevada Conservancy Appointment meetings.

Supervisor Moty recently attended a Sacramento River Forum meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-PERSONNEL

DEPUTY SHERIFFS ASSOCIATION-CORRECTIONAL OFFICER-DEPUTY SHERIFFS

RESOLUTION NO. 2017-040

SALARY RESOLUTION NO. 1508

In response to questions by Supervisor Moty, Director of Support Services Angela Davis stated that the uniform allowance was increased from \$600 to \$700 annually.

At the recommendation of Director of Support Services Angela Davis, and by motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors took the

following actions: Adopted Resolution No. 2017-040, which approves a successor comprehensive Memorandum of Understanding (MOU) between Deputy Sheriffs Association-Correctional Officer-Deputy Sheriffs (DSA-CO), and the County of Shasta covering the period April 1, 2017 through March 31, 2020; and adopted Salary Resolution No. 1508, effective April 2, 2017, which amends the Salary Schedule for positions in County Service pursuant to the DSA-CO MOU.

(See Resolution Book No. 58)
(See Salary Resolution Book)

RESOURCE MANAGEMENT

ENVIRONMENTAL HEALTH DIVISION

LOCAL AGENCY MANAGEMENT PROGRAM

Resource Management Director Rick Simon stated that a more thorough review is needed in regards to the Local Agency Management Program and recommended the Board continue the matter to a future date.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors Continue to a date uncertain, the requests to: Adopt a resolution which adopts the Shasta County Local Agency Management Program establishing standards for the construction, operation, maintenance and abandonment of Onsite Wastewater Treatment Systems; and enact an ordinance adding Chapter 8.41, *Onsite Wastewater Treatment Systems* to Title 8 Health and Safety of the Shasta County Code.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to take the following actions: (1) Confer with legal counsel to discuss existing litigation entitled Bradley Issler, et al. vs. Shasta County, et al. and Jesse Bryant v. Shasta County Sheriff's Department, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and (2) confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4) initiation of litigation.

10:40 a.m.: The Board of Supervisors recessed to Closed Session.

11:29 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 and anticipated litigation and took the following action:

In the matter of *Jesse Bryant v. Shasta County Sheriff's Department, et al.*, a case involving the alleged violation of constitutional rights arising out of an alleged injury suffered while an inmate in the jail, 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 Gary Brickwood, Esq.

In the matter of *Bradley Issler v. Shasta County, et al.*, a case involving the alleged violation of constitutional rights arising out of seizure of marijuana, 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 Jeff Dunn of Best, Best & Krieger.

There was no other reportable action.

11:31 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy