

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 16, 2017

REGULAR MEETING

9:00 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
 Administrative Board Clerk - Courtney Mathews
 County Executive Officer Assistant - Jenn Duval

INVOCATION

Invocation was given by Pastor Rick Penner, Redding Christian Fellowship.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PUBLIC HEALTH ADVISORY BOARD APPOINTMENTS
PUBLIC HEALTH ADVISORY BOARD ANNUAL REPORT

Director of Public Health Terri Fields-Hosler stated the importance of the Public Health Advisory Board (PHAB) and reminded the Board of Supervisors that PHAB members serve voluntarily.

PHAB Board Chairman Brad Frost presented an annual report on PHAB activities. He explained current work underway, including efforts to achieve national accreditation which includes community health improvement and assessment.

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors reappointed Joe Ayer and Linda Heick-Kilzer (general members) to the PHAB for terms to expire March 31, 2020.

PRESENTATIONS

PRESENTATION: GOOD NEWS RESCUE MISSION

Good News Rescue Mission Executive Director Jonathan Anderson provided highlights of the various programs currently in operation at the Good News Rescue Mission which include the job readiness center, a college readiness center, new dental center, as well as providing assistance with transitional-to-permanent housing with the support of various community stakeholders.

Mr. Anderson stated individuals attending Shasta College are enjoying success in the area of scholarships and plans are underway, in conjunction with the local hospitals, to provide respite and follow-up care.

PUBLIC COMMENT PERIOD - OPEN TIME

Darren Langfield requested the Board of Supervisors consider a policy that limits above ground utilities in underground utility areas in the Shingletown area.

Vernon Price thanked the board for their support of health care for the homeless community.

Peter Scales spoke regarding the unfunded liability of Shasta County and the wages of county employees.

Bill Gilbert expressed frustrations with his interactions with a County employee and related legal proceedings.

Kathy Jalgrein spoke regarding County Service Area No. 6-Jones Valley Water and the \$1 per month rate increase.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe noted the items regarding the minutes of the meeting held May 9, 2017 and the agreement with PACE Engineering, Inc. had been pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Morgan/Baugh), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the SouthTech Systems, Inc. agreement as he is opposed to advance payments and Supervisor Moty informed the Board he currently serves on the County Medical Services Program Governing Board and receives reimbursement for his expenses):

Reappointed Richard Yoder, MD as the District 1 representative and reappointed Brad Frost as the District 5 representative to the Public Health Advisory Board for terms to expire in March 2020. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with SouthTech Systems, Inc. in an amount not to exceed \$33,075 (with annual advance payments) to provide an automated campaign filing and tracking system for the period July 1, 2017 through June 30, 2021. (County Clerk/Registrar of Voters)

Approved and authorized the Chairman to sign a renewal agreement with J. Reid McKellar, PH. D, Inc. in an amount not to exceed \$150,000 for psychological evaluations and assessments for the period July 1, 2017 through June 30, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Approved and authorized the Chairman to sign an amendment, effective date of signing, to the agreement with the Regents of the University of California, Davis (No. GENT-2016-29) to add administrative training units, which increases the maximum compensation by \$21,330 (for a new total of \$152,865), and retaining the term July 1, 2016 through June 30, 2017. (Health and Human Services Agency-Business and Support Services)

Took the following actions: Approved and authorized the Chairman to accept, and Health and Human Services Agency (HHSA)-Public Health Branch to administer, the retroactive Homeland Security Grant (HSG 2016) from the California Governor's Office of Emergency Services in the amount of \$257,264 for the period September 1, 2016 through May 31, 2019; approved the following Fiscal Year 2016-17 HSG budget amendments: increase appropriations and revenue by \$130,281 in the Sheriff's Office of Emergency Services budget to be offset by a transfer-in from the HHSA Public Health budget; increase appropriations and revenue by \$85,000 in the County Service Area No. 1-County Fire budget to be offset by a transfer-in from the HHSA Public Health budget; and increase appropriations by \$215,281 and revenues by \$250,421 in the HHSA Public Health budget for HSG project costs and transfers out to the Sheriff's and County Fire's budgets; approved and authorized the County Sheriff's Office to purchase equipment for the Countywide Data Exchange and Interoperability Project (also known as the Integrated Public Safety System upgrade) in the amount of \$106,028 and a 32-month Bomb Robot warranty extension in the amount of \$24,253; and approved and authorized the County Fire Department to purchase a new capital asset Chemical Spectrometer in the amount of \$75,000. (Health and Human Services Agency-Public Health/Sheriff/County Service Area No. 1-County Fire)

Approved and authorized the Chairman to sign: A retroactive revenue agreement with the County Medical Services Program (CMSP) Governing Board in an amount not to exceed \$300,000 for the County to provide Whole Person Care services to CMSP beneficiaries and eligible individuals, as well as beneficiaries of other public health insurance, for the period January 1, 2017 through June 30, 2020; and the CMSP Governing Board Grant Data Sheet (Exhibit D to the agreement). (Health and Human Service Agency- Office of the Director)

Approved and authorized the Chairman to sign a retroactive amendment, effective April 1, 2017, to the agreement with VOTC, Inc. d.b.a. Visions of the Cross for substance use disorder treatment services to increase maximum compensation by \$400,000 for a new total not to exceed \$850,000 (for Fiscal Years 2016-17 and 2017-18 from \$150,000 to \$350,000) and incorporate changes to contract language as required by the California Department of Health Care Services Substance Use Disorder Services agreement retaining the term July 1, 2015 through June 30, 2018. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign the following documents related to Fiscal Years (FY) 2015-16 and 2016-17 Intergovernmental Transfer (IGT): An agreement with the California Department of Health Care Services (DHCS) pursuant to sections 14164 and 14301.4 of the Welfare and Institutions Code (WIC) for the transfer amount not to exceed \$3,108,084 for the period July 1, 2015 through June 30, 2016, and \$3,143,604 for the period July 1, 2016 through June 30, 2017 to be used as local matching funds to enable Partnership HealthPlan of California (PHC) to obtain Medi-Cal managed care capitation rate increases; an agreement with DHCS for a 20 percent assessment fee pursuant to section 14301.4 of the WIC to reimburse DHCS for administrative costs associated with the operation of the IGT program, estimated at \$621,617 for the period July 1, 2015 through June 30, 2016 and estimated at \$628,721 for the period July 1, 2016 through June 30, 2017; a retroactive third amendment, effective July 1, 2015, to the agreement with PHC allowing PHC to retain three percent administrative fee for the FY 2015-16 and 2016-17 IGT and for payment of Medi-Cal managed care capitation rate increases by PHC and payable to Shasta County Health and Human Services

Agency (HHS) to support the local safety net through improved behavioral health services, care coordination, oral health services, and/or access to specialty care for Medi-Cal beneficiaries and other underserved populations for the period July 1, 2015 through September 30, 2019; and approved and authorized the HHS Director to sign: a Memorandum of Understanding (MOU) with PHC, effective upon the date PHC provides an estimated net amount of \$2,476,954 for FY 2015-16 and \$2,497,679 for FY 2016-17 in IGT funds to County and County provides an administrative fee in the estimated amount of \$1,000,000 to PHC, which outlines the roles and responsibilities related to the FY 2015-16 and FY 2016-17 IGT; and amendments and other documents, including retroactive, with DHCS and PHC to facilitate the FY 2015-16 and FY 2016-17 IGT that do not result in substantial or functional change to the original intent of the agreement(s) and otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Office of the Director)

Adopted Resolution No. 2017-055, which approves and authorizes the Public Works Director to sign: Applications for Federal Transit Administration (FTA) Section 5311 funds for Fiscal Years (FY) 2017-18, 2018-19, and 2019-20 in an amount not to exceed \$350,000 annually; and agreements, annual FTA certifications, assurances, and other documents for FY 2017-18, 2018-19, and 2019-20. (Public Works)

(See Resolution Book No. 58)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Public Defender HVAC Renovation Project, Contract No. 610435, and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign a revenue lease agreement with Jeff Kaufman in the amount of \$250 per month for a fixed hangar at Fall River Mills Airport for the period June 1, 2017 through March 31, 2019. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

MINUTES: MAY 9, 2017

Supervisor Kehoe explained that his recusal on the May 9, 2017 consent calendar was intended to only apply to the item regarding the agreement with Empire Hotel, EHARC, Inc. d.b.a. Empire Recovery Center, not the entire consent calendar, and that he was in support of the other items on the Consent Calendar, as amended.

By motion made, seconded (Moty/Rickert), and unanimously carried, the Board of Supervisors approved the minutes of the May 9, 2017 Board of Supervisors regular meeting, with an addendum to be added stating:

ADDENDUM OF THE MAY 9, 2017 MINUTES

At the May 16, 2017 Board of Supervisors meeting, Supervisor Kehoe explained that his recusal on the consent calendar was intended to only apply to the item regarding the agreement with Empire Hotel, EHARC, Inc. d.b.a. Empire Recovery Center, not the entire consent calendar, and that he was in support of the other items on the Consent Calendar, as amended. (Clerk of the Board)

AGREEMENT: PACE ENGINEERING, INC. ENGINEERING DESIGN AND CONSTRUCTION INSPECTION SERVICES

Public Works Director Pat Minturn provided an overview of the project for County Service Area (CSA) No. 6-Jones Valley Water and the proposed agreement with PACE Engineering, Inc. The proposed agreement utilizes grant funds to provide for future planning and design to determine water loss, preventive measures, and to replacement plan.

In response to questions by Supervisor Baugh, Mr. Minturn explained the planning study surveys the system and makes determinations where potential problems or areas of concern may exist. For example, should the survey expose an area of disproportionate water loss, further studies will be conducted to determine if a leak exists or if meter replacement would be sufficient.

In response to questions by Supervisor Moty, Mr. Minturn clarified the grant monies to fund the planning study have been obtained and there is no expiration for the expenditure of the grant funds.

Community Advisory Board Representative Roy Vincent spoke regarding his concerns with the proposed PACE Engineering, Inc. agreement and potential grant funds available for leak detection and meter replacement.

Steve Boyd spoke regarding his concerns with the proposed PACE Engineering, Inc. agreement.

Peter Scales spoke regarding various concerns with Shasta County and CSA No. 6-Jones Valley Water.

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors moved the item regarding the agreement with PACE Engineering, Inc. to provide engineering design and construction inspection services for water improvements to the Regular Calendar TO immediately follow the scheduled public hearing on CSA No. 6-Jones Valley Water Bi-Monthly Water Rate Increases.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisor Moty attended Sierra-Sacramento Valley Emergency Medical Services Board meeting.

Supervisor Baugh attended Rural County Representatives of California Executive Board, the Area Agency on Aging PSA2-Executive Board, and Golden State Finance Authority meetings.

Supervisor Kehoe attended Redding Area Bus Authority board meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES

PERSONNEL

CHIEF PUBLIC HEALTH MICROBIOLOGIST MARK CASTAGNOLI
180-DAY WAITING PERIOD EXCEPTION
RESOLUTION NO. 2017-056

In response to questions by Supervisor Moty, CEO Larry Lees stated that the county is currently seeking permanent contracting services as a permanent option to filling the vacancy of Chief Public Health Microbiologist.

In response to questions by Supervisor Kehoe, CEO Lees stated that the recommended exception applies only to this appointment.

At the recommendation of Assistant Director of Support Services Shelly Forbes and by motion made, seconded (Moty/Rickert), and unanimously carried, the Board of Supervisors adopted Resolution No. 2017-056, which adopts an exception to the 180-day waiting period for the hiring of a CalPERS retiree, Government Code sections 7522.56 and 21221(g), for the interim appointment of Mark Castagnoli to the position of Chief Public Health Microbiologist effective May 20, 2017 through September 30, 2017.

(See Resolution Book No. 58)

SCHEDULED HEARINGS

CLERK OF THE BOARD

PUBLIC WORKS

OAK TREE LANE PERMANENT ROAD DIVISION

This was the time set to conduct a public hearing to consider the Oak Tree Lane Permanent Road Division. The Public Works Department requested that the public hearing regarding activation of the Oak Tree Lane Permanent Road Division be removed from the agenda. There will also be no hearing on the matter at the May 23, 2017 meeting. The Department will independently provide notice of a public hearing to be held on a future date.

10:05 a.m.: The Board of Supervisors recessed.

10:18 a.m.: The Board of Supervisors reconvened.

PUBLIC WORKS

COUNTY SERVICE AREA NO. 6-JONES VALLEY WATER
BI-MONTHLY WATER RATE INCREASES

This was the time set to conduct a public hearing on behalf of County Service Area (CSA) No. 6-Jones Valley Water to consider action to increase the bi-monthly water rates. Director of Public Works Pat Minturn presented the staff report and recommended approval. The Notice of Hearing and the Notice of Publication are on file with the Clerk of the Board.

Mr. Minturn provided information regarding past water rate increases, water quality issues, increasing costs since, and a proposal to increase water rates to cover cost of service to

CSA No. 6-Jones Valley Water. Mr. Minturn advised that there is currently a negative fund balance in CSA No. 6-Jones Valley Water.

In response to questions by Supervisor Baugh, Mr. Minturn stated the median user would have rates increase approximately \$11.

In response to questions by Supervisor Moty, Director Minturn clarified the estimated proposed rate increases bi-monthly.

In response to questions by Supervisor Morgan, Mr. Minturn reported replacement of filters was needed to meet water quality standards, and explained \$24,000 of water agency monies were used to pay for the replacement of the filters. The proposed water rate increases will cover these costs and restore a positive fund balance to CSA No. 6-Jones Valley Water to pay for future maintenance costs.

In response to questions by Supervisor Rickert, Mr. Minturn reported that rates are specific to the current rates in surrounding areas.

In response to questions by Supervisor Moty, Director Minturn reported that CSA No. 6-Jones Valley Water currently has no reserves, has a \$1,000 negative fund balance, and anticipates within a month there will be a \$10,000 negative fund balance.

At the request of the Board of Supervisors, County Counsel Rubin Cruse advised, in accordance with Proposition 218, the property owners or tenants of parcels wherein the imposition of the proposed bi-monthly water rate increases will apply may submit written protests to the proposed rate increases until the close of the public hearing. At the close of the public hearing, the Clerk of the Board will tabulate written protests received. If there are a majority of protests for the identified parcels, then the Board shall not impose the proposed bi-monthly water rate increases.

In response to questions by Supervisor Baugh, Counsel Cruse explained only one vote per parcel will be counted, but could be received from either the property owner or tenant of the parcel. County Executive Officer (CEO) Larry Lees explained the verification of protest ballots received will be conducted by referencing the impacted properties Assessor's Parcel Number.

The public hearing was opened.

Joseph Hlavacik expressed concerns regarding water quality, water losses, and meter replacement.

Roy Vincent spoke regarding grant funding, leak detection, meetings, and meter replacement.

Steve Boyd discussed the cost of replacing filters and the impact of proposed rate increases.

Peter Scales expressed frustration with Shasta County staff and costs incurred by the CSA.

The public hearing was closed.

At the direction of the Board of Supervisors, Counsel Cruse clarified that there are known to be 715 parcels impacted by the proposed bi-monthly water rate increases; requiring 358 valid protest ballots to reach a majority.

Deputy Clerk of the Board Camile Woodstrom explained the process staff used in handling and counting protest ballots. The name of the person submitting the ballot, the Assessor's Parcel Number, and the number assigned for tracking the ballot were read into the record.

Clerk of the Board staff read all ballots received prior to the close of the public hearing into the record. Protest ballots received that had matching parcel owner or tenant name and Assessor's Parcel Numbers on record were counted as valid protests. Ballots that did not have matching parcel owner or tenant name and Assessor's Parcel Numbers were separated as being subject to further review, if necessary. Ballots received for a parcel where a protest ballot had already been counted were separated as being subject to further review, if necessary.

1:04 p.m.: The Board of Supervisors recessed.

1:11 p.m.: The Board of Supervisors reconvened.

CEO Lees read the protest ballot results. Ballots received in protest numbered 439. Sixty-nine ballots were placed in review. Discounting ballots that were separated as being subject to further review, if necessary, a total of 370 protest ballots were received. The total needed for valid protest was 358. Enough valid protests were received to prevent the proposed bi-monthly water rate increases.

Chairman Kehoe confirmed the results as a decisive protest to the CSA No. 6-Jones Valley Water proposed bi-monthly water rate increases.

By motion made, seconded (Baugh/Rickert), and unanimously carried, the Board of Supervisors directed CEO Lees and Counsel Cruse to bring options and recommendations to the Board of Supervisors for further action by Shasta County regarding CSA No. 6-Jones Valley.

In response to questions by Supervisor Kehoe, CEO Lees determined more research will be required to identify the impact of the protest vote and the use of public funds to maintain the service of CSA No. 6-Jones Valley Water.

In response to questions by Supervisor Baugh, Counsel Cruse confirmed for the record that there was a majority protest received, as such, the Board of Supervisors is prohibited by law from acting on the proposed bi-monthly water rate increases.

AGREEMENT: PACE ENGINEERING, INC.
ENGINEERING DESIGN AND CONSTRUCTION INSPECTION SERVICES

Public Works Director Pat Minturn discussed the planning grant requirements received for CSA No. 6-Jones Valley Water and noted the planning grant cannot be used for construction or repairs.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors deferred action on the agreement with PACE Engineering, Inc. to provide engineering design and construction inspection services for water system improvements; and any subsequent action authorizing CSA No. 6-Jones Valley Water fund No. 00377 to be in a negative cash position for short periods of time while awaiting reimbursement from the state during the project until recommendations for CSA No. 6-Jones Valley Water are reviewed.

1:27 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy