

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 13, 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 - Courtney Mathews
Administrative Board Clerk - Rossann Grimm

INVOCATION

Invocation was given by Pastor Tom Lucatorta.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

**PROCLAMATION: ELDER ABUSE AWARENESS DAY
JUNE 15, 2017**

Roy Vincent expressed health hazards that could negatively impact elder members of the community.

At the recommendation of Supervisor Rickert, and by motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates June 15, 2017, as "Elder Abuse Awareness Day" in Shasta County. District Attorney Stephanie Bridget and Health and Human Services Agency-Adult Services Branch Director Dean True were present to accept the proclamation.

PRESENTATIONS

PRESENTATION: 2017 MEMORIAL DEAY KEYNOTE CITY OF REDDING MAYOR EMERITUS MIKE DAHL

Received the 2017 Memorial Day Keynote address presented by the City of Redding Mayor Emeritus Mike Dahl.

PRESENTATION: CITY CONNECT

At the recommendation of Supervisor Kehoe, the Board of Supervisors received a report on the success of "City Connect" by Redding Life Leader Heather Tremblay and City of Redding Volunteer Coordinator Kristy Lanham.

PUBLIC COMMENT PERIOD - OPEN TIME

Richard Wilkinson invited the members of the public to attend the 32nd Annual Aviation Celebration at the Benton Airpark on Sunday, June 19, 2017.

Kim Chamberlain expressed appreciation for the Korean War Veterans.

Steve Boyd expressed frustrations regarding County Service Area No. 6-Jones Valley.

Joe Cosca and Frank Rose expressed appreciation for Korean War Veterans and presented Supervisor Moty with a certificate of gratitude for efforts on behalf of Korean War Veterans.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Kehoe noted that the items regarding the agreement with Financial Marketing Concepts, Inc. d.b.a. Coast2Coast Rx and the relief of accountability for capital assets have been pulled for discussion.

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, as amended (Supervisor Kehoe voted no on the agreement with Megabyte Property Tax Systems, Inc. due to his opposition to advance payments):

Approved and authorized the Chairman to sign a no maximum compensation agreement with Megabyte Property Tax Systems, Inc., which includes: Monthly payments in the amount of \$15,258.50 to provide software and support; one annual advance payment in the amount of \$9,063 to provide Online Business Property Statement Filing module, support and maintenance; one advance payment in the amount of \$6,222.15 for web services and maintenance; and hourly rates pursuant to the agreement for as-needed emergency or on-site services for the period July 1, 2017 through June 30, 2018. (Assessor-Recorder/Auditor-Controller/Treasurer-Tax Collector/Public Administrator)

Took the following actions regarding the Employee Appeals Board: Reappointed Charles Byard (member), Wes Reynolds (member), James Berg (alternate), and Shawn Watts (alternate)

for terms to expire January 7, 2019; and appointed Ray John (member) for a term to expire January 7, 2019. (Clerk of the Board)

Took the following actions regarding the Partnership HealthPlan of California Commission: Reappointed Donnell Ewert and Randall Hempling to serve four year terms from September 1, 2017 to August 31, 2021; and appointed Dean Germano to fill a current vacancy and complete an unexpired term to August 31, 2019. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with Net Transcripts, Inc. in an amount not to exceed \$200,000 for the entire term of the agreement to provide transcription services to various County departments for the period July 1, 2017 through June 30, 2018, with two automatic one-year renewals. (Support Services-Purchasing)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2016, to the agreement with Mental Health Management I, Inc., d.b.a. Canyon Manor to increase compensation from \$125,000 to \$250,000 for Fiscal Year 2016-17 (increasing maximum compensation for the entire term of the agreement from \$475,000 to \$600,000) to provide additional residential mental health rehabilitation services, retaining the term February 13, 2014 through June 30, 2017. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign a renewal agreement with Hill Country Community Clinic in an amount not to exceed \$193,112 per fiscal year (\$579,336 total maximum compensation for the entire term of the agreement) to provide a mental health wellness and recovery program in Eastern Shasta County for the period July 1, 2017 through June 30, 2020. (Health and Human Services Agency-Adult Services)

Relieved the Health and Human Services Agency Director of accountability for three bad checks in the total amount of \$2,458.78. (Health and Human Services Agency-Business and Support Services)

Adopted Salary Resolution No. 1510, effective April 16, 2017, which amends Footnote 33 adding Job Developer as an additional classification eligible to have their salaries adjusted to conform with federal contract requirements when the incumbent performs janitorial services and ground maintenance duties. (Health and Human Services Agency-Business and Support Services)

(See Salary Resolution Book)

Took the following actions regarding the "2017 Redding Regional Septage Impoundment 1A Cleanout Project," Contract No. 207418: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1-Existing Facilities; approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after Thursday, July 6, 2017, at 11:00 a.m. (Public Works)

Approved the following year-end budget amendments to align appropriations and revenues and approve a short-term advance: A budget amendment decreasing revenue by \$1,400,000 within the Roads budget to be offset by use of general purpose restricted fund balance; a budget amendment decreasing revenue by \$100,000 within the County Service Area (CSA) No. 17-Cottonwood Sewer budget to be offset by use of retained earnings; a budget amendment decreasing revenue by \$50,000 within the CSA No. 8-Palo Cedro Sewer budget to be offset by use of retained earnings; a budget amendment decreasing appropriations by \$50,000 within the CSA No. 8-Palo Cedro Sewer Capital Improvement budget; a budget amendment decreasing revenue by \$10,000 within the CSA No. 6-Jones Valley Water budget to be offset by use of retained earnings; a budget amendment decreasing appropriations by \$10,000 and decreasing revenue by \$5,000 within the CSA No. 6-Jones Valley Capital Improvement Administration budget; a budget amendment increasing appropriations by \$66,000 within the Shasta County Transit budget to be offset by use of retained earnings; a budget amendment decreasing appropriations by \$5,000,000 within the West Central Landfill Close/Post close budget; a budget amendment decreasing appropriations by \$500,000 and decreasing revenue by \$5,000,000 within the Solid Waste budget to be offset by use of retained earnings; and a short-

term advance of \$500 to the Blackstone Estate Permanent Road Division fund from the Roads Dust Mitigation fund to bring the fund into a positive cash position. (Public Works)

Awarded to the low bidder JH Mack Construction, on a lump sum basis, the contract for the "Mental Health Building Roofing Project Phase II," Contract No. 111016, in the amount of \$1,036,947. (Public Works/Health and Human Services Agency-Business and Support Services)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

AGREEMENT: FINANCIAL MARKETING CONCEPTS, INC. D.B.A. COAST2COAST RX PRESCRIPTION DISCOUNT CAQRDS TO INDIVIDUALS AND FAMILIES

In response to questions by Supervisor Baugh, County Executive Officer (CEO) Larry Lees stated the County is not selling discount cards, however the County is lending credibility to the organization to allow for legitimacy.

In response to questions by Supervisor Kehoe, CEO Lees stated that in order to have Clause 5, County Obligations removed from the agreement the contract would have to be renegotiated and reviewed by all parties.

By motion made, seconded (Moty/Baugh), and carried (Supervisor Kehoe and Morgan voted no), the Board of Supervisors approved and authorized the Chairman to sign an evergreen agreement, effective date of signing, with Financial Marketing Concepts, Inc. d.b.a. Coast2Coast Rx at no cost to provide prescription discount cards to individuals and families of Shasta County. (Administrative Office)

RELIEF OF ACCOUNTABILITY: CAPITAL ASSETS HEALTH AND HUMAN SERVICES AGENCY INVENTORY

In response to questions by Supervisor Kehoe, Health and Human Services Agency-Business and Support Services Branch Director Tracy Tedder stated it is possible that the items in question were disposed of inappropriately.

By motion made, seconded (Baugh/Morgan), and carried (Supervisor Kehoe voted no), the Board of Supervisors relieved the Health and Human Services Agency (HHS) Director of accountability for capital assets no longer present in the HHS's inventory. (Health and Human Services Agency-Business and Support Services)

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA COUNTY HOUSING AUTHORITY

10:08 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Housing Authority Governing Board.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Housing Authority took the following actions, which were listed on the Housing Authority Consent Calendar:

Adopted Resolution No. 2017-01, which: Approves and authorizes the Chairman to sign an evergreen General Depository Agreement (Form HUD 51999) between the Housing Authority of the County of Shasta and US Bank, with the U.S. Department of Housing and Urban Development as a third party beneficiary, for providing banking depository services with no compensation; designates and authorizes the County of Shasta Treasurer to sign on the US Bank account; and authorizes the Director of Housing and Community Action Programs to close

the existing Bank of America account and to terminate the General Depository Agreement with Bank of America.

(See Housing Resolution File)

10:09 a.m.: The Shasta County Housing Authority adjourned and convened as the Shasta County In-Home Supportive Services (IHSS) Public Authority Governing Board.

SHASTA COUNTY IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY GOVERNING BOARD

By motion made, seconded (Baugh/Morgan), and unanimously carried, the IHSS Public Authority Governing Board took the following actions, which were listed on the IHSS Public Authority Governing Board Consent Calendar:

Approved and authorized the Chairman to sign an agreement with CareAccess Silicon Valley in an advance payment not to exceed \$15,325 to provide third party software access to Nexus Software services which provide In-Home Supportive Services registry and adult services database for the period from date of signing through June 30, 2018.

10:10 a.m.: The Shasta County IHSS Public Authority Governing Board adjourned and reconvened as the Shasta County Board of Supervisors.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees presented an update on specific legislation of importance to Shasta County, including the opposition of Assembly Bill 1250.

Supervisor Kehoe requested the proposed letter have the term regrettably removed for a more strongly worded letter. The Board agreed by consensus to the amendment.

By motion made, seconded (Moty/Rickert), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter opposing Assembly Bill 1250 (Jones-Sawyer), *Counties and Cities: Contracts for Personal Services*, as amended.

Supervisor Baugh requested the Board direct staff to bring to a future meeting a letter regarding the denial of finances from the Board of State and Community Corrections for funds from Proposition 49.

In response to questions by Supervisor Kehoe, County Counsel Rubin Cruse stated it would be appropriate to provide direction to staff to bring an item to a future board meeting for action.

In response to questions by Supervisor Moty, Supervisor Baugh stated he plans to discuss the denial of finances from the Board of State and Community Corrections for funds from Proposition 49 at the upcoming Rural County Representatives of California meeting.

By consensus, the Board directed CEO Lees and staff to bring a letter opposing the manner in which funds are distributed by the Board of State Community Correction for funds from Proposition 49.

Supervisor Morgan recently attended a Shasta Children and Families First Commission meeting.

Supervisors reported on issues of countywide interest.

10:22 a.m.: The Shasta County Board of Supervisors recessed.

10:30 a.m.: The Shasta County Board of Supervisors reconvened.

PUBLIC WORKS

APPOINTMENT: ENTERPRISE ANDERSON GROUNDWATER SUSTAINABILITY AGENCY

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors appointed Supervisor Moty as Director and Supervisor Baugh as Alternate to serve on the governing body of the Enterprise Anderson Groundwater Sustainability Agency.

PUBLIC WORKS

COUNTY SERVICE AREA NO. 6-JONES VALLEY

COUNTY SERVICE AREA NO. 6-JONES VALLEY

Receive a report from County Counsel Rubin E. Cruise, Jr. regarding potential legal options concerning County Service Area (CSA) No. 6-Jones Valley Water.

Received a report from the Public Works Director Pat Minturn on operations, revenues, and expenditures; and provided direction to staff to augment revenue and/or curtail expenses to restore and maintain solvency or provide other direction to staff as the Board deems appropriate.

In response to questions by Supervisor Baugh, Mr. Minturn stated there is not \$2 million missing as suggested by the Grand Jury. However, there is infrastructure that if liquidated would value approximately \$2 million dollars.

In response to questions by Supervisor Moty, Mr. Minturn stated staff costs are approximately \$97,000.

In response to questions by Supervisor Baugh, Mr. Minturn stated past due notices and associated costs are referenced in the previously mentioned \$97,000 staff costs.

In response to questions by Supervisor Moty, Mr. Minturn clarified mailing costs and postage are not incorporated in the staff costs but in office supply and miscellaneous costs.

In response to questions by Supervisor Baugh, Mr. Minutrn stated harmful chemicals were not used to flush the system due to possible trace elements potentially remaining and ingested.

In response to questions by Supervisor Baugh, County Auditor Brian Muir stated at the end of the month after all bills are process the CSA No. 6-Jones Valley will be in a deficit of approximately \$26,000.

In response to questions by Supervisor Rickert, Mr. Muir stated most County Service Areas don't have a large reserve but they are not in a deficit.

In response to questions by Supervisor Moty, Mr. Muir stated he concurs and agrees with the figures presented by Mr. Minturn.

In response to questions by Supervisor Rickert, Mr. Minturn stated although one member of the Community Advisory Board (CAB) has been absent from meetings for a year the person in question was elected in a contested election a year and a half ago, has been a member for over 30 years, and if the CAB wanted to take action against said member they would need a quorum.

Peter Scales and Steve Boyd expressed their frustrations with the County's operation of CSA No. 6-Jones Valley.

In response to questions by Supervisor Baugh, Mr. Boyd stated that he disagrees with the Director of Public Works, County Counsel, and the County Auditor's reports and statements.

Roy Vincent stated he supports the annexation of CSA No. 6-Jones Valley and requested the County not hinder the annexation process.

In response to questions by Supervisor Baugh, Mr. Vincent clarified that he has no legal authority to negotiate on behalf of the CAB and is doing it as an individual for informational purposes.

In response to questions by Supervisor Morgan, Mr. Vincent stated he hopes to have the CAB's membership reduced to five members.

In response to questions by Supervisor Morgan, Counsel Cruse stated that the Board of Supervisors would need to take action to reduce the membership requirement of the CAB.

In response to questions by Supervisor Morgan, Supervisor Moty and Supervisor Baugh clarified that the Board has previously chosen to keep all CAB membership requirement consistent.

Supervisor Morgan requested Chairman Kehoe poll the Board of Supervisors regarding the desire to bring altering membership requirements of the CAB to a future meeting. Supervisors Rickert, Moty, Kehoe, and Baugh stated opposition. By consensus the Board chose not to bring altering membership requirements of the CAB to a future meeting.

Supervisor Baugh stated he supports an implementation of late fees, a prohibition of excessive use, a moratorium (no new connections and/or permits), specific appropriate individual fees (i.e. reconnection/disconnection fees), and the ability to develop a path forward to explore annexation options.

Supervisor Moty stated he supports Supervisor Baugh's statements. In addition, Supervisor Moty supports the possibility of doing another ballot where information is sent to property owners to allow for an informed decision.

In response to questions by Supervisor Rickert, Mr. Minturn stated that to his understanding Bella Vista Water District is not interested in absorbing CSA No.6-Jones Valley.

CEO Lees summarized the consensus of Board comments as follows: an implementation of late fees, a prohibition of excessive use, a moratorium (no new connections and/or permits), current CAB membership makeup being maintained, specific appropriate individual fees (i.e. reconnection/disconnection fees), considering and discussing the possible path forward to allow for annexation, and another ballot rate increase with information being sent to property owners.

Counsel Cruse clarified that the land does not have to be contiguously connected to the CSA to allow for annexation.

Supervisor Moty suggested the CAB meetings be discontinued until a quorum is able to be reached.

In response to questions by Supervisor Moty, Counsel Cruse and Mr. Minturn stated tiered rates are potentially possible but would require additional research.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors took the following actions on behalf of County Service Area No. 6–Jones Valley Water: Directed staff to bring to the Board at a future date actions that would provide for an implementation of late fees, a prohibition of excessive use, a moratorium (no new connections and/or permits), specific appropriate individual fees (i.e. reconnection/disconnection fees), considering and discussing the possible path forward to allow for annexation, another ballot rate increase with information being sent to property owners, and the possibility of a tiered rate increase.

PUBLIC WORKS

RESOURCE MANAGEMENT

ENVIRONMENTAL HEALTH DIVISION

INTRODUCTION OF ORDINANCE **CHAPTER 13.20 OF THE SHASTA COUNTY CODE** **CROSS-CONNECTION CONTROL**

At the recommendation of Public Works Director Pat Minturn, and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends Chapter 13.20 of the Shasta County Code regarding Cross-Connection Control.

OTHER DEPARTMENTS

COUNTY SERVICE AREA NO.1-COUNTY FIRE

INTRODUCTION OF ORDINANCE **CHAPTER 6: FIRE SAFETY STANDARDS** **SHASTA COUNTY DEVELOPMENT STANDARDS**

In response to questions by Baugh, Fire Chief Mike Hebrard stated the County is altering the ordinance to be in compliance and to reference the California Fire Code. In addition, Shasta County is not changing requirements to exceed the requirements, just meet the standards set by the state.

At the recommendation of Fire Chief Mike Hebrard, and by motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors introduced and waived the reading of an ordinance which amends Chapter 6: Fire Safety Standards of the Shasta County Development Standards.

CLOSED SESSION ANNOUNCEMENT

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to take the following actions: Confer with legal counsel to discuss existing litigation entitled Everett Jewett, et al v. County of Shasta, et al. and Christopher Maugh v. Shasta County Sheriff, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and confer with legal counsel to discuss two case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4) initiation of litigation.

12:46 p.m.: The Board of Supervisors recessed to Closed Session.

1:30 p.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 and anticipated litigation; and in the matter of *Christopher Maughs v. Shasta County Sheriff's Department, et al.* a case involving the alleged violation of constitutional rights arising out of seizure of cannabis, the Board of Supervisors, by a unanimous 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.

1:33 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy