

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 10, 2019

REGULAR MEETING

9:03 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 Chimenti
 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 - Kristin Gulling-Smith
 Administrative Board Clerk - John Sitka

INVOCATION

Invocation was given by Pastor Dayton Phillips, Hope Baptist Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

DECEMBER 2019 EMPLOYEE OF THE MONTH
HEALTH AND HUMAN SERVICES AGENCY
SOCIAL WORKER ALEXIS CONSTANT
RESOLUTION NO. 2019-113

At the recommendation of Dean True, Health and Human Services Agency-Adult Services Branch Director, and by motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2019-113 which recognizes Shasta County Health and Human Services Agency Social Worker Alexis Constant as Shasta County's Employee of the Month for December 2019.

(See Resolution Book No. 63)

PROCLAMATION: PEARL HARBOR REMEMBRANCE DAY
DECEMBER 7, 2019

At the recommendation of Supervisor Moty, and by motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 7, 2019, as "Pearl Harbor Remembrance Day" in Shasta County.

Mike Woodrum, of the Sons and Daughters of Pearl Harbor Survivors, was present to accept the proclamation.

PROCLAMATION: BILL OF RIGHTS DAY
DECEMBER 15, 2019

Monique Welin spoke regarding the importance of the Bill of Rights.

At the recommendation of Supervisor Rickert, and by motion made, seconded (Rickert/Chimenti), and unanimously carried, the Board of Supervisors adopted a proclamation designating December 15, 2019, as “Bill of Rights Day” in Shasta County. Donna Ellis, of the Major Pierson B. Reading Chapter of the National Society Daughters of the American Revolution, was present to accept the proclamation.

PRESENTATION: CALIFORNIA STATE ASSOCIATION OF COUNTIES
CIRCLE OF SERVICE AWARD FOR CHAIRMAN LEONARD MOTY

Graham Knaus, Executive Director of the California State Association of Counties (CSAC) was present to give a brief presentation and award Supervisor Leonard Moty, Chairman of the Board of Supervisors of Shasta County, with the CSAC Circle of Service Award. Mr. Knaus recognized Supervisor Moty for his outstanding leadership across a range of issues, his sense of fairness, and his ability to keep an open mind, which have all driven CSAC to be more responsive and open to the local communities that CSAC represents.

PUBLIC COMMENT PERIOD - OPEN TIME

Supervisor Moty presented a plaque to Terri Morelock, Director of the Department of Child Support Services, in recognition of her retirement after more than 35 years of service to the County.

Kim Moore spoke regarding issues receiving mental health services from the County.

Beth Messick described problems mining and using rare earth minerals.

Maggie Osa spoke against the construction and use of wind turbines.

Russ Wade described how ethanol use can help minimize climate change.

William Gilbert spoke regarding personal issues with County personnel.

Stan Neutze endorsed Undersheriff Eric Magrini for the position of Sheriff-Coroner.

David Ledger, President of Shasta Environmental Alliance, spoke in support of the solar retrofit project with ENGIE Systems U.S., Inc.

Carol Miller spoke in opposition to the proposed Fountain Wind project.

Dolores Lucero described issues with the County.

Monique Welin spoke regarding the current divisiveness of politics.

Edmund Baier described environmental issues caused by decommissioned wind turbines.

Brenda Woods spoke on the complex issues surrounding mental health and homelessness.

Greg Hector described issues receiving assistance from the County and spoke in support of John Greene for the position of Sheriff-Coroner.

CONSENT CALENDAR

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

Took the following actions regarding the purchase of real property located at 37116 Main Street, Burney (Assessor's Parcel Number 028-190-032): Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved a property purchase agreement with Keith Roper, to purchase 37116 Main Street, Burney, in the amount of \$300,000; upon completion of the conditions of the property purchase agreement, accept the Grant Deed for the property; and approved and authorized the County Executive Officer to execute any documents necessary including, but not limited to, escrow instructions necessary to complete the transaction provided for in the property purchase agreement. (Administrative Office)

Took the following actions: Received the Shasta County Child Abuse Prevention Coordinating Council Children's Trust Fund (CTF) Annual Report for 2018-19; and approved the proposed CTF programs for 2019-20. (Administrative Office)

Adopted Policy Resolution 2019-04 which amends Administrative Policy 2-201, *Authorizing the County Auditor to Approve Certain Claims*, which includes revising the authority of the County Executive Officer to approve certain claims that are more than one year old. (Auditor-Controller)

(See Policy Resolution Book)

Approved a renewal agreement with CliftonLarsonAllen, LLP, in an amount not to exceed \$449,035 to provide audit services for the period April 1, 2021 through June 30, 2026. (Auditor-Controller)

Approved the minutes of the meeting held on November 19, 2019, as submitted. (Clerk of the Board)

Reappointed George Mathews to the Burney Cemetery District Board of Trustees for a four-year term to expire January 1, 2024. (Clerk of the Board)

Appointed Stuart Sutherland to the Economic Development Corporation Board of Directors for a two-year term to expire January 2022. (Clerk of the Board)

Appointed Cynthia Sisk to the Halcumb Public Cemetery District Board of Trustees for a four-year term to expire January 1, 2024. (Clerk of the Board)

Appointed Elena Paul to the Public Health Advisory Board for the remainder of an unexpired three-year term to expire March 31, 2022. (Clerk of the Board)

Approved the requested consolidation of a local measure for a special tax measure to be presented to the voters in the Burney Fire Protection District to the March 3, 2020 Presidential Primary Election. (County Clerk/Elections)

Adopted Resolution No. 2019-114 which: Repeals Resolution Numbers 2001-043, 2003-072, and 2006-045; and updates stipends and mileage reimbursement for Election Workers. (County Clerk/Elections)

(See Resolution Book No. 63)

Adopted Salary Resolution No. 1575, effective December 22, 2019, which amends the Shasta County Position Allocation List to reclassify 1.0 Full-Time Equivalent (FTE) Auditor-Accountant Senior to 1.0 FTE Auditor-Accountant Supervisor in the Auditor-Controller budget. (Support Services-Personnel)

(See Salary Resolution Book)

Approved an agreement with Redding Occupational Medical Center in an amount not to exceed \$200,000 to provide vaccination services for the period of one year from the date of signing. (Support Services-Personnel)

Adopted Salary Resolution No. 1576, effective December 22, 2019, which amends Shasta County's Salary Schedule to increase the salary range to five percent (5%) above the 2020 California hourly minimum wage (\$13.00) for various job classifications. (Support Services-Personnel)

(See Salary Resolution Book)

Approved a retroactive amendment, effective July 1, 2019, to the agreement with Crestwood Behavioral Health, Inc. to provide residential mental health treatment services which modifies the rate structure from a flat rate to a tiered system based on levels of care provided, retaining the term July 1, 2017 through June 30, 2020 and maximum compensation of \$4,800,000. (Health and Human Services Agency-Adult Services)

Took the following actions for the Shasta County Mental Health, Alcohol and Drug Advisory Board: Appointed Christine Stewart for a term to expire December 31, 2020; and reappointed Kalyn Jones, Ronald Henninger, Dale Marlar, Jo-Ann Medina, and Connie Webber for terms to expire December 31, 2022. (Health and Human Services Agency-Adult Services, Health and Human Services Agency-Children's Services)

Approved a retroactive amendment, effective September 1, 2019, to the agreement with Star View Behavioral Health, Inc. to provide specialty youth mental health services which increases compensation by \$100,000 for a new maximum compensation of \$250,000, retaining the term March 5, 2019 through June 30, 2021. (Health and Human Services Agency-Children's Services)

Approved a retroactive amendment, effective September 1, 2019, to the agreement with Starshine Treatment Center to provide youth specialty mental health services which increases compensation by \$17,000 for a new maximum compensation of \$42,000, retaining the term December 17, 2018 through December 16, 2019. (Health and Human Services-Children's Services)

Took the following actions: Approved: a retroactive renewal agreement with the California Department of Health Care Services, No. 18-95277, at no compensation, to establish performance criteria for Shasta County in the provision of mental health services, and to allow access to certain federal and state resources and local realignment funds to support mental health care delivery for the period July 1, 2018 through June 30, 2021; and the Contractor Certification Clause (CCC 04/2017); and approved and authorized the Director of the Health and Human Services Agency to sign amendments, including retroactive, that do not result in a substantial or functional change to the original intent of the agreement and that otherwise comply with Shasta County Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Office of the Director)

Took the following actions: Approved the retroactive renewal Application Funding Agreement (AFA) with the California Department of Public Health in an amount not to exceed \$843,238 to participate in the Maternal, Child and Adolescent Health, California Home Visiting Program, for the period June 1, 2019 through September 30, 2020; and Subcontract Agreement Transmittal Form; and approved and authorized the Health and Human Services Agency (HHS) Director (Director), or any HHS Branch Director or Deputy Branch Director designated by the Director, to sign prospective and retroactive amendments and other documents related to the AFA that result in a compensation change of not more than \$30,000 and other documents related to the agreement that do not result in a substantial or functional change to the intent of the agreement in compliance with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Regional Services)

Approved a retroactive Subaward Agreement with Shasta County Child Abuse Prevention Coordinating Council in an amount not to exceed \$1,000,000 (including a \$50,000 advance payment for start-up costs) to implement and provide Shasta SparkPoint Academies to provide

employment and training services to CalFresh participants for the period October 1, 2018 through September 30, 2021. (Health and Human Services Agency-Regional Services)

Adopted Resolution No. 2019-115 which: authorizes the Chairman to sign a Community Action Agency Community Services Block Grant (CSBG) revenue agreement with the California Department of Community Services and Development in an amount not to exceed \$299,498 to provide services to persons living in poverty for the period January 1, 2020 through December 31, 2020; confirms the County's intent to use CSBG funds in compliance with applicable regulations; and authorizes the Director of Housing and Community Action Programs, or his or her designee, to sign and submit all required CSBG forms, certifications, and reports. (Housing and Community Action Programs)

(See Resolution Book No. 63)

Adopted Resolution No. 2019-116 which: Authorizes the Chief Probation Officer to: sign Grant Agreement (BSCC 607-19), including retroactive, with the Board of State and Community Corrections (BSCC) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, including amendments, retroactive or otherwise; and sign and process other documents in Fiscal Year 2019-20 and future years (including retroactive) related to the JAG Grant provided such documents do not result in a substantial or functional change to the original intent of the agreement; states that the grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and states that the Shasta County Probation Department agrees to abide by the terms and conditions of the JAG Grant Agreement as set forth by BSCC and Administrative Policy 6-101, *Shasta County Contracts Manual*. (Probation)

(See Resolution Book No. 63)

Took the following actions: Approved the Fiscal Year (FY) 2018-19 Equitable Sharing Agreement and Certification Affidavit (ESAC) outlining receipt and expenditure of federal asset forfeiture sharing funds for the Sheriff's Office during FY 2018-19; and approved and authorized the person named in the ESAC as the Agency Finance Contact to electronically submit the ESAC. (Sheriff)

Adopted Resolution No. 2019-117 which recognizes that the circumstances and factors that led to the Board's February 19, 2019 ratification of a local emergency proclamation for February 2019 Winter Storms have not been resolved and that there is a need for continuation of the local emergency proclamation. (Sheriff)

(See Resolution Book No. 63)

Adopted Resolution No. 2019-118 which recognizes that the circumstances and factors that led to the Board's July 23, 2019 ratification of a local emergency proclamation for Igo-Ono Community Services District have not been resolved and that there is a need for continuation of the local emergency proclamation. (Sheriff)

(See Resolution Book No. 63)

Took the following actions regarding the "Deschutes Road Widening Phase II Project," Contract No. 702981: Approved right-of-way contracts with: Berry Family Revocable Trust of 2006 for right-of-way (0.16 acres at \$8,400) plus a Federal Highway Administration (FHWA) signing incentive of \$1,500; Stephen Lawson and Rebecca Lawson for right-of-way (0.04 acres at \$900) plus a FHWA signing incentive of \$1,500; John Pigott and Cassandra Lawson-Pigott for right-of-way (0.18 acres at \$4,400) plus a FHWA signing incentive of \$1,500; Mann Family Revocable Trust of 2002 for right-of-way (0.04 acres at \$1,200) plus a FHWA signing incentive of \$1,500; and James E. and Martha M. Stewart Family Trust Dated 12/30/93 for right-of-way (0.07 acres at \$2,000) plus a FHWA signing incentive of \$1,500; and accepted five Easement Deeds conveying the right-of-way parcels. (Public Works)

Awarded to the lowest responsive and responsible bidder, Hat Creek Construction & Materials, Inc., on a unit cost basis, the contract for the "Fall River Mills Airport, O89 Airfield and Airport Way Pavement Rehabilitation Project," Contract No. 610514, in the amount of \$382,585. (Public Works)

Approved an amendment, effective date of signing, to the agreement with Nichols-Melburg & Rossetto, AIA & Associates, Inc. to provide a Space Needs Assessment, which extends the term end date by six months from January 1, 2020 to June 30, 2020, retaining the maximum compensation of \$264,000. (Public Works)

Approved an amendment, effective the date of signing, to the agreement with Stantec Consulting Services, Inc. to provide environmental services for the Riverland Drive Widening Project, which increases compensation by \$50,000 for a new maximum compensation of \$220,000, retaining the term February 7, 2018 through December 31, 2020. (Public Works)

On behalf of County Service Area (CSA) No. 17-Cottonwood Sewer, approved an agreement with Pacific Gas and Electric (PG&E) in the amount of \$1,519.78 to provide electric service upgrades to the Wastewater Treatment Plant (WWTP) for the CSA 17 WWTP Improvement Project. (Public Works, County Service Area No. 17-Cottonwood Sewer)

Approved a retroactive amendment, effective October 23, 2019, with Kimley-Horn and Associates, Inc., adding services associated with the preparation of a Recirculated Draft Environmental Impact Report (EIR) and Final EIR for the Tierra Robles Planned Development Project, increasing compensation by \$103,060 in addition to a contingency of \$15,000, for a new maximum compensation of \$402,061, and extending the term end date to December 31, 2020 or certification of the Final EIR and acceptance of the Final Mitigation and Monitoring Reporting Program, whichever occurs first. (Resource Management)

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 recently attended meetings of the California State Association of Counties (CSAC) Finance Committee, the CSAC Executive Committee, and the Northern Sacramento Valley Integrated Regional Water Management Governing Board, as well as the annual CSAC Conference.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES

PERSONNEL

SUCCESSOR COMPREHENSIVE MEMORANDUM OF UNDERSTANDING TEAMSTERS LOCAL 137 - SHASTA COUNTY TRADES & CRAFTS BARGAINING UNIT RESOLUTION NO. 2019-119 SALARY RESOLUTION NO. 1577

Angela Davis, Director of Support Services, presented the staff report and described the Memorandum of Understanding (MOU), which has a three-year term with a 4% salary increase in 2020, a 3% salary increase in 2021, and a 3% salary increase in 2022.

In response to questions by Supervisor Moty, CEO Lees explained that this MOU will save money for the County.

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2019-119 which approves a successor comprehensive Memorandum of Understanding (MOU) with the Teamsters Local 137 – Shasta County Trades and Crafts Bargaining Unit (Teamsters) covering the period January 1, 2020 through December 31, 2022; and adopted Salary Resolution No. 1577 effective January 5, 2020, which amends the Salary Schedule for positions in County Service pursuant to the Teamsters MOU.

(See Resolution Book No. 63)
(See Salary Resolution Book)

SCHEDULED HEARING

PUBLIC WORKS

SHASTA COUNTY ENERGY RETROFIT PROJECT

AGREEMENTS: BANC OF AMERICA PUBLIC CAPITAL CORP., ENGIE SERVICES, INC.,
PACIFIC GAS & ELECTRIC, & REDDING ELECTRIC UTILITY

RESOLUTION NO. 2019-120

RESOLUTION NO. 2019-121

This was the time set to conduct a public hearing to consider various actions regarding the Shasta County Energy Program Project, Contract No. 610499. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Pat Minturn, Director of Public Works, presented the staff report and described the proposal, including financing and the benefits to the County in energy savings.

In response to questions by Supervisor Baugh, Mr. Minturn explained that the solar panels will be designed, installed, and metered by ENGIE. At the end of the year, ENGIE will do a verification study to ensure that the solar panels generated as much electricity as guaranteed. If they do not, ENGIE will pay the County the difference, and they will make it up; if there is later a surplus, the County would repay the surplus amount against what ENGIE paid.

Mr. Minturn further explained that the LED lighting replacements are also guaranteed to save money. He also described the savings that will be had by replacing the heating, ventilation, and air conditioning units in County buildings.

In response to questions by Supervisor Moty, Mr. Minturn stated that the locations for ground mount solar panels were determined by available space, whereas the covered parking areas will be used in areas where the ground mount option was not practical. Mr. Minturn also explained that once the solar installations are removed when they reach obsolescence, the land they occupied will again be available for any appropriate use.

In response to questions by Supervisor Morgan, Mr. Minturn stated that the County has encouraged ENGIE to competitively bid for best prices but has not dictated to ENGIE where they purchase their products. Ashu Jain, Senior Manager for ENGIE, stated that the solar panels are made in Alabama and that they are guaranteed for 25 years, with an expected life of 30 to 40 years. Mr. Jain explained that ENGIE opted for fixed panels for the proposed systems, rather than ones that track the sun, as they take up less space and are less prone to breakage. Mr. Jain also explained that, while Pacific Gas and Electric (PG&E) has incentives for battery use, Redding Electric Utility (REU) does not, so batteries are not included in the installations. All incentive money from PG&E or REU will be returned to the County.

In response to questions by Supervisor Rickert, Mr. Minturn explained that the cost of maintenance for installed solar panels is built into the project and that ENGIE will track energy production to ensure that maintenance is done as required. He also explained that the warranty on the solar installations should cover any smoke damage or impact if wildfires occur.

The public hearing was opened.

Don Dykstra expressed support for various energy efficiencies associated with the project.

Andrew Deckert spoke in support of the project and requested that the Board consider using solar for parking shades and using heat pumps on the HVAC units.

Pete Marsh voiced support for wind energy projects.

John Livingston spoke in support of the project on behalf of the Sierra Club.

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

In response to questions from Supervisor Moty, Mr. Minturn discussed removal of the Juvenile Rehabilitation Facility (JRF) from the project plans. He explained that the JRF was built with state bond funds and any modifications or projects require state approval. After several months of discussion with the state, it was decided to remove the facility from the current energy program project.

In response to questions from Supervisor Moty, Mr. Minturn explained the methods that could be used to heat facilities.

In response to questions from County Counsel Rubin E. Cruse, Jr., Mr. Minturn explained that solar canopies are less energy efficient and costlier. He recommended a mixture of ground mounts and parking area covers.

By motion made, seconded (Morgan/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding the Shasta County Energy Program project, Contract No. 610499: adopted Resolution No. 2019-120 which: makes findings required in order to enter into an Energy Services Contract in compliance with California Government Code sections 4217.10 to 4217.18; makes a California Environmental Quality Act (CEQA) finding of a Negative Declaration; and as set forth below, authorizes the Chairman to sign the Energy Services Contract and related documents; adopted Resolution No. 2019-121 which: makes required findings for financing contract documents (Equipment Lease/Purchase Agreement, Escrow Agreement, and related documents) in compliance with California Government Code sections 4217.10 to 4217.18; and authorizes the Chairman or County Executive Officer to sign an Equipment Lease/Purchase agreement as well as other related documents with Banc of America Public Capital Corp.; approved the above-referenced Energy Services Contract agreement with ENGIE Services U.S. Inc. (ENGIE Services U.S.) in an amount of \$14,216,303 which includes: energy conservation modifications to certain County facilities; \$70,893 for efficiency verification costs in the first five years; and \$422,983 for ten years of solar equipment maintenance costs; approved and authorized the Public Works Director to execute Interconnections Agreements with Pacific Gas and Electric (PG&E) and Redding Electric Utility (REU) as well as other related documents after review and approval as to form by County Counsel and Risk Management; approved and authorized the Public Works Director, or his designee, to sign modifications to the agreement, including retroactive amendments, with ENGIE Services U.S. for additional services not to exceed 10% of the initial compensation; approved a Tax Certificate; authorized budget amendments increasing appropriations and revenue by \$14,216,303 in several budgets for the project in the Fiscal Year 2019-20; and approved and authorized payment of \$5,000 to Assured Guaranty for a surveillance fee regarding the Certificate of County of Shasta.

(See Resolution Book No. 63)

CLOSED SESSION ANNOUNCEMENT

Chairman Moty 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 *James Pepin v. County of Shasta*, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and

Confer with its Labor Negotiators, County Executive Officer Larry Lees, and Personnel Director Angela Davis, Auditor-Controller Brian Muir, and Chief Labor Negotiator Gage Dungy, Liebert, Cassidy, and Whitmore, to discuss the following employee organizations: Management Council Mid Management Bargaining Unit, United Public Employees of California, Local 792 – General Unit, Unrepresented Employees – Confidential, and Unrepresented Employees – Management, pursuant to Government Code section 54957.6; and

Conduct a public employee evaluation (County Counsel), pursuant to Government Code section 54957; and

Confer with its Labor Negotiators, Agency Designated Representatives Chairman Leonard Moty and County Counsel Rubin E. Cruse, Jr., to discuss the following unrepresented positions: County Executive Officer; and

Consider a public employee appointment (County Executive Officer), pursuant to Government Code section 54957.

11:36 a.m.: The Board of Supervisors recessed to Closed Session.

AFTERNOON SESSION - REGULAR CALENDAR CONTINUED

12:39 p.m.: The Board of Supervisors returned 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, labor negotiations, a public employee evaluation, and a public employee appointment.

In the matter of Public Employee Appointment – County Executive Officer, the Board of Supervisors unanimously extended an offer of employment to a candidate, conditioned on the candidate successfully completing appropriate background checks.

Due to time constraints, the Board of Supervisors unanimously agreed to continue to the December 17, 2019, meeting the Public Employee Performance Evaluation for County Counsel.

There was no other reportable action.

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

SHERIFF-CORONER INTERVIEWS OFFER OF APPOINTMENT

In preparation for conducting interviews of candidates for the position of Sheriff-Coroner, CEO Lees and Chairman Moty presented the rules that the Board must follow during the interview process.

Counsel Cruse explained that the California Supreme Court and California Attorney General have agreed that California statute states a vacancy in an elected County office, such as the Sheriff-Coroner, requires the Board of Supervisors to make an appointment to fill the office for the remainder of the unexpired term. The law establishes that the next election for the Sheriff-Coroner will be in 2022 for a term beginning in 2023. Mr. Cruse also explained that the California Supreme Court and California Attorney General agree that the Board cannot call for a special election to fill the vacancy and that the Board must make an appointment in a reasonable time, so they cannot leave the position vacant until the next election.

In response to questions by Supervisor Baugh, CEO Lees and Mr. Cruse stated that the process used for the Sheriff-Coroner appointment was the same process as had been used in the past to fill the positions of District Attorney and Auditor-Controller when the need arose.

In response to questions by Supervisor Moty, Mr. Cruse agreed that the only option allowed by law is for the Board to appoint someone to the position. The process for making that appointment is to be determined by the Board. The Board could appoint someone directly or hold interviews and then appoint one of the candidates interviewed. The Board determined to conduct interviews and appoint one of the candidates interviewed.

Supervisor Moty stated that, while everyone had the right to be present throughout the meeting, he was requesting the two candidates not being interviewed step out of the room while the third candidate completed their interview. The candidates agreed to do so.

Each candidate interviewed was given an opportunity to present an overview of his or her experience and qualification. Each candidate then answered individual, prepared questions by each Board Member, followed by additional questions regarding their application information or clarification of a previous answer. Following the formal question-and-answer session, the applicants presented closing statements. The following candidates were interviewed by the Board of Supervisors: Chad Gibson, John S. Greene III, and Eric Magrini.

Dolores Lucero, Richard Konopachi, Thomas Hildebrand, and Greg Hector expressed support of candidate John S. Greene III.

Rick Kern, Jim Pope, Maurice Johannessen, and Barron Browning expressed support of candidate Eric Magrini.

Louis Lois spoke in support of maintaining current County firearms laws.

At the conclusion of the interview process, Board Members presented their lists ranking the three candidates and explained the basis for their recommendations. CEO Lees reported the three candidates and the ranking of each, which resulted in a hiring eligible list. Following this discussion, and by motion made, seconded (Chimenti/Morgan), and unanimously carried, the Board of Supervisors appointed Eric Magrini to fill the Sheriff-Coroner vacancy upon the retirement of the elected Sheriff-Coroner on December 30, 2019, for the remainder of the unexpired term.

2:49 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy