

May 1, 2018

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SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, May 1, 2018

REGULAR MEETING

9:00 a.m.: Chairman Baugh 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 - Kristin Gulling-Smith
Administrative Board Clerk - Trisha Boss

INVOCATION

Invocation was given by First Reader Fran Belden, First Church of Christ Scientist.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

MAY 2018 EMPLOYEE OF THE MONTH
HEALTH AND HUMAN SERVICES AGENCY
PERSONNEL ASSISTANT DEBORAH SMITH

RESOLUTION NO. 2018-035

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors adopted Resolution No. 2018-035, which recognizes Shasta County Health and Human Services Agency Personnel Assistant Deborah Smith as Shasta County's Employee of the Month for May 2018.

(See Resolution Book No. 60)

PROCLAMATION: PEACE OFFICERS' MEMORIAL DAY
MAY 10, 2018

By motion made, seconded (Kehoe/Morgan), and unanimously carried, the Board of Supervisors adopted a proclamation which designates May 10, 2018, as "National Peace Officers' Memorial Day" in Shasta County. Sheriff Tom Bosenko was present to accept the proclamation. Sheriff Bosenko also announced memorial services that will be held in Sacramento near the capital on May 6th and 7th, as well as the Peace Officers Memorial and Baton Run, which will be held in Redding on Thursday, May 10th, beginning at 10:00 a.m. and which will conclude with a memorial at the Courthouse steps. The public is invited to attend these activities.

PRESENTATIONS**PRESENTATION**
SHASTA FORESTRY CHALLENGE TEAMS

Students Drew Johns, from Enterprise High School, and Andrew Claassen, from Shasta Charter Academy, gave a presentation on the Forestry Challenge program. Supervisor Rickert recognized the Shasta County Forestry Challenge teams for their accomplishments. Diane Dealey Neill was present to accept the certificate.

PRESENTATION
FALL RIVER HIGH SCHOOL GIRLS' BASKETBALL TEAM

Supervisor Rickert recognized the recent achievements of the Fall River High School Girls' Basketball team in winning the Northern California Division VI Championship. Coach Tarron Corder and students Meghan McKinlay, Madison Corder, and Saydee Pevehouse were present to accept the certificate.

PUBLIC COMMENT PERIOD - OPEN TIME

Pam Morgan announced the upcoming Boomtown Festival in the City of Shasta Lake, on Saturday, May 5th, and wished Supervisor Steve Morgan a happy 75th birthday.

Greg Hector spoke regarding his previous interactions with the Board of Supervisors and his desire for improved substance use treatment, rehabilitation, and education within the County.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh noted that the items regarding an agreement with Baron & Budd and an agreement with Azusa Pacific University had been pulled for discussion.

CONSENT CALENDAR

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

Approved and authorized the Shasta County Assessor-Recorder to sign an amendment, effective date of signing, to the agreement with DFM Associates, to extend the term one year to June 30, 2019, for the provision of software and software maintenance services. (Assessor-Recorder, County Clerk/Registrar of Voters)

Approved the minutes of the meeting held on April 24, 2018, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a renewal agreement with Panoramic Software Corporation in an amount not to exceed \$81,000 during the entire term of the agreement paid monthly in advance, to provide PG-Pro Software, storage of data, training and support, and maintenance services for the period July 1, 2018, through June 30, 2021. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign an agreement with Nichols-Melburg & Rossetto, AIA & Associates, Inc., in an amount not to exceed \$132,500 to provide a Space Needs Assessment for the Health and Human Services Agency for the period date of signing through March 31, 2019. (Health and Human Services Agency-Business and Support Services)

Adopted Resolution No. 2018-036 regarding a purchase of search and rescue equipment which: Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; certifies that this agency understands its legal obligations to the State upon approval of the Grant; certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; certifies that the Project will be well-maintained during its useful life; certifies that this agency will implement the Project with diligence once funds are available and the Applicant has

reviewed, understands, and agrees with the Project Agreement; certifies that this agency will provide the required matching funds; certifies that the public and adjacent property owners have been notified of this Project (as applicable); and appoints the Shasta County Sheriff-Coroner as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project. (Sheriff)

(See Resolution Book No. 60)

Awarded to the lowest responsive and responsible bidder, Darren Taylor Construction, Inc., on a unit cost basis, the contract for "Front Street (1H02A) Rehabilitation Project," Contract No. 704009, in the amount of \$275,132.10. (Public Works)

Took the following actions regarding the "West Central Landfill Gas Monitoring Probes," Contract No. 207512: 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 directed the Public Works Director to advertise for bids; and authorized opening of bids on or after May 24, 2018, at 11:00 a.m. (Public Works)

Took the following actions: Approved and authorized the purchase of a data backup appliance system from Quest Media and Supplies, Inc., an ExaGrid Systems partner reseller, for a total price of \$135,381.08 (including tax and delivery); and approved and authorized County Purchasing to award Request for Quote (RFQ) 18-14 for the purchase of a data backup appliance system to Quest Media and Supplies, Inc. (Information Technology)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

BARON & BUDD AND ASSOCIATED COUNSEL AGREEMENT TO LITIGATE ON BEHALF OF THE COUNTY COUNTY COUNSEL

County Counsel Rubin Cruse, Jr., explained that the agreement with Baron & Budd would enable the County to retain that company to litigate on behalf of the County against certain opioid manufacturers and distributors, in order to seek recovery of taxpayer funds spent by the County on opioid treatment. This would allow Shasta County to join a consortium of several dozen California counties that are working together on this litigation.

By motion made, seconded (Kehoe/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the County Counsel or his designee to: Sign a retroactive contingency fee agreement, effective April 22, 2018, through completion of the case, with Baron & Budd and other associated counsel, to litigate and to pursue claims and remedies against certain opioid manufacturers and distributors provided it is in substantially the same form as the agreement

presented to the Board of Supervisors; and execute any documents or agreements necessary to pursue the litigation which is the subject of the agreement.

AZUSA PACIFIC UNIVERSITY
AGREEMENT TO PROVIDE TRAINING AND EVALUATION PLAN
HEALTH AND HUMAN SERVICES AGENCY-CHILDREN'S SERVICES

Health and Human Services Agency (HHSA) Branch Director Dianna Wagner gave a presentation on the efforts of the HHSA-Children's Services branch to develop a youth substance use treatment program for youth ages 12 to 17. HHSA formed a Youth Substance Use Treatment Collaborative with several community partners to evaluate youth services available in the area and develop options. HHSA was also awarded a grant through Partnership Health to collaborate and consult with outside agencies to further develop youth treatment options. Branch Director Wagner described how training provided by Azusa Pacific University would benefit HHSA in working with youth with substance use problems. Branch Director Wagner also explained the youth substance use screening tool that would be offered to mental health and medical providers, as well as educational staff within the County, after training.

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Azusa Pacific University in an amount not to exceed \$94,493.20 to provide training and an evaluation plan on how to expand substance use disorder treatment services for Medi-Cal eligible adolescents in Shasta County for the period date of signing through December 31, 2018.

9:46 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR

SHASTA COUNTY WATER AGENCY

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh noted that the item regarding a Water Use Agreement with the McConnell Foundation had been pulled for discussion.

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

MCCONNELL FOUNDATION

WATER USE AGREEMENT
SHASTA COUNTY WATER AGENCY

Pat Minturn, Chief Engineer of the Water Agency, gave a presentation explaining the County's water needs and relationship with the McConnell Foundation (the Foundation). Mr. Minturn explained that the current agreement, which was reached prior to the Bureau of Reclamation (the Bureau) notifying the County that they would be able to purchase 100% of their normal water allocation for the upcoming year, may not be necessary for the Water Agency to fulfill the water needs of the County Service Areas (CSAs) this year, but would allow the Water Agency to maintain a good working relationship with the Foundation.

In response to questions by Member Morgan, Mr. Minturn clarified that the Foundation has consistently offered the Water Agency a good deal during drought years and that the Water Agency has not turned down the Foundation's offers in previous years. He also clarified that the Water Agency would be purchasing water from either the Bureau or the Foundation, and that the 100% allocation from the Bureau is a right to purchase up to that amount of water, not the water itself.

Member Rickert motioned that the Water Agency approve the agreement as submitted, and it was seconded by Member Moty.

In response to questions by Member Kehoe, Mr. Minturn stated that the water purchased from the Foundation would be sold to the CSAs at a reduced rate from the Bureau's rate, which is less than the price the Water Agency would pay to the Foundation. He also clarified that the water could only be sold to users within Shasta County.

In response to questions by Member Morgan, Mr. Minturn stated that the contract with the Foundation would allow the Water Agency to sell the water to the CSAs but not to other agencies.

Member Rickert amended her motion to add that the Water Agency would sell the water purchased from the Foundation to the CSAs at the rate suggested by Mr. Minturn. Member Moty seconded the amended motion.

Auditor-Controller Brian Muir stated that if the amended motion were carried, it should be amended further to reflect that the difference between the money paid to the Foundation and the monies received in payment from the CSAs would have to come from the County's General Fund.

In response to questions by Member Moty, County Executive Officer (CEO) Larry Lees, Mr. Minturn, and County Counsel Cruse clarified that the Water Agency is a legally separate entity from the County and does have its own financial resources, separate from the County, and that the cost difference could be covered by those resources. Auditor Muir stated that, given this information, the difference between what the Water Agency pays to the Foundation and what it collects from the CSAs would then be shown as a contribution to the CSAs from the Water Agency.

By motion made, seconded (Rickert/Moty), and carried (Member Morgan voted no), the Shasta County Water Agency took the following actions regarding a Water Use Agreement with the McConnell Foundation for 100 acre-feet of water at \$250 per acre-foot this summer: Approved and authorized the Chairman to sign a retroactive agreement, for the period April 1, 2018, through February 28, 2019; and authorized the Chief Engineer to execute written consents or amendments to this agreement regarding quantity, place of use, or timing of use.

10:09 a.m.: The Shasta County Water Agency 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 Lees had no legislative update.

Supervisor Morgan recently attended meetings of the Shasta Regional Transportation Agency, the Youth Violence Prevention Coordinating Council, and the Northern Rural Training and Employment Consortium Governing Board.

Supervisor Rickert recently attended a Shasta Regional Transportation Agency meeting.

Supervisor Baugh recently attended the annual meeting of the Rural County Representatives of California.

Supervisors reported on issues of countywide interest.

POTENTIAL PROCESS CHANGES

DEPARTMENT OF RESOURCE MANAGEMENT

Andy Main spoke regarding the internet needs of Shasta County, particularly in the rural areas, and related zoning issues, as well as issues with permit processing. He also asked that an application regarding zoning changes be put on the agenda for a future Board meeting.

In response to questions by Chairman Baugh, CEO Lees and Supervisor Rickert clarified that a recent request to address internet antennas had been forwarded to Director of Resource Management Rick Simon.

Dale Ball spoke in favor of streamlining processes to improve service.

Kim Dargel spoke in support of the Planning Division and Resource Management and the positive changes that have been implemented within the last few years.

Director Simon stated that Resource Management has been making changes over the last five years, emphasizing user friendliness and customer service. He also explained that implementing the new TRAKiT system has taken longer than expected, due to training and staff issues and budgetary constraints, but the system is now online. Director Simon stated that services offered by Resource Management are generally fee-based, which is where most of the department's money comes from, since it is not funded directly with taxpayer funds. Director Simon explained the current status of the electronic permitting process and the plans to expand the service over the next year.

In response to questions by Supervisor Rickert, Director Simon explained that Resource Management does contract with two outside agencies that provide plan check and inspection services as needed. He also stated that when the department's plan checks are compared with those of the contractor, the department's comments are in line with theirs. The department also uses outside consultants for specialized needs. Director Simon described how the Building Division handles code enforcement needs, specifically regarding the increased number of complaints due to marijuana cultivation.

In response to questions by Supervisor Morgan, Director Simon stated that the department is currently reviewing a draft ordinance regarding short-term rentals and that it should come before the Planning Commission and the Board of Supervisors within the next four to six weeks. Director Simon also stated that complaint forms are available on the Resource Management website and in the department's lobby. He explained that the TRAKiT system will have a public portal available within the next few months, which will offer another way for constituents to file complaint forms.

In response to questions by Supervisor Rickert, Director Simon stated that he believes the TRAKiT system does have a way to ensure that applications are completely filled out when they are submitted, which will help streamline the application process. Director Simon explained how Resource Management calculates its fees and stated that the current fees were adopted by ordinance from the Board of Supervisors in 2008.

In response to questions by Chairman Baugh, CEO Lees explained that the Director of Resource Management is a position hired by the Board of Supervisors, and that while the Board has delegated most general supervision over that position to the CEO, the ultimate responsibility for the position is the Board's. Counsel Cruse confirmed that County Code supports CEO Lees' explanation.

In response to questions by Chairman Baugh, Director Simon clarified the process by which people can permit unpermitted structures on their property and stated that the department's main concern is with habitable spaces.

In response to questions by Chairman Moty, Director Simon explained that solar permits have a special, streamlined approval process due to state mandate.

By motion made, seconded (Kehoe/Rickert), and unanimously carried, the Board of Supervisors directed staff to schedule a special evening meeting to allow further discussion and comment from the public relating to the Planning Division and Resource Management.

LAW AND JUSTICE

JAIL BUDGET AMENDMENT **SHERIFF'S OFFICE**

Undersheriff Eric Magrini gave a presentation on County inmates who are currently housed out-of-county and the costs of the program. Undersheriff Magrini explained that the Sheriff's Office had been approved for a \$300,000 grant from the Community Corrections Partnership (CCP) Executive Board for Fiscal Year 2017-18, which had paid for the program through April. Since that money had been expended, the Sheriff's Office was requesting additional funds from the County.

In response to questions by Supervisor Rickert, Undersheriff Magrini stated that he did not expect the cost of the program for the rest of the fiscal year to utilize the entire \$200,000 being requested.

In response to questions by Supervisor Kehoe, Undersheriff Magrini explained the County utilizes fire camps in addition to the out-of-county program, for a total of 31 inmates. He also explained that the County has sent all current inmates who qualify for the out-of-county program. He stated that it would be difficult to determine a specific number of inmates who could be expected to qualify for the program at any given time, because of the process for assessing inmates for eligibility.

In response to questions from Supervisor Morgan, Undersheriff Magrini stated that CCP has granted the Sheriff's Office another \$300,000 for the upcoming Fiscal Year 2018-19, and that he expected the upcoming jail renovations, which will add approximately 60 jail beds, to be completed before that money was expended. At that time, the County can reexamine the out-of-county program. CEO Lees explained that even with the expanded jail bed space, the County may desire to continue with the out-of-county program in the future.

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors approved a budget amendment increasing appropriations by \$200,000 in the Sheriff's Jail budget, offset by use of Public Safety General Purpose Fund balance reserves, to house Shasta County inmates in out-of-county jail facilities.

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh 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 *Gerald Bowles 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, Personnel Director Angela Davis, and Labor Consultant Liebert Cassidy Whitmore, to discuss the following employee organization: Shasta County Employees Association, pursuant to Government Code section 54957.6.

11:47 a.m.: The Board of Supervisors recessed to Closed Session.

12:10 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 and labor negotiations; however, no reportable action was taken.

12 :11 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By_____

May 1, 2018

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Deputy