

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, July 23, 2024

REGULAR MEETING

9:01 a.m.: Chair Crye called the Regular Session of the Board of Supervisors to order on the above date with the following present:

- District No. 1 - Supervisor Crye
- District No. 2 - Supervisor Garman
- District No. 3 - Supervisor Rickert
- District No. 4 - Supervisor Jones
- District No. 5 - Supervisor Kelstrom

County Executive Officer/Clerk of the Board - David J. Rickert
County Counsel - Joseph Larmour
Chief Deputy Clerk of the Board - Stefany Blankenship

INVOCATION

Invocation was given by Margaret Hansen.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

LEGISLATIVE UPDATE

County Executive Officer (CEO) David J. Rickert presented an update on County issues and specific legislation of importance to Shasta County, including the Information Technology staff's quick response to the recent CrowdStrike software issue.

SUPERVISORS' REPORTS

Supervisor Garman reported on issues of countywide interest.

Supervisor Jones reported on issues of countywide interest.

Supervisor Kelstrom reported on issues of countywide interest.

Supervisor Rickert recently attended a meeting of the Superior California Economic Development District and reported on issues of countywide interest.

Supervisor Crye reported on issues of countywide interest.

**PRESENTATION: EXCESSIVE HEAT CONDITIONS & COOLING CENTERS
HEALTH AND HUMAN SERVICES AGENCY-PUBLIC HEALTH**

Jonathan Chacko and Cheri McKinzie, Community Development Coordinators for the Health and Human Services Agency-Public Health, gave a presentation regarding excessive heat conditions and cooling centers.

Jenny spoke during public comment.

PROCLAMATION: PROBATION SERVICES WEEK
JULY 21-27, 2024

Supervisor Crye read the proclamation.

There was no public comment.

By motion made, seconded (Crye/Garman), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 21-27, 2024, as “*Probation Services Week*” in Shasta County. Chief Probation Officer Tracie Neal was present to accept the proclamation.

PRESENTATION: MISSION AND OBJECTIVES
LOCAL CHILDCARE AND DEVELOPMENT PLANNING COUNCIL

Jennifer Snyder, Coordinator of the Local Childcare and Development Planning Council (Council), gave a presentation regarding the Council’s mission and objectives.

Monique Welin spoke during public comment.

REQUEST FOR PROPOSALS FOR TOURISM MARKETING AND BRANDING FOR
SHASTA COUNTY
SUPPORT SERVICES

Monica Fugitt, Director of Support Services, gave a presentation regarding a Request for Proposals (RFP) for tourism marketing and branding for Shasta County. Ms. Fugitt discussed the content, scope, and possible budget of the RFP, as well as a committee to evaluate the RFPs.

In response to questions by Supervisor Garman, Ms. Fugitt stated that the RFP could be awarded to multiple vendors, but that doing so could create challenges in moving forward with a unified plan.

In response to questions by Supervisor Rickert, Ms. Fugitt stated that the Board would determine which funding stream would be used for the budget for the RFP.

The Board discussed local Chambers of Commerce, organizations such as Visit Redding and the Shasta Cascade Wonderland Association, and the importance of working together to increase public awareness and tourism to the area.

In response to questions by Supervisors Jones, Garman, and Rickert, Nolda Short, Auditor-Controller, and Lori Scott, Treasurer-Tax Collector/Public Administrator, discussed the Transient Occupancy Tax, the amounts collected in recent years, and its use.

Christian Gardinier and Dolores Lucero spoke during public comment.

In response to questions by Supervisors Crye and Garman, Ms. Fugitt stated that the RFP could be revised to have bidders specify how they would spend specific amounts of money, or to leave out the budget altogether, which could have a significant affect on the range of proposals.

By motion made, seconded (Crye/Garman), and unanimously carried by roll call vote, the Board of Supervisors directed staff to: Advertise a Request for Proposals, beginning July 25, 2024, and closing August 29, 2024, which will request vendors to submit proposals identifying how they would engage in tourism marking and branding services for Shasta County at the \$250,000, \$500,000, and \$1,000,000 funding levels; appointed Supervisors Garman and Kelstrom to participate on the evaluation committee alongside Nolda Short, Auditor-Controller; and return to the Board with recommendations to approve a contract with the most qualified vendor.

LETTER REQUESTING DECLARATION OF STATE OF EMERGENCY REGARDING CALIFORNIA'S INSURANCE MARKET RESOLUTION NO. 2024-070

Jenny, Christian Gardinier, Dolores Lucero, and Heather Ball spoke during public comment.

Supervisor Garman discussed the proposed letter and resolution, the status and funding of the California FAIR Plan, and the urgency of the request.

By motion made, seconded (Crye/Rickert), and unanimously carried, the Board of Supervisors took the following actions: Approved a letter which requests that the Governor declare a state of emergency and take action to strengthen and stabilize California's marketplace for homeowners' insurance and commercial property insurance; and adopted Resolution No. 2024-070 which requests that the Insurance Commissioner, State Legislature, and Governor declare a statewide state of emergency and take immediate emergency action to strengthen and stabilize California's marketplace for homeowners' insurance and commercial property insurance. (See Resolution Book No. 73)

PUBLIC COMMENT PERIOD - OPEN TIME

Steve Woodrum, Steve Kohn, Monique Welin, Ray Burn, Lori Bridgeford, Susan Weiss, Bev, Benjamin Nowain, Jenny, Heather Wall, Christian Gardinier, Linda Glass, Dolores Lucero, Jim Burnett, and Tim Saunders spoke during public comment - open time.

REGULAR CALENDAR, CONTINUED

CLERK OF THE BOARD

APPOINTMENT TO SHASTA COUNTY ELECTIONS COMMISSION

Stefany Blankenship, Chief Deputy Clerk of the Board, presented the staff report and described Benjamin Nowain's qualifications for the position.

Steve Kohn, Bruce Russell, Bev, Benjamin Nowain, and Jenny spoke during public comment.

CLOSED SESSION ANNOUNCEMENT

Chair Crye announced that the Board of Supervisors would recess to a Closed Session to take the following action:

Confer with legal counsel to discuss existing litigation entitled *Derrick C. Wilson v. Thomas Dodson et al. Case No. 24CV204346*, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

There was no public comment.

12:01 p.m.: The Board of Supervisors recessed to Closed Session.

12:36 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 David J. Rickert, and County Counsel Joseph Larmour present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Joseph Larmour reported that the Board of Supervisors met in Closed Session to discuss existing litigation; however, no reportable action was taken.

REGULAR CALENDAR, CONTINUED

CLERK OF THE BOARD, CONTINUED

APPOINTMENT TO SHASTA COUNTY ELECTIONS COMMISSION, CONTINUED

12:37 p.m.: Supervisors Crye and Kelstrom recused themselves due to personal conflicts of interest and left the room. Supervisor Jones assumed the gavel in the absence of the Chair and Vice-Chair.

Christian Gardinier, Dolores Lucero, Leslie, Jim Burnett, and Nathan spoke during public comment.

12:51 p.m.: Per Government Code section 54957.9, due to willful disruption that prevented the meeting from being conducted in an orderly fashion, Supervisor Jones ordered the room cleared except for members of the media, and the Board of Supervisors recessed.

2:20 p.m.: The Board of Supervisors reconvened. Members of the public returned to the room.

A motion was made and seconded (Garman/Rickert) to appoint Benjamin Nowain as the District 2 representative to the Shasta County Elections Commission to serve the remainder of a term to January 6, 2025. The motion failed for lack of a majority of the Board by the following roll call vote, resulting in the denial of the appointment:

AYES: Supervisors Garman and Rickert

NOES: Supervisor Jones

RECUSED: Supervisors Crye and Kelstrom

2:22 p.m.: Supervisors Crye and Kelstrom returned to the room and took their seats at the dais. Supervisor Jones returned the gavel to Chair Crye.

SCHEDULED HEARINGS

PUBLIC WORKS

COUNTY SERVICE AREA: ANNUAL REPORTS OF DELINQUENT FEES, REPORTS OF UNCOLLECTIBLE DEBTS, AND ANNUAL PARCEL CHARGE REPORTS

RESOLUTION NO. 2024-071

RESOLUTION NO. 2024-072

RESOLUTION NO. 2024-073

This was the time set to conduct a public hearing to consider Annual Reports of Delinquent Fees, Reports of Uncollectible Debts, and Annual Parcel Charge Reports for County Service Areas. The Notices of Public Hearing and the Notices of Publication are on file with the Clerk of the Board.

Chief Deputy Clerk of the Board Stefany Blankenship confirmed that any correspondence received related to the hearing had been entered into the record.

Shawn Ankeny, Principal Engineer, presented the staff report, described the proposed fees and liens, and recommended approval.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Rickert/Kelstrom), and unanimously carried, the Board of Supervisors took the following actions on behalf of County Service Areas (CSAs): Conducted a public hearing; and adopted Resolution Nos. 2024-071, 2024-072, and 2024-073, which respectively confirm the: Reports of Delinquent Fees and directed that the annual liens be placed on the tax bills for Fiscal Year 2024-25; Reports of Uncollectible Debts and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible; Annual Parcel Charge Reports for the various CSAs and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2024-25.

(See Resolution Book No. 73)

PERMANENT ROAD DIVISION: ANNUAL PARCEL CHARGE REPORTS
RESOLUTION NO. 2024-074

This was the time set to conduct a public hearing to consider the Annual Parcel Charge Reports for the various Permanent Road Division zones. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chief Deputy Clerk of the Board Stefany Blankenship confirmed that any correspondence received related to the hearing had been entered into the record.

Shawn Ankeny, Principal Engineer, presented the staff report, described the proposed parcel charges, and recommended approval.

The public hearing was opened; no one spoke for or against the matter, and the public hearing was closed.

By motion made, seconded (Garman/Jones), and unanimously carried, the Board of Supervisors took the following actions on behalf of the Shasta County Permanent Road Division (PRD): Conducted a public hearing; and adopted Resolution No. 2024-074, which confirms the Annual Parcel Charge Reports for the various PRD Zones and directed that the parcel charges be placed on the property tax bills for Fiscal Year 2024-25.

(See Resolution Book No. 74)

ITEMS PULLED FROM CONSENT CALENDAR

Chair Crye noted that the item regarding the Grand Jury report had been pulled for discussion.

PUBLIC COMMENT PERIOD - OPEN TIME, CONTINUED

Robert Gibbs and Leslie Sawyer spoke during public comment - open time.

CONSENT CALENDAR

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

Accepted an ongoing donation of funds from Supervisor Rickert in the amount of \$500 per pay period starting the pay period beginning July 14, 2024, and continuing through the duration of Supervisor Rickert's term with Shasta County, to be used exclusively for the Annual County Employee Appreciation Event. (Board of Supervisors)

Approved the minutes of the meetings held on June 18 and 25, 2024, as submitted. (Clerk of the Board)

Adopted Resolution No. 2024-075 which authorizes consolidation of the incorporated cities and districts that have submitted requests for consolidation and will appear on ballot, as provided by Elections Code Sections 10400 et seq., and have offices and measures be placed before the voters on November 5, 2024, and allows the County to charge the incorporated cities and districts for actual costs on a pro-rata basis. (County Clerk-Elections)

(See Resolution Book No. 74)

Approved a retroactive amendment, effective July 1, 2024, with Willow Glen Care Center for residential mental health treatment services, which increases rates, retaining the term July 1, 2022, through June 30, 2025, and retaining the maximum compensation not to exceed \$1,900,000.00. (Health and Human Services Agency-Behavioral Health and Social Services)

Approved a retroactive renewal agreement with Kindred Hearts, Inc., in an amount not to exceed \$150,000 for post-adoptive services for the three-year period, July 1, 2024, through June 30, 2027, and designated authority to the County Executive Officer, or their designee, to terminate this agreement. (Health and Human Services Agency-Behavioral Health and Social Services)

Took the following actions: Approved an agreement with Shasta County Office of Education in an amount not to exceed \$135,000 over the entire term of the agreement, for youth cannabis prevention education services; and authorized the County Executive Officer, or their designee, to sign prospective and retroactive documents, agreements, and approvals tied to this funding allocation on the condition that changes in maximum compensation are limited to no more than an increase of ten percent (10%) of the maximum compensation; execution of the document, agreement, or approval does not result in a substantial or functional change to the original intent of this funding application approval, and all changes otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Public Health)

Took the following actions: Approved an agreement with OutSystems for subscription licenses for a new Low-Code software platform, including personalized training and assistance to develop an application; authorized the Chief Information Officer to subscribe to the software service through OutSystems directly in an amount not to exceed \$65,648.89; and authorized the Chief Information Officer to purchase additional licenses and subscription renewals so long as the total annual increase does not exceed \$10,000.00. (Information Technology)

Approved an amendment, to the agreement with GHD Inc. for construction management, inspection, and material testing services for the "Cove Road Storm Damage Slide Repair Project," Contract No. 706765, which amends the responsibilities of the Consultant and increases maximum compensation by \$47,355.50 for a new maximum compensation of \$674,271.97, retaining the term October 31, 2023, through December 31, 2026. (Public Works)

Received a petition from property owners of the Oak Tree Lane Permanent Road Division Zone (PRD Zone) and adopted Resolution No. 2024-076 which dissolves the PRD Zone. (Public Works)

(See Resolution Book No. 74)

Took the following actions: Accepted a donation in the amount of \$18,000 from Sierra Pacific Foundation; approved a net zero budget amendment transferring appropriations in the amount of \$297,000 from Services and Supplies to Capital Asset and increasing revenue by \$35,000 in the Sheriff's budget (BU 235); and designated signing authority to the County Executive Officer to purchase an Explosive Ordinance Disposal robot and associated training in the amount of \$296,471.10 through U.S. General Services Administration (GSA) Contract GS 07F-0430V provided the purchase otherwise complies with Shasta County Administrative Policy 6-101, *Shasta County Contracts Manual*. (Sheriff)

Adopted Resolution No. 2024-077 which approves a successor Memorandum of Understanding (MOU) between the Teamsters Local #137 Supervisory Unit (SUPV) and the County of Shasta, covering the period July 1, 2024, through December 31, 2025, and adopted

Salary Resolution No. 1679, effective July 28, 2024, which amends the Salary Schedule for positions in County Service pursuant to Teamsters Local #137 SUPV MOU. (Support Services)
 (See Resolution Book No. 74)
 (See Salary Resolution Book)

Adopted Resolution No. 2024-078 which appoints Laura Burch as the Acting Director of Mental Health Services, effective August 3, 2024, lasting twelve months or until such time as a qualified individual has been appointed by the Board to fill the position, whichever occurs first. (Support Services)

(See Resolution Book No. 74)

Approved a retroactive renewal agreement with Liebert Cassidy Whitmore, in an advance payment amount not to exceed \$4,780, for training and consulting services, for the period July 1, 2024, through June 30, 2025. (Support Services)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

RESPONSE TO SHASTA COUNTY GRAND JURY FISCAL YEAR 2023-24 REPORT ENTITLED "TO RECUSE OR NOT TO RECUSE? THAT IS THE QUESTION."

Erin Bertain, Deputy County Executive Officer, presented the staff report, discussed the Grand Jury recommendations, the proposed responses to the Grand Jury report, and recommended approval. Ms. Bertain explained that the response included the decision to not implement the Grand Jury's recommendation to have County Counsel explain any applicable Government Code or rules surrounding recusals from voting on an item, as County Counsel does not provide advice to individual Supervisors concerning potential conflicts of interest. Instead, the responsibility to decide when to recuse from an item belongs to each Supervisor, who may request an opinion from the Fair Political Practices Commission (FPPC).

In response to questions by Supervisor Rickert, County Counsel Larmour stated that staff may be able to provide some educational material, but each situation involving a potential recusal was unique and could be complex.

A motion was made and seconded (Garman/Rickert) to approve the response, amended to implement all of the Grand Jury's recommendations.

A substitute motion was made and seconded (Jones/Crye) to approve the response as presented.

The Board discussed the proposed responses, the Grand Jury recommendations, and other potential methods to increase transparency surrounding Board decisions and applicable laws. Mr. Larmour clarified that County Counsel staff would not make recommendations nor offer legal advice regarding potential recusals by individual Board members, but would refer those questions to the FPPC.

Supervisor Garman amended his motion to include directing staff to place any applicable Government Code or rules surrounding recusals in the staff reports contained in the Board agenda packets. Supervisor Rickert seconded the amended motion.

Mr. Larmour explained that he would not recommend placing that information on staff reports, as there were multiple statutes that could apply. He suggested that staff create an informational packet regarding the laws about recusal and place copies in Chambers for the public.

Supervisor Jones amended his substitute motion to send the response, amended to add a statement that the Board would have informational packets about recusal laws available to the public in Chambers, and to direct staff to create such packets and place them in Chambers.

By motion made, seconded (Jones/Crye), and carried 4-1 by roll call vote with Supervisor Garman voting no, the Board of Supervisors approved the proposed responses as amended and directed staff to create informational packets concerning Government Code and rules

surrounding recusals and to have them available in Chambers, to the Shasta County Grand Jury Fiscal Year 2023-24 Report entitled *“To Recuse or Not to Recuse? That is the Question.”* (Administrative Office)

3:04 p.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

3:04 p.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

3:05 p.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By _____
Deputy

DRAFT