



Lassen County

Meeting Minutes

Board of Supervisors

DRAFT

LASSEN COUNTY SUPERVISORS:

DISTRICT 1 - CHRIS GALLAGHER - CHAIRMAN; DISTRICT 2 - DAVID TEETER ; DISTRICT 3 - JEFF HEMPHILL - VICE-CHAIRMAN; DISTRICT 4 - AARON ALBAUGH; DISTRICT 5 - TOM HAMMOND

Tuesday, July 24, 2018

9:00 AM

Board Chambers
707 Nevada Street
Susanville, CA 96130

9:00 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Robert Burns and Deputy Clerk of the Board Michele Yderraga.

Present: 5 - Chris Gallagher, David Teeter, Jeff Hemphill, Aaron Albaugh and Tom Hammond

Excuse: 0

PUBLIC COMMENT

Dan Marcum: Board Member of the Central Valley Regional Water Quality Control Board. Discussed water regulatory issues in Western Lassen County.
Jesse Claypool: Invited the Board to attend the Honey Lake Valley Resources Conservation District (HLVRCD) workshop on July 25, 2018.
Gary Bridges: Briefly discussed his concerns regarding cannabis business tax.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced the following closed session items:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. One case.
- 2) Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) United Public Employees of California (UPEC), b) Management and Professional Association.

CLOSED SESSION

Closed session was held from 9:12 a.m. - 9:39 a.m.

Present: Supervisors Gallagher, Teeter, Hemphill, Albaugh and Hammond. Also Present: CAO Egan, County Counsel Burns and Deputy Clerk of the Board Yderraga.

RECESS: 9:39 a.m. - 9:43 a.m.

9:30 A.M. OPENING CEREMONIES

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

CAO Egan announced the following:

Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. One case.

No reportable action.

Conference with Labor Negotiator Richard Egan: May include the following bargaining units - a) United Public Employees of California (UPEC), b) Management and Professional Association.

No reportable action.

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Gallagher.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

A motion was made by Supervisor Teeter, seconded by Supervisor Albaugh, that this Agenda be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

PUBLIC COMMENTS

William Martens: Introduced himself as the Chair of the Lassen County Democratic Central Committee and distributed a letter to the Board.

UNAGENDIZED REPORTS BY BOARD MEMBERS

This item was not called during the meeting.

INFORMATION/CONSENT CALENDAR

Supervisor Teeter pulled Item# G1 - Minutes; Supervisor Albaugh pulled Item# G3 - Health & Social Services and Item# G4 - Prison Trial Costs Reimbursement Program Items for further discussion.

Approval of the Consent Agenda

A motion was made by Supervisor Teeter, seconded by Supervisor Albaugh, to approve the Consent Agenda as amended. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

REGISTRAR OF VOTERS

SUBJECT: Resolution of the Board of Supervisors of the County of Lassen ordering an election, consolidation of elections and sharing of election cost by

counties, school districts, public districts, and other public entities, for the November 6, 2018 Statewide General Election.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: Adopt Resolution.

Attachments: [District list Nov 2018](#)

[RESOLUTION Call Consolidate Elec](#)

This Resolution No. 18-047 was adopted on the Consent Agenda.

MISCELLANEOUS CORRESPONDENCE ITEMS

ACTION REQUESTED: Receive and file the following correspondence:

- a) Susanville City Council Special Meeting agenda for July 18, 2018.
- b) Planning and Service Area Agency on Aging Advisory (PSA2 AAA) Advisory Council Meeting Agenda, July 16, 2018.
- c) Susanville City Council Special Meeting agenda for July 10, 2018.
- d) Lassen County Technical Advisory Committee Meeting Agenda for July 5, 2018.
- e) Lassen Land & Trails Trust correspondence to Supervisor Gallagher.

Attachments: [Misc Corr](#)

These Reports were received and filed on the Consent Agenda.

DEPARTMENT REPORTS

COUNTY CLERK-RECORDER

MEETING MINUTES

SUBJECT: Approve minutes of July 17, 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Approve.

Attachments: [Draft Meeting Minutes](#)

Supervisor Teeter and Supervisor Hemphill abstained from the approval of the meeting minutes.

A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that these Minutes be approved. The motion carried by the following vote:

Aye: 3 - Gallagher, Albaugh and Hammond

Abstain: 2 - Teeter and Hemphill

HEALTH AND SOCIAL SERVICES

HEALTH & SOCIAL SERVICES

SUBJECT: Health & Social Services (HSS) Contracts for Fiscal Year (FY) 2018/2019.

FISCAL IMPACT: There is no impact to County General Fund beyond the required maintenance of effort currently identified within the HSS 2018/2019 FY annual budgets pending approval by the Board of Supervisors.

ACTION REQUESTED: 1) Approve the Health & Social Services Department contracts for Fiscal Year 2018/2019; and 2) authorize the County Administrative Officer to execute the Agreements.

Attachments: [BOS HSS 2018.2019 Contract Spreadsheet 07.24.18](#)

Supervisor Albaugh had several questions regarding the Agreement and the acronyms used. Health and Social Services Director Barbara Longo gave a detailed report and stated she would provide a list of the acronyms used in the future. Discussion was held.

A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Agreement be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

PRISON TRIAL COSTS

PRISON TRIAL COSTS REIMBURSEMENT PROGRAM ITEMS

SUBJECT: Recap of CCC Prison and High Desert State Prison Trials Cost Reimbursement Billing for the months of July 2017, through May 2018.

FISCAL IMPACT: None.

ACTION REQUESTED: Receive and file.

Attachments: [Prison Trial Costs Attach](#)

Supervisor Albaugh asked about the billing for the Prison Trial Costs Reimbursement Program. Auditor Diana Wemple gave a brief description of how the billing was processed through the State of California.

A motion was made by Supervisor Albaugh, seconded by Supervisor Hammond, that this Report be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

PUBLIC HEARINGS

10:00 a.m.: LASSEN COUNTY FIRST RESPONDERS SPECIAL TAX

SUBJECT: Public hearing to consider a supplemental transaction and use tax in the amount of 3/4 of 1% to be presented to the voters at the November 6, 2018 Statewide General Election.

FISCAL IMPACT: Estimated revenue approximately 2.1 million annually.

ACTION REQUESTED: 1) Conduct public hearing; and 2) adopt Ordinance; and 3) Call election on the measure for November 6, 2018; or 4) provide direction to staff.

Attachments: [Lassen County FRST Ordinance](#)
[Lassen County FRST Resolution](#)

County Counsel Burns gave a brief overview of the First Responders Special Tax and the changes to the Ordinance that were made prior to the introduction on July 17, 2018. Extensive discussion was held.

The Public Hearing was open from 10:00 a.m. - 10:13 a.m.

SPEAKERS: Gary Felt, Treasurer/Tax Collector Nancy Cardenas, Sheriff/Coroner Dean Growdon, William Martens, Joe Turner, Chris Cole, Gary Bridges, Auditor Diana Wemple and Darrell Foster.

A motion was made by Supervisor Hammond, seconded by Supervisor Albaugh, that this Ordinance be adopted. The motion failed.

Aye: 2 - Albaugh and Hammond

Nay: 3 - Gallagher, Teeter and Hemphill

10:25 a.m.: RECESS

DEPARTMENT REPORTS - Continued

HEALTH AND SOCIAL SERVICES

PUBLIC HEALTH

SUBJECT: Proclamation: 2018 World Breastfeeding Week, August 1-7, 2018.

FISCAL IMPACT: There is no impact to County General Fund.

ACTION REQUESTED: 1) Approve and sign the Proclamation.

Attachments: [BOS PH Breastfeeding Proclamation 2018](#)

Director of Health and Social Services Barbara Longo gave a detailed presentation of the Proclamation for the 2018 World Breastfeeding Week.

SPEAKERS: Maternal Child and Adolescent Health (MCAH) Program Coordinator Michelle Godman.

A motion was made by Supervisor Albaugh, seconded by Supervisor Teeter, that this Proclamation be adopted. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT

SUBJECT: Fiscal Year (FY) 2018/2019 Partial Road Budget adoption for

Capital Outlay portion of the Road Operating Fund/Budget Unit No. 122-1221 and Road Construction Fund/Budget Unit No. 122-1222. FISCAL IMPACT: Road Operating Fund/Budget Unit No. 122-1221 (expenditures and revenues in the amount of \$525,000). Road Construction Fund/Budget Unit No. 122-1222 (expenditures in the amount of \$15,281,000 and revenues in the amount of \$15,056,529 with the balance of \$124,471 from Fund Balance). See attached budget details. ACTION REQUESTED: Approval 2018/2019 (FY) Partial Road Budget.

Attachments: [PW Attach](#)

Director of Public Works Larry Millar gave a presentation of the partial road budget for the 2018/19 Fiscal Year and the upcoming projects for the Road Department. Discussion was held.

SPEAKERS: Auditor Diana Wemple.

A motion was made by Supervisor Hemphill, seconded by Supervisor Hammond, that this Action Item be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

BOARD OF SUPERVISORS

**RECESS AS THE BOARD OF SUPERVISORS AT 9:58 A.M.
CONVENE AS THE BIEBER LIGHTING DISTRICT AT 9:59 A.M.**

BIEBER LIGHTING DISTRICT

(Recess as the Board of Supervisors and Convene as the Bieber Lighting District)

SUBJECT: Resolution authorizing the installation and maintenance of additional streetlights in the Bieber Lighting District.

FISCAL IMPACT: None anticipated. PG&E is upgrading at no cost to the District the District's existing streetlights, 23 in total, to energy efficient LED technology. The resulting monthly energy savings of LED lighting will lower the District's annual maintenance costs. There is no installation cost for additional LED streetlights in other locations within the District's boundary. The cost savings will offset the cost increase of the additional lighting without increasing the appropriation limit in the District's 2018-2019 Fiscal Year budget.

ACTION REQUESTED: Adopt Resolution.

(Adjourn as the Bieber Lighting District and Reconvene as the Board of Supervisors)

Attachments: [180719 AgPkt-Bieber Ligh_001](#)

CAO Egan discussed the request for additional street lighting and street light replacement in the Bieber area. Discussion was held.

A motion was made by Supervisor Albaugh, seconded by Supervisor

Teeter, that this Resolution No. 18-048 be adopted. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

ADJOURN AS THE BIEBER LIGHTING DISTRICT AT 10:56 A.M.

RECONVENE AS THE BOARD OF SUPERVISORS AT 10:57 A.M.

COUNTY COUNSEL

CANNABIS BUSINESS TAX ORDINANCE

SUBJECT: Approve Ordinance imposing a general tax on commercial cannabis activity (yet to be an approved activity in Lassen County).

FISCAL IMPACT: Undetermined.

ACTION REQUESTED: 1) Adopt Ordinance imposing general tax on commercial cannabis activities; and 2) call election on the measure for November 6, 2018; or 3) provide direction to staff.

Attachments: [Cannabis Business Tax Ordinance](#)

[Commercial Cannabis Business Tax Resolution](#)

County Counsel Burns gave a brief overview of the Ordinance that was introduced at the Board of Supervisors meeting on July 10, 2018 and necessary requirements for the November 6, 2018 State General Election. Extensive discussion was held.

SPEAKERS: Leon Huffman, Joseph Adair, Gary Bridges, Joe Turner, Clinton Johnson and Auditor Diana Wemple.

Supervisor Hammond was absent from 11:13 a.m. - 11:14 a.m

A Motion was made by Supervisor Albaugh to not have the cannabis business tax placed on the November 6, 2018 State General Election ballot. Motion dies for lack of a second.

A motion was made by Supervisor Teeter, seconded by Supervisor Hemphill, that this Ordinance No. 2018-008 be adopted. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Hammond

Nay: 1 - Albaugh

AUDITOR'S OFFICE

2017/18 BUDGET ADJUSTMENTS

SUBJECT: The following Budget Units have exceeded their 2017/18 budget appropriations, 130-0431 District Attorney.

FISCAL IMPACT: This is a request to transfer savings from other Budget Units with in the same Fund to make them whole.

ACTION REQUESTED: 1) Increase appropriations for District Attorney 130-0431-3000160 by \$26,500 and Decrease appropriations in 130-0522-3000160 by \$26,500. (Requires majority vote).

Supervisor Albaugh questioned the District Attorney's office regarding their exceeded 2017/18 Fiscal Year budget . District Attorney Stacey Montgomery gave a detailed report of the expenditures. Extensive discussion was held.

SPEAKERS: Auditor Diana Wemple and Chris Montgomery.

A motion was made by Supervisor Teeter, seconded by Supervisor Hammond, that this Action Item be approved. The motion carried by the following vote:

Aye: 4 - Gallagher, Teeter, Hemphill and Hammond

Nay: 1 - Albaugh

TYLER TECHNOLOGIES' SOFTWARE LICENSE AND SUPPORT AGREEMENT

SUBJECT: Award Software License and Support Agreement to Tyler Technologies.

FISCAL IMPACT: License and implementation costs to be paid out of Accumulative Capital Outlay, Fund 119 and IT, Fund 104. These costs will be incurred over fiscal years 2018/2019 and 2019/2020. Annual Maintenance and support to be paid out of Data Processing, Fund/Budget Unit No. 100-0311, starting fiscal year 2019-2020. Fund 119 costs will be allocated through the Countywide Cost Allocation Plan.

ACTION REQUESTED: 1) Approve Tyler Technologies' Software License and Service Agreement to provide Financial, Revenue and Human Capital Management & Productivity Services (as recapped in the Investment Summary - Exhibit A) in the amount of \$490,881 plus travel expenses not to exceed \$90,000; and 2) Maintenance and Support agreement for 10 years, effective after the go live date, at an annual cost of \$49,657 for the first year with an annual increase in an amount to be determined; and 3) approve the CAO and Auditor to authorize additional modules of services up \$50,000 plus associated Maintenance and Support as deem necessary; and 4) approve 2018/2019 Capital Expenditure appropriation in Fund/Budget Unit No. 119-1191-3006200 for \$300,000 and 104-0322-3006200 for \$200,000.

Attachments: [AudScans20180719075317](#)

Auditor Diana Wemple gave a brief presentation of the bids, software license and support agreement with Tyler Technologies'. Discussion was held.

A motion was made by Supervisor Hammond, seconded by Supervisor Hemphill, that this Action Item be approved. The motion carried by the following vote:

Aye: 5 - Gallagher, Teeter, Hemphill, Albaugh and Hammond

COUNTY ADMINISTRATIVE OFFICE

SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

Nothing to report.

ADJOURNMENT

There being no further business, the meeting is adjourned at 12:04 p.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board