

Trinity County Community Corrections Partnership  
Executive/Full CCP Committee Meeting Agenda

March 6, 2018 @ 3:30 PM

Probation Conference Room

333 Tom Bell Rd.

Weaverville, CA 96093

1. Introductions
2. Review and Approval of Previous Meeting's Minutes
3. Budget Review
4. Report Out from Each Agency's Currently Funded Programs
5. Planning/Programming and/or Funding Requests
6. Bylaws Revision
7. Scheduling Next Meeting

# Trinity County Community Corrections Partnership

## November 14, 2017 Minutes

Trinity County Courthouse  
Basement Conference Room  
Weaverville, CA 96093

In attendance: Tim Rogers – Probation, Rachel Sanger – Probation, Bruce Haney – TCSO, Caedy Minoletti – HRN, Sherry White – HRN, Anne Lagorio – BHS, Mike Harper – Superior Court Judge, Supervisor John Fenley, Ryan Ham – CHP, Megan Marshall - DA

Call to order at 1:39 p.m.

### **Introductions**

Tim Rogers, Trinity County Probation Department Chief opened the meeting. Attendees introduce themselves and state the department they represent.

### **Review and Approval of Previous Meeting's Minutes**

- Review and approval of October 16, 2017 Minutes. Motion: Anne Lagorio Seconded: Ryan Ham
- Chief Rogers reviews corrections of minutes from July 17, 2017 to reflect a quorum is four, not five. And, to correct the omission from the minutes of the passage of the motion to accept the FY1718 Budget as attached.
- Chief Rogers motions to approve the corrections from the July 17, 2017 meeting. Bruce Haney seconded the motion. Corrections to Minutes are approved.

### **Budget Review**

- Review of FY17/18 budget. This budget shows an estimated revenue for FY1718 of \$621,254 Base and \$14,368 for FY1617 Growth. Actual base allocation for FY1718 Base is \$650,103 and for FY1617 Growth is \$27,350 an increase of approximately \$42,000. See County allocations attached.
- Chief Rogers motioned to accept the budget report as presented. Anne Lagorio Seconded. Motion Carried.
- There was a formula change due to the impacts of Prop 47 which includes a 10 percent statewide cap on the second striker calculation and an increase per second striker to \$28,776.
- Cash balance as of 10/11/17 is \$422,993.48 and our estimated available allocation, less the 10% cash reserves, is \$244,944.71

- Addressed FY1718 Budget changes required amending the costs of the Sheriff's Dept Correctional Officer from \$77,326 to \$98,027 and the Deputy Sheriff costs from \$130,831 to \$146,412 for FY1718.
- Chief Rogers motioned to accept the corrections to the FY1718 Budget for Sheriff's Dept's salaries and benefits costs as described. Anne Lagorio Seconded. Motion Carried Unanimously

## **Review of Currently Funded Programs**

### Sheriff's Department

- The Edovo tablet program is working extremely well; great tool for Jail staff, Jail population more compliant and staff consider it a Godsend.
- Jail project moving forward and the plans are with the Fire Marshall for their approval before the final meeting with BSCC Projecting late spring ground breaking with an opening date of September 2019.

### California Highway Patrol

- Nothing to report

### District Attorney's Office

- Nothing to report

### Behavioral Health

- Nathan Greene is leaving BHS on Friday, November 17, 2017 moving to APS. BHS are screening applicants and have some great prospects to fill the position. Yoni will continue to meet the needs of the AB109 clients while staff positions are filled.
- Trinity to be featured on KRCR TV re the Opioid Crisis.
- Clients being referred to the new Rancheria Clinic for Opioids treatment.

### Human Response Network

- Currently have two individuals who are being housed that are actively participating, making the required meetings, and following the program rules.
- Finding housing clients extremely difficult as all of the housing has been filled by victims of the Junction City Wild Fires.

### Courts

- Nothing to report

### Probation

- Passed out stat sheets. Trinity County averages 9.25 PRCS releases from CDCR per year and 6.75 1170(h) County Jail commitments per year. Have 11 PRCS offenders under supervision, with 3 active warrants at this time. Two inmates currently pending release from CDCR.
- 12 individuals receiving electronic monitoring services for a combined total of 138 days. Of that total 10 are PRCS cases.
- AB/SB190 removed the ability to charge for Juvenile electronic monitoring.
- Prop 63 – Firearms Relinquishment - discussion on the additional unfunded workload created by the passage of this bill and on what agency does that workload fall. A meeting to be held on December 4<sup>th</sup> with the courts and the sheriff's department to work out the details.

### **Planning/Programming and or Funding Requests**

- Although Penal Code allows for a broad interpretation of how CCP funds may be expended, the ultimate goal is to provide services that reduce recidivism. Many counties have met this goal by building infrastructure that allows for these services to take place. With that in mind, and with the matter of excess CCP funds being highlighted by the state, we could provide some funding towards costs overruns for the programming space in the new jail.
- Chief Rogers motioned that upon approval of the Jail Project by BSCC that we authorize funding of up to \$100,000 for the reimbursement of qualified cost overruns, as determined by the County Auditor's Office, relating to inmate programming capability and capacity within the facility. Mike Harper Seconded. Motion Carried unanimously.
- Ryan Ham put forth the motion that we request that the Auditor's office oversee the use of the CCP Funding and provide a quarterly written report to the committee detailing the qualifying expenditures reimbursed by the CCP funding. Chief Rogers seconded. Motion carried unanimously.
- HRN requested an additional \$20,000 one-time funding to purchase a trailer/trailers to provide AB109 client housing. Housing is extremely limited as only one trailer park will accept AB109 clientele. They have already used 50% of their existing funding in motel vouchers therefore need an additional less expensive option for housing. Chief Rogers

motioned that CCP provide one-time funding of \$20,000 for a trailer/trailers for AB109 housing. Ryan Ham seconded. Motion carried unanimously. (Proposal Attached)

- Anne Lagorio requested and made the motion for one-time funding up to a maximum of \$12,000 to provide furnishings and houseware supplies for the Cedar Home Peer Respite project, a five-bedroom facility currently under construction in Weaverville, CA. This home will be open to AB109 clients who are in early recovery from addiction or show symptoms of mental illness. When in the program those clients will be provided linkage to services while they determine their next steps forward. Anne Lagorio motioned. Bruce Haney seconded and the motion carried unanimously. (Proposal Attached)
- Chief Rogers mentioned briefly the need to revisit the by-laws of CCP and specifically the need for voting members to assign someone to appear on their behalf. A brief discussion ensued on voting by proxy to be followed up at our next meeting. Chief Rogers handed out a first draft of the By-Laws Revision and welcomed attendees to review it and bring input to the next meeting.

#### **Scheduling Next Meeting**

- The next meeting will be scheduled through a Doodle Poll.

Close at 4:48p.m.

TRINITY COUNTY COMMUNITY CORRECTIONS  
PARTNERSHIP EXECUTIVE COMMITTEE

BY-LAWS

ARTICLE I

NAME

The name of this organization shall be THE TRINITY COUNTY COMMUNITY CORRECTIONS PARTNERSHIP EXECUTIVE COMMITTEE.

ARTICLE II

AUTHORITY

This organization is authorized by Penal Code Section 1230.1.

ARTICLE III

PURPOSE

The purpose of the Trinity County Community Corrections Partnership Executive Committee shall be to:

1. Develop, implement, evaluate, and periodically revise a county-based response to adult criminal justice matters as a result of public safety realignment and to set priorities for the use of State Realignment Funds associated with public safety realignment.
2. Develop, implement, evaluate, and periodically revise a comprehensive multi-agency local community corrections plan that identifies resources and strategies for providing an effective continuum of responses in the prevention, intervention, supervision, treatment, and incarceration of adult offenders, including strategies to develop and implement local alternatives to incarceration options for the offenders. The local plan shall be guided by the principles of evidence-based practices in corrections.

ARTICLE IV

DUTIES

The Executive Committee shall have the following duties:

1. Assist the Chief Probation Officer in developing, implementing, evaluating, and periodically revising a comprehensive, multi-agency local community corrections plan to develop a continuum of responses for the prevention, intervention, supervision, treatment, and incarceration of adult offenders, in accordance with Penal Code 1230.1.

2. Serve as the local community corrections planning coalition, for the purpose of recommending the utilization of State Public Safety Realignment Funds for County of Trinity.

ARTICLE V

MEMBERSHIP

1. Pursuant to Penal Code § 1230.1(b), the membership of the Executive Committee ("the principals") is as follows:
  - a. The Chief Probation Officer (chair),
  - b. The Presiding Judge of the Superior Court (or his or her designee),
  - c. The District Attorney,
  - d. The Sheriff,
  - e. The Public Defender,
  - f. CHP Commander
  - g. One department representative listed in either subparagraph (G), (H), or (J) of paragraph (2) of subdivision (b) of Penal Code Section 1230, as designated by the county board of supervisors for purposes related to the development and presentation of the plan.
2. Alternate Members
  - a. Each Executive Committee member shall designate an alternate member to represent the member at a Committee meeting in the event the Committee member is unable to attend a scheduled meeting. Because one of the main functions of the Executive Committee is the oversight of expenditures related to funding received pursuant to AB 109, the principals shall attend all regularly called meetings of the Executive Committee whenever feasible.
  - b. When representing a Committee member at an Executive Committee meeting, the alternate member shall have the same voting power as the voting member.

ARTICLE VI

OFFICERS

1. Officers of the Committee shall be a Chairperson and an Acting-Chairperson and such other officers as the Committee may choose to elect.
2. Responsibilities of Officers:
  - a. Chairperson - In accordance with Section 1230.1(b) of the Penal Code, the Chief Probation Officer shall serve as the Executive Committee Chairperson. The Chairperson shall supervise and direct the Committee's activities, affairs and officers. The Chairperson shall preside at all Committee meetings. The Chairperson shall have such other powers and duties as the Committee or Bylaws may prescribe.
  - b. Vice Chairperson - In the event of the absence of the Chairperson, the Executive members will designate an Acting Chairperson to preside at committee meetings. The Vice-Chair shall be elected by a majority vote by the members of the Executive

Committee at the first regular meeting each fiscal year and will serve as the Vice-Chair for the Full and Executive CCP.

3. Term of Office:

The term of office for the Executive Committee Chairperson shall be concurrent with his/her term as Chief Probation Officer. Each Executive Committee member shall serve an indefinite term concurrent with his/her service to the agency or organization he/she represents.

## ARTICLE VII

### MEETINGS AND PROCEDURES

The Executive Committee and its sub-Committees shall be governed by the Brown Act and meetings shall be open to the public in accordance with the provisions of the Act. All meeting agendas will conform to the attached format and be posted on the Trinity County Probation Department Website under "Community Corrections Partnership."

1. Regular Meetings

A minimum of two (2) meetings per year will be held. There will be no set schedule of regular meetings. Subsequent meeting times and dates will be determined at each meeting unless otherwise determined. All meetings will take place in locations accessible by the public, and notice and agenda will be posted in accordance with the provisions of the Act.

2. Special Meetings

A Special Meeting may be called at any time by the Chairperson, or by a majority of the members of the Executive Committee, specifying the general nature of the business proposed. An agenda and notice will be posted in accordance with the provisions of the Act.

3. Quorum and Voting Procedure

a. A minimum of four (4) members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting of members.

b. Pursuant to the Brown Act, telephonic participation is permissible under the following requirements:

1. The voting member must provide written documentation within one (1) week of the upcoming meeting indicating that they wish to participate telephonically, and further provide the physical address of the location they will be calling in from,
2. The voting member must allow members of the public access to the location they are calling from, and
3. The agenda must indicate that a voting member is participating telephonically and contain the address where the member is calling from.

c. Decisions shall be reached through majority voting which is defined as a majority of the quorum members present.

- d. The Executive Committee shall use parliamentary procedures (the current edition of: Robert's Rules of Order) to conduct business.

4. Setting the Agenda

The Chairperson or Acting Chairperson shall designate items on the agenda. Those wishing to provide input shall request inclusion on the agenda by contacting the Chairperson or Acting Chairperson no later than one (1) week prior to the scheduled meeting.

5. Public Comments

Public comments at meetings are limited to three (3) minutes for each individual. The Chairperson has the discretion to extend the time based on the complexity of the issue or to lessen the time if there are a large number of speakers.

ARTICLE VIII

CONFLICT OF INTEREST

1. Executive Committee members are subject to Trinity County's Conflict of interest Code 2.60.060.
2. The members of the Executive Committee shall include on any agenda the following disclosure regarding any action proposed to be taken which will be for the benefit of the Department represented by that principal: "This matter involves {NAME OF AGENCY}. The Member of the Executive Committee discloses that he/she has only a remote interest in the contract under consideration by reason of Government Code Section 1091(b)(13): that of a person receiving salary, per diem or reimbursement for expenses from a government entity. The action will be taken without the participation of the Member, unless the Member's participation is legally necessary."

ARTICLE IX

AMENDMENTS

The By-Laws may be adopted, amended or repealed by a majority vote of the Executive Committee after written proposal for such action has been in the hands of this Committee for thirty (30) days.

**State of California**

**GOVERNMENT CODE**

**Section 1091**

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1091. (a) An officer shall not be deemed to be interested in a contract entered into by a body or board of which the officer is a member within the meaning of this article if the officer has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the officer is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest.

(b) As used in this article, "remote interest" means any of the following:

(1) That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), pursuant to Section 501(c)(5) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(5)), or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.

(2) That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party.

For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as having the "real or ultimate ownership" of the contracting party.

(3) That of an employee or agent of the contracting party, if all of the following conditions are met:

(A) The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.

(B) The contract is competitively bid and is not for personal services.

(C) The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of the contracting party, and holds no ownership interest in the contracting party.

(D) The contracting party has 10 or more other employees.

(E) The employee or agent did not directly participate in formulating the bid of the contracting party.

(F) The contracting party is the lowest responsible bidder.

(4) That of a parent in the earnings of his or her minor child for personal services.

(5) That of a landlord or tenant of the contracting party.

(6) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(7) That of a member of a nonprofit corporation formed under the Food and Agricultural Code or a nonprofit corporation formed under the Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.

(8) That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.

(9) That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.

(10) Except as provided in subdivision (b) of Section 1091.5, that of a director of, or a person having an ownership interest of, 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.

(11) That of an engineer, geologist, architect, or planner employed by a consulting engineering, architectural, or planning firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.

(12) That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

(13) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

(14) That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person's employment with that corporation.

(15) That of a party to litigation involving the body or board of which the officer is a member in connection with an agreement in which all of the following apply:

(A) The agreement is entered into as part of a settlement of litigation in which the body or board is represented by legal counsel.

(B) After a review of the merits of the agreement and other relevant facts and circumstances, a court of competent jurisdiction finds that the agreement serves the public interest.

(C) The interested member has recused himself or herself from all participation, direct or indirect, in the making of the agreement on behalf of the body or board.

(16) That of a person who is an officer or employee of an investor-owned utility that is regulated by the Public Utilities Commission with respect to a contract between the investor-owned utility and a state, county, district, judicial district, or city body or board of which the person is a member, if the contract requires the investor-owned utility to provide energy efficiency rebates or other type of program to encourage energy efficiency that benefits the public when all of the following apply:

(A) The contract is funded by utility consumers pursuant to regulations of the Public Utilities Commission.

(B) The contract provides no individual benefit to the person that is not also provided to the public, and the investor-owned utility receives no direct financial profit from the contract.

(C) The person has recused himself or herself from all participation in making the contract on behalf of the state, county, district, judicial district, or city body or board of which he or she is a member.

(D) The contract implements a program authorized by the Public Utilities Commission.

(17) That of an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency if the owner or partner recuses himself or herself from providing any advice to the contracting agency regarding the contract between the firm and the contracting agency and from all participation in reviewing a project that results from that contract.

(c) This section is not applicable to any officer interested in a contract who influences or attempts to influence another member of the body or board of which he or she is a member to enter into the contract.

(d) The willful failure of an officer to disclose the fact of his or her interest in a contract pursuant to this section is punishable as provided in Section 1097. That violation does not void the contract unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.

(Amended by Stats. 2015, Ch. 495, Sec. 1. (SB 704) Effective January 1, 2016.)

**2.60.060 - Political and economic conflict of interest.**

- A. No employee shall use official authority or influence for the purpose of interfering with, or affecting the results of an election or nomination for office, or directly or indirectly coerce, attempt to coerce, or advise a county employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.
- B. All county officers and employees are subject to the provisions of Section 3201 through 3209 of the State of California Government Code relating to political activities.
- C. All officers and employees whose employment is connected with an activity which is financed in whole or in part by loans or grants made by the United States Government or any federal agencies are subject to the provisions of Section 1501 through 1508, Title 5, United States Code.
- D. No employee shall accept, or solicit anything of value which is, or which may appear to be, designed to influence official conduct; nor shall a county employee enter into any financial or other relationship with a county department, a private business, individual or other organization, which would constitute a conflict of interest with county employment.
- E. No person employed under the system created in this chapter, whether in the classified or unclassified service, shall, during his working hours, seek election, nomination or appointment as an officer of a political club or organization, or take an active part in a political campaign favoring or opposing any candidate for election or for nomination to any public office.
- F. This chapter does not prevent any such officer or employee from becoming, or continuing to be, a member of a political club or organization, from attending political meetings, or from seeking or accepting election or appointment to public office, during off-duty hours.

(Ord. 1087 §1(part), 1986)