

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, June 10, 2014

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 Giacomini
District No. 4 - Supervisor Schappell
District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
County Counsel - Rubin E. Cruse, Jr.
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Supervisor Baugh.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD - OPEN TIME

Dolores Lucero alleged illegal activity in the City of Shasta Lake.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh noted that the item regarding the local emergency due to drought conditions has 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, as amended:

Approved and authorized the Chairman to sign a renewal grant agreement with the Shasta Community Health Center in the amount of 10 percent of the annual tobacco settlement receipts to provide outpatient health care services to residents of Shasta County for the period July 1, 2014 through June 30, 2015. (Administrative Office)

Replaced the annual audit of the Millville Fire Protection District with a biennial audit. (Auditor-Controller/Clerk of the Board)

Approved the minutes of the meeting held on June 3, 2014, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign renewal agreements to provide residential treatment mental health services for the period July 1, 2014 through June 30, 2015, with two automatic one-year renewals with Crestwood Behavioral Health, Inc., in an amount not to exceed \$1,600,000 per fiscal year, and with Helios Healthcare, LLC, d.b.a. Idylwood Care Center in the amount of \$50,000 per fiscal year; and for both agreements, authorized the Health and Human Services Agency Director or his/her designee to approve changes in any single rate not to exceed 10 percent over the original rate, provided that the rates do not increase total compensation payable. (Health and Human Services Agency (HHS)-Adult Services)

Adopted Resolution No. 2014-045, which approves and authorizes the Chairman to sign a renewal joint powers agreement with Caltrans in the amount of \$164,316 for Shasta County to provide mailroom services for the period September 1, 2014 through August 31, 2017. (HHS-Regional Services-Opportunity Center)

(See Resolution Book No. 55)

To reflect projected expenditures and revenues consistent with final cost allocations, approved Fiscal Year 2013-14 budget amendments decreasing revenues by \$16,000 in the HOME budget, to be offset by use of HOME General Purpose Restricted Fund Balance; and decreasing revenue by \$23,000 in the Community Development Block Grant (CDBG) budget, to be offset by use of CDBG General Purpose Restricted Fund Balance. (Housing and Community Action Programs)

To better align budgets to actual expenditures, approved Fiscal Year 2013-14 budget amendments, increasing appropriations and revenues by \$127,957 (including \$36,771 in revenues for Federal Emergency Management Agency local disaster expenditure reimbursement of costs associated with the Clover Fire) in the Office of Emergency Services (OES) budget; increasing appropriations and revenues by \$23,189 in the Burney Substation budget; and decreasing appropriations and revenues by \$5,200 in the Coroner budget, while facilitating transfers-out to the OES budget in the amount of \$104,938 and to the Burney Substation budget in the amount of \$23,189. (Sheriff)

Approved a Fiscal Year 2013-14 budget amendment decreasing appropriations by \$4,000,000 and revenue by \$3,197,092 in the Roads Administration budget, to be offset by fund balance, to align the budget with actual expenditures. (Public Works)

Regarding the purchase of real property located at 1626 Court Street, Redding, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); accepted the grant deed for the property; approved and authorized the Chairman to sign an agreement with Ronald D. Mitchell and Shirley A. Mitchell, as Trustees of the Mitchell Family Trust Dated February 27, 2002, and Chris Hooykaas and Leah Kathryn Hooykaas, as Trustees of the Hooykaas Family 2004 Trust, to purchase real property located at 1626 Court Street, Redding in the amount of \$400,000; and authorized the County Executive Officer to approve payment of miscellaneous fees in an amount not to exceed \$5,000 associated with the purchase transaction. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for construction on the Mental Health Building Roofing Project and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Platina Road Slide Repairs Project and record it within 15 days of actual completion of the work. (Public Works)

Approved payment of an invoice from Redding Collision Center, Inc. in the amount of \$8,547.22 to repair a County vehicle. (Public Works-Fleet Management)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS RESOLUTION NO. 2014-046

Public Works Director/Chief Engineer of Water Agency Pat Minturn stated the proclamation was adopted on May 27, 2014. The State Water Resources Control Board issued a notice of unavailability of water and immediate curtailment of diverting water. Due to the current drought, it is not anticipated that the water issue will be alleviated soon.

By motion made, seconded (Schappell/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-046, which recognizes that the circumstances and factors that led to the May 6, 2014 proclamation of a local emergency due to drought conditions have not been resolved and that there is a need to continue the proclamation. (Public Works)

(See Resolution Book No. 55)

REGULAR CALENDAR

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisors Kehoe and Baugh recently attended a Local Agency Formation Commission (LAFCO) meeting.

Supervisor Moty recently attended a Shasta Regional Transportation Agency (SRTA) meeting and a Northern Sacramento Valley Integrated Regional Water Management Governing Board meeting.

Supervisor Giacomini recently attended a Sierra Nevada Conservancy meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE

TEETER TAX RESOURCES ADMINISTRATION FUND BUDGET AMENDMENT

Auditor-Controller Brian Muir explained the County previously conservatively used interest and penalties from Teeter funds to reduce the funds in the Tax and Administrative Fund. Considering the current fiscal situation, Mr. Muir recommended the transfer of \$8 million from the Teeter Tax Resources Administration Fund to the General Fund and noted that the action would not put Shasta County at risk.

Administrative Fiscal Chief Bebe Palin requested consideration of using one-time funds for use in capital projects to relocate employees currently in the Public Safety building by December 2015. When the new courthouse is constructed, the County will be able to move back into the Courthouse. Funds will then be used for repairs and modifications.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors approved a Fiscal Year 2013-14 budget amendment which will recognize \$8,005,089 of prior-year Teeter tax, delinquent penalties, and interest in the General Revenue budget; approved a capital asset in the amount of \$400,000 in the Miscellaneous General budget for the purchase of real property located at 1626 Court Street, Redding and \$100,000 for closing costs, miscellaneous facility operations, and/or maintenance expenses; and transferred \$5,505,089 to Accumulated Capital Outlay to offset the cost to house staff from the Public Safety Building, including the purchase of real property and building renovations.

AGRICULTURAL COMMISSIONER

2013 CROP AND LIVESTOCK REPORT

At the recommendation of Agricultural Commissioner/Sealer of Weights and Measures Mary Pfeiffer and by motion made, seconded (Giacomini/Schappell), and unanimously carried, the Board of Supervisors accepted the 2013 Crop and Livestock Report.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

GENERAL PLAN AMENDMENT NO. 14-001
COMMUNITY HOUSING IMPROVEMENT PROGRAM
COTTONWOOD AREA
RESOLUTION NO. 2014-047

This was the time set to conduct a public hearing to consider the request to approve General Plan Amendment No. 14-001, Community Housing Improvement Program (Cottonwood area), which would change the general plan designation on a 5-acre parcel from Suburban Residential-3 dwelling units per acre (SR-3) to Urban Residential-5 dwelling units per acre (UR-5). Senior Planner Kent Hector presented the staff report, provided an updated resolution, with necessary corrections made, and recommended approval of the project. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

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

By motion made, seconded (Kehoe/Schappell), and unanimously carried, the Board of Supervisors took the following actions regarding General Plan Amendment No. 14-001 Community Housing Improvement Plan, Cottonwood area:

1. Adopted a California Environmental Quality Act (CEQA) determination of a negative declaration, with the findings as set forth in Planning Commission Resolution No. 2014-005; and
2. Adopted Resolution No. 2014-047, which approves General Plan Land Use Element map changes for General Plan Amendment No. 14-001 from Suburban Residential-3 dwelling

units per acre (SR-3) to Urban Residential-5 dwelling units per acre (UR-5), as listed in Planning Commission Resolution No. 2014-005.

(See Resolution Book No. 55)

CLOSED SESSION ANNOUNCEMENT

Chairman Baugh announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Confer with legal counsel to discuss existing litigation entitled County of Tehama, et al. v. State of California, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and
2. Confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (4) initiation of litigation.

9:35 a.m.: The Board of Supervisors recessed to Closed Session.

10:10 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with all Supervisors, County Executive Officer/Clerk of the Board Larry Lees, and County Counsel Rubin Cruse, Jr. present.

REPORT OF CLOSED SESSION ACTIONS

County Counsel Rubin Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation and anticipated litigation.

In the matter of initiation of litigation, one potential case, the Board of Supervisors, by a 5-0 vote, gave approval to County Counsel to initiate legal action, and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

There was no further reportable action.

10:11 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy