

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, June 24, 2014

**REGULAR MEETING**

9:03 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 Father Mauricio Hurtado, Our Lady of Mercy Catholic Church.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR****PRESENTATIONS****PRESENTATION: "NO MORE" PROJECT**

One SAFE Place Director of Client Services Michael Burke stated the NO MORE project to end physical abuse assists victims of domestic violence. One SAFE Place Executive Director Jean King discussed community participation to assist in solving domestic violence.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Terry Rapoza, Mark Baird, Win Carpenter, Sally Rapoza, Robert Smith, and Sylvia Milligan discussed objectionable issues occurring in the State of California.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Baugh noted that the item regarding homeownership assistance program within the Anderson city limits has been pulled for discussion.

**CONSENT CALENDAR**

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

Adopted Resolution No. 2014-054, which establishes the Shasta County Appropriations Limit for Fiscal Year 2014-15 in the amount of \$160,504,554; and sets the annual adjustment factors used to calculate the appropriations limit at the percentage change of 6.48 percent in Shasta County in local assessment roll change over the prior fiscal year due to the addition of local non-residential new construction, and a factor of 0.39 percent reflecting the change in population within the incorporated areas of Shasta County. (Auditor-Controller)

(See Resolution Book No. 55)

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

Approved the minutes of the meeting held on June 17, 2014, as submitted. (Clerk of the Board)

Accepted the County Clerk's Canvass of the June 3, 2014 Statewide Direct Primary Election. (County Clerk-Elections)

Approved a budget amendment reducing appropriations and revenues by \$565,554 in the Elections Department budget to better align expenditures with anticipated revenues. (County Clerk-Elections)

Approved and authorized the Chairman to sign an amendment to the Microsoft Enterprise Agreement with Microsoft Licensing GP to add the Government G4 Microsoft Office 365 (G4 O365) software component to the list of available options and retaining the term of February 1, 2012 through January 31, 2015; approved and authorized the Chief Information Officer to purchase G4 O365 in an amount not to exceed \$60,000; and approved and authorized the Chief Information Officer to pay a "true-up" amount in an amount not to exceed \$5,000. (Information Technology)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2013, to the agreement with the California Health Care Services (DHCS) for Shasta County to provide alcohol and other drug treatment and prevention services, increasing maximum compensation by \$86,099 (for a new maximum of \$6,715,732) for additional Fiscal Year 2013-14 funding; and modifying various terms and conditions to reflect the elimination of the California Department of Alcohol and Drug Programs. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign an agreement with the County of Butte in an amount not to exceed \$10,000 to provide adult psychiatric inpatient care for the period July 1, 2014 through June 30, 2015. (HHS)-Adult Services)

Approved and authorized the Chairman to sign a renewal agreement with Jackson & Coker, LLC in an amount not to exceed \$200,000 to provide temporary psychiatrist services for the period July 1, 2014 through June 30, 2015; and an agreement with California Locums Professional Corporation in an amount not to exceed \$410,000 to provide temporary psychiatrist services for the period July 1, 2014 through June 30, 2015. (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive agreement with Mental Health Management I, Inc. d.b.a. Canyon Manor in an amount not to exceed \$100,000 per fiscal year to provide residential treatment mental health services for the period February 13, 2014 through June 30, 2015, with two automatic one-year renewals; and approved and authorized the Health and Human Services Agency Director to approve in writing minor amendments, including changes to the rates not exceeding 20 percent over the original rate and not increasing total compensation payable. (HHS-Adult Services)

Approved and authorized the Chairman to sign renewal agreements with The Regents of the University of California, UC Davis Extension for the period July 1, 2014 through June 30, 2015 in the amount of \$23,700 to provide Child Welfare Training; and in the amount of \$122,450 to provide Eligibility Services, CalWORKs, and General Services/Fiscal training. (HHS-Business and Support Services)

Approved a revised budget to the Maternal, Child and Adolescent Health (MCAH) agreement increasing the original budget amount by \$57,160 (for a new total not to exceed \$311,313) for Shasta County to provide support for additional activities related to the MCAH program, and retaining the term of July 1, 2013 through June 30, 2014. (HHS-Public Health)

Approved and authorized the Chairman to sign a renewal agreement with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$178,750 per fiscal year (for a total not to exceed \$536,250) to provide Cal-Learn case management services for the period July 1, 2014 through June 30, 2015, with two automatic one-year renewals; and approved and authorized the HHS Director or his/her designee to sign minor amendments that do not result in a substantial or functional change to the agreement, and budget amendments which are in excess of 10 percent of the total budget category, or across existing budget categories. (HHS-Regional Services)

Approved and authorized the Chairman to sign a renewal agreement with the Shasta County Office of Education in an amount not to exceed \$1,500,000 to provide CalWORKs Stage One Child Care services for the period July 1, 2014 through June 30, 2015; and approved and authorized the HHS Director or his/her designee to sign minor amendments that do not result in a substantial or functional change to the agreement and budget amendments which are in excess of 10 percent of the total budget category, or across existing budget categories in an amount not to exceed \$75,000. (HHS-Regional Services)

Approved and authorized the Chairman to sign a retroactive agreement with the California Department of Health Care Services in an amount not to exceed \$100,000 for Shasta County to conduct Medi-Cal outreach and enrollment activities for the period March 12, 2014 through December 31, 2016; and approved and authorized the Health and Human Services Agency Director or his/her designee to sign amendments (including retroactive) to the agreement resulting in a change in compensation not to exceed \$15,000 (15 percent) and other agreement related documents, in compliance with Administrative Policy 6-101. (HHS-Regional Services)

Approved and authorized the Chairman to sign an agreement with the City of Anderson in an amount not to exceed \$27,000 for Shasta County to administer a homeownership assistance program within the Anderson city limits from the date of signing through September 30, 2018. (Housing and Community Action Programs)

To align appropriations and revenues, approved Fiscal Year 2013-14 net zero budget amendments, transferring appropriations in the amount of \$143,000 within the Sheriff's Dispatch budget to facilitate transfers-out to the Sheriff's Jail budget and Patrol budget; increasing appropriations and revenues in the amount of \$50,000 in the Sheriff's Jail budget, to be partially offset with a transfer-in from the Sheriff's Dispatch budget; and increasing appropriations and revenues in the amount of \$25,821 in the Sheriff's Patrol and Administration budgets, to be offset with a transfer-in from the Sheriff's Dispatch budget. (Sheriff)

Approved and authorized the Chairman to sign a retroactive memorandum of understanding with the City of Redding (City) in an amount not to exceed \$10,000 to reimburse the City for 50 percent of the costs of shared high-technology crime investigation equipment, supplies, and software for the period May 1, 2013 through December 31, 2014. (Sheriff)

Approved and authorized the Chairman to sign an agreement with the Anderson Union High School District funded with Average Daily Attendance and Inmate Welfare funds to provide an adult education program for inmates at the Main Jail from the date of signing through June 30, 2017, with two automatic one-year renewals. (Sheriff)

For the West Central Landfill Phase 1 Underdrain Pump Station Project, found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after July 24, 2014 at 11:00 a.m. (Public Works)

Adopted Resolution No. 2014-055, which approves the Northern Sacramento Valley Integrated Regional Water Management Plan; and adopted Resolution No. 2014-056, which approves and authorizes the Public Works Director to sign a 2014 Integrated Regional Water Management Drought Grant application and related funding agreement. (Public Works)

(See Resolution Book No. 55)

Approved and authorized the Chairman to sign an amendment to the agreement with Shasta Senior Nutrition Program to operate the County Lifeline transit service, increasing maximum compensation by \$50,000 (for a new total not to exceed \$209,000); and extending the term of the agreement by one year to June 30, 2015. (Public Works)

Awarded to the low bidder, Darren Taylor Construction, on a unit-cost basis, the contract for construction on the Dry Creek Road Widening Project in the amount of \$790,767.90. (Public Works)

Approved and authorized the Chairman to sign a retroactive revised waste collection franchise agreement with Burney Disposal, Inc. to provide residential and commercial waste collection in the Intermountain area; and a Right of First Refusal with the Thomas and Gwen Ghiorso Trust of 1999 for purchase and or lease of the Burney Transfer Station property. (Public Works)

Approved and authorized County Service Area No. 1-County Fire to accept a Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund staffing for an additional fire engine in the amount of \$1,131,594 for a period of 24 months during Fiscal Years 2014-15, 2015-16, and 2016-17; and the County Fire Warden or his/her designee to electronically sign and submit the grant award and other documents (including retroactive) required to comply with terms and conditions of the grant. (County Service Area No. 1-County Fire)

### **ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

#### **AGREEMENT: CITY OF ANDERSON HOME OWNERSHIP ASSISTANCE PROGRAM**

In response to questions by Supervisor Moty, Director of Housing and Community Actions Programs Richard Kuhns, Psy.D. stated the agreement's purpose is to administer Community Development Block Grant (CDBG) funds to assist low-income households to purchase a home inside the Anderson city limits.

By motion made, seconded (Moty/Schappell), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the City of Anderson in an amount not to exceed \$27,000 for Shasta County to administer a home ownership

assistance program within the Anderson city limits from the date of signing through September 30, 2018. (Housing and Community Action Programs)

**REGULAR CALENDAR, CONTINUED**

**GENERAL GOVERNMENT**

**ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

**LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

**LETTER: ASSEMBLY BILL NO. 1739 (DICKINSON), GROUND WATER MANAGEMENT**

County Executive Officer (CEO) Larry Lees presented an update on specific legislation of importance to Shasta County, including concerns on Assembly Bill No. 1739 (Dickinson), *Groundwater basin management: sustainability* due the possibility of authorities taking local control of the groundwater basin and requested the Board of Supervisors send a letter to Assembly Member Dickinson to oppose AB 1739.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to oppose Assembly Bill No. 1739 (Dickinson), *Groundwater basin management: sustainability*.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE**

**FUND BALANCE POLICY FOR FINANCIAL STATEMENT REPORTING**

**RESOLUTION NO. 2014-057**

**SCHEDULE OF POSITION ALLOCATIONS**

**RESOLUTION NO. 2014-058**

**SALARY RESOLUTION NO. 1453**

At the recommendation of County Executive Officer Larry Lees and by motion made, seconded (Moty/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-057, which approves committed fund balances in accordance with Administrative Policy 2-104, *Fund Balance Policy for Financial Statement Reporting*; adopted Salary Resolution No. 1453, which reflects the position allocation amendments approved in the Fiscal Year 2014-15 Budget effective June 29, 2014, including reclassification of four positions, technical adjustments to two positions, addition of a salary footnote for the Supervising Equipment Mechanic position when assigned the responsibility of the exhaust opacity testing and/or the public surplus auctions, and deletion of the Inter-mountain Fair Manager job classification; adopted Resolution No. 2014-058, which authorizes the transfer of \$1,305,704 in Fiscal Year 2014-15 1991 Realignment revenue from Social Services to Mental Health and \$481,412 in Fiscal Year 2014-15 2011 Realignment revenue from Social Services to Mental Health; and adopted Resolution No. 2014-059, which approves the Fiscal Year 2014-15 Budget, the Fiscal Year 2014-15 Schedule of Position Allocations by budget unit, and the County Salary Plan.

(See Resolution Book No. 55)

(See Salary Resolution Book)

**LAW AND JUSTICE****SHERIFF****SHERIFF'S OFFICE CUSTODY DIVISION BUDGET  
INMATE FUND ACCOUNT AT BANK OF AMERICA  
RECONCILE FRAUDULENT CHECKS**

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors approved and authorized the payment of \$5,259.93 from the Sheriff's Office Custody Division budget to the Inmate Fund Account at Bank of America to reconcile fraudulent checks.

**BALLOT ARGUMENT  
ORDINANCE NO. SCC 2014-02  
MEDICAL MARIJUANA CULTIVATION**

Sheriff Tom Bosenko explained that the Board of Supervisors adopted a resolution that places Ordinance No. SCC 2014-02 (Medical Marijuana Cultivation) on the November 4, 2014 ballot. He recommended that the proposed ballot argument supporting Ordinance No. SCC 2014-02 (Medical Marijuana Cultivation) be approved.

In response to questions by Supervisor Giacomini, County Counsel Rubin E. Cruse, Jr. advised the deadline to file the ballot argument is June 27, 2014.

Shasta County Chemical People Betty Cunningham expressed support for Measure A, encouraged approval of the ballot argument, and discussed the proposed campaign in support of the measure.

Supervisor Moty proposed a change in the language of the Argument in Favor of Measure A, requesting a change in the sixth paragraph from: "A Yes Vote continues to require a legally permitted residence of a qualified patient or primary caregiver on the property to be able to grow medical marijuana on the site." to: "A Yes vote continues to require a qualified patient or primary caregiver on the property to have a legally permitted residence in order to grow medical marijuana on the site."

County Counsel Rubin E. Cruse, Jr. reviewed the proposed change and confirmed that the proposed amended ballot argument still does not exceed the legal, maximum word count.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted a ballot argument to be published in the November 4, 2014 official ballot materials supporting Ordinance No. SCC 2014-02 (*Medical Marijuana Cultivation*), as amended to include the submitted change.

10:15 a.m.: The Board of Supervisors recessed.

10:25 a.m.: The Board of Supervisors reconvened.

**ADMINISTRATIVE OFFICE****CONSIDER WITHDRAWAL FROM THE STATE OF CALIFORNIA  
STATE OF JEFFERSON DISCUSSION**

The Board of Supervisors invited public comment on the subject of the formation of a separate State of Jefferson.

Tony Trapasso, Janet Chandler, Win Carpenter, Karin Knorr, Kayla Nicole Brown, Terry Rapoza, Joseph Fairfield, Matthew Fairfield, Chaylen Scrivner, Mark Baird, Jeff Nelson, Bert Stead, Chris Kelstrom, Robert Smith, Sally Rapoza, Richard Wilkinson, Linda Johnson, Ross Jones, June Cooper, Jan Hanks, Thomas Mohler, Marilyn Stokes, Sylvia Milligan, Jeff Foster III, Patty Smith, Jan Mainini, Russ Lazuka, Adora Jones, Gary Bradford, Mark Kent, Patsy Carter, Nick Garder, Truman Bernal, and Russell Karr supported issuing a declaration to withdraw from the State of California and to form a separate State of Jefferson.

Fred Treadway, Bob Rowen, Rob Rowen, Steve Woodrum, Don Weidlein, Margaret Earnest, and William Campbell opposed the withdrawal from the State of California.

In response to questions by Supervisor Schappell, Mark Baird stated that nine western states are attempting to reclaim control of public lands in order to place them back in beneficial use for the states and the counties.

Supervisor Kehoe said he has considered the real or perceived practicality of the proposition, the reality of the political environment in California, applying burden-benefit calculations, and the realization of the public good. He has found no compelling or persuasive argument to move forward.

Supervisor Kehoe moved that the Board of Supervisors not support the formation of the separate State of Jefferson and further, that any reconsideration of this topic will require a majority vote of the Board of Supervisors. Supervisor Moty seconded the motion.

Supervisor Giacomini stated that she understands the concerns; however, there remain many issues to consider. She has reviewed and considered many items of information.

Supervisor Schappell noted that he would like to postpone making a decision to allow time for County staff review.

Supervisor Moty agreed that there are many concerns with the dealings with Sacramento; however, he does not see that making a new state would solve the problems. If the taxes were lowered, many services would be affected, including salaries of law enforcement and teachers. He does not believe the withdrawal from the State of California is financially viable or realistically possible.

Supervisor Baugh said that emails have been received, approximately equal in a request to support and oppose the withdrawal from the State of California. He has spoken with many and has received a large amount of communication and documents which have been reviewed and considered. Many citizens were reticent to pursue the withdrawal due to doubt of the outcome and the expense of a local election process.

By motion made, seconded (Kehoe/Moty), and carried, the Board of Supervisors voted not to support the formation of the separate State of Jefferson and further, that any reconsideration of this topic will require a majority vote of the Board of Supervisors. Supervisor Schappell voted no.

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Baugh announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss existing litigation entitled Bobby Darrell Johnson, et al. v. Shasta County, et al. and Orner v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

12:42 p.m.: The Board of Supervisors recessed to Closed Session.

1:05 p.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. In the matter of Bobby Darrell Johnson, et al v. Shasta County, et al., a case involving the alleged violation of federal and state laws, the Board of Supervisors, by a 5-0 vote, gave approval to legal counsel to defend the County and all County employees and volunteers named in the complaint and authorized the County Counsel's Office to assign the defense in this case to Gary Brickwood, Esq.

There was no other reportable action.

1:06 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy