

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, August 5, 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
Assistant County Counsel - James Ross
Chief Deputy Clerk of the Board - Glenda Tracy
Administrative Board Clerk - Linda Mekelburg

INVOCATION

Invocation was given by Pastor Eric Madsen, Cottonwood Bible Baptist Church.

PLEDGE OF ALLEGIANCE

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

URGENCY ITEM**FINDING OF URGENCY**

Assistant County Counsel James Ross explained that the matter to be discussed came to the attention of staff after the posting of the Board of Supervisors' agenda, and immediate attention is needed.

By motion made, seconded (Giacomini/Kehoe), and unanimously carried, the Board of Supervisors made a finding that an urgency situation exists with regard to the need to take action before the next regularly scheduled meeting and added the item to the agenda.

**RATIFICATION OF EMERGENCY PROCLAMATION
OF LOCAL EMERGENCY AND REQUEST OF THE GOVERNOR TO PROCLAIM
A STATE EMERGENCY
RESOLUTION NO. 2014-071**

At the recommendation of Sheriff/Director of Emergency Services Tom Bosenko and by motion made, seconded (Giacomini/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-071, which ratifies the Director of Emergency Services'

August 2, 2014 proclamation of a local emergency and request the Governor to proclaim a state of emergency due to the fires burning in northeastern Shasta County.

(See Resolution Book No. 55)

Sheriff Bosenko reported that multiple wildfires erupted in North East Shasta County over the weekend as a result of lightning strikes. He declared a state of emergency which needs to be ratified. The Day Fire, the Bald Fire, and the Eiler Fire have required evacuations in the communities of Hat Creek, Cassel, Big Eddy Estates, and Johnson Park. Also, precautionary evacuation of patients from Mayers Memorial Hospital Burney Annex facility in Burney took place. On August 2, 2014 Director of Emergency Services Bosenko declared a local emergency in Shasta County. Governor Brown declared a state emergency on August 2, 2014 due to fires burning in northern California. The Eiler fire has devastated the communities of Hat Creek and Cassel. Currently, approximately 26,000 acres have burned, including eight residences and 20 outbuildings.

Shasta County Fire Warden and Unit Chief for Shasta County CalFire Mike Hebrard advised the fire services for the Bald and Eiler fires are being coordinated with the U.S. Forest Service. On Friday, August 1, 2014, the fire traveled into the Hat Creek community. Because of the drought, the fields are very dry and the fire is significantly dangerous and burning at a rapid speed.

REGULAR CALENDAR

BOARD MATTERS

EMPLOYEE OF THE MONTH

CHILD SUPPORT SPECIALIST II MAUREEN HOCKING

RESOLUTION NO. 2014-072

At the recommendation of Director of Child Support Services Terri Love and by motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-072, which recognizes Child Support Specialist II Maureen Hocking as Shasta County's Employee of the Month for August 2014.

(See Resolution Book No. 55)

9:25 a.m. Supervisor Giacomini left the Chambers.

PROCLAMATION: CHILD SUPPORT AWARENESS MONTH

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 2014 as Child Support Awareness Month in Shasta County. Director of Child Support Services Terri Love discussed the core mission of the Department of Child Support Services is to collect child support, to locate absent parents, to establish paternity when necessary, to establish child support orders, to collect the support, and to partner with the parents. In the 12 months ending June 20, 2014, DCSS collected and disbursed over \$18.6 million in child support.

PROCLAMATION: COMMUNITY HEALTH CENTERS WEEK

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates August 10-16, 2014 as Community Health Centers Week in Shasta County. Dave Jones was present to accept the proclamation.

PRESENTATIONS

SHASTA-TRINITY NATIONAL FOREST UPDATE

Shasta-Trinity National Forest Supervisor Dave Myers provided an update on fire management done by Shasta-Trinity National Forest staff. The fire fighters are making efforts to catch potential fires caused by lightning strikes. Fire engine crews and aviation teams from other parts of the country have assisted in fighting the fires.

PUBLIC COMMENT PERIOD - OPEN TIME

GeoEngineering Action Network News founder Kim Moore stated that the fire explosions are caused by solar radiation.

Russ Wade said the carbon economy is impacting our environment; therefore, the use of electric cars would be beneficial.

County Service Area (CSA) No. 6-Jones Valley Water ratepayer Steve Boyd stated a CSA No. 6 Community Advisory Board (CAB) member had advised that he is an Enterprise High School teacher and is unable to attend the CSA CAB meetings, and he claimed that Shasta County has provided insufficient information and services.

Bert Stead stated the CSA No. 6-Jones Valley Water CAB has difficulties obtaining a quorum because there are only four active members and read a portion of Resolution No. 84-6, referencing CABs' participation in the decision-making process.

CSA No. 6-Jones Valley Water CAB member Roy Vincent referenced a memo from Pat Minturn that incorrectly provided information regarding system losses, meter readings, and low water pressures.

In response to questions by Supervisor Moty, Assistant County Counsel James Ross stated a Community Advisory Board may amend their bylaws to change the date and time of their meetings.

CONSENT CALENDAR

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

Accepted the annual report of shortage reimbursements in the amount of \$1,080.09 for Fiscal Year 2013-14. (Auditor-Controller)

Approved the minutes of the meeting held on July 15, 2014, as submitted. (Clerk of the Board)

Adopted Resolution No. 2014-073, which consolidates the Columbia Elementary School District election with the November 4, 2014 General Election in accordance with Elections Code section 10402, provided the local jurisdictions calling the election pay their pro-rata share of costs incurred throughout the conduct of the election. (County Clerk/Elections)

(See Resolution Book No. 55)

To enroll Shasta County as an outpatient mental health services provider, approved and authorized the Chairman and Vice Chairman to sign a Medicare Enrollment Application and related Medicare Participating Physician or Supplier Agreement, effective August 5, 2014, and

approved and authorized the Chairman to sign a letter attesting to Shasta County's legal and financial responsibilities related to Medicare payments received; and for ongoing participation in Medicare, adopted Resolution No. 2014-074, which designates the Chairman and Vice Chairman as First and Second Authorized Officials, respectively, and grants them authority to enroll Shasta County in the Medicare program, make changes or updates to Shasta County's status, and commit Shasta County to fully abide by the statutes, regulations, and program instructions, delegates authority to report changes and updates to the enrollment record to the County Executive Officer and Health and Human Services Agency (HHS) Director as First and Second Delegated Officials, respectively, approves and authorizes the First and Second Authorized Officials to annually (or as often as requested by the Centers for Medicare and Medicaid Services) submit updated application forms whose terms are substantially similar and other administrative documents to update Shasta County's status, as well as updating the Authorized Officials and modifying the First or Second Delegated Official or other signatories, approves and authorizes the First or Second Delegated Official to designate, approve, and sign individual staff provider applications required for Medicare enrollment for outpatient mental health services, and approves and authorizes the First or Second Delegated Official to sign electronic funds transfer authorization forms and other documents necessary to administer the program and receive Medicare reimbursement. (Health and Human Services Agency (HHS)-Adult Services)

(See Resolution Book No. 55)

Adopted Resolution No. 2014-075, which designates Aurora Behavioral Healthcare-Santa Rosa, LLC. as a facility to provide 72-hour treatment and evaluation and 14-day intensive treatment pursuant to the Lanterman-Petris-Short Act; and approved and authorized the Chairman to sign an agreement with Aurora Behavioral Healthcare-Santa Rosa, LLC. in an amount not to exceed \$100,000 per fiscal year to provide psychiatric inpatient hospitalization services from the date of signing through June 30, 2015, and the Health and Human Services Agency (HHS) Director to sign minor amendments, including rate changes in an amount not to exceed 20 percent above the original rate, provided that the increase does not cause an increase in the maximum amount payable under the agreement. (HHS-Adult Services)

(See Resolution Book No. 55)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Northern California Youth and Family Programs in an amount not to exceed \$139,947 per fiscal year (for a total not to exceed \$419,841) to provide an independent living program for the period July 1, 2014 through June 30, 2017; and approved and authorized the HHS Director, HHS Branch Director, or HHS Deputy Branch Director 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 and do not cause an increase in the maximum amount payable under the agreement, in compliance with Administrative Policy 6-101, *Shasta County Contracts Manual*. (HHS-Children's Services)

Approved and authorized the Chairman to sign retroactive renewal agreements for the period July 1, 2014 through June 30, 2015 to provide mental health services for eligible children, including Positive Parenting Program (Triple P[®]) interventions with parents to address the needs of their children with Northern Valley Catholic Social Service, Inc. in an amount not to exceed \$1,013,478, with Remi Vista, Inc. in an amount not to exceed \$1,042,000, and with Victor Community Support Services, Inc. in an amount not to exceed \$1,668,862; and approved and authorized the HHS Director or his/her designee to provide prior written approval for variances up to a maximum of 15 percent between categories within each budget line item and 20 percent between Outpatient Mental Health and Therapeutic Behavioral Services budgets, provided the maximum compensation of the agreements are not exceeded. (HHS-Children's Services)

Approved and authorized the Chairman to sign a renewal agreement with Shasta Union High School District in an amount not to exceed \$92,999 to provide one Deputy Sheriff (School Resource Officer) on the Foothill High School campus for the period August 18, 2014 through June 4, 2015; and approved a budget amendment increasing revenue by \$92,073 in the Sheriff's Patrol budget to recognize contract revenue. (Sheriff)

For the Demolish Shasta County Animal Control Facility 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 the opening of bids on or after August 28, 2014 at 11:00 a.m. (Public Works)

Awarded to the low bidder, Iron Mountain General Engineering, Inc., on a unit-cost basis, the contract for construction on the West Central Landfill Phase 1 Underdrain Pump Station Project in the amount of \$83,330. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the West Central Landfill Unit 4B Liner Repair Project and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Public Works Director to sign an agreement with Pacific Gas and Electric to grant a formal easement on the north side of McArthur Road to Shasta County; and accepted an easement deed conveying one parcel for road right of way. (Public Works)

For the Smith Bottom Road at ACID Canal Bridge Replacement Project, approved and authorized the Chairman to sign amendments to agreements extending the term of the temporary construction easements to April 1, 2016 with Larry L. and Angela L. Brown (0.13 acres); and Rodger E. and Teresa A. McClure (0.07 acres). (Public Works)

Approved and authorized the Chairman to sign a retroactive agreement with Basic Laboratory, Inc. in an amount not to exceed \$150,000 per fiscal year to provide environmental laboratory testing services for the period July 1, 2014 through June 30, 2015, with two automatic one-year extensions; approved and authorized the Chairman to sign agreements in an amount not to exceed \$150,000 per fiscal year to provide environmental laboratory testing services from the date of signing through June 30, 2015, with two automatic one-year extensions with BC Laboratories, Inc., and Excelchem Environmental Laboratories, Inc.; and approved and authorized the Public Works Director to sign amendments to the agreements which do not change the maximum compensation. (Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

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

Supervisor Moty recently attended a Sacramento River Conservation Area Forum meeting, a Northern Sacramento Conservation Area Forum meeting, a Northern Sacramento Valley Integrated Regional Water Management Governing Board meeting, and a California State Association of Counties (CSAC) Administration of Justice meeting.

Supervisor Schappell recently attended a Remote Access Network Board meeting.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES

PUBLIC HEALTH

AGREEMENT: THE McCONNELL FOUNDATION HEALTHY SHASTA COLLABORATIVE

HHSA Director Donnell Ewert stated childhood obesity has impacts on health. Healthy Shasta Collaborative was formed in 2005 to promote environment change and policies that would make Shasta County more healthful for our children. Four strategic areas of focus are consumption of fruits and vegetables, decreasing consumption of sugary beverages, walking and biking, and fitness and play.

Charles Alexander stated that accepting funding for this program will take funding from other needed programs.

Supervisor Kehoe requested a letter be considered at a future meeting thanking The McConnell Foundation for their contribution and their partnership in Healthy Shasta Collaborative.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with The McConnell Foundation for Shasta County to receive an amount not to exceed \$180,000 to help fund the Healthy Shasta Collaborative, which promotes policies and environments to encourage healthy and active living, from the date of signing through June 30, 2017; and approved and authorized the HHSA Director, HHSA Branch Director, or HHSA Deputy Branch Director to sign amendments (including retroactive) and other documents related to the agreement that result in a net change not to exceed \$18,000 and other non-monetary amendments as necessary, in compliance with Administrative Policy 6-101, *Shasta County Contracts Manual*.

SCHEDULED HEARINGS

PUBLIC WORKS

ABANDONMENT OF PUBLIC EASEMENT DELL LANE ENTERPRISE AREA RESOLUTION NO. 2014-076

This was the time set for a public hearing to consider the abandonment of the public easement for Dell Lane in the Enterprise area. Public Works County Right of Way Agent Brandon Magby presented the board report and recommended approval of the request. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Kehoe, Mr. Magby stated that no one will be harmed if this action is granted.

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

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-076, which orders the abandonment of the public easement for Dell Lane (Enterprise area); and approved and authorized the Public Works Director to sign a release of lien to release the deferral improvement agreement for Dell Lane.

(See Resolution Book No. 55)

ABANDONMENT OF PUBLIC INTEREST
TWELVE FOOT ALLEY AND THE FOUR FOOT ALLEY
TOWN OF SHASTA
RESOLUTION NO. 2014-077

This was the time set for a public hearing to consider adopting a resolution which orders the abandonment of the public interest in the Twelve Foot Alley and the Four Foot Alley in the town of Shasta. Public Works County Right of Way Agent Brandon Magby presented the board report and recommended approval of the request. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Kehoe, Mr. Magby stated that no one will be harmed if this action is granted.

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

By motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-077, which orders the abandonment of the public interest in the Twelve Foot Alley and the Four Foot Alley in the town of Shasta.

(See Resolution Book No. 55)

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 Berg v. County of Shasta, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

10:37 a.m.: The Board of Supervisors recessed to Closed Session.

10:48 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Kehoe, Moty, Schappell, and Baugh, County Executive Officer Larry Lees, Assistant County Counsel James Ross, Chief Deputy Clerk of the Board Glenda Tracy, and Administrative Board Clerk Linda Mekelburg present.

REPORT OF CLOSED SESSION ACTIONS

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

10:49 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
 Clerk of the Board of Supervisors

By _____
 Deputy