

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, November 4, 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.
- Administrative Board Clerk - Candice Martin
- Administrative Board Clerk - Linda Mekelburg
- Typist Clerk - Jennifer Lange

**INVOCATION**

Invocation was given by Pastor Phil Harper, Community of Christ Church.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance to the Flag was led by Special Forces Major John Kleckner.

**REGULAR CALENDAR**

**BOARD MATTERS**

**NOVEMBER 2014 EMPLOYEE OF THE MONTH**  
**ASSESSOR-RECORDER CLERK III DARLENE MCGOWAN**  
**RESOLUTION NO. 2014-115**

By motion made, seconded (Kehoe/Giacomini), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-115, which recognizes Assessor-Recorder Clerk III Darlene McGowan as Shasta County's Employee of the Month for November 2014.

(See Resolution Book No. 55)

**CERTIFICATE OF RECOGNITION**  
**CHILD SUPPORT SPECIALIST SUSAN KEMPLEY**

Presented a certificate expressing appreciation to Supervising Child Support Specialist Susan Kempley on the occasion of her retirement after 28 years of service to Shasta County.

**PROCLAMATION: VETERANS AWARENESS WEEK**

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted a proclamation which designates the week of November 9-15, 2014 as Veterans Awareness Week in Shasta County. The proclamation was accepted by Shasta County's Military Order of the Purple Heart President James Berg.

**PRESENTATIONS****PARTNERSHIP HEALTHPLAN OF CALIFORNIA  
MEDI-CAL MANAGED CARE**

Partnership HealthPlan of California (PHC) Northern Region Executive Director Margaret Kisliuk presented an update regarding PHC's progress in implementing Medi-Cal managed care in Shasta County.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Janet Wall, Joey Ortez, Charlene Ellard, Virginia Phelps, and Nancy Wickland opposed the Rite Aid and Dollar General development in Palo Cedro.

Sunny Turner expressed the difficulties of being an In-Home Care Giver.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Baugh noted that the item regarding an agreement with Noble Software Group, LLC had been pulled from the agenda at the department's request.

**CONSENT CALENDAR**

By motion made, seconded (Schappell/Giacomini), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended (Supervisor Kehoe voted no on the item regarding the proposed calendar due to the number of meetings canceled and on the three items requiring advanced payments; Supervisor Giacomini abstained from voting on the minutes of October 21, 2014 as she was not present):

Adopted Resolution No. 2014-116, which authorizes a short-term loan in the amount of \$250,000 to the Shasta Lake Fire Protection District from the County General Reserve which will be repaid from the District's tax apportionment. (Administrative Office)

(See Resolution Book No. 55)

Approved and authorized the Chairman to sign a retroactive agreement with the California Department of Food and Agriculture to reimburse Shasta County in an amount not to exceed \$50,941 for costs associated with the placement and servicing of pest detection traps for the period July 1, 2014 through June 30, 2015. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved the minutes of the meeting held on September 30, October 7, October 14, and October 21, 2014, as submitted. (Clerk of the Board)

Approved the proposed calendar for the Board of Supervisors meetings for 2015. (Clerk of the Board)

Appointed Cathleen Coleman as the Shasta County designee to the Shasta Public Libraries Citizens' Advisory Committee for a term to expire November 2018. (Clerk of the Board)

Appointed Joy Willis to the Centerville Community Services District Board of Directors in lieu of election for a four-year term to expire December 2018. (Clerk of the Board)

Reappointed Debbie McClung to the Planning and Service Area (PSA) 2 Area Agency on Aging Advisory Council for a term to expire November 2018. (Clerk of the Board)

Approved and authorized the Chairman to sign two Authorization to Order documents under a State of California contract with AT&T to provide CALNET 3 telecommunication services from the date of signing through June 30, 2018, and an Individual Price Reduction Notification with AT&T setting rates for specific telecommunication services from the date of service conversion to CALNET 3 through January 29, 2016; and approved and authorized the County Executive Officer to sign Letters of Agency related to the transition to CALNET 3 services. (Information Technology)

Adopted Resolution No. 2014-117, which approves and authorizes the County Executive Officer to sign agreements with other government agencies to provide a copy of custom County-developed source code software and programs at no cost; and approves an agreement format to share source code without additional review by County Counsel and Risk Management. (Information Technology)

(See Resolution Book No. 55)

Adopted Policy Resolution No. 2014-07, which effective February 1, 2015, repeals Resolution No. 89-19; effective February 1, 2015, adopts a policy regarding submission of claims for excess proceeds from tax-defaulted property sold; and prior to February 1, 2015, pursuant to Resolution No. 89-19, authorizes the Treasurer-Tax Collector to continue to establish information and proof necessary to determine a claimant's rights to the excess proceeds for any case. (Treasurer-Tax Collector-Public Administrator)

(See Resolution Book No. 55)

Approved and authorized the Tax Collector to sell eight tax-defaulted properties in a sealed-bid auction on February 25, 2015; sell up to 104 tax-defaulted properties during a public auction on February 27, 2015, including any unsold sealed-bid parcels; and re-offer at a lower minimum bid amount any parcel that does not sell. (Treasurer-Tax Collector-Public Administrator)

Approved and authorized the Chairman to sign an agreement with Hylton Security, Inc. in an amount not to exceed \$1,340,000 (\$260,000 in Fiscal Year 2014-15, \$445,500 in Fiscal Year 2015-16, \$444,500 in Fiscal Year 2016-17, and \$190,000 in Fiscal Year 2017-18) to provide security services for various Health and Human Services Agency (HHS) locations and the Shasta County Administration Center parking structure for the period December 1, 2014 through November 30, 2015, with two automatic one-year renewals; and approved and authorized the HHS Director or HHS Branch Director to sign amendments to Attachment A, On-Site and Security Patrol Schedules, in compliance with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency (HHS))

Approved and authorized the Chairman to sign a retroactive renewal agreement with Hill Country Community Clinic in an amount not to exceed \$184,112 per fiscal year to provide mental health wellness and recovery services for the period September 1, 2014 through June 30, 2015, with two automatic one-year renewals. (HHS-Adult Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Dignity Health Medical Foundation d.b.a. Woodland Memorial Hospital in an amount not to exceed \$100,000 to provide psychiatric inpatient services at its Woodland Hospital Facility for

the period July 1, 2014 through June 30, 2015; and approved and authorized the HHSA Director or HHSA Branch Director to approve, in writing and in advance, changes to the rates not exceeding 10 percent over the original rate and not increasing total compensation payable. (HHSA-Adult Services)

Approved and authorized the Chairman to sign a retroactive amendment effective June 1, 2014 to the agreement with Empire Hotel, EHARC, Inc. d.b.a. Empire Recovery Center increasing compensation by \$40,000 per fiscal year (for a new total not to exceed \$200,000 per fiscal year for Fiscal Years 2013-14 and 2014-15) to provide additional residential alcohol and other drug treatment services and retaining the term through June 30, 2015. (HHSA-Adult Services/Probation)

Authorized the Auditor-Controller to pay an invoice from the California Mental Health Services Authority (CalMHSA) in the amount of \$11,485 for Shasta County's share of support of the statewide Prevention and Early Intervention Phase I Sustainability Funding Framework Plan. (HHSA-Children and Adult Services)

Adopted Resolution No. 2014-118, which approves allocation of funds (Statham Funds) made available through Penal Code section 1463.16(a) to provide alcohol programs and services for Shasta County residents for a period of five years in the amount of \$40,000 per fiscal year for new prevention activities in Public Health; and \$25,000 per fiscal year for alcohol treatment services. (HHSA-Public Health and Adult Services)

(See Resolution Book No. 55)

Approved and authorized the Chairman to sign a retroactive amendment to the agreement with Computer Logistics increasing compensation by \$100,000 (for a new total not to exceed \$150,000) to provide employment subsidy reimbursement (as the employer of record) for employment of additional eligible CalWORKs recipients and extending the term through June 30, 2016. (HHSA-Regional Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with 3M Cogent, Inc. in an amount not to exceed \$29,350 to provide maintenance and support services for Livescan fingerprint hardware and software for the period June 1, 2014 to May 31, 2015; and approved an advance payment in an amount not to exceed \$29,350. (Sheriff)

Accepted a grant award from the California Department of Boating and Waterways in an amount not to exceed \$80,000; approved and authorized Chairman Les Baugh to sign a retroactive contract with the California Department of Boating and Waterways (#C8957105) and related certifications in the amount of \$80,000 for the period October 15, 2014 through June 30, 2029 to purchase a replacement patrol boat and trailer; approved a budget amendment increasing revenues and appropriations by \$80,000 in the Boating Safety budget unit; approved the purchase of the capital asset patrol boat and trailer; and authorized the Purchasing Division to obtain quotes, issue bids, and make purchases in accordance with State of California procurement procedures and Administrative Policy 6-101. (Sheriff-Boating Safety)

Approved a retroactive renewal purchase order with Remotec, Inc. in an amount not to exceed \$8,025 for a maintenance warranty for the Sheriff's Office of Emergency Services bomb robot for the period October 1, 2014 through September 30, 2015; and approved an advance payment in an amount not to exceed \$8,025. (Sheriff-Office of Emergency Services)

Approved and authorized the Chairman to sign a right-of-way contract with The Thomas Flaherty Hanley Living Trust (0.15 acres at \$1,100) and accepted an easement deed conveying one parcel of project right of way for the Olinda Road Widening Project. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Demolish Shasta County Animal Control Facility 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 Hawthorne Avenue Road Widening 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 Lakeshore Drive Slide 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 a Notice of Completion for the Redding Regional Septage Impoundment 1A Cleanout 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 West Central Landfill 2014 Gas Collection and Control System Improvements Project and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign agreements with Shasta Red, LLC in the amount of \$319,713 for the preparation by MAP Associates Inc. d.b.a. Northstar Engineering of an Environmental Impact Report (EIR), a Mitigation Monitoring and Reporting Plan (MMRP), and an initial deposit of \$20,000 for administrative and staff costs related to processing of the Cottonwood Ridges Estates Planned Development project; and with MAP Associates Inc. d.b.a. Northstar Engineering in the amount of \$319,713 to prepare an EIR and MMRP for a period beginning the date of signing through final certification of the EIR and acceptance of the MMRP or June 30, 2017, whichever occurs first. (Planning Division)

Accepted a CAL FIRE Volunteer Fire Assistance Program grant in the amount of \$9,908; adopted Resolution No. 2014-119, which approves and authorizes the Chairman to sign a grant agreement with CAL FIRE in an amount not to exceed \$19,816 (including \$9,908 in County matching funds) from the date of signing through June 30, 2015 to purchase personal protective equipment for volunteer firefighters; and approved and authorized the Chairman to sign the Grant Assurances for Cooperative Forestry Assistance Act of 1978, Volunteer Fire Assistance form. (County Service Area No. 1-County Fire)

## **REGULAR CALENDAR, CONTINUED**

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

#### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

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

By motion made, seconded (Giacomini/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter to the U.S. Natural Conservation Service, California Department of Food and Agriculture, and CAL FIRE which supports funding for fire reforestation.

Supervisors reported on issues of countywide interest.

**RESOURCE MANAGEMENT**

**PLANNING DIVISION**

**RESOLUTION NO. 2014-120**  
**SHASTA COUNTY CODE, TITLE 17, ZONING**  
**WINERY DEVELOPMENT STANDARDS**

Director of Resource Management Rick Simon presented the staff report and recommended approval of the resolution. In response to questions by Supervisor Schappell, Mr. Simon stated that the parcel size is being addressed to include those who wish to make wine makers who have parcels less than 5 acres.

In response to questions by Supervisor Moty, Mr. Simon clarified that this matter was not initiated in relation to Anselmo Vineyards.

David Roth explained that local wine makers support the resolution.

By motion made, seconded (Giacomini/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2014-120, which expresses the Board of Supervisor's intention to consider amendments to the Shasta County Code, Title 17, *Zoning*, regarding winery development standards to make the standards more accessible and user friendly; reflect the industry trend toward very small operations; and where appropriate, adjust minimum parcel size, zoning, and permit requirements for various winery types and related activities.

(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 (Supervisor Kehoe stated he would recuse from the matter regarding Alexis Myrtle, as he is close friends with the party's attorney):

1. Confer with legal counsel to discuss existing litigation entitled Alexis Myrtle, et al. v. County of Shasta, County of Shasta v. Reverage Anselmo, et al., and UPEC Local 792 v. County of Shasta, Inwood Task Force v. County of Shasta, 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); and
3. Confer with its Real Property Negotiator County Executive Officer Larry Lees and Public Works Director Pat Minturn regarding 1.81 acres between Knighton Road and Pacheco School Road, pursuant to Government Code section 54964.8.

**10:24 a.m.:** The Board of Supervisors recessed to Closed Session.

**12:10 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, anticipated litigation, and real property negotiations.

In the matter of UPEC Local 792 v. County of Shasta, a claim involving allegations of unfair labor practices, the Board of Supervisors, by a 5-0 vote, gave approval to legal counsel to defend the action and authorized the County Counsel’s Office to assign the defense of the case to the law firm of Liebert Cassidy Whitmore.

In the matter of Inwood Task Force v. County of Shasta, a case involving challenges to a rezone, the Board of Supervisors, by a 5-0 vote, gave approval to legal counsel to defend the action and authorized the County Counsel’s Office to assign the defense of the case to the law firm of Abbott & Kindermann.

In the matter of initiation of litigation, one potential case, the Board of Supervisors, by a 5-0 vote, gave approval to its legal counsel to enter the County of Shasta as an *amicus curiae* in the matter of Center for Biological Diversity, et al v. Susan Skalski, et al., currently pending in the Ninth Circuit Court of Appeals. The matter involves a challenge to the U.S. Forest Service’s approval of salvage logging in certain areas damaged by the Rim Fire in the Yosemite area.

There was no other reportable action.

12:12 p.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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