

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 2, 2016

REGULAR MEETING

9:00 a.m.: Chairman Giacomini 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
 Administrative Board Clerk - Camile Woodstrom
 Administrative Board Clerk - Jennifer Lange
 Administrative Board Clerk - Candice Marlar

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 Kehoe.

REGULAR CALENDAR

BOARD MATTERS

FEBRUARY 2016 EMPLOYEE OF THE MONTH
INFORMATION TECHNOLOGY
ACCOUNTING TECHNICIAN ELISA WILBURN-ARAUZ
RESOLUTION 2016-009

At the recommendation of Chief Information Officer Tom Schreiber, and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-009, which recognizes Information Technology Accounting Technician Elisa Wilburn-Arauz as Shasta County's Employee of the Month for February 2016.

(See Resolution Book No. 57)

PUBLIC COMMENT PERIOD - OPEN TIME

Ashlee Hoffman and Millie Martinez requested support for increased wages and benefits for in-home healthcare workers.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Giacomini noted that the item regarding the Shasta County Legislative Platform had been pulled for discussion.

CONSENT CALENDAR

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

Appointed Supervisor Schappell as a member to the Shasta Children and Families Commission and removed Supervisor Kehoe as a member of the Shasta Children and Families Commission for the year 2016. (Clerk of the Board)

Approved the minutes of the meeting held January 26, 2016, as submitted. (Clerk of the Board)

Appointed Kent Spooner to the Burney Basin Mosquito Abatement District Board of Directors to fill an unexpired term to January 2017. (Clerk of the Board)

Adopted Resolution No. 2016-010 which repeals Resolution No. 2013-133 and establishes a records retention schedule for the County Clerk/Elections department. (County Clerk/Elections)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign an amendment effective upon the date of signing to the Microsoft Enterprise Agreement with Microsoft Licensing GP to add a Volume License exemption for additional desktop computers located in the Health and Human Services Agency. (Information Technology)

Took the following actions regarding positions within the Health and Human Services Agency (HHS): Amended the Public Health Nurse I classification specification; and adopted Salary Resolution No. 1476 effective February 7, 2016 which amends the Shasta County Classification Specifications and Position Allocation List with the following modifications: in HHS-Business and Support Services Budget Unit (BU), from two Full-time Equivalent (FTE) Senior Staff Analyst, to two FTE Senior Staff Services Analyst; in the Mental Health Services Act BU, from one FTE Community Education Specialist I/II, to one FTE Supervising Community Education Specialist; in the HHS Business and Support Services BU, delete one FTE Senior Staff Analyst, and add one FTE Senior Staff Services Analyst; in the HHS Alcohol and Drug Programs BU, delete one FTE Clinical Division Chief, and add one FTE HHS Program Manager; in the Public Health BU, delete one FTE Typist Clerk I/II, and add one FTE Office Assistant I/II; and in the Opportunity Center BU, delete one FTE Opportunity Center Manager, and add one FTE HHS Program Manager. (Support Services-Personnel)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive second amendment to the agreement with Vista Pacifica Enterprises, Inc. effective July 1, 2015 to increase rates for Fiscal Year (FY) 2015-16 and maximum compensation from \$1,700,000 to \$2,500,000 for FY 2015-16 and FY 2016-17 for greater utilization of intensive residential services (for a new maximum compensation not to exceed \$6,700,000 during the term of agreement), and retaining the term July 1, 2014 through June 30, 2017. (Health and Human Services Agency (HHS)-Adult Services)

Took the following actions regarding the purchase of an Infectious Disease Testing Machine for HHS-Public Health Branch: Awarded the purchase of the Applied Biosystems 7500 Real Time Polymerase Chain Reaction System capital asset from Life Technologies Corporation in an amount not to exceed \$80,000; waived the competitive procurement requirements for the capital asset; and approved a net zero budget amendment in the amount of \$80,000 transferring appropriations within the Public Health budget to accommodate new capital asset purchases. (HHS-Business and Support Services)

Approved and authorized the Auditor-Controller to pay the Commission on Accreditation of Rehabilitation Facilities \$6,360 through a purchase order, representing Invoice Number SI35178, to perform on-site survey work for accreditation of the Opportunity Center for a period of up to three years beginning March 2016. (HHS-Business and Support Services)

Adopted Resolution No. 2016-011 which repeals Resolution No. 2015-059 and makes appointments to the Juvenile Justice Coordinating Council. (Probation)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign an amendment to the agreement with Noble Software Group, LLC increasing the maximum amount payable by \$37,620 for the provision of web-based, licensed Juvenile and Adult assessment software and services allowing for software customization services and increasing the number of users. (Probation)

Approved and authorized the Auditor-Controller to pay Cottonwood Veterinary Clinic \$6,753.85 representing four invoices for veterinary services and boarding for horses seized in connection with a criminal investigation. (Sheriff-Animal Control)

Adopted Resolution No. 2016-012 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. 57)

Adopted Resolution No. 2016-013 which recognizes that circumstances and factors that led to the October 13, 2015 proclamation of a local emergency due to the closure of the Cassel-Fall River Road at Pit River Bridge have not been resolved and that there is a need to continue the proclamation. (Public Works)

(See Resolution Book No. 57)

Took the following actions regarding the Shasta County Jail Heating, Ventilating, and Air Conditioning Controls Modernization Project, Contract No. 610413: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) Section 15301, Class 1-Existing Facilities; approved plans and specifications and directed the Public Works Director to advertise for bids; authorized the opening of bids on or after March 3, 2016, at 11:00 a.m.; and approved a budget amendment increasing appropriations and revenue by \$150,000 in the Land, Buildings and Improvements, and Jail budgets. (Public Works)

Took the following actions regarding the Intermountain Road Permanent Road Division: Received the petition for addition of a parcel to the division; and adopted Resolution No. 2016-014 amending the boundary of the division. (Public Works)

(See Resolution Book No. 57)

Awarded to the low bidder, J. H. Mack Construction, on a lump-sum basis, the contract for the 300 Park Marina Circle, Redding, CA, Renovation project, Contract No. 610431, in the amount of \$305,527. (Public Works)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

SHASTA COUNTY LEGISLATIVE PLATFORM COUNTY ADMINISTRATIVE OFFICE

In response to questions from Supervisor Kehoe, County Executive Officer (CEO) Larry Lees outlined the process of preparing the Shasta County Legislative Platform and explained that the Legislative Platform is designed as a foundation to develop ground rules for items which are of significance to the Board of Supervisors.

In response to questions from Supervisor Kehoe, CEO Lees stated that the section regarding child support is intended to provide another tool for the County to utilize to hold individuals accountable for child support fees.

In response to questions from Supervisor Kehoe, CEO Lees explained that the implementation of Senate Bill 81 would impact the County because the responsibility for serious juvenile offenders currently being held at state facilities would be returned to the County.

In response to questions from Supervisors Giacomini and Baugh, CEO Lees expressed the necessity of maintaining the Legislative Platform as a broader, higher-level document which allows for specific issues to be addressed as they arise throughout the year.

By motion made, seconded (Kehoe/Schappell), and unanimously carried, the Board of Supervisors approved the Shasta County Legislative Platform as presented.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

County Executive Officer (CEO) Larry Lees presented an update on specific issues of importance to Shasta County, including the Governor's Revised Managed Care Organization (MCO) Fix Proposal and the Igo-Ono Community Service District's (CSD) efforts to upgrade the Misselbeck Dam and spillway.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter in support of the Governor's Revised MCO Fix Proposal.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter in support of the Igo-Ono CSD's efforts to upgrade the Misselbeck Dam and spillway.

Supervisor Kehoe recently attended a meeting with the Oversight Board of the Successor Agency to the Redding Redevelopment Agency.

Supervisor Schappell recently attended meetings with the Youth Violence Prevention Coordinating Council and the Oversight Board of the Successor Agency to the Shasta Lake Redevelopment Agency.

Supervisor Baugh recently attended a meeting with the Northern Rural Training and Employment Consortium Governing Board.

Supervisors reported on issues of countywide interest.

COUNTY ADMINISTRATIVE OFFICE

REGULATING THE SALE, PURCHASE, AND HANDLING OF FIVE TIMES REFINED BUTANE AND HIGHER

Anderson City Manager Jeff Kiser addressed an ordinance passed by the City of Anderson which regulates the sale of highly refined butane.

Cathy Grindstaff, Project Director of A Sobering Choice Coalition, and Betty Cunningham spoke in support of ordinances regulating the sale of butane canisters and regulating medical marijuana delivery services.

In response to questions by Supervisor Kehoe, Assistant County Counsel James Ross clarified that the term “public nuisance” is a legal definition which determines how a violation is handled. Mr. Ross stated that the penalty can include jail time.

In response to questions by Supervisor Moty, Mr. Kiser stated that butane canisters sold in stores are packaged in quantities of 300 milliliters.

In response to questions from Chairman Giacomini, Sheriff Tom Bosenko explained the expansion of butane and described damages that have been sustained from honey oil lab explosions.

In responses to questions from Supervisor Kehoe, Sheriff Bosenko stated that it would be advantageous to residents to have consistency among various cities within the County regarding butane regulations in order to simplify compliance.

By motion made, seconded (Baugh/Schappell), and unanimously carried, the Board of Supervisors considered an ordinance regulating the sale, purchase, and handling of five times (5x) refined butane and higher, found the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15060(c)(2) and 15062(b)(3) as stated in the ordinance, and introduced and waived the reading of the ordinance regulating the sale, purchase, and handling of 5x refined butane and higher.

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

MEDICAL MARIJUANA DELIVERIES AND MEDICAL MARIJUANA CULTIVATION RESOLUTION 2016-015 ORDNINANCE NO. SCC 2016-01

This was the time set aside to conduct a public hearing regarding Zone Amendment 16-001, to consider adding Section 18.88.315, *Medical Marijuana Deliveries* and amending Section 17.88.320 *Medical Marijuana Cultivation* of Chapter 17.88 *Special Uses*, of the Shasta County Code (Countywide Area).

Resource Management Director Rick Simon introduced the item to the Board of Supervisors. The Notice of Hearing and the Affidavit are on file with the Clerk of the Board.

In response to questions from Supervisor Moty, Mr. Simon explained that a permitting process which expires after six years allows the County the opportunity to revisit the ordinance and make adjustments to the regulations if needed.

The public hearing was opened, at which time members of the public addressed the Board of Supervisors.

Sally Rogers requested consideration for individuals with illnesses who have difficulty driving to obtain medical marijuana.

Samantha Fork called for the delay of voting on the matter until further evidence is considered and the public has provided input.

Cathy Cresser, Co-Owner of Pure Intent Organic Farm, addressed various concerns with the proposed ordinance and its accessibility to the public.

Shasta Heart expressed concerns with the legality of Shasta County Code pertaining to the regulation and seizure of marijuana.

Jerome Venus spoke on the medicinal benefits of cannabis and voiced support for continued allowance of delivery services.

No one else spoke for or against the item and the public hearing was closed.

Mr. Simon clarified that the text of the ordinance was made available to the public through the County website, the office of the Clerk of the Board, and newspaper publications.

CEO Lees added that the text of the ordinance is also available by accessing the meeting agenda online.

In response to questions from Supervisor Schappell, Mr. Simon stated that building permit fees are established by the International Code Commission rather than by the County, and that permitting costs are relatively small for a greenhouse or similar structure needed to grow cannabis. Mr. Simon explained various requirements for property used to house cannabis plants.

In response to questions from Supervisor Schappell, Mr. Simon responded that the proposed ordinance still allows growth of medical marijuana by qualified patients and delivery of medical marijuana by qualified caregivers. Mr. Simon clarified that qualified patients are not required to reside with a caregiver.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions regarding Zone Amendment 16-001 adding Section 17.88.315, *Medical Marijuana Deliveries* and amending Section 17.88.320 *Medical Marijuana Cultivation* of Chapter 17.88 *Special Uses*, of the Shasta County Code (Countywide area):

1. Adopted Resolution No. 2016-015 which finds the project exempt from the California Environmental Quality Act (CEQA) and consistent with the County General Plan; and
2. Introduced, waived the reading of, and enacted Ordinance No. SCC 2016-01 which adds section 17.88.315, *Medical Marijuana Deliveries*, and amends section 17.88.320, *Medical Marijuana Cultivation* of Chapter 17.88, *Special Uses* of the Shasta County Code, Title 17, Zoning Plan.

(See Resolution Book No. 57)
(See County Code Ordinance Book)

10:41 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy