

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, July 19, 2016

**REGULAR MEETING**

9:01 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  
County Counsel - Rubin E. Cruse, Jr.  
Administrative Board Clerk - Candice Marlar  
Administrative Board Clerk - Camile Woodstrom

Chairman Giacomini held a moment of silence for those who have tragically fallen in our country and abroad over the last two weeks.

**INVOCATION**

Invocation was given by Pastor Dayton Phillips, Hope Baptist Church.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR****BOARD MATTERS****PROCLAMATION: PROBATION SUPERVISION WEEK**

Deputy Probation Officers James Schuette, Ruby Fierro, and Ebony Higgs detailed the daily activities and impacts of being a Probation Officer.

At the recommendation of Chief Probation Officer Tracie Neal and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates July 17-23, 2016 as "Probation Supervision Week" in Shasta County.

JUNE 2016 EMPLOYEE OF THE MONTH  
AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES  
AGRICULTURAL & STANDARDS INVESTIGATOR III JAMES STAGGS  
RESOLUTION NO. 2016-075

At the recommendation of Paul Kjos, and by motion made, seconded (Schappell/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-075, which recognizes Agricultural Commissioner/Sealer of Weights & Measures Department Agricultural & Standards Investigator III James Staggs as Shasta County's Employee of the Month for July 2016.

(See Resolution Book No. 57)

**PRESENTATIONS**

**SITES RESERVOIR PROJECT UPDATE**

Sites Joint Powers Authority General Manager Jim Watson presented an update on the Sites Reservoir Project.

In response to questions by Supervisor Schappell, Mr. Watson stated Sites would have a series of dams. In addition, Mr. Watson stated that based off historical data, there would be approximately 500,000 acre-feet of water available for Sites.

In response to questions by Supervisor Baugh, Mr. Watson stated there will be a temperature increase with water releases from Sites Reservoir.

In response to questions by Supervisor Moty, Mr. Watson stated the primary focus of the Authority is Proposition 1 funding regulations and what the selection process will look like.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Peter Scales and Steve Boyd stated their disagreements with the proposed Grand Jury responses.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Giacomini noted that the items regarding the Community Action Agency Community Services Block Grant agreement had been pulled for discussion.

**CONSENT CALENDAR**

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

Took the following actions: Approved and authorized the Chairman to sign a retroactive agreement with the California Department of Food and Agriculture (CDFA) to provide continuous funding in the maximum amount of \$115,738 (\$57,869 per fiscal year) for the Pierce's Disease Control Program for the period July 1, 2016 through June 30, 2018; and designated the Shasta County Agricultural Commissioner/Sealer of Weights and Measures as the local public entity in Shasta County to receive funds allocated by the CDFA for local assistance regarding Pierce's Disease. (Agricultural Commissioner/Sealer of Weights and Measures)

Approved and authorized the Chairman to sign the County Claims List totaling \$4,235 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on June 28, 2016, as submitted. (Clerk of the Board)

Adopted Resolution No. 2016-076, which approves and authorizes the Chairman to sign an agreement (No. 16G30123) with the California Secretary of State in an amount not to exceed \$504,546.62 granting Shasta County funds to be used for the Help America Vote Act of 2002 Section 301 Voting System Program for the period July 1, 2016, or upon approval by the State of California Department of General Services, if required, whichever is later, through June 30, 2021. (County Clerk/Elections)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Liebert Cassidy Whitmore in an advance payment amount not to exceed \$4,200 for the provision of five days of employment relations group training workshops for County employees for the period July 1, 2016 through June 30, 2017. (Support Services-Personnel)

Adopted Salary Resolution No. 1491, effective July 24, 2016, which deletes 1.0 Full-Time Equivalent (FTE) Vocational Instructor I/II/III position and adds 1.0 FTE Employment Services Instructor III position in the Health and Human Services Agency-Regional Services Branch-Opportunity Center budget. (Health and Human Service Agency (HHS)-Business and Support Services/Opportunity Center)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a General Release for the Victim Compensation and Government Claims Board claim No. G630271 in the amount of \$67,042 so that the Opportunity Center can be reimbursed by CAL FIRE for janitorial services provided by the Opportunity Center clients for the period March 1, 2014 through January 16, 2016. (HHS)-Business and Support Services/Opportunity Center)

Approved and authorized the Chairman to sign an agreement with the SPARK Programs in an amount not to exceed \$70,904 to provide three on-site training workshops (Workshops) to support physical education, physical activity, and healthy behaviors, non-exclusive license to utilize the SPARK Program curricula, and tailored curriculum and equipment sets for schools participating in the Workshops from the date of signing through September 30, 2016. (HHS)-Public Health)

Adopted Resolution No. 2016-077, which designates authorized agents for the purpose of obtaining funding through the Homeland Security Grant Programs for Federal Fiscal Year 2016. (HHS)-Public Health)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign an amendment, effective the date of signing, to the agreement with Anderson Union High School District to add test administration services and related compensation for General Education Development (GED) tests to inmates of the Shasta County Main Jail retaining no maximum compensation and the term of the agreement through June 30, 2017, with two automatic one-year renewals. (Sheriff-Custody Division)

Took the following actions regarding construction on Various Permanent Road Divisions 2016 and County Road Chip Seals, Contract No. 111018: Found the project categorically exempt in conformance with the California Environmental Quality Act, Section 15301, Class I-Existing Facilities; approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized the opening of bids on or after August 11, 2016, at 11:00 a.m. (Public Works)

Took the following actions regarding the Adult Probation Building Roofing Project, Contract No. 610434: Found the project categorically exempt in conformance with the California Environmental Quality Act, Section 15301, Class I-Existing Facilities; approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after August 11, 2016, at 11:00 a.m. (Public Works)

Took the following actions related to Property Line Adjustment 15-024, Skylark Lane Emergency Fire Escape Road No. 3 (Palo Cedro Area): Received the petition for formation and the petition for activation; received an affidavit verifying information contained in the petition; received the maintenance cost estimate; received the County Surveyor's report on the boundary description (in the form of a map); received the Consent and Waiver to Assess Annual Parcel Charges; received the annual parcel charge report; adopted Resolution No. 2016-079, which forms the permanent road division; and adopted Resolution No. 2016-080, which confirms the annual parcel charge report for Fiscal Year 2016-17. (Public Works)

(See Resolution Book No. 57)

Awarded to the low bidder, Trinity River Construction, Inc., on a unit cost basis, the contract for construction of the Platina Road Culvert Replacement Project, Contract No. 706741, in the amount of \$79,540. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the HHS Additional Workstations Supporting Infrastructure Project, Contract No. 610402, and record it within 15 days of actual completion of work. (Public Works)

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

#### **RESOLUTION NO. 2016-078**

#### **COMMUNITY SERVICES BLOCK GRANT**

By motion made, seconded (Kehoe/Baugh) and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-078, which: Approves and authorizes the Chairman to sign a retroactive Community Action Agency Community Services Block Grant agreement and any subsequent amendments with the California Department of Community Services and Development to pay Shasta County an amount not to exceed \$17,000 to support programs that focus on serving the homeless population for the period June 15, 2016 through December 31, 2016; and approves and authorizes the Director of Housing and Community Action Programs, or his or her designee, to sign all certifications, documents, and reports required to secure and administer the grant. (Housing and Community Action Programs)

(See Resolution Book No. 57)

10:06 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County In-Home Supportive Services (IHSS) Public Authority Governing Board.

### **SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

#### **SHASTA COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY GOVERNING BOARD**

By motion made, seconded (Moty/Schappell), and unanimously carried, the IHSS Public Authority Governing Board took the following actions, which were listed on the IHSS Public Authority Governing Board Consent Calendar:

Approved and authorized the Chairman to sign a retroactive amendment, effective June 30, 2016, to the agreement with Liebert Cassidy Whitmore (LCW) that amended the address of LCW, increased maximum compensation in an amount not to exceed from \$70,000 to \$130,000 during the term of the agreement, increased and added hourly rates, and modified the term of the agreement removing optional renewals to extend the period of the agreement through June 30, 2017. (HNSA-Business and Support Services)

10:07 a.m.: The Shasta County IHSS Public Authority Governing Board adjourned and reconvened as the Shasta County Board of Supervisors.

## 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 Baugh recently attended an Area Agency on Aging, PSA II, Executive Board meeting.

Supervisor Giacomini recently attended Shasta Regional Transportation Agency, Superior California Economic Development District, and Northern California Water Association Governing Board meetings.

Supervisor Moty recently attended a Sierra-Sacramento Valley Emergency Management System Board meeting.

Supervisors reported on issues of countywide interest.

## COUNTY ADMINISTRATIVE OFFICE

#### FISCAL YEAR 2015-16 GRAND JURY REPORT

#### "SHASTA COUNTY VETERANS SERVICE OFFICE, VETERANS' LIVES MATTER" "TROUBLED WATERS, WATER MATTERS"

Steve Boyd stated he disagreed with the proposed Grand Jury responses.

Nancy Wallen stated that Mr. Lees had only attended one meeting with Count Service Area No. 6-Jones Valley and disagreed with the proposed response to the "Troubled Waters" report.

CEO Lees clarified that he attended several meetings at the Elk Trail/Jones Valley site, some of which occurred with Brenda Haynes from Congressman Doug LaMalfa's office.

In response to questions by Supervisor Schappell, CEO Lees stated that both himself and Public Works Director Pat Minturn were interviewed by the Grand Jury in the Water report. In addition, CEO Lees stated that he is not aware of the data used to gain the statistics listed in the Grand Jury Veteran's report. In addition to the service to veterans in Shasta County, the Veterans Service Office in Shasta County is 100% caught up in filing and processing applications.

At the recommendation of CEO Lees and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted the following: The proposed response to the Fiscal Year (FY) 2015-16 Shasta County Grand Jury report entitled “Shasta County Veterans Service Office, Veterans’ Lives Matter”; and the proposed response to the FY 2015-16 Shasta County Grand Jury report entitled “Troubled Waters, Water Matters.

## **SUPPORT SERVICES**

### **PERSONNEL**

**PEACE OFFICERS ASSOCIATION**  
**MEMORADUM OF UNDERSTANDING**  
**RESOLUTION NO. 2016-081**  
**SALARY RESOLUTION NO. 1492**

At the recommendation of Director of Support Services Angela Davis and by motion made, seconded (Schappell/Baugh), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2016-081, which approves a successor comprehensive Memorandum of Understanding (MOU) with the Professional Peace Officers Association (PPOA) covering the period August 1, 2016 through July 31, 2019; and adopted Salary Resolution No. 1492, effective August 7, 2016, which amends the Salary Schedule for positions in County Service pursuant to the PPOA MOU.

(See Resolution Book No. 57)

(See Salary Resolution Book)

### **PUBLIC WORKS**

**DRS MARINE, INC.**  
**CASELL-FALL RIVER ROAD AT PIT RIVER BRIDGE SCOUR REPAIR PROJECT**

Public Works Director Pat Minturn stated that a temporary solution has been determined to fix the bridge until a new replacement bridge can be constructed. The temporary solution is being allowed since no excavation is occurring and the solution has limited environmental impacts. Federal funds will be paying the majority of the project, with approximately \$20,000 from the County.

In response to questions by Supervisor Kehoe, Mr. Minturn stated Caltrans maintains the authority over the bridge.

At the recommendation of Public Works Director Pat Minturn and by motion made, seconded (Kehoe/Schappell), and unanimously carried, the Board of Supervisors awarded to the low bidder, DRS Marine, Inc., on a unit cost basis, the contract for construction of the Cassell-Fall River Road at Pit River Bridge Scour Repair Project, Contract No. 703924, in the amount of \$159,950.

10:46 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

**SPECIAL DISTRICTS/OTHER AGENCIES REGULAR CALENDAR**

**SHASTA COUNTY WATER AGENCY**

**FISCAL YEAR 2015-16 GRAND JURY REPORT**  
**“TROUBLED WATERS, WATER MATTERS”**

CEO Lees stated the Grand Jury was not clear as to who the report was addressed, so in an effort to be thorough the report was heard by both the Board of Supervisors and the Water Agency.

Steve Boyd stated disagreements with the Grand Jury proposed responses.

In response to questions by Supervisor Schappell, Director of Public Works Pat Minturn stated that the McConnell Foundation typically requires a commitment of purchasing water in March.

By motion made, seconded (Kehoe/Moty), and unanimously carried, the Shasta County Water Agency adopted the proposed response to the Fiscal Year 2015-16 Shasta County Grand Jury report entitled “Troubled Waters, Water Matters.”

10:55 a.m.: The Shasta County Water Agency adjourned and reconvened as the Shasta County Board of Supervisors.

**SCHEDULED HEARINGS**

**PUBLIC WORKS**

**REPORTS OF DELINQUENT FEES**  
**DISCHARGE OF ACCOUNTABILITY**  
**COUNTY SERVICE AREAS**  
**RESOLUTION NO. 2016-082**

This was the time set to conduct a public hearing to consider confirming Reports of Delinquent Fees and Uncollectible Debts for various County Service Areas (CSAs). Public Works Deputy Director Scott Wahl presented the staff report and recommended its approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors, on behalf of the County Service Areas (CSAs), adopted Resolution No. 2016-082, which confirms the Reports of Delinquent Fees for various CSAs, and directs that annual liens be placed on the tax bills for Fiscal Year 2016-17; and approved a discharge of accountability for collection of unpaid water and sewer service accounts that have been deemed uncollectible in CSAs under the administration of the Public Works Department in the amount of \$3,596.74.

(See Resolution Book No. 57)

**ANNUAL PARCEL CHARGE REPORTS**  
**COUNTY SERVICE AREAS**  
**RESOLUTION NO. 2016-083**

This was the time set to conduct a public hearing to consider confirming the Annual Parcel Charge Reports for various County Service Areas (CSAs) in Shasta County and directing

that the parcel charges be placed on the property tax bills for Fiscal Year 2016-17. Public Works Deputy Director Scott Wahl presented the staff report and recommended its approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-083, which confirms the Annual Parcel Charge Reports for the various County Service Areas in Shasta County in the same amount as currently charged; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2016-17.

(See Resolution Book No. 57)

ANNUAL PARCEL CHARGE REPORTS  
PERMANENT ROAD DIVISIONS  
RESOLUTION NO. 2016-084

This was the time set to conduct a public hearing to consider confirming the Annual Parcel Charge Reports for various Permanent Road Divisions in Shasta County. Public Works Deputy Director Scott Wahl presented the staff report and recommended its approval. The Affidavit of Publication and Notice of Hearing are on file with the Clerk of the Board.

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

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-084, which confirms the Annual Parcel Charge Reports for the various Permanent Road Divisions in Shasta County in the same amount as currently charged, except where noted; and directs that the parcel charges be placed on the property tax bills for Fiscal Year 2016-17.

(See Resolution Book No. 57)

**RESOURCE MANAGEMENT**

**PLANNING DIVISION**

ZONE AMENDMENT 15-008  
RESOLUTION NO. 2016-085  
ORDINANCE NO. 378-2037

This was the time set to conduct a public hearing to consider the request to rezone a parcel, east of Thatcher Mill Road, from the Limited Residential (R-L) zone district to Limited Residential Minimum Lot Area (R-L-BSM) zone district on a 20-acre portion of the parcel and the Open Space 40-acre minimum lot area (OS-BA-40) zone district on the remainder of the property. Resource Management Director Richard Simon presented the staff report and recommended approval of the project. The Notice of Hearing and the Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Baugh, Senior Planner Kent Hector stated that any development on the parcel would need to meet building and flood standards.

The public hearing was opened at which time the applicant, Frank Nichols, spoke for the item and no one spoke against the item.

In response to questions by Supervisor Moty, Mr. Nichols stated that the parcel in its entirety is owned by one party.

In response to questions by Supervisor Schappell, Mr. Nichols stated the properties would require individual septic systems.

In response to questions by Supervisor Baugh, Mr. Nichols stated that there is not a current agreement to have services with the Water Agency. However, an unsigned letter has been received stating the fire standards will be met by Lassen Pines Mutual Water Company and that he will abide by requirements.

The public hearing was closed.

In response to questions by Supervisor Moty, Mr. Simon stated that if someone wanted to develop the Open Space in the future, a new California Environmental Quality Act (CEQA) process would be required. It would be difficult to find another zoning classification that would further protect the land as is or in the future. Due to the size, cost, and location the applicant was unable to turn the portion of property in question into a conservation easement. In addition, due to the 40-acre minimum requirement, the current zoning does not allow for the property to be divided and a re-zone would have to come before the board.

In response to questions by Supervisor Kehoe, Mr. Nichols stated that it is not his desire to develop the Open Space land. He stated that he would be willing to make a condition of the rezone to make it so that development could never occur on the 40-acre portion.

In response to question by Supervisor Moty, Mr. Simon stated that adding a condition is not a feasible option to the rezone.

By motion made, seconded (Moty/Kehoe), and carried, the Board of Supervisors took the following actions regarding Zone Amendment 15-008, Fall River Development, Inc. (Shingletown area) (Supervisor Baugh voted no): Adopted Resolution No. 2016-085, which makes the environmental findings and adopts a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; made the rezoning findings; and introduced, waived the reading of, and adopt Ordinance No. 378-2037, which amends the Zoning Plan of the County of Shasta identified in Zone Amendment 15-008, Fall River Development, Inc. (Shingletown area).

(See Resolution Book No. 57)

(See Zoning Ordinance Book)

### **CLOSED SESSION ANNOUNCEMENT**

Chairman Giacomini announced that the Board of Supervisors would recess to a Closed Session to confer with its Labor Negotiators, County Executive Officer Larry Lees, Personnel Director Angela Davis, and Labor Consultant Liebert Cassidy Whitmore, to discuss the following employee organizations: Shasta County Employees Association, Shasta County Mid-Management Association, Deputy Sheriffs Association, Deputy Sheriffs Association-Correctional Officers, Sheriffs Administrative Association, Professional Peace Officers Association, United Public Employees of California-General Unit, United Public Employees of California-Professional Unit, and Teamsters-Trades and Crafts, pursuant to Government Code section 54957.6.

11:43 a.m.: The Board of Supervisors recessed to Closed Session.

11:45 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 E. Cruse, Jr. present.

**REPORT OF CLOSED SESSION ACTIONS**

County Counsel Rubin E. Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

11:59 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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