

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 20, 2015

REGULAR MEETING

9:00 a.m.: Chairman Moty 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 - Jennifer Lange
 Administrative Board Clerk - Camile Woodstrom
 Administrative Board Clerk - Mary Hurton

INVOCATION

Invocation was given by Pastor Dennis McGowan, Living Room Ministries International.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

PRESENTATIONS

SHASTA SENIOR NUTRITION PROGRAM
GOLDEN UMBRELLA PRESENTATION

Dignity Health Vice President of Human Resources Steve Hosler presented on the Shasta Senior Nutrition Program and Golden Umbrella.

In response to questions by Supervisor Kehoe, Mr. Hosler stated that frozen meals are provided to seniors during the week so they will have food for the weekend.

PUBLIC COMMENT PERIOD - OPEN TIME

Millie Martinez voiced the importance of an increase in IHSS wages.

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:

Approved the minutes of the meeting held on October 13, 2015, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment to the Microsoft Enterprise Agreement with Microsoft Licensing GP at no additional compensation, to add the Business Associate Enterprise Enrollment for HIPAA Online Services as part of the Office 365 licenses effective upon notification from Microsoft through expiration of customer's enrollment. (Information Technology)

Adopted Salary Resolution No. 1473 effective November 1, 2015, which: amends the Shasta County Salary Schedule as follows: modifies various footnotes; adds a footnote regarding the Nurse Practitioner II classification; adds a footnote regarding the Associate Engineer classification; adds a footnote regarding the County Real Property/Right of Way Agent classification; adds a footnote regarding the Deputy Public Works Director-Engineering classification; adds a footnote regarding the Public Works Director classification; adds a footnote regarding the Supervising Engineer classification; and amends the Position Allocation List with the following modifications: adds and deletes various job classifications; and adds, deletes, and reclassifies positions in various budgets. (Support Services-Personnel)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive agreement with Shasta Community Health Center in an amount not to exceed \$750,000 during the entire term of the agreement (not to exceed \$250,000 per fiscal year), to provide outpatient mental health and substance abuse treatment services for the period July 1, 2015 through June 30, 2016 with two automatic one-year renewals. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign a retroactive renewal Master Equipment and Products Agreement with Siemens Healthcare Diagnostics Inc. with compensation amounts as listed in Attachment B to the agreement, including up to three percent annual increases in years three through five, to continue to service and maintain existing Drugs of Abuse testing equipment, material, hardware, and software at the Public Health Laboratory for the period July 1, 2015 through June 30, 2018, with two automatic one-year renewals. (HHS-Public Health)

Adopted Resolution No. 2015-126 which approves and authorizes the Chairman to sign a renewal revenue agreement (No. 02A1474) with the California Department of Transportation in an amount not to exceed \$775,396 to provide Rest Area Maintenance services for the period October 12, 2015, or upon the Department of General Services approval, whichever is later, through October 11, 2018. (HHS-Regional Services-Opportunity Center)

(See Resolution Book No. 56)

Adopted Resolution No. 2015-127 which: Authorizes the Chief Probation Officer to sign and submit the grant proposal and agreement for the Title II Juvenile Delinquency Prevention and Intervention Grant program, including any amendments thereof (including retroactive); approves and authorizes the Chief Probation Officer to: sign and process other documents in Fiscal Year (FY) 2015-16 and future years (including retroactive); and accept funds for this purpose in FY 2015-16 and in future years; and approved a budget amendment increasing appropriations and revenue by \$146,938 in the Probation budget. (Probation)

(See Resolution Book No. 56)

Took the following actions regarding the Shasta County Public Health Building Flooring Replacement Project (Contract No. 610420): found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA); approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after December 3, 2015 at 3:00 p.m. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for construction on Various Permanent Road Divisions (2015), Contract No. 111018, and record it within 15 days of actual completion. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the West Central Landfill Leachate Pond project, Contract No. 610416, and record it within 15 days of actual completion. (Public Works)

Took the following actions regarding the Sol Semete Emergency Fire Escape Road Permanent Road Division (PRD) (Centerville 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 annual parcel charge report; and set a public hearing for December 8, 2015 at 9:00 a.m. or as soon thereafter as may be heard, to consider formation and activation of the Sol Semete Emergency Fire Escape Road PRD. (Public Works)

Approved a budget amendment in the County Service Area (CSA) No. 25-Keswick Water Administration budget increasing appropriations and revenue for the Keswick Water System Improvement project. (Public Works-CSA No. 25-Keswick Water)

Approved and accepted the California Department of Forestry and Fire Protection Volunteer Fire Assistance (VFA) program grant in the amount of \$9,801.24 to purchase personal protective equipment for Volunteer Firefighters; and adopted Resolution No. 2015-128 to approve and authorize the Chairman to sign the VFA grant agreement in an amount not to exceed \$9,801.24 for the period from the date of signing through June 30, 2016. (County Service Area (CSA) No. 1-County Fire)

(See Resolution Book No. 56)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

Supervisor Baugh attended a meeting with Area Agency on Aging, PSA2 Executive Board.

Supervisor Giacomini attended meetings with Shasta Regional Transportation Agency (SRTA) and Superior California Economic Development District (SCEDD).

Supervisor Moty also attended the meeting with SRTA.

Supervisor Kehoe also attended the meeting with SRTA and attended a Redding Area Bus Authority meeting.

Supervisors reported on issues of countywide interest.

ADMINISTRATIVE OFFICE
HONEY OIL

Supervisor Baugh indicated that he has been involved in meetings with several in the community along with representatives from the following agencies: Shasta County Public Health, Shasta County Counsel, the Cities of Redding, Anderson, and Shasta Lake, the Shasta Interagency Narcotics Task Force, Shasta County Sheriff, Senator Gaines' office, Assemblyman Dahle's office, Congressman Doug LaMalfa, and Shasta County Chemical People. He also summarized the different events that have happened in and around Shasta County in regards to honey oil.

Supervisor Schappell noted that butane is essentially odorless and when used, the gas that escapes is not detectable.

Sheriff Tom Bosenko gave a brief presentation on honey oil, its makeup, how it is extracted, and the hazards and dangers of butane.

Cathy Grindstaff, Shasta County Chemical People Director Betty Cunningham, Shasta Chemical People Program Manager Cindy Diezsi, Anita Joseph, Sarah Hartley, Cameron Mooney, Anderson City Council Member Baron Browning, and City of Anderson Attorney Jody Burgess spoke on the effects and hazards of honey oil and requested regulation on the sale and distribution of butane.

In response to questions by Supervisor Baugh, Council Member Browning explained how honey oil is used.

In response to questions by Supervisor Schappell, Sheriff Bosenko described the difference between propane and butane tanks; how a butane tank is used in the extraction process, how butane can easily spark and explode, and it does not require many canisters to manufacture honey oil dependent upon the amount someone wants to produce.

Supervisor Schappell commented on the high levels of Tetrahydrocannabinol (THC) in honey oil, its dangerous connotation, and recommended an age limit on the sale of butane along with restrictions on the amount available for sale, suggesting Public Health become involved in presenting the dangers of butane.

Chief Deputy District Attorney Stephanie Bridgett provided statistics of cases referred and prosecuted by the District Attorney's office with regards to honey oil production and the increase of cases since 2010.

In response to questions by Supervisor Kehoe, Chief Deputy Bridgett confirmed that out of the 61 prosecuted cases in the last five years, 40 have been felony convicted on honey oil specifically and Assembly Bill (AB) 109 has made this particular conviction a non-state prison offense; instead those convicted, serve their sentence in the Shasta County Jail.

In response to questions by Supervisor Giacomini, Chief Deputy Bridgett remarked that it would be very helpful to have a tracking system for butane sales as a component of a proposed ordinance.

In response to questions by Supervisor Giacomini, Mr. Burgess stated that there are no ordinances or guidelines to follow in regards to butane and honey oil production and that the proposed AB 772 would have amended the California Health and Safety Code to track butane sales did not make it past committee in Sacramento.

Supervisor Schappell expressed that if an ordinance is to be adopted regarding butane, it should include an age requirement along with specifications on a reasonable amount for purchasing with fines being imposed on the seller if those specifications are not met.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse addressed the legality of the issues and spoke that the Board of Supervisors does have a general authority to approve an ordinance of this type if they so choose.

Supervisor Baugh stated that he would like direction given to counsel and administrative staff to work with the Cities of Anderson, Redding, and Shasta Lake to compile additional research and develop a plan to move forward with guidelines. He also expressed asking assistance from the Rural County Representatives of California and the California State Association of Counties.

Supervisor Kehoe quoted Mr. Burgess stating that “unless we take a unified approach, the efforts would be futile.” Supervisor Kehoe remarked that this issue extends to our adjacent counties as well and that State legislation needs to make more of an effort to protect the citizens of California.

Supervisor Moty responded that he is supportive of the effort but would like to see how the City of Redding is going to move forward with this issue before giving any direction to staff.

In response to questions by Supervisor Kehoe, Council Member Browning stated that he has not received any response from Amazon in response to a letter he sent the company regarding the sale of butane.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors directed staff to compile research and produce a consolidated approach to handle the issues with honey oil and to return at a future Board of Supervisors meeting with recommendations.

CLOSED SESSION ANNOUNCEMENT

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to confer with legal counsel to discuss two existing litigations entitled James Duane v. County of Shasta and Pamela Phillips v. County of Shasta pursuant to Government Code section 54956.9(d)(1).

10:34 a.m.: The Board of Supervisors recessed to Closed Session.

10:45 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

There was no reportable action.

10:46 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy