

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, December 8, 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

MOMENT OF SILENCE

A moment of silence was held for county employees killed in San Bernardino County.

INVOCATION

Invocation was given by Coordinator Amarjit Singh, Gurdwara The Sikh Center

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

DECEMBER 2015 EMPLOYEE OF THE MONTH
HEALTH AND HUMAN SERVICES AGENCY-ADULT SERVICES
SOCIAL WORKER KEVIN KILLGORE
RESOLUTION NO. 2015-137

At the recommendation of Health and Human Services Agency-Adult Services Deputy Branch Director Lisa Sol and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2015-137, which recognizes Shasta County Department of Health and Human Services Agency-Adult Services, Social Worker Kevin Killgore, as Shasta County’s Employee of the Month for December 2015.

(See Resolution Book No. 56)

PRESENTATIONS

CERTIFICATE OF RETIREMENT
COUNTY COUNSEL LEGAL OFFICE
EXECUTIVE ASSISTANT MARILYN WACKER

At the recommendation of County Counsel Rubin Cruse, Jr., the Board of Supervisors recognized County Counsel Legal Office Executive Assistant Marilyn Wacker on the occasion of her retirement after more than 31 years of service to Shasta County.

PUBLIC COMMENT PERIOD - OPEN TIME

Preston Dickinson introduced himself as an independent contractor for AT&T external affairs.

Bonnie Collins and Gavin Brown requested support for increasing wages for in-home healthcare workers.

Betty Cunningham of Shasta County Chemical People spoke in support of banning medical marijuana delivery services.

Anderson City Councilmember Baron Browning spoke regarding an ordinance regulating sales of butane adopted in the City of Anderson.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Moty noted that the items regarding the Mental Health Services Act Innovation Plan and the status of the Public Facility Impact Fees have been pulled for discussion.

CONSENT CALENDAR

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

Adopted Resolution No. 2015-138 authorizing the County Executive Officer, on behalf of the Shasta County Board of Supervisors, to accept and consent to recordation of a deed conveying an interest in real property generally identified as Assessor's Parcel Number 114-360-004 to the County of Shasta; and execute any documents necessary to effectuate the donation or gift of this real property. (Administrative Office)

(See Resolution Book No. 56)

Approved the minutes of the meeting held on November 17, 2015, as submitted. (Clerk of the Board)

Introduced and waived the reading of an ordinance that amends section 2.70.030 of the Shasta County Code regarding membership in the Partnership HealthPlan of California Commission. (Clerk of the Board)

Determined that Elizabeth Betancourt has demonstrated an interest in, and knowledge of, soil and water conservation, and appointed Elizabeth Betancourt to the Western Shasta Resource Conservation District Board of Directors for an unexpired term of November 2018. (Clerk of the Board)

Approved and authorized the Chairman to sign an agreement with Underwood and Wetzel Law Offices, P.C. at an hourly rate of \$145, with a maximum compensation not to exceed \$50,000, to provide legal services for the Shasta County Board of Building Appeals for the period January 1, 2016 through December 31, 2016, with two automatic one-year renewals. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive second amendment to the revenue agreement (No. 14-90103), effective July 1, 2015, with the State of California Department of Health Care Services, increasing the contract maximum for the entire term of the agreement by \$560,735 (from \$5,617,588 to \$6,178,323), for the delivery of alcohol and other drug treatment and prevention services and retaining the original term July 1, 2014 through June 30, 2017; and the Contractor's Certification Clause. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign the first amendment to the agreement with the Shasta County Child Abuse Prevention Coordinating Council (CAPCC) that will increase the number of Skillbuilders, adjust the rate for the Skillbuilders, and increase the maximum amount payable to CAPCC by \$55,690 (for a new total not to exceed \$176,210) for ongoing services to enhance various youth and family activities, and retaining the original term of the agreement October 1, 2015 through the duration of the funding grant or December 31, 2016, whichever comes first. (Probation)

Approved and authorized the Chairman to sign an agreement with Taber Consultants, Inc. in an amount not to exceed \$60,480 for geotechnical services for the Lower Gas Point Road at North Fork Cottonwood Creek Bridge Replacement project (Cottonwood area) from the date of signing through June 30, 2017. (Public Works)

Approved and authorized the Chairman to sign an amended Exhibit A to the Caltrans Signal Maintenance Agreement, increasing annual maintenance costs from \$3,000 to \$4,000, for the Gas Point Road at Rhonda Road Traffic Signal. (Public Works)

Regarding Stillwater Ranches Permanent Road Division (PRD) No. 2 (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 estimates; 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 January 26, 2016, at 9 a.m. or as soon thereafter as may be heard, to consider formation and activation of the Stillwater Ranches PRD No. 2. (Public Works)

Waived the competitive procurement requirements of Administrative Policy 6-101, *Shasta County Contracts Manual*; and approved the purchase of replacement extrication tools from Fire Rescue Equipment NW, LLC in the amount of \$100,387.80. (County Service Area No. 1-County Fire)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

HEALTH AND HUMAN SERVICES AGENCY-ADULT SERVICES **MENTAL HEALTH SERVICES ACT INNOVATION PLAN:** **COMMUNITY MENTAL WELLNESS CENTER**

In response to questions by Supervisor Kehoe, Health and Human Services Agency Director Donnell Ewert explained the type of services that will be provided by the Wellness Center (Center). Funding has been provided but approval is needed from the Mental Health Oversight and Accountability Commission before monies can be dispersed.

Chairman Moty remarked on the need for the Center, the support role the County plays in mental illness problems, and requirements for additional mental health services.

In response to questions by Supervisor Schappell, Mr. Ewert indicated the location of the Wellness Center has not yet been determined. The Center will be made available to serve the entire community, with it being implemented in the first half of 2016 with the hopes of sustaining the Center past the four year project time frame. He also specified 30-day transitional housing is provided in conjunction with the Mental Health Services Act along with a 19 room housing facility breaking ground this month.

In response to questions by Supervisor Giacomini, Mr. Ewert stated that in discussions with the local hospitals in regards to their participation in the sustainability of the Center, support may be possible in the future if the Center was successful in decreasing the amount of emergency room visits for mental health reasons.

Supervisor Baugh applauded Mr. Ewert and his staff for their efforts in this project.

County Executive Officer Larry Lees confirmed the County has met with the local hospitals on this particular topic and they have been invited to provide comments on it.

Supervisor Kehoe thanked Mental Services Act Coordinator Jamie Hannigan for her dedication to this project.

By motion made, seconded (Kehoe/Schappell), and unanimously carried, the Board of Supervisors approved and authorized the Mental Health Services Act Innovation Plan: Community Mental Wellness Center for Shasta County.

RESOURCE MANAGEMENT PUBLIC FACILITY IMPACT FEES

In response to questions by Supervisor Schappell, Resource Management Director Rick Simon summarized the history and need for the Public Facility Impact Fees. He cited the impact fees are divided by the divisions that implement the particular projects with the impact fee implemented when a building permit is obtained. CEO Lees answered that Shasta County, in comparison with the surrounding counties, has lower impact fee costs and the interest to raise those fees due to increased development in the County has not been discussed.

Supervisor Baugh noted the reason for his vote for implementing the impact fees in 2008.

By motion made, seconded (Schappell/Baugh), with Supervisor Kehoe, under discussion, commenting that the formation and establishment of the impact fees were done in collaboration with industry groups in the area, and unanimously carried, the Board of Supervisors received the written report regarding the status of the Shasta County Public Facility Impact Fees implemented on July 1, 2008.

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

CEO Larry Lees updated the Board of Supervisors on the potential financial impacts, as well as public safety impacts, of the marijuana legislation recently passed by the State with the County following the issue closely. He also remarked on potential concerns and on bringing the matter back to the Board to discuss amending the marijuana ordinance in regards to the transportation and delivery of medical marijuana.

County Counsel Rubin Cruse Jr. indicated the new Medical Marijuana Regulation Safety Act does allow state issued licenses for the manufacture of concentrated cannabis with honey oil, but the Act states that it does not preclude local control or related ordinances and will allow the matter to remain within the County's control.

Supervisor Kehoe recently attended meetings with the Local Agency Formation Commission (LAFCO) and the Mental Health, Alcohol and Drug Advisory Board.

Supervisor Moty recently attended meetings with the California State Association of Counties (CSAC) and Northern Sacramento Valley Integrated Regional Water Management Governing Board.

Supervisor Giacomini recently attended meetings with CSAC, LAFCO, and Northern California Water Association Governing Board.

Supervisor Baugh recently attended meetings with LAFCO and the California Home Finance Authority.

Supervisors reported on issues of countywide interest.

SCHEDULED HEARINGS

PUBLIC WORKS

**SOL SEMETE EMERGENCY FIRE ESCAPE ROAD PERMANENT ROAD DIVISION
(CENTERVILLE AREA)
PARCEL MAP NO. 11-002
RESOLUTION NO. 2015-139
RESOLUTION NO. 2015-140**

This was the time set to conduct a public hearing regarding the formation of the Sol Semete Emergency Fire Escape Road Permanent Road Division (Centerville area). The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board. Associate Engineer Charleen Beard presented the staff report and recommended approval.

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

Ms. Beard requested the Clerk to tabulate the ballots and announce the results of the vote on the formation of the permanent road division as required by Proposition 218; the vote was as follows:

FOR:	2
AGAINST:	0
BLANK BALLOTS:	0

By motion made, seconded (Giacomini/Baugh), and unanimously carried the Board of Supervisors took the following actions regarding the Sol Semete Emergency Fire Escape Road Permanent Road Division (Centerville area):

1. Adopted Resolution No. 2015-139, which forms the Division;
2. Adopted Resolution No. 2015-140, which confirms the annual parcel charge report for Fiscal Year 2016-17; and
3. Received the annual parcel charge report.

(See Resolution Book No. 56)

CLOSED SESSION ANNOUNCEMENT

Chairman Moty announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

1. Conduct its annual review of pending civil cases, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1), as follows:
 - a. Alford, Thomas v. Timothy Pappas
 - b. Almanza, et al. v. Stephen S. Carlton, et al.
 - c. Bennett, Robert v. County of Shasta, et al.
 - d. County of Shasta v. D. Ray East, et al.
 - e. County of Shasta v. Lincoln General Insurance Company, et al.
 - f. Estill, Renee v. County of Shasta, et al.
 - g. Gibbs, Robert Alan v. Boyd, et al.
 - h. Gleason, Gina v. Bowen, Debra, et al.
 - i. Harris, et al. v. Trinity County Child Support, et al.
 - j. Jayne, Michael Aaron v. Tom Bosenko, et al.
 - k. Jewett, Everett v. California Forensic Medical Group, Inc., et al.
 - l. Johnson, Bobby, et al. v. Shasta County, et al.
 - m. Journal Media Group, Inc. v. City of Redding, et al.
 - n. Pacific Gas & Electric-Kilarc-Cow Creek Project
 - o. Villalobos, Ramon v. Bosenko, Tom, et al.
 - p. Willyard, Corey v. McDaniels, et al.

10:15 a.m.: The Board of Supervisors recessed to Closed Session.

11:00 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.

11:01 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy