

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 15, 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

INVOCATION

Invocation was given by Pastor Art Ruiz, Grace Mountain Ministries

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION: CONSTITUTION WEEK
SEPTEMBER 17-23, 2015

By motion made and seconded (Kehoe/Baugh) and unanimously carried, the Board of Supervisor adopted a proclamation which designates September 17-23, 2015 as Constitution Week in Shasta County. Constitution Week Chairperson for the National Daughters of the Constitution Kathi Hibner accepted the proclamation.

PRESENTATIONS

CERTIFICATE OF RETIREMENT
HEALTH AND HUMAN SERVICES AGENCY-PUBLIC HEALTH
COMMUNITY DEVELOPMENT COORDINATOR SHERYL VIETTI

At the recommendation of Health and Human Services Agency-Public Health Branch Director Terri Fields-Hosler, the Board of Supervisors recognized Health and Human Services Agency-Public Health Community Development Coordinator Sheryl Vietti on the occasion of her retirement after more than 17 years of service to Shasta County.

**PROGRAMS AND SERVICES ADDRESSING HOMELESSNESS
IN SHASTA COUNTY**

Health and Human Services Agency Director Donnell Ewert and Housing Authority-Community Action Program Director Richard Kuhns presented and highlighted the numerous programs Shasta County provides and offers to needy families, individuals and the homeless in Shasta County.

PUBLIC COMMENT PERIOD - OPEN TIME

Kurt Schuhmeier expressed his concern over Keswick Water increasing rates and lowering water usage, and asked for more clarity in the future prior to the Board of Supervisors taking action.

Lynn Dorroh, with Hill County Community Clinic, expressed appreciation to the Board of Supervisors for the successful relationship between the County of Shasta and Hill Country Clinic and is looking forward to continuing the success.

Diane Webber, Roxanne Crane, Bonnie Collins, Ana-Marie Morales Cordene, Cathy Holloway, Vivian Hessler, Scott Webber, Shane Brinton, Richard Hammond, Sandra Harp, Leticia Sanchez, Brian Foster, Robert Brown and Millie Martinez requested support for increasing wages for home healthcare workers.

Donnie Ferguson expressed his concerns regarding Shasta County law enforcement, citizens' rights, property rights and the concern with the homeless camps in Shasta County.

CONSENT CALENDAR

Supervisor Giacomini requested the minutes from the September 1, 2015 meeting be corrected to reflect that Patricia Rue's letter regarding the Williamson Act should be a letter in support of the Williamson Act.

Public Works Director Pat Minturn informed the Board of Supervisors the staff reports regarding the Secure Rural Schools Act should state U.S. Forest Service mutual aid assistance, and not CAL FIRE.

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 Policy Resolution No. 2015-029 which amends Administrative Policy 2-101, *Budgetary Policies and Controls*, authorizing the County Executive Officer to approve any new capital assets or augment any existing capital assets within a budget unit, provided that such approval does not exceed \$75,000 and does not increase the overall appropriations of the budget unit. (Administrative Office)

(See Policy Resolution Book)

Approved the minutes of the meeting held on September 1, 2015, as amended.

Adopted Salary Resolution No. 1471 effective September 20, 2015 which amends the Shasta County Salary Schedule as follows: Deletes Investigative Services Analyst from the Shasta County Salary Schedule (SR 476-EHIN); and adds Investigative Services Analyst (SR 466-PROF) to the Shasta County Salary Schedule. (Support Services-Personnel)

(Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Hill Country Community Clinic, a Federally Qualified Health Center, in an amount not to exceed \$1,053,162 during the entire term of the agreement, to provide outpatient mental health services for the period July 1, 2015 through June 30, 2016, with two automatic one-year renewals. (Health and Human Services Agency (HHS)-Children's Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Victor Treatment Centers, Inc., in an amount not to exceed \$200,000 per fiscal year, to provide mental health services to eligible children for the period July 1, 2015 through June 30, 2016, with one automatic one-year renewal. (HHS-Children's Services)

Approved and authorized the Chairman to sign a renewal agreement with Milhous Children's Services, Inc. with a maximum compensation amount not to exceed \$400,000 during the entire term of the agreement to provide mental health services to eligible children, effective from the date of signing through June 30, 2016 with one automatic one-year renewal; and approved and authorized the Chairman to sign a retroactive renewal agreement with Catholic Charities-St. Vincent's School for Boys with a maximum compensation not to exceed \$150,000 during the entire term of the agreement to provide mental health services to eligible children for the period July 1, 2015 through June 30, 2016, with one automatic one-year renewal. (HHS-Children's Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Technical Resource Management, LLC in an amount not to exceed \$65,000 during the entire term of the agreement to provide alcohol and drug testing for the period July 1, 2015 through June 30, 2016, with two optional one-year renewals. (HHS-Public Health)

Approved and authorized the Chairman to sign a retroactive revenue agreement with the California Department of Public Health for Lifetime of Wellness: Communities in Action in an amount not to exceed \$1,616,160 to provide services to populations at high risk for diabetes and cardiovascular disease who are 18 years or older for the period March 1, 2015 through September 29, 2018; approved and authorized the Chairman to sign the Contractor Certification Clauses Form CCC-307; approved and authorized the Health and Human Services Agency (HHS) Director or HHS Branch Director, as designated by the HHS Director, to sign the Contractor's Release form (Exhibit F to the agreement) to be attached to the final invoice; and approved and authorized the HHS Director or HHS Branch Director to administer the agreement and sign amendments (including retroactive and no cost extensions) and other documents as required by the State that result in a net change of no more than \$300,000 and do not result in a substantial or functional change to the original intent of the agreement and otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (HHS-Public Health)

Adopted Resolution No. 2015-104 which: Ratifies the Sheriff-Coroner's signature on and authorizes the Sheriff-Coroner to submit the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) proposal; approves and authorizes the Sheriff-Coroner to sign the grant agreement and any amendments or modifications thereof that do not result in a substantial or functional change to the original intent of the Grant Agreement; assures the State of California that no grant funds will be used to supplant expenditures for the proposed project program and that the County agrees to abide by the statutes and regulations governing the federal Formula Grants Program and the terms of the agreements of the JAG; and repeals Resolution No. 2014-125. (Sheriff)

(See Resolution Book No. 56)

Adopted Resolution No. 2015-105 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. 56)

For the Secure Rural Schools Act, approved Title III project allocations for Fiscal Year 2015-16 as follows: obligate \$51,000 to County Service Area No. 1-County Fire for non-reimbursed U.S. Forest Service mutual aid assistance; and obligate \$75,673 to various County departments for future emergency response activities on or near national forests; and directed staff to begin the 45-day public comment period. (Public Works)

For the Cassel-Fall River Road (Highway) at Pit River Bridge (Bridge): Pursuant to Streets & Highway Code section 942.5 (a) & (b), found that closure of the Highway on both ends of the Bridge is necessary for the protection of the public and to protect the roadway from damage during storms; ratified the closure of the Highway to through traffic by the Public Works Director; and delegated the authority to close County highways to through traffic pursuant to Streets and Highways Code section 942.6 to the Road Commissioner. (Public Works)

Approved and authorized the Chairman to sign an agreement with Western Shasta Resource Conservation District in an amount not to exceed \$200,846.18 to provide long term environmental commitment services for the Airport Road Riparian Mitigation project for the term to end upon written acceptance from the United States Army Corps of Engineers or December 31, 2028, whichever comes first. (Public Works)

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS

LEGISLATIVE UPDATE/SUPERVISORS' REPORTS

At the recommendation of County Executive Officer (CEO) Larry Lees and by motion made, seconded (Baugh/Kehoe), and unanimously carried the Board of Supervisors approved and authorized a letter in support of the Payment in Lieu of Taxes Program and by motion made, seconded (Giacomini/Baugh) a letter requesting the State of California to restore the Open Space Subvention Funding program. Supervisor Giacomini requested that a copy of this letter also be sent to Governor Brown.

County Executive Officer Larry Lees reminded the Board of Supervisors of the possibility of a Government shut-down in the very near future.

Supervisor Giacomini recently attended a meeting for the Sierra Nevada Conservancy.

Supervisor Moty recently attended meetings for the California State Association of Counties (CSAC) Executive Committee, the Shasta Regional Transportation Agency Evaluation Committee, the Northern Sacramento Valley Integrated Regional Water Management Governing Board, and the Sierra-Sacramento Valley Emergency Medical Systems Board.

Supervisors reported on issues of countywide interest.

HEALTH AND HUMAN SERVICES AGENCY-ADULT SERVICES BRANCH PRESENTATION OF THE ASSISTED OUTPATIENT TREATMENT DEMONSTRATION PROJECT ACT OF 2000 CITED AS LAURA'S LAW

Health and Human Services Agency-Branch Director for Adult Services Dean True provided an overview of Laura's Law.

Dianna Branch, Robert Kohn, and Patrick Moriarty spoke in support of implementing Laura's Law in Shasta County.

In response to questions by Supervisor Giacomini, Mr. True explained the improved patient ratio, the increased intensity of the treatment program and the court ordered portion of Laura's Law. Mr. True also shared the differences between a Lanterman-Petris-Short (LPS) conservatorship and the patient's rights and freedoms that Laura's Law offers.

In response to questions by Supervisor Baugh, Mr. True explained how Laura's Law may be beneficial for some and not so for others. If implemented, Laura's Law could provide the avenue for an individual to seek treatment and be held more accountable for their participation in the treatment program. Additionally, Mr. True provided the cost savings Nevada County has experienced and the belief that appropriate treatment including medications will provide insight to the patient for the need to continue treatment. Mr. True explained there is opposition to implementing Laura's Law in Shasta County due to concern over violating a patient's civil rights; Laura's Law is the least restrictive to the patient, opposed to the LPS Conservatorships.

In response to questions by Supervisor Kehoe, Mr. True stated it is difficult to extrapolate the number of people this law could serve. There are several referral sources to the program and depending on the criteria for initial program entry, providing a number for potential patients is not possible.

In response to questions by Supervisor Kehoe, Mr. Lees indicated the cities within Shasta County will be offered an opportunity to participate in this program.

By motion made, seconded (Kehoe/Baugh) and unanimously carried the Board of Supervisors directed staff to take appropriate action to return to the Board of Supervisors for potential implementation of Laura's Law in Shasta County.

HEALTH AND HUMAN SERVICES AGENCY (HHS)-
BUSINESS AND SUPPORT SERVICES
SALARY RESOLUTION 1472

By motion made, and seconded (Kehoe/Baugh) with Supervisors Moty and Giacomini voting aye (Supervisor Schappell was not present for vote), the Board of Supervisors adopted Salary Resolution No. 1472, effective September 20, 2015 which amends Shasta County's Position Allocation List for HHS as follows: adds two Full-Time Equivalent (FTE) Assistant Social Worker/Social Worker positions in the Public Health budget; adds one FTE Assistant Social Worker/Social Worker position in the Social Services budget; adds one FTE Community Mental Health Worker position with a sunset date of June 30, 2016 in the Public Health budget; adds one FTE Community Mental Health Worker position in the Substance Abuse-Perinatal budget; and adds one FTE Senior Staff Services Analyst in the HHS Administration budget necessary to allow HHS Regional and Children's Services Branches to meet the continuing and expanding service needs. (HHS-Business and Support Services)

(See Salary Resolution Book)

SCHEDULED HEARINGS**HEALTH AND HUMAN SERVICES AGENCY****PUBLIC HEALTH**

HEALTH AND HUMAN SERVICES AGENCY(HHSA)-PUBLIC HEALTH
REVISED FEE FORMULA FOR AMBULANCE PROVIDERS AND BASE HOSPITALS
ORDINANCE NO. 709
REPEALS ORDINANCE NO. 684
RESOLUTION NO. 2015-106
REPEALS RESOLUTION NO. 2001-19

This was the time set to conduct a public hearing to consider revising the current fee formula to be charged to ambulance providers and base hospitals by HHSA-Public Health Branch to offset the cost of care, maintenance, and replacement of the Shasta County emergency medical services communication system. HHSA Director Donnell Ewert presented the report and recommended approval of the request. The Notice of Public Hearing and Affidavit of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Giacomini, Mr. Ewert stated Mayers Memorial Hospital and the Burney Fire Department were in agreement with the fee structure and future discussions will be held regarding the reliability of the radio transmissions.

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

By motion made, seconded (Giacomini/Baugh) with Supervisors Moty and Kehoe voting aye (Supervisor Schappell was not present during the discussion nor vote) the Board of Supervisors voted to enact Ordinance No. 709 and adopt Resolution No. 2015-106 which revises the current fee formula to be charged to ambulance providers and base hospitals by HHSA-Public Health Branch to offset the cost of care, maintenance and replacement of the Shasta County emergency medical services communication system.

(See General Ordinance Book)

(See Resolution Book No. 56)

COUNTY SERVICE AREA (CSA) NO. 23-CRAG VIEW WATER
WATER USAGE RESTRICTIONS AND PENALTIES
ORDINANCE NO. 710
REPEALS SPECIAL DISTRICT ORDINANCE NO. 98-29

This was the time set to conduct a public hearing to consider adopting an ordinance which would repeal Special District Ordinance No. 98-29 and establish new rates and authorize a negative cash position in the Budget Unit 00396 for County Service Area (CSA) No. 23-Crag View Water. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

Public Works Director Pat Minturn explained the need to increase water rates in an effort to stabilize finances in CSA No. 23, and complies with Proposition 218. Further, there is the potential of a temporary negative fund balance, anticipated to return to a positive balance by Fiscal Year End. The new ordinance provides further clarity of charges and rates, specifically identifying commercial and residential rates

The public hearing was opened at which time Walter Osterberg and Colleen Batman, stated they are in agreement with the rate increase and are willing to conserve water as necessary.

Rebecca Lee requested an increase in the base water amount be considered in the future.

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

In response to questions by the public, Mr. Minturn provided an explanation of the portion of Proposition 218 which relates to billing versus cost for the water service. Mr. Minturn and Supervisor Moty strongly encouraged the residents of CSA No. 23 to form a Community Advisory Board.

In response to questions by Supervisor Schappell, Mr. Minturn stated the current water rates being charged to CSA No. 23 do not provide sufficient funds to operate the district.

The Clerk of the Board confirmed there was not a majority protest.

By motion made, seconded (Schappell/Baugh) and unanimously carried, the Board of Supervisors approved the enactment of Ordinance No. 710, which establishes new water rates and repeals Special District Ordinance 98-29.

(See General Ordinance Book)

REGULAR CALENDAR, CONTINUED

PUBLIC WORKS

COUNTY SERVICE AREA (CSA) NO. 23-CRAG VIEW WATER WATER USAGE RESTRICTIONS AND PENALTIES

Public Works Directors Pat Minturn presented a report on Ordinance No. 708 and is recommending repealing this Ordinance based on the enactment of Ordinance 710.

Jim Cross, Walter Osterberg, Colleen Batman, Linda Ost, Mike Ost, Robert Harryman, and Rebecca Lee spoke in support of repealing Ordinance No. 708.

By motion made, seconded (Schappell/Baugh) and unanimously carried, the Board of Supervisors directed staff to return to the Board of Supervisors with a request to repeal Ordinance No. 708.

SCHEDULED HEARINGS

GENERAL GOVERNMENT

TREASURER-TAX COLLECTOR

PETITION TO RESCIND TAX SALE-PETITIONER: CLARK D. NICHOLAS

ASSESSOR'S PARCEL NUMBER 305-360-002-000

TAX SALE DATE: FEBRUARY 27, 2015

This was the time set to conduct a public hearing regarding the Petition to Rescind Tax Sale Deed: Petitioner: Clark D. Nicholas, Assessor's Parcel Number 305-360-002-000, Date of Sale: February 27, 2015

Petitioner Clark D. Nicholas presented his evidence and requested the Board of Supervisors rescind the tax sale deed.

Treasurer-Tax Collector Lori Scott presented the documentation provided to Mr. Nicholas on the February 27, 2015 Tax Sale.

By motion made, and seconded (Schappell/Moty), with Supervisors Schappell, Moty and Giacomini voting aye, and Supervisors Kehoe and Baugh recording noes, the Board of Supervisors granted the petition to rescind the tax sale deed pursuant to Revenue and Taxation Code section 3731.

TREASURER-TAX COLLECTOR

PETITION TO RESCIND TAX SALE-PETITIONER: JOEL MICHAEL SOLDANO

ASSESSOR'S PARCEL NUMBER 097-140-018-000

TAX SALE DATE: FEBRUARY 27, 2015

This was the time set to conduct a public hearing regarding the Petition to Rescind Tax Sale Deed: Petitioner: Joel Michael Soldano, Assessor's Parcel Number 097-140-018-000, Date of Sale: February 27, 2015

Attorney Michael Dacuisto spoke on the matter of Petitioner Joel Michael Soldano's request to the Board of Supervisors to rescind the tax sale deed.

Treasurer-Tax Collector Lori Scott presented the documentation provided to Mr. Nicholas on the February 27, 2015 Tax Sale.

By motion made, and seconded (Kehoe/Giacomini), and unanimously carried, the Board of Supervisors granted the petition to rescind the tax sale deed pursuant to Revenue and Taxation Code section 3731

2:56 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy