

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, August 23, 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  
County Counsel - Rubin E. Cruse, Jr.  
Administrative Board Clerk - Candice Marlar  
Administrative Board Clerk - Mary Hurton

**INVOCATION**

Invocation was given by Pastor Jeremy Twombly, Cow Creek Community Church.

**PLEDGE OF ALLEGIANCE**

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

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Giacomini noted that the item regarding the donation of armor plated vests 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:

Adopted Resolution No. 2016-092, which approves the Fiscal Year 2016-17 tax rates for the Countywide Basic Tax, Unitary Debt Service, School District Bond Sinking Funds, Special District Voter-Approved Debt, and Tax Overrides. (Auditor-Controller)

(See Resolution Book No. 57)

Approved the minutes of the meeting held on August 16, 2016, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive first amendment effective July 1, 2015 to the agreement with Hill Country Community Clinic, federally-qualified health center, to provide an additional five Full Service Partnership program slots at the Health Center's satellite office, while retaining the maximum compensation amount of \$1,053,162 and retaining the term of July 1, 2015 through June 30, 2018. (Health and Human Services Agency (HHS)-Adult Services)

Approved and authorized the Chairman to sign the first amendment to the agreement with Merritt Hawkins & Associates, LLC increasing total maximum compensation by \$52,000 (for a new total not to exceed \$101,900) to provide additional professional recruitment services, and extending the term of the agreement from August 3, 2015 through June 30, 2017, with one automatic one-year renewal. (HHS-Business and Support Services)

Approved and authorized the Chairman to sign the following retroactive renewal leases with: Ideal Mini Storage in the amount of \$50 per month for 100 square feet of storage space at Third Street, Community of Johnson Park, CA, Unit 16 for the period January 1, 2016 through December 31, 2017, with nine one-year optional renewals; and Ideal Mini Storage in the amount of \$50 per month for 100 square feet of storage space at Third Street, Community of Johnson Park, CA, Unit 23 for the period January 1, 2016 through December 31, 2017, with nine one-year optional renewals. (HHS-Business and Support Services/Regional Services)

Approved and authorized the Chairman to sign a retroactive amendment to the rental agreement with Inter-Mountain Heritage Foundation d.b.a. Inter-Mountain Fair and Event Center (Foundation) in an amount not to exceed \$28.75 per month, and not exceeding \$1,250.63 over the term of the rental agreement, for the Health and Human Services Agency to access the Foundation's secure password protected wireless network for the purpose of providing client services for the period November 16, 2015 through June 30, 2019. (HHS-Business and Support Services/Regional Services)

Approved and authorized the Chairman to sign a retroactive amendment, effective October 1, 2015, to the agreement (No. 15-10076) with the California Department of Public Health for the operation of the Women, Infants and Children (WIC) Supplemental Nutrition Program, modifying the scope of work, shifting funds between expense categories for the period of October 1, 2015 to September 30, 2016, and increasing the maximum amount payable of the agreement overall (effective October 1, 2016 through September 30, 2019) by \$495,496 (for a new total not to exceed \$7,433,777) to provide additional WIC services while retaining the term of October 1, 2015 through September 30, 2019. (HHS-Regional Services)

Took the following actions regarding the District Attorney's Driving Under the Influence Vertical Prosecution Program: Adopted Salary Resolution No. 1495, effective September 18, 2016, which extends the sunset date for one Deputy District Attorney I/II/III position from September 30, 2016 to June 30, 2017; and approved a budget amendment in the District Attorney's budget reducing the Federal Department of Justice Grant revenue by \$196,373, and increasing the State Realignment 2011 Assembly Bill 109 revenue by \$196,373. (District Attorney)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive amendment, effective June 1, 2016, to the agreement with About Time Recovery, Inc. for the provision of sober living services, to increase maximum compensation in an amount not to exceed from \$50,000 to \$125,000 during the entire term of the agreement, and retaining the term of the agreement through June 30, 2017. (Probation)

Took the following actions: Approved and authorized the Chairman to sign the following agreements to allow placement of other county juvenile court wards at the Shasta County Juvenile Rehabilitation Facility (JRF), at a rate of \$115, per day per ward, for a period of three years from the date of signing: with Trinity County in an amount not to exceed \$100,000 over the entire term of the agreement; and with Modoc County in an amount not to exceed \$75,000 over the entire term of the agreement; and approved and authorized the County Executive

Officer, or his/her designee, to sign future JRF placement agreements provided that they are in substantially similar form to these agreements. (Probation)

Approved and authorized the Chairman to sign the Equitable Sharing Agreement and Certification Affidavit (ACA) outlining receipt and expenditure of federal asset forfeiture sharing funds for the Sheriff's Office and the District Attorney's Office during the Fiscal Year (FY) 2015-16 and authorize the person named as the Finance Contact in each department's respective ACA to electronically submit the ACA for FY 2015-16. (Sheriff's Office/District Attorney)

Adopted Resolution No. 2016-093, 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. 2016-094, 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 related to Tract No. 1986, Laurel Glen Estates (west Redding area), Phase II: Approved the Final Map for filing; accepted on behalf of the public offers of dedication for a public road and public utility easement as shown on the Final Map; and executed an agreement with the developer guaranteeing workmanship on the project roads and accept security for maintenance in the amount of \$6,800. (Public Works)

Awarded to the low bidder, Northwest Paving, Inc., on a unit cost basis, the contract for construction on various Permanent Road Divisions 2016 and County Road Chip Seals, Contract No. 111018, in the amount of \$1,319,430.25. (Public Works)

Took the following actions regarding the Adult Probation Building Roofing Project at 1626 Court Street: Awarded to the low bidder, Wait Roofing and Seamless Gutter, Inc., on a lump sum basis, the contract for the Adult Probation Building Roofing Project, Contract No. 610434, in the amount of \$83,438; and approved a budget amendment increasing appropriations by \$50,000 in capital asset account 061105 and decreasing appropriations in capital asset account 061104 by \$50,000 in the Land, Building & Improvements budget. (Public Works)

Took the following actions regarding the Coroner's Office Addition Project (Project): Found that the bid submitted by Walker Construction for the Project is non-responsive because the bidder failed to sign the bid bond submitted and failed to notarize the Non-Collusion Affidavit and that either one of these defects operates as a separate and distinct basis for a finding of non-responsiveness; and awarded to the lowest responsive and responsible bidder, JH Mack Construction, on a lump-sum basis, the contract for the Coroner's Office Addition Project, Contract No. 610429, in the amount of \$493,927. (Public Works)

**ACTION ON ITEMS PULLED FROM CONSENT CALENDAR**

**DONATIONS: ARMOR PLATED VESTS**

**ASPHALT COWBOYS**

**FRIENDS OF SHASTA COUNTY K-9**

**EASTERN SHASTA COUNTY SHERIFF'S FLYING POSSE**

Asphalt Cowboys Public Information Officer Tom Spade stated that due to increased support from the community in the past two years they have been able to increase contributions to the Sheriff's department and scholarship programs.

In response to questions by Supervisor Schappell, the two types of vests are rated equally effective. The difference between the vests are weight, cost, and expiration date.

At the recommendation of Sheriff Tom Bosenko and by motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors took the following actions: Accepted the following donations for armor plated vests: from the Asphalt Cowboys in the amount of \$5,000; from the Friends of Shasta County K-9 in the amount of \$1,239.48; and from the Eastern Shasta County Sheriff's Flying Posse in the amount of \$1,239.48; and approved a budget amendment increasing appropriations and revenues by \$7,479 in the Sheriff budget. (Sheriff's Office)

**REGULAR CALENDAR**

**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 a Rural Counties Representatives of California (RCRC) meeting.

Supervisor Schappell recently attended a Shasta Children and Families Commission meeting.

Supervisor Giacomini recently attended a Superior California Economic Development District meeting.

Supervisors reported on issues of countywide interest.

**ADMINISTRATIVE OFFICE**

**CONTINUUM OF CARE**

County Executive Officer (CEO) Larry Lees stated that the Continuum of Care (CoC) does not provide services, but rather collaborate and promote services to reduce homelessness. The umbrella and signature agency for U.S. Department of Housing and Urban Development (HUD) is Shasta County, and other counties have not contributed or offered to contribute to CoC. Currently, the CoC's Executive Board has not voted on the new Strategic Plan. The funding of a new CoC configuration has yet to be determined, but there are many options going

forward that could be considered. The Homeless Management Information System (HMIS) currently meets minimum HUD requirements, but it could do more and has room for expansion. The Coordinated Entry System pilot project now in place with the Veterans Resource Center is functioning well, however with two local housing authorities there are some barriers. Shasta County's official homeless population is recorded as 757 persons, with 198 persons considered as being chronically homeless, but it is the belief of the County that there are more than what is documented. Rapid rehousing, while possible, will still require certain safeguards and checks to ensure the safety of the community and participants. The proposed CoC plan differs from what is already done by creating more opportunity, improving the HMIS system, and creating better functionality. At this time there is no indication that the hospitals are participating or have been asked to participate in the plan.

In response to questions by Supervisor Baugh, CEO Lees stated the path forward will allow for better data collection through an improved HMIS system and an enhanced collaboration between different service providers in the community.

In response to questions by Supervisor Baugh, CEO Lees clarified in the past potential funding was lost due to a nonprofit choosing to not participate in the program at that time, not the department or County.

In response to questions by Supervisor Baugh, CEO Lees stated the potential for 34 million dollars is not available up front, nor does it necessarily mean that additional services will be available. In addition, an expanded HMIS system would allow for better accessibility to resources and possibly obtaining further funding to eliminate the wait list.

CEO Lees stated his recommended path forward is to keep the hosting of the CoC with the County for this time. It is proposed to separate out the data collection and the application process, hire a full-time executive director for the CoC to handle the collaboration, and an increased HMIS system.

Kristen Schreder stated she supports the CoC being moved from under the County and made into a nonprofit immediately.

Dale Ball stated he does not support additional funds being allocated to the CoC and supports additional funding instead being given to the current housing authority to house individuals.

Sam Major supported the CoC moving to a nonprofit and supported additional funding to be allocated to the CoC.

In response to questions by Supervisor Schappell, CEO Lees stated that if a new Executive Director was hired they would be under the supervision of the investors and the executive board.

In response to questions by Supervisor Moty, CEO Lees stated that problems with data entry are caused by many partners not having sufficient staffing, in addition to the current system being cumbersome. CEO Lees verified that the County cannot require providers to enter their data into the system or relinquish the data to the County.

In response to questions by Supervisor Kehoe, CEO Lees stated he encourages the Board to support his path forward as outlined (County staying signature authority, contracting out for applications, hiring full-time Executive Director, and an improved HMIS database) and direct the County to have discussions with the City of Redding.

In response to questions by Supervisor Baugh, CEO Lees stated that if the Board directs him to move forward he will be the person held accountable.

Supervisor Kehoe noted that the Cities of Anderson and Shasta Lake should be included in these discussions.

By motion made, seconded (Kehoe/Baugh), and unanimously carried, the Board of Supervisors directed CEO Lees to proceed with the proposed path forward as outline.

10:39 a.m.: The Board of Supervisors recessed

10:49 a.m.: The Board of Supervisors reconvened

## **LAW AND JUSTICE**

### **DISTRICT ATTORNEY**

#### **FISCAL YEAR 2015-16 REAL ESTATE FRAUD INVESTIGATION UNIT**

Chief Deputy District Attorney Stephanie Bridgett provided a report for the Real Estate Fraud Investigations Unit.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors accepted and approved the Fiscal Year 2015-16 Real Estate Fraud Investigations Unit report.

### **SCHEDULED HEARINGS**

#### **AB 1265 AND SB 1353: WILLIAMSON ACT CONVERSION OF WILLIAMSON ACT CONTRACTS RESOLUTION NO. 2016-095**

This was the time set to conduct a public hearing to consider implementing, pursuant to subdivision (e) of Government Code section 16142, the provisions authorized in AB 1265 and SB 1353 and outlined in subdivision (b) of Government Code Section 51244 and Section 51244.3 (AB 1265/SB 1353 provisions), which will have the following impacts effective January 1, 2017: the implementation would reduce a landowner's Williamson Act property tax benefits, which in most instances will result in an increase in property taxes to the landowner; the implementation would reduce the term of a Williamson Act contract from ten years to nine years; and the implementation would allow increased revenues to be transferred directly into the County's General Fund. County Administrative Office Analyst Laura Sumner 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.

In response to questions by Supervisor Moty, Ms. Sumner stated that the contract term is nine years and the savings amount remains the same each year.

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 took the following actions: Adopted Resolution No. 2016-095, which: finds that, for Fiscal Year 2015-16, the subvention payment the County received from the State of California pursuant to the Open Space Subvention Act was less than one-half of the County's actual foregone general fund property tax revenue that resulted from Williamson Act contracts; and states the Board's decision to implement Government Code section 51244(b) and Government Code section 51244.3 effective January 1, 2017; directed staff to notify all Williamson Act contracted landowners of the following: the final decision of the Board of Supervisors after the conclusion of the August 23, 2016 public hearing on whether to implement the AB 1265/SB 1353 provisions; and the landowner's right to prevent the reduction in the term of his or her

contract due to the implementation of the AB 1265/SB 1353 provisions by serving notice of non-renewal as specified by Government Code Sections 51244, 51245 and Shasta County Resolution No. 2011-103; and directed the County Administrative Office, Assessor-Recorder, Auditor-Controller, Tax Collector and Director of Resource Management to take all necessary steps to implement AB 1265/SB 1353 including but not limited to recording a notice that states the affected parcel numbers and current owner's names, making the appropriate additions to all affected properties assessed values, and modifying the Fiscal Year 2017-18 tax bills to reflect the assessment changes associated with the reduced tax benefit.

(See Resolution Book No. 57)

ISSUANCE OF REVENUE BONDS  
CALIFORNIA MUNICIPAL FINANCE AUTHORITY  
HILL COUNTRY COMMUNITY CLINIC  
RESOLUTION NO. 2016-096

This was the time set to conduct a public hearing under the requirements of Internal Revenue Code (IRC) section 147(f) in connection with the proposed issuance of revenue bonds by the California Municipal Finance Authority (CMFA). California Municipal Finance Authority representative Travis Cooper 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 (Kehoe/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-096, which approves the issuance of revenue bonds by the CMFA in the aggregate principal amount not to exceed \$4,500,000 for the purpose of refinancing the acquisition, construction, improvement, and equipping of health and medical facilities for Hill Country Community Clinic, such adoption is for the purpose of satisfying the requirements of IRC section 147(f), and Section 4 of the Joint Powers Agreement establishing the CMFA.

(See Resolution Book No. 57)

ZONE AMENDMENT 15-002, WILLIS  
RESOLUTION NO. 2016-097  
ZONING ORDINANCE NO. 378-2038

This was the time set to conduct a public hearing regarding Zone Amendment 15-002, Willis (Shingletown area), which would rezone a portion of a parcel located 250 feet east of the intersection of State Highway 44 East and Emigrant Trail, from the Rural Residential zone district combined with the Building Site Minimum (R-R-BSM) as shown on a recorded map to the Mixed Use zone district (M-U). Senior Planner Lio Salazar 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.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse Jr/ stated that if the system proves to be ineffective in reducing negative impact storm water flows then the neighboring property owners have legal recourse and PACE, as the designer, would held responsible.

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 took the following actions: Adopted Resolution No. 2016-097, which establishes findings under the California Environmental Quality Act and adopt a Mitigated Negative Declaration, as revised; made the rezoning findings; and introduced, waived the reading of, and

enacted Zoning Ordinance No. 378-2038, which amends the Zoning Plan of the County of Shasta identified in Zone Amendment 15-002, Willis (Shingletown area), with the condition set forth in Planning Commission Resolution No. 2016-006.

(See Resolution Book No. 57)  
(See Zoning Ordinance Book)

11:14 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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