

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, January 24, 2017

**REGULAR MEETING**

9:01 a.m.: Chairman Kehoe 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 Rickert  
District No. 4 - Supervisor Morgan  
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  
Administrative Board Clerk - Andrea Casey

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**BOARD MATTERS**

**JANUARY 2017 EMPLOYEE OF THE MONTH**  
**VENTON TROTTER, ASSOCIATE ENGINEER**  
**DEPARTMENT OF PUBLIC WORKS**  
**RESOLUTION NO. 2017-003**

At the recommendation of Director of Public Works Pat Minturn, and by motion made, seconded (Morgan/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2017-003, which recognizes Venton Trotter, Associate Engineer, Department of Public Works as Shasta County's Employee of the Month for January 2017.

(See Resolution Book No. 58)

## **PRESENTATIONS**

### **PRESENTATION: MENTAL HEALTH SERVICES**

Health and Human Services Agency (HHS) Director Donnell Ewert stated mental health services are offered through several HHS branches. Many privately funded medical insurances go to a local practice for mental health services, Medicare and Medi-cal participants go to a local practice or a federally qualified health center for mental health services, and severe mental health illnesses (specialty mental health ) receive services through the county.

Mr. Ewert stated Shasta County's Medi-Cal Beneficiaries penetration rate is higher than the County's peers around the state or the state's average in all age groups, however the penetration rate means that services are being made available to those who need them. Mental Health funding is provided through the Mental Health Services Act, Medi-Cal, Realignment, Inter-Governmental Transfer, the County General Fund, and various grants. In Fiscal Year 2015-16, Shasta County's total expenditures were \$29,088,348 for Mental Health services.

Furthermore, Mr. Ewert explained the following services are provided by HHS staff and contracted providers: Assessment, crisis intervention, treatment planning, group and individual therapy, collateral interventions with family and caregivers, rehabilitative services, case management, medication management, psychological testing, wellness centers, therapeutic behavioral studies (Children's Service Branch), and housing support (Adult and Children's Services Branches).

HHS-Children's Services Branch Director Dianna Wagner stated by providing children with skills and/or therapy to regulate behavior there has been a reduction of youth on psychotropic medication. In addition, Ms. Wagner expressed the importance of children having stability and decreasing trauma.

HHS-Adult Services Branch Director Dean True explained Behavioral Health Court is a small collaborative voluntary program that gives services to those who need them versus incarceration. Furthermore, Mr. True explained how HHS-Adult Services has utilized a Field Based Nursing Program to assist individuals in maintaining housing and promote their highest level of independence. In addition, the County has co-located in Mercy Medical and Shasta Regional to help with expediting mental health crisis issues.

Mr. Ewert expanded on new initiatives happening in Shasta County such as: Continuum of Care Reform, Mental Health Resource Center, Assisted Outpatient Treatment (Laura's Law) Program, youth and adult inpatient unit in Red Bluff (Restpadd), Whole Person Care Pilot (mobile crisis team), addressing possible funding and future of the Crisis Stabilization Unit with the City of Redding, the Woodlands (Redding/Shasta County/Northern Valley Catholic Social Service [NVCSS] collaborative), and Eastern Shasta County Housing (collaborative with NVCSS).

In response to questions by Supervisor Baugh, Mr. Ewert stated mental health is a community issue and the problem needs to be solved as a community.

In response to questions by Supervisor Baugh, Ms. Wagner stated there might be difficulties finding a forever home for children with mental health issues, but the sooner children with issues can get into a home where they feel loved and supported the sooner issues can be addressed.

In response to questions by Supervisor Rickert, Mr. True stated the County attempts to continually engage clients in services. In addition, Mr. True stated that it takes approximately 26-34 hours to find a bed in a hospital, and hospitalization rate is approximately \$900 to \$950 a day, with stays averaging approximately seven to eight days.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Dr. Ray John expressed his appreciation for the help received from the Veteran's Service Office.

Chris Deile expressed concerns over marijuana use and potential violence against him due to him exercising his freedom of speech.

William Gilbert expressed frustrations with his interactions with a County employee.

Roy Vincent expressed his interest in utilizing Rural Community Assistance Corporation obtaining a household income medium survey in Jones Valley proper and his concern with the membership of the Jones Valley Community Action Board.

**ITEMS PULLED FROM CONSENT CALENDAR**

Chairman Kehoe noted that the items regarding County Service Area appointments had been pulled for discussion.

**CONSENT CALENDAR**

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

Approved and authorized the Chairman to sign the County Claims List totaling \$5,443.75 requiring special board action. (Auditor-Controller)

Approved the minutes of the meeting held on January 10, 2017, as submitted. (Clerk of the Board)

Appointed District 3 Supervisor Mary Rickert as a candidate to the Sierra Nevada Conservancy Board. (Clerk of the Board)

Appointed Steven Kerns (District 3 appointment) to the Shasta County Planning Commission for a four-year term to expire January 2021. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Sutter-Yuba Behavioral Health in an annual amount not to exceed \$100,000 for psychiatric inpatient services for the period July 1, 2016 through June 30, 2019. (Health and Human Services Agency-Adult Services)

Took the following actions regarding the purchase of desks, tables, chairs, and related accessories: Approved and authorized County Purchasing to award the bid for the purchase of tables and chairs to Office Depot of Redding, California for a total purchase price of \$76,130.55 (including all taxes and fees); approved and authorized County Purchasing to award the bid for the purchase of desks and accessories to Golden State Office Furniture of Redding, California for a total purchase price of \$135,723.93 (including all taxes and fees); approved and authorized the Health and Human Services Agency (HHS) to purchase up to 414 chairs and 26 tables, and to surplus up to 165 chairs for trade in value and seven chairs for disposal by June 30, 2017 with the total purchase not to exceed \$76,130.55; and approved and authorized the HHS to purchase up to 114 desks and 151 desk accessories including hutches, pedestals, computer mounts, and monitor arms, and to surplus up to 10 desks for trade in value by June 30, 2017 with a total purchase not to exceed \$135,723.93. (Health and Human Services Agency-Business and Support Services)

Approved and authorized the Chairman to sign the following leases with Parlay Investments, Inc.: In the amount of \$1,572.50 per month (approximately \$0.85 per square foot) for 1,850 square feet of office space at 1420 Yuba Street, Redding, for the period February 1, 2017 through December 31, 2021 with annual Consumer Price Index (CPI) increases or decreases of no more than two percent per year with two two-year and one one-year optional renewals; and in the amount of \$879.75 per month (approximately \$0.85 per square foot) for 1,035 square feet of office space at 1580 Market Street, Redding, for the period February 1, 2017 through December 31, 2021 with annual CPI increases or decreases of no more than two percent per year with two two-year and one one-year optional renewals. (Health and Human Services Agency-Business and Support Services/Health and Human Services Agency-Children's Services)

Took the following actions regarding the Soda Creek Road at Soda Creek Bridge Replacement Project, Contract No. 705928: Adopted Resolution No. 2017-004, which makes environmental findings and adopts a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; approved and authorized the Chairman to sign a right of way contract with Oxbow Timber I, LLC for right of way valued at \$1,500 for 0.19 acres and for a temporary construction easement valued at \$150 for 0.39 acres; and accepted an Easement Deed conveying a right of way parcel. (Public Works)

(See Resolution Book No. 58)

Appointed General Manager of the Centerville Community Services District Chris Muehlbacher to the Northern Sacramento Valley Integrated Regional Water Management Board of Directors. (Public Works)

Took the following actions for the County Service Area No. 17-Cottonwood System Upgrade Project: Adopted Resolution No. 2017-005, which authorizes the Public Works Director to execute and submit grant and loan applications and related documents; adopted Resolution No. 2017-006, which pledges revenues and funds for repayment of Clean Water State Revolving Fund and/or water recycling fund; and adopted Resolution No. 2017-007, which authorizes expenditures paid prior to the issuance of obligations or the approval by the State Water Board of the project funds. (Public Works/County Service Area No. 17-Cottonwood)

(See Resolution Book No. 58)

Awarded to the low bidder, Fouts Brother, Inc., the contract for the purchase of a 3,000 gallon water tender for County Service Area No. 1-County Fire, for the total purchase price of \$237,134 (including sales tax and delivery). (County Service Area No. 1-County Fire)

Adopted Resolution No. 2017-008, which approves and authorizes the Chairman to sign an agreement with the California Department of Forestry and Fire Protection in an amount not to exceed \$19,987.50 including dollar for dollar County matching funds for a total of \$39,975 for the purchase of wildland fire personal protective equipment for the period from the date of the last signatory through June 30, 2017. (County Service Area No. 1-County Fire)

(See Resolution Book No. 58)

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

#### **APPOINTMENTS: COUNTY SERVICE AREAS**

Supervisor Moty amended the original motion to appoint only Lee Bunnell, Jim Cowee, and Marion Schmitz (declining to appoint Russell Hunt) to County Service Area No. 25-Keswick.

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors appointed the following property owners to two-year terms on their respective Community Advisory Boards for the various County Service Areas:

COUNTY SERVICE AREA NO. 2-SUGARLOAF

1. David Lee
2. Carmen Le
3. Tom Kisling
4. Mardi Kisling
5. Beverly Steele

COUNTY SERVICE AREA NO. 6-JONES VALLEY

1. Larry Olkowski
2. Nancy Wallen

COUNTY SERVICE AREA NO. 11-FRENCH GULCH

1. Marty Daily
2. Steve Poirier
3. Judy Britton

COUNTY SERVICE AREA NO. 17-COTTONWOOD

1. Ronald Myers
2. Julie Bailey
3. Dwight Bailey

COUNTY SERVICE AREA NO. 25-KESWICK

1. Lee Bunnell
2. Jim Cowee
3. Marion Schmitz

10:28 a.m.: The Shasta County Board of Supervisors recessed and convened as the Shasta County Water Agency.

**SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

**SHASTA COUNTY WATER AGENCY**

By motion made, seconded (Baugh/Moty), and unanimously carried, the Shasta County Water Agency took the following actions, which were listed on the Shasta County Water Agency Consent Calendar:

Took the following actions related to potential water supply improvements for County Service Area No. 2-Sugarloaf: Adopted Resolution No. 2017-01, which authorizes the Chief Engineer to submit funding applications to the California State Water Resources Control Board and to execute any resulting funding agreements and that finds the funding application and any subsequent funding agreement to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §§15262, 15306, and 15261(b)(3); and approved and authorized the Chairman to sign an amendment with Pace Engineering, Inc., to facilitate application and execution of funding agreements with the California State Water Resources Control Board for a new total not to exceed \$40,800 and extending the term to March 30, 2018. (Water Agency County Service Area No. 2-Sugarloaf)

(See Water Agency Resolution Book)

10:29 a.m.: The Shasta County Shasta County Water Agency 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 presented an update on specific legislation of importance to Shasta County, including the State's budget and decreased revenue possibly impacting the County's finances. In addition, CEO Lees presented an update on the District Attorney appointment, indicating the filing period has been re-opened to allow for additional time in the application process.

Supervisor Baugh recently attended a Rural County Representatives of California meeting.

In response to questions by Supervisor Baugh, CEO Lees stated the Governor's Budget will be largely felt in Shasta County

Supervisor Kehoe recently attended a Redding Area Bus Authority meeting.

Supervisor Moty recently attended a California State Association of Counties meeting.

Supervisors reported on issues of countywide interest.

**LAW AND JUSTICE**

**SHERIFF**

**PROCLAMATION: LOCAL EMERGENCY  
RESOLUTION NO. 2017-010**

At the recommendation of Sheriff Tom Bosenko and Director of Public Works Pat Minturn, and by motion made, seconded (Moty/Rickert), and unanimously carried, the Board of Supervisors adopted Resolution No. 2017-010, which ratifies a proclamation declaring a local emergency due to storm damage which occurred in the unincorporated area of Shasta County during January 2017.

(See Resolution Book No. 58)

**RESOURCE MANAGEMENT**

**RESOLUTION OF INTENT TO CONSIDER AMENDMENTS TO THE SHASTA COUNTY  
ZONING PLAN- MEDICAL AND RECREATIONAL MARIJUANA  
RESOLUTION NO. 2017-011**

Director of Resource Management Richard Simon gave an overview of recent marijuana regulations and laws.

In response to questions by Supervisor Morgan, Mr. Simon stated the current zoning permit fee is approximately \$255. In addition, Mr. Simon clarified that inspections would occur throughout the permitting process.

Chris Deile spoke against the commercial selling of marijuana.

Peter Scales spoke against marijuana cultivation and use.

Charles Brady and Samuel Williams spoke in support of allowing marijuana outdoor cultivation and commercial activity.

In response to questions by Supervisor Baugh, Director Simon stated that cultivation is allowed in multifamily dwellings or apartments under Proposition 64. Under current County Code, the renter must get permission in writing by the property owner to cultivate at a rental property. However, Mr. Simon is unsure how rental properties are addressed in Proposition 64. Furthermore, during the permit process the property owner would always be involved and required to approve of specifications.

In response to questions by Supervisor Morgan, Director Simon stated that the zoning permit fee charged must recover costs incurred by the County.

In response to questions by Supervisor Moty, County Counsel Rubin Cruse stated that private property owners have the ability to regulate cultivation on their rental properties. In addition, Counsel Cruse confirmed that the County cannot prohibit transporting through the County, but they can restrict the delivery of marijuana within the County.

Supervisor Moty requested that the number of allowed plants be reviewed (six for both medicinal and recreational) by the Planning Commission to help reduce confusion and aid with enforcement.

In response to questions by Supervisor Rickert, Counsel Cruse stated that he is unsure if or when marijuana will become legal at the federal level.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2017-011, a resolution of intent to consider amendments to the Shasta County Zoning Plan to regulate the cultivation of marijuana and to regulate commercial marijuana activity in the unincorporated area of the County, including but not limited to: Continuing to prohibit outdoor cultivation of marijuana for medical and nonmedical purposes; requiring a permit for cultivation of marijuana for medical and nonmedical purposes within a private residence as well as within an accessory structure; distinguishing a six plant limit for cultivation for nonmedical purposes from the twelve plant limit for medical purposes; and prohibiting commercial marijuana activity.

(See Resolution Book No. 58)

11:38 a.m.: The Shasta County Board of Supervisor recessed.

11:48 a.m.: The Shasta County Board of Supervisor reconvened.

## **GENERAL GOVERNMENT, CONTINUED**

### **ADMINISTRATIVE OFFICE**

#### **SHERIFF**

#### **PUBLIC WORKS**

### **ADULT REHABILITATION CENTER PROJECT**

CEO Lees stated previously it was understood the Adult Rehabilitation Center (ARC) annual operating costs would be approximately 2.1 million dollars for a 30,000 square-foot, medium security, dormitory style center with approximately 64 beds. The Board approved the project under the expectations of state funding for an ARC and the expectation of funding being available to the County through various other avenues. While the Justice Center bond has been

paid off, it was the expectation that construction of the new Courthouse would be well underway by this time, that the current Courthouse would be vacated, and that the economy would rebound. Furthermore, the County has now had to absorb the costs of increased CalPERS premiums, which were unexpected. During the approval process of the ARC, the Board had the foresight to allow for measures to cancel the project in case funding became scarce or unreasonable.

CEO Lees stated that while the state was to contribute \$20 million dollars, the County was to contribute \$2.5 million and land valuing approximately \$360,800 (for a total ARC Project Cost of \$22,860,800). However, estimated one-time costs to open ARC of \$3,366,649 had yet to be determined or a funding source identified. Furthermore, estimated ARC Operational Costs would have a \$3,952,239 gap in funding (\$6,029,117 total cost), which a funding source has yet to be identified. Due to the financial implications to the County, CEO Lees recommended that the County put the project on hold and not go forward.

In response to questions by Supervisor Moty, CEO Lees stated a ten percent cut to General Fund contribution to the Sheriff's Department would be approximately \$2.5 million.

Sheriff Bosenko stated he supports CEO's recommendation to put the project on hold and not go forward given the financial burden the ARC would place on the County.

Auditor Controller Brian Muir stated that the County cannot currently afford to construct and operate the ARC.

In response to questions by Supervisor Kehoe, Sheriff Bosenko stated that if the ARC is not constructed the current situation would remain the same.

In response to questions by Supervisor Moty, Sheriff Bosenko stated that if the Sheriff's budget was reduced by \$2.5 million, approximately 30 deputy positions would be eliminated.

In response to questions by Supervisor Rickert, Sheriff Bosenko stated that only certain individuals can be housed out of County. Approximately \$550,000 is spent annually on housing individuals out of County.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors directed staff to take action towards terminating the County's participation in the State funding process for the Adult Rehabilitation Center.

12:22 p.m.: The Board of Supervisors adjourned.

---

Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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