

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, September 12, 2017

**REGULAR MEETING**

9:00 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 - absent  
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 - Nicole Hobbs  
Administrative Board Clerk - Rossann Gimms

**INVOCATION**

Invocation was given by Dr. Arthur Tilles, Temple Beth Israel of Redding.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**BOARD MATTERS**

**PROCLAMATION: CONSTITUTION WEEK**  
**SEPTEMBER 17-23, 2017**

At the recommendation of Supervisor Morgan, and by motion made, seconded (Morgan/Baugh), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 17-23, 2017, as "Constitution Week" in Shasta County.

**PROCLAMATION: AMERICAN LEGION DAY**  
**SEPTEMBER 16, 2017**

At the recommendation of Supervisor Rickert, and by motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 16, 2017 as "American Legion Day" in Shasta County.

EMPLOYEE OF THE MONTH: SEPTEMBER 2017  
DOMINIC DE LELLO, SENIOR STAFF SERVICES ANALYST  
HEALTH AND HUMAN SERVICES AGENCY-BUSINESS AND SUPPORT SERVICES

At the recommendation of Health and Human Services Agency Deputy Branch Director Megan Dorney and by motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2017-084, which recognizes Health and Human Services Agency-Business and Support Services Senior Staff Services Analyst Dominic De Lello as Shasta County's Employee of the Month for September 2017.

(See Resolution Book No. 59)

**PRESENTATIONS**

PRESENTATION: FRIENDS OF THE INTERMOUNTAIN LIBRARIES (FOIL)  
BURNEY LIBRARY

Received a presentation from the Burney Library members Melanie Kerns, Pat Pell, Charla Connelley, Fran Collier, Bill Campbell, John Alexander Colvin, Michael Kerns, Peggy O'Lea, Kimberly Ross, Kim Niemer, and Laura Burnett supported the use of Windmill Funds to purchase an existing building to house a new Burney Library.

In response to questions by Supervisor Baugh, Laura Burnett and Kim Niemer stated that additional funds would not be required to operate the proposed new Burney Library.

Chairman Kehoe polled the Board, and by consensus the Board of Supervisors unanimously confirmed they would support the matter regarding Burney Library being put on the agenda as an action item.

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors directed staff to place the matter regarding the Burney Library on the agenda as an action item at a future date.

10:18 a.m.: The Shasta County Board of Supervisors recessed.

10:25 a.m.: The Shasta County Board of Supervisors reconvened.

**PUBLIC COMMENT PERIOD - OPEN TIME**

William Gilbert expressed frustrations with his interactions with County personnel.

County Executive Officer Larry Lees introduced Celestina Traver as the newly appointed Veterans Service Officer.

**CONSENT CALENDAR**

By motion made, seconded (Morgan/Baugh), and carried, the Board of Supervisors took the following actions, which were listed on the Consent Calendar (Supervisor Rickert recused herself on the item regarding Remi Vista due to a personal lease with the company):

Accepted the annual report of shortage reimbursements totaling \$4,349.75 for Fiscal Year 2016-17 made by the Auditor-Controller in accordance with Resolution No. 2004-56. (Auditor-Controller)

Approved and authorized the Chairman to sign the County claims list in the amount of \$10,075.27, as submitted. (Auditor-Controller)

As introduced on August 15, 2017, enacted Ordinance No. SCC 2017-04. of the Board of Supervisors of the County of Shasta Amending Chapter 1.12 of the Shasta County Code Concerning Administrative Enforcement. (Clerk of the Board)

(See Shasta County Code Ordinance Book)

Took the following actions regarding the Cottonwood Cemetery District Board of Trustees for four-year terms to February 2020: Reappointed John Helfrich; and appointed Dale Allen. (Clerk of the Board)

Reappointed Glenn Tuschen to the Halcumb Cemetery District Board of Trustees for a four-year term to May 2021. (Clerk of the Board)

Took the following actions regarding the Well Standards Advisory Board for two-year terms to January 2019: Reappointed Steve Foster and Bryan Gartner; and appointed Ted Ogilvie. (Clerk of the Board)

Appointed Frank Schabarum to the Bella Vista Water District Board of Directors to fill a vacancy on that Board to December 2019 or such other time as authorized by law. (Clerk of the Board)

Approved the minutes of the meetings held on August 15 and August 22, 2017, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive renewal agreement with the County of Butte in the approximate amount of \$37,000 to provide acute psychiatric inpatient care for the period July 1, 2017 through June 30, 2018. (Health and Human Services Agency-Adult Services)

Adopted Resolution No. 2017-085, which approves and authorizes the Director of the Health and Human Services Agency (HHSA), or any HHSA Branch Director designated by the HHSA Director, to sign: Attestations and/or certifications, or any other documents required to receive funding through the Department of Health Care Services revenue agreement (No. 16-14184-SH-45) for the implementation of a Whole Person Care Pilot Program; and amendments, including retroactive, and increases to maximum compensation not to exceed \$388,071 per year, for the entire term of the agreement that do not result in a substantial or functional change to the original intent of the agreement and that otherwise comply with Shasta County Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Adult Services)

(See Resolution Book No. 59)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Restpadd, Inc. in an amount not to exceed \$6,000,000 to provide psychiatric inpatient services for the period July 1, 2017 through June 30, 2019. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign an amendment to the lease agreement with Jennifer Cooper to reflect recorded ownership in the name of Jennifer Cooper and to update the address to which notices and lease payments are sent for the existing County leased space at 36911 Main Street, Burney, retaining the original lease payment schedule and term. (Health and Human Services Agency-Business and Support Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Catholic Charities CYO of the Archdiocese of San Francisco, d.b.a. St. Vincent's School for Boys in an amount not to exceed \$450,000 to provide mental health services to eligible children

for the period July 1, 2017 through June 30, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Remi Vista, Inc. in an amount not to exceed \$525,000 to provide therapeutic behavioral services for eligible children for the period July 1, 2017 through June 30, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Approved and authorized the Chairman to sign a retroactive renewal agreement with the Shasta County Child Abuse Prevention Coordinating Council in an amount not to exceed \$528,807 to provide parent learning and supportive services for the period August 16, 2017 through August 15, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Took the following actions: Approved and authorized the Chairman to sign: a retroactive agreement with the California Department of Public Health (Agreement No. 17-10196) for Shasta County to receive funding in an amount not to exceed \$3,362,165 for emergency preparedness and response activities for the period July 1, 2017 through June 30, 2022; the Certification Regarding Lobbying; the California Civil Rights Law Attachment; (d) the Non-Supplantation Certification Form; and (e) the Contractor Certification Clauses; and approved and authorized the Health and Human Services Agency (HHS) Director or any HHS Branch Director to sign prospective and retroactive amendments and other documents that result in a net change in compensation not to exceed \$150,000 in accordance with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Public Health)

Adopted Resolution No. 2017-086 regarding the California Department of Housing and Community Development, Emergency Solutions Grant (ESG) Program grant for the Rapid Rehousing Program and the Homeless Management Information System which: Approves the Health and Human Services Agency (HHS) Director, or any HHS Branch Director designated by the HHS Director, to sign and submit the grant application; certifies funds will be expended in a manner consistent and in compliance with all applicable laws, including ESG Program rules; and approves and authorizes the Chairman to sign the grant agreement for the period January 1, 2018 through September 30, 2020, and any subsequent amendments, provided that County Counsel approves as to form and the agreement does not exceed \$200,000. (Health and Human Services Agency-Regional Services)

(See Resolution Book No. 59)

Adopted Resolution No. 2017-087, which approves and authorizes the Chairman to sign a revenue renewal agreement (Cooperative Agreement No. 02A1649) with the State of California Department of Transportation in an amount not to exceed \$188,430 for the provision of internal mail room services for the period September 19, 2017 through August 31, 2020. (Health and Human Services Agency-Regional Services)

(See Resolution Book No. 59)

Adopted Resolution No. 2017-088, which approves and authorizes: The Director of Housing and Community Action Programs (Director) to sign and submit an application to the California Department of Housing and Community Development in an amount not to exceed \$236,229 for Emergency Solutions Grant Program funding for the period January 1, 2018 through September 30, 2020; the Chairman to sign the grant agreement; and the Director to sign additional application and participation documents necessary to secure the grant. (Housing and Community Action Programs)

(See Resolution Book No. 59)

Approved and authorized the Chairman to sign the Fiscal Year 2017-18 California Department of Veterans Affairs Certificates of Compliance to allow the Veterans Service Officer to participate in: The County Subvention Program; and the Medi-Cal Cost Avoidance Program. (Veterans Services)

Accepted a cash donation from the American Legion Auxiliary Post 197 in the amount of \$3,000 for a portion of the cost to refinish the main floor of the Redding Memorial Veterans Hall. (Public Works)

Took the following actions regarding the County's Road Rehabilitation Program: Adopted a list of transportation projects into the Roads budget to be funded by and in accordance with Senate Bill 1 (Beall), *Transportation Funding*; and approved and authorized the Chairman to sign an agreement with Nichols Consulting Engineers, CHTD in an amount not to exceed \$170,400 to implement a new County-wide Pavement Management System from date of signing through December 31, 2018. (Public Works)

Approved and authorized the Chairman to sign a license agreement with Shasta-Tehama-Trinity Joint Community College District granting right of entry for the "Old Oregon Trail & Shasta College Drive ATP Project," Contract No. 704008, for construction of bicycle facilities on the Shasta College campus. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with PACE Engineering, Inc. to increase compensation by \$50,000, for a new total not to exceed \$100,000, and retain the term February 19, 2016 through February 19, 2017, with two automatic one-year renewals to provide telemetric systems technical support. (Public Works)

Took the following actions regarding construction on "Various Permanent Road Divisions 2017 Project," Contract No. 111018: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) Section 15301 Guidelines, Class I-Existing Facilities; approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after October 5, 2017, at 11:00 a.m. (Public Works)

Approved and authorized the Chairman to sign an agreement with Gable's Hauling and Demolition Inc. in an amount not to exceed \$75,000 per fiscal year for nuisance abatement cleanup services from date of signing through June 30, 2019. (Resource Management-Building Division)

10:31 a.m.: The Shasta County Board of Supervisors will recess and reconvene as the Shasta County Water Agency.

## **SPECIAL DISTRICTS/OTHER AGENCIES CONSENT CALENDAR**

### **SHASTA COUNTY WATER AGENCY**

By motion made, seconded (Morgan/Rickert), and unanimously carried, the Board of Supervisors approved and authorized a loan of \$10,000 from the Water Agency Administration fund to the County Service Area No. 25-Keswick Water fund. (Water Agency)

10:32 a.m.: The Shasta County Water Agency will adjourn and reconvene 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.

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter supporting additional federal funding to combat illicit use of opioids and heroin in Shasta County.

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a letter opposing Senate Bill 249 (Allen), *Off-Highway Motor Vehicle Recreation*.

Supervisor Morgan recently attended a Juvenile Justice Coordinating Council meeting.

Supervisors reported on issues of countywide interest.

**SCHEDULED HEARINGS**

**RESOURCE MANAGEMENT**

**PLANNING DIVISION**

**GENERAL PLAN AMENDMENT 16-001**  
**HIGHMARK LAND COMPANY, LLC.**  
**RESOLUTION NO. 2017-089**  
**ORDINANCE NO. 378-2043**

This was the time set to conduct a public hearing to consider General Plan Amendment 16-001 and Zone Amendment 16-002, Highmark Land Company, LLC (Burney/Johnson Park Town Center) and to enact an ordinance amending Ordinance No. 378. Resource Management Director Rick Simon presented the staff report and recommended approval. The Notice of Hearing and the Notice of Publication are on file with the Clerk of the Board.

In response to questions by Supervisor Kehoe, Mr. Simon stated in his opinion the current proposal is a reasonable operation of scale and would not drastically displace economic activity.

The public hearing was opened.

In response to questions by Supervisor Morgan, John Ochipinti stated there are other potential intended uses for vacant buildings.

The public hearing was closed.

In response to questions by Supervisor Rickert, Mr. Simon stated the department has not had community outreach regarding this item.

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2017-089, which adopts the

California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration and approves General Plan Amendment 16-001, with the findings set forth in Planning Commission Resolution No. 2017-026; and introduce, waive the reading of, and enact Ordinance No. 378-2043, Amending Ordinance No. 378, The Zoning Ordinance of the County of Shasta, a Portion of the Zoning Plan (Z16-002–Highmark Land Co.) with the findings set forth in Planning Commission Resolution No. 2017-027.

(See Resolution Book No. 59)

(See Zoning Ordinance Book)

## **GENERAL GOVERNMENT**

### **CLERK OF THE BOARD**

This was the time set to conduct a public hearing to consider an appeal of the denial of a request for variance for Assessor Parcel Number 304-130-022-000, Catherine B. McCandless. The item was continued to a future board date.

## **CLOSED SESSION ANNOUNCEMENT**

Chairman Kehoe announced that the Board of Supervisors would recess to a Closed Session to take the following actions: Confer with legal counsel to discuss existing litigation entitled *Medicine for our Military, Inc., et al v. County of Shasta, et al.* and *Nicholas Thompson v. County of Shasta*, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1); and confer with legal counsel to discuss one case of anticipated litigation, pursuant to Government Code Section 54956.9, subdivision (d), paragraph (4) *initiation of litigation*.

11:21 a.m.: The Board of Supervisors recessed to Closed Session.

11:43 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**

County Counsel Rubin E. Cruse, Jr. reported that the Board of Supervisors met in Closed Session to discuss existing litigation and anticipated litigation; The following action was taken:

In the matter of *Medicine for our Military, Inc., et al. v. County of Shasta, et al.*, a case involving the alleged violation of rights arising out of the cultivation of marijuana and unlawful seizure of marijuana, the Board of Supervisors, by a 4-0 vote, gave approval to legal counsel to defend this action and authorized the County Counsel's Office to assign the defense of all of the defendants in this case to Jeffrey Dunn, Esq., of Best, Best, & Krieger.

In the matter of initiation of litigation, one potential case, the Board of Supervisors, by a 4-0 vote, gave direction to initiate legal action and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

There was no other reportable action.

11:45 a.m.: The Board of Supervisors adjourned.

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Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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