

**SHASTA COUNTY BOARD OF SUPERVISORS**

Tuesday, June 18, 2019

**REGULAR MEETING**

9:01 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 Chimenti  
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 - Kristin Gulling-Smith  
Administrative Board Clerk - John Sitka

**INVOCATION**

A moment of silence was observed.

**PLEDGE OF ALLEGIANCE**

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

**REGULAR CALENDAR**

**BOARD MATTERS**

**PRESENTATION: SHASTA COUNTY'S DISPLAY AT THE STATE CAPITOL**

Randi Slaughter gave a presentation regarding Shasta County's display at the State Capitol and requested the Board's support for pursuing an update to the display.

At the recommendation of Supervisor Baugh, and by motion made, seconded (Baugh/Rickert), and unanimously carried, the Board of Supervisors directed Mrs. Slaughter to proceed with an update to the display while maintaining communication with the Administrative Office.

**PUBLIC COMMENT PERIOD - OPEN TIME**

Donnell Ewert, Director of the Health and Human Services Agency (HHSA), recognized Terri Fields Hosler, Branch Director of HHSA-Public Health, for over 17 years of service to the County and congratulated her on her retirement.

Tonya Moore, Director of Tehama County Department of Child Support Services, thanked the Shasta County Department of Child Support Services (DCSS) for their recent assistance, which was critical in preventing interruption of services to their customers. Ms. Moore recognized DCSS Director Terri Morelock and Chief Child Support Attorney Kristine Golden with service awards.

William Gilbert spoke regarding issues with Shasta County staff.

### **CONSENT CALENDAR**

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

Adopted Policy Resolution No. 2019-01 which: Repeals Administrative Policy 8-410, *Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Policy*; and amends Administrative Policy 8-400, *HIPAA Privacy Policy*, to add relevant sections of the HIPAA Security Policy. (Administrative Office)

(See Policy Resolution Book)

Approved and authorized the Chairman to sign the County claims list in the amount of \$6,880.72, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on June 11, 2019, as submitted. (Clerk of the Board)

Appointed Fred Peery to the Anderson Cemetery District Board of Directors for a four-year term to expire January 2023. (Clerk of the Board)

Approved and authorized the Chairman to sign an amendment, effective date of signing, to the agreement with Dominion Voting Systems, Inc. to provide a voting system, to increase maximum compensation from \$1,998,428 to \$2,262,941.83, add software and components to the current voting system, and retain the term January 1, 2018 through December 31, 2025. (County Clerk/Elections)

Approved and authorized the Chairman to sign a retroactive agreement with Runbeck Election Services, Inc. in an amount not to exceed \$2,100,000 to provide election-related printing and mailing services for the period January 15, 2019 through December 31, 2025. (County Clerk/Elections)

Took the following actions: Approved and authorized the Chairman to sign the amended retroactive evergreen Memorandum of Understanding (MOU) with the California State Association of Counties Excess Insurance Authority, for no maximum compensation, effective April 9, 2019, in order to continue Delta Dental coverage; and approved and authorized the Director of Support Services to sign annual MOU renewals of Delta Dental coverage. (Support Services-Risk Management)

Approved and authorized the Chairman to sign an amendment, effective date of signing, to the agreement with Aegis Treatment Centers, LLC to provide narcotic replacement therapy services, to add required subcontractor language pursuant to the County's agreements with the California Department of Health Care Services for Substance Use Disorder Services and the Substance Abuse Prevention and Treatment Block Grant, implement a state mandated rate increase, extend the term end date from June 30, 2019 to June 30, 2020, and retain the maximum compensation of \$3,000,000. (Health and Human Services Agency-Adult Services)

Took the following actions: Adopted Resolution No. 2019-053 which: repeals Resolution No. 2013-014 effective June 30, 2019; and designates RESTPADD, Inc. psychiatric health facility as an evaluation and intensive treatment facility pursuant to the Lanterman-Petris-Short Act to provide 72-hour treatment and evaluation, 14-day intensive

treatment, and 30-day intensive treatment in Shasta County effective July 1, 2019; and approved and authorized the Chairman to sign a renewal agreement with RESTPADD, Inc., in an amount not to exceed \$9,000,000, to provide inpatient psychiatric services for the period July 1, 2019 through June 30, 2022. (Health and Human Services Agency-Adult Services)

(See Resolution Book No. 62)

Approved and authorized the Chairman to sign amendments, effective July 1, 2019, which extends the end date of their terms from June 30, 2019 to June 30, 2020 and adds required subcontractor language pursuant to the County's agreement with the California Department of Health Care Services for Substance Use Disorder Services, to two separate agreements with Empire Hotel, EHARC, Inc., dba Empire Recovery Center: Outpatient alcohol and other drug treatment services, and retains maximum compensation of \$560,000 per fiscal year; and residential substance abuse treatment, and retains maximum compensation of \$175,000 per fiscal year. (Health and Human Services Agency-Adult Services, Probation)

Approved and authorized the Chairman to sign an amendment, effective July 1, 2019, to the agreement with Right Road Recovery Programs, Inc. to provide outpatient alcohol and other drug treatment services, to add required subcontractor language pursuant to the County's agreements with the California Department of Health Care Services for Substance Use Disorder Services, to extend the end date from June 30, 2019 to June 30, 2020, and retain maximum compensation of \$625,000 per fiscal year. (Health and Human Services Agency-Adult Services, Probation)

Approved and authorized the Chairman to sign amendments, effective July 1, 2019, to extend the end date of the term from June 30, 2019 to June 30, 2020, and to update contract language, to two separate agreements with VOTC, Inc., dba Visions of the Cross for: Outpatient alcohol and other drug treatment services, and this amendment also increases maximum compensation per fiscal year from \$550,000 to \$710,000; and residential alcohol and other drug treatment services, and this amendment also increases maximum compensation per fiscal year from \$210,000 to \$325,000. (Health and Human Services Agency-Adult Services, Probation)

Approved and authorized the Chairman to sign a renewal lease agreement with Stillwater Properties, LLC. in the amount of \$31,324.81 per month (\$1.16 per square foot) for 27,044 square feet of office space located at 1400-1550 California Street, Redding, California, for the period July 1, 2019 through June 30, 2024, with two optional three-year extensions with adjustments not to exceed +/- 3%, based on the Consumer Price Index. (Health and Human Services Agency-Business and Support Services)

Approved and authorized the Chairman to sign a renewal agreement with Shasta County Office of Education in an amount not to exceed \$600,000 (\$200,000 per fiscal year) to provide the evidence based parenting education program known as the Positive Parenting Program for the period July 1, 2019 through June 30, 2020, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Approved and authorized the Chairman to sign a retroactive agreement with Star View Behavioral Health, Inc. in an amount not to exceed \$150,000 to provide mental health services to eligible children for the period March 5, 2019 through June 30, 2019, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

Adopted the Mental Health Services Act (MHSA) Annual Update for Fiscal Year 2019-20. (Health and Human Services Agency-Office of the Director)

Adopted Resolution No. 2019-054 which: Approves and authorizes the Director of Housing and Community Action Agency (Director) to sign and submit an application to the California Department of Housing and Community Development in an amount not to exceed \$513,096 for California Emergency Solutions and Housing Program funding for the period April 1, 2020 through April 1, 2024; approved and authorized the County Executive Officer, or his/her designee, to sign the grant agreement and subsequent amendments, including retroactive, awarded for the program consistent with the provisions of the resolution in an amount not to exceed

\$1,000,000, provided they otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*; and approved and authorized the Director to sign additional application and participation documents, including retroactive, necessary to receive the funds and comply with the grant requirements. (Housing and Community Action Agency)

(See Resolution Book No. 62)

Approved and authorized the Chairman to sign an agreement with the Shasta-Tehama-Trinity Joint Community College District in an amount not to exceed \$238,512 to provide the Shasta-Tehama Education Program – Unified Partnership (STEP- UP) program for the period July 1, 2019 through June 30, 2020. (Probation)

Approved a Fiscal Year 2018-19 budget amendment increasing appropriations and revenue by \$60,000 in the Burney Substation budget for the Sheriff's Office substation parking lot paving project offset by a transfer in from Accumulated Capital Outlay. (Sheriff)

Approved and authorized the Chairman to sign a renewal Memorandum of Understanding with the City of Redding for AB109 Realignment Compliance Operations for the period July 1, 2019 through June 30, 2022 with maximum compensation in Fiscal Year 2019-20 not to exceed \$174,656 and actual maximum compensation in Fiscal Years 2020-21 and 2021-22 not to exceed the amount appropriated within the Sheriff's Budget for Redding Police Department compliance operations as approved by the Community Corrections Partnership Executive Committee and the Board of Supervisors for those subsequent fiscal years. (Sheriff)

Adopted Resolution No. 2019-055 which recognizes that the circumstances and factors that led to the July 30, 2018 ratification of a local emergency proclamation due to the wildland fire identified as the "Carr Fire" have not been resolved and that there is a need for continuation of the local emergency proclamation. (Sheriff)

(See Resolution Book No. 62)

Approved and authorized: A Fiscal Year 2018-19 budget amendment increasing appropriations and revenue by \$46,699 in the Coroner budget; waiving competitive procurement and authorize purchase of one capital asset Stryker Power Cot in an amount not to exceed \$18,000 and one capital asset Stryker Power Lift in an amount not to exceed \$25,000; prepayment in an amount not to exceed \$15,000 for a seven year ProCare maintenance and service solution agreement (Plan), plus charges for scheduling changes, that includes parts, labor, and travel on all equipment for a period of seven years to cover preventative maintenance, parts, and repairs on both capital assets for the period from the date indicated on the first Plan until Stryker ceases providing services or the Plan is otherwise terminated; and the County Executive Officer to sign the Plan, including retroactive, so long as the Plan is approved as to form by County Counsel and is approved by the County Risk Manager. (Sheriff-Coroner)

Approved and authorized: The Chairman to sign the Fiscal Year (FY) 2017-18 Equitable Sharing Agreement and Certification Affidavit (ESAC) outlining receipt and expenditure of federal asset forfeiture sharing funds for the Sheriff's Office during FY 2017-18; and the person named in the ESAC as the Agency Finance Contact to electronically submit the ESAC. (Sheriff)

To better align various Sheriff's budgets to actual and projected experience, approved a net zero Fiscal Year 2018-19 budget amendment which: Increases appropriations and revenue by \$845,037 in the Sheriff budget; and adjusts appropriations in the Jail and Burney Substation budgets to facilitate transfers to the Sheriff budget of \$169,000 and \$155,000 respectively. (Sheriff)

Approved the following Fiscal Year 2018-19 budget amendments to align appropriations and revenue: Increase appropriations and revenue by \$3,000,000 in the Roads budget; decrease appropriations and revenue by \$500,000 in the Solid Waste Disposal Admin budget; decrease appropriations by \$500,000 in the West Central Landfill Closure/Postclosure budget; decrease appropriations and revenue by \$595,000 in the Fall River Mills Airport Admin budget; decrease appropriations and revenue by \$205,000 in the County Service Area (CSA) No. 2-Sugarloaf Water Admin budget; decrease revenue by \$100,000 in the CSA No. 6-Jones Valley Water Admin budget

offset by use of net investment in capital assets; adjust revenue in the CSA No. 23-Crag View Water Admin budget; decrease revenue by \$30,000 in the CSA No. 25-Keswick Water Admin budget; decrease appropriations and revenue by \$710,000 in the Land Buildings & Improvements budget; decrease appropriations and revenue by \$330,000 in the Detention Annex/Work Facility budget; decrease appropriations and revenue by \$272,024 in the Public Defender budget; decrease appropriations and revenue by \$107,976 in the Probation Adult budget; decrease appropriations by \$710,000 in the Accumulated Capital Outlay budget; and increase appropriations and revenue by \$100,000 in the Shasta County Transit Fund. (Public Works)

## **REGULAR CALENDAR, CONTINUED**

### **GENERAL GOVERNMENT**

#### **ADMINISTRATIVE OFFICE/BOARD OF SUPERVISORS**

##### **LEGISLATIVE UPDATE/SUPERVISORS' REPORTS**

County Executive Officer (CEO) Larry Lees had no legislative update.

Supervisor Morgan recently attended a meeting of the Planning and Service Area 2 Area Agency on Aging Executive Board.

Supervisor Baugh recently attended a meeting of the Golden State Finance Authority.

Supervisor Moty recognized Ayla Tucker for winning one of the Grand Prizes in the BIG Kate DiCamillo Little Free Library Giveaway, which will establish a Little Free Library in the community of Shasta.

Supervisors reported on issues of countywide interest.

### **LAW AND JUSTICE**

#### **PROBATION**

##### **PRESENTATION: DAY REPORTING CENTER GEO REENTRY SERVICES, LLC AGREEMENT**

Chief Probation Officer Tracie Neal gave a presentation on the Day Reporting Center (DRC) highlighting the program's successes, especially in reducing recidivism rates. Ms. Neal also described upcoming program enhancements and expansion, including integration of Adverse Childhood Experiences treatment. Kenneth and Charles, graduates of the DRC, and Benjamin, a participant in the DRC, spoke regarding the positive effects of the program.

In response to questions from Supervisor Chimenti, Ms. Neal explained the process of selecting which people on probation qualify for the DRC. She stated that those who have more immediate mental health or substance abuse treatment needs are referred to treatment services to address those needs before they are referred to the DRC. Ms. Neal also explained that the DRC has expanded the number of people in the program over the years, from an original number of 75 to their current number of 150. Ms. Neal stated that the DRC continues to track people once they leave the program for recidivism rates. Ms. Neal explained that there is annual data comparing the DRC's recidivism rates to similar centers elsewhere in the state and that that data would be provided to the Board.

In response to questions from Supervisor Baugh, Ms. Neal explained that while some people come to Probation with specific mandates to attend the DRC, most just have a referral to

follow the recommendations of their probation officer. Once a probation officer refers someone to the DRC or any other treatment, it becomes a mandate of their probation. Ms. Neal confirmed that when people do not follow their mandates, there are options to take them back to court for probation violations. She also explained that the upcoming program enhancements will assist with engaging people in preparation for the later phases of intensive treatment. Ms. Neal stated that she did not have information regarding the number of offenders who have been referred to other treatment services and are waiting to complete those services before entering the DRC.

In response to questions from Supervisor Moty, CEO Lees stated that the cost per day of holding someone in jail is about \$115, as compared to the \$28 per day cost of the DRC.

By motion made, seconded (Morgan/Baugh), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with Geo Reentry Services, LLC, in an amount not to exceed \$1,300,596 per fiscal year, to a maximum of \$3,901,788 over the duration of the agreement, to provide a Day Reporting Center for offenders under, or pending the supervision of, the Shasta County Probation Department for the period July 1, 2019 through June 30, 2020, with two automatic one-year renewals.

## **SCHEDULED HEARINGS**

### **PUBLIC WORKS**

#### **SISKIYOU COUNTY TRANSFER STATION PARCEL CHARGES RESOLUTION NO. 2019-056**

This was the time set to conduct a public hearing to consider adopting a resolution which extends parcel charges to pay tipping fees at Siskiyou County Transfer Station. Deputy Public Works Director Al Cathey presented the staff report and recommended approval. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

In response to questions from Supervisor Moty, Mr. Cathey stated that there have been no rate increases since 1990.

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

By motion made, seconded (Baugh/Morgan), and unanimously carried, the Board of Supervisors took the following actions: Conducted a public hearing; and adopted Resolution No. 2019-056 which, effective July 1, 2019, extends parcel charges to pay tipping fees at Siskiyou County Transfer Station.

(See Resolution Book No. 62)

## **RESOURCE MANAGEMENT**

### **PLANNING DIVISION**

#### **ZONE AMENDMENT 18-0007 AMENDING SHASTA COUNTY CODE TO REGULATE PERSONAL CULTIVATION OF CANNABIS ORDINANCE NO. SCC 2019-04**

This was the time set to conduct a public hearing to consider an ordinance amending the Shasta County Code to regulate the personal cultivation of cannabis. Kim Hunter, Planning Division Manager, presented the staff report and recommended approval. The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

In response to questions from Supervisor Moty, Ms. Hunter stated that the intent of the ordinance is to bring County code into compliance with State law.

In response to questions from Supervisor Baugh, Ms. Hunter explained that apartments with shared walls are defined as residences within the proposed ordinance, and that there are requirements for filtration systems regardless of the type of residence within which marijuana is grown. She further explained that mitigation steps are the same regardless of the type of residence and that many of the steps require building permits. Ms. Hunter stated that there is no prohibition within the proposed ordinance for marijuana growth in residences wherein children are present.

In response to questions from Supervisor Baugh, County Counsel Cruse stated that there is no way to prohibit growth of marijuana in residences with minors present, due to the way that the state law is written. Mr. Cruse also stated that there is no way to prohibit marijuana growth within apartment units, but that permit requirements will apply and that anyone who grows marijuana indoors without following those requirements will be subject to the County’s nuisance abatement procedures. Director of Resource Management Paul Hellman stated that landlords, regardless of the type of residence they rent, are required to provide written permission for tenants to grow marijuana and so can prohibit growth in their rental properties.

In response to questions from Supervisor Morgan, Counsel Cruse explained that people are allowed indoor cultivation of marijuana per state law, and that the requirement of a permit to do so is an attempt to mitigate the possible impacts of that cultivation.

In response to questions from Supervisor Rickert, Mr. Hellman stated that he has not heard of new issues regarding illegal outdoor cultivation of marijuana. He explained that code enforcement staff must prioritize response to complaints by their severity, due to the limited number of staff available.

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

In response to questions from Supervisor Rickert, Mr. Hellman stated that the use of outdoor greenhouses or other transparent structures that allow visibility of the plants is not allowed due to concerns of inviting thieves or vandalism.

By motion made, seconded (Chimenti/Rickert), and carried, the Board of Supervisors took the following actions: Conducted a public hearing; found that Zone Amendment 18-0007, an ordinance amending the Shasta County Code to regulate the personal cultivation of cannabis (Ordinance) is not subject to and is exempt from the California Environmental Quality Act (CEQA) for the reasons stated in the Ordinance; found the Ordinance consistent with the Shasta County General Plan; and introduced, waived the reading of, and enacted Ordinance No. SCC 2019-04 of the Board of Supervisors of the County of Shasta Regulating Cannabis Cultivation. Supervisor Morgan opposed.

(See County Code Ordinance Book)

11:20 a.m.: The Board of Supervisors adjourned.

\_\_\_\_\_  
Chairman

ATTEST:

LAWRENCE G. LEES  
Clerk of the Board of Supervisors

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