

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 19, 2019

REGULAR MEETING

9:05 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

Invocation was given by Pastor Brian Cummins, Trinity Lutheran Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

**PROCLAMATION: NORTH STATE GIVING TUESDAY
 DECEMBER 3, 2019**

At the recommendation of Supervisor Chimenti, and by motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors adopted a proclamation which designates December 3, 2019, as "North State Giving Tuesday" in Shasta County. Kerry Caranci, Chief Executive Officer of Shasta Regional Community Foundation, was present to accept the proclamation.

PRESENTATION: 2019 FORESTRY CHALLENGE

Andrew Claassen, a senior at Shasta Charter Academy, gave a presentation regarding the 2019 Forestry Challenge.

In response to questions by Supervisor Moty, Mr. Claassen explained that the Forestry Challenge camps last three days with approximately 250 to 300 students per camp. He described the forestry methods that students learn, and stated that students come primarily from around the North State, but also from as far south as Fort Bragg.

PUBLIC COMMENT PERIOD - OPEN TIME

Alex Bielecke spoke regarding issues with utility companies and methods of fighting fires.

Brandy Isola, Interim Branch Director of Health and Human Services Agency-Public Health, announced that the California State Association of Counties (CSAC) had presented the Public Health Branch with a CSAC Merit Award for their collaborative efforts to break the generational cycles of adverse childhood experiences in Shasta County.

Beth Messick spoke against the Fountain Wind Project.

Terri Morelock, Director of the Department of Child Support Services (DCCS), announced that DCCS would begin opening at 7:30 a.m.

Celestina Traver, Veterans Services Officer, described the services offered by the Veterans Services Office.

Kimberly Johnson, Chief Executive Officer of the Children's Legacy Center, described the work that the agency does to assist children who have been neglected, abused, or trafficked. Ms. Johnson requested that the Board of Supervisors agendaize an item for the Center at an upcoming meeting to discuss State funding requirements.

Edmond Baier spoke against the Fountain Wind Project.

Maggie Osa described problems with wind turbine projects in other areas.

Jeffery Hess spoke against the proposed ban on flavored vaping products and described alternative options.

Dean True, Branch Director of Health and Human Services Agency-Adult Services, and Jo Campbell, Integrated Operations Director of Hill Country Community Clinic, described the Mobile Crisis and Outreach Team ("Team").

In response to questions by Supervisor Moty, Ms. Campbell explained that the Team is not able to respond to calls that are unsafe for their personnel. She also explained that if they receive a call that involves danger, they first contact law enforcement so that they can determine whether it is safe for them to attend the call.

In response to questions by Supervisor Baugh, Ms. Campbell stated that the Team responds to about 150 calls each month, five days a week and that they would like to expand to being available seven days per week, but the call volume does not justify it. Ms. Campbell stated that the Team is available to anyone in the County experiencing a mental health crisis.

In response to questions by Supervisor Rickert, Ms. Campbell explained that the Team's agreement with the County generally involves the Team staying within approximately 20 minutes of the Downtown Redding area, but that the Team has gone to Shasta Lake City, Anderson, Palo Cedro, and Happy Valley when needed. The Team is not able to go to areas like Round Mountain or Burney because they only have one unit to respond with.

In response to questions by Supervisor Moty, Ms. Campbell stated that the Team does coordinate with law enforcement to be able to respond together to a potentially violent call.

Mary Nash and Donna Gordon spoke in support of the animal swap meet that had been occurring and been shut down due to ordinance violations. They stated that they would like guidance from the County.

In response to questions by Supervisor Moty, Ms. Gordon stated that small animal swaps in other parts of the state are occurring but are not legally operating.

Brenda Woods described threats against the homeless left in comments on online articles about the Henderson Space Cleanup.

In response to questions by Supervisor Rickert, Chief Deputy District Attorney Ben Hanna stated that the threats described by Ms. Woods were not made to specific people, so they fall under First Amendment protection.

Monique Welin spoke regarding issues with the County Health and Human Services Agency and other County personnel.

Patrick Suymer spoke on behalf of Speak Up Shasta and presented letters thanking the Board of Supervisors for their letter sent to the Bureau of Indian Affairs which opposes the proposed Redding Rancheria casino project.

Dolores Lucero spoke regarding issues with County personnel.

Kevin Petit described problems that will be caused by Pacific Gas and Electric's upcoming Public Safety Power Shutoff.

Greg Hector spoke regarding issues with County law enforcement.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Moty noted that the item regarding amending Administrative Policy 2-201, *Authorizing the County Auditor to Approve Certain Claims*, had been pulled at the request of the department and would be brought back at a future meeting, and that the item regarding Bella Vista Water District appointments had been pulled for discussion at the request of Supervisor Chimenti.

CONSENT CALENDAR

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

Adopted Policy Resolution No. 2019-03 which amends Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*. (Administrative Office)
(See Policy Resolution Book)

Approved and authorized the Chairman to sign the County claims list in the amount of \$77,900, as submitted. (Auditor-Controller)

Approved the minutes of the meeting held on November 5, 2019, as submitted. (Clerk of the Board)

Took the following actions regarding the Economic Development Corporation Board of Directors: Reappointed Jeff Avery, Clifford Curry, and Pat Corey to serve two-year terms to expire January 2022; and appointed Eric Woodstrom to serve a two-year term to expire January 2022. (Clerk of the Board)

As introduced on November 5, 2019, enacted Ordinance No. SCC 2019-07, An Ordinance of the Board of Supervisors of the County of Shasta Adding Chapter 2.05, "Local Political Campaign Disclosure and Reporting Requirements," to the Shasta County Code. (Clerk of the Board)

(See County Code Ordinance Book)

Took the following actions regarding the Rural County Representatives of California Environmental Services Joint Powers Authority Board of Directors for the year 2020: Appointed Supervisor Les Baugh as Member; appointed Supervising Engineer Don Renz as First Alternate; and appointed Public Works Director Pat Minturn as Second Alternate. (Clerk of the Board)

Took the following actions: Appointed Supervisor Mary Rickert as the 2020 Alternate to the Rural County Representatives of California Board of Directors; and appointed Supervisor Mary Rickert as the 2020 Alternate to the Golden State Finance Authority. (Clerk of the Board)

Adopted Salary Resolution No. 1573, effective November 24, 2019, which amends the Shasta County Position Allocation List to add 5.0 Full-Time Equivalent (FTE) Assistant Social Worker/Social Worker/Senior Social Worker and 5.0 FTE Clinical Psychologist I/II/III/Mental Health Clinician I/II/III/Staff Nurse I/II positions in the Mental Health budget. (Support Services-Personnel)

(See Salary Resolution Book)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2019, to the agreement with Cascades Management, Inc., dba Ridgeview Residential Care Home, to provide adult residential care home services which increases the daily rates, but retains the maximum compensation of \$2,014,800 during the entire term of the agreement and the term July 1, 2018 through June 30, 2021. (Health and Human Services Agency-Adult Services)

Approved and authorized the: Chairman to sign a retroactive California Department of Public Health Maternal, Child, and Adolescent Health Agreement Funding Application in an amount not to exceed \$502,419.41 that will allow Health and Human Services Agency (HHS A)-Public Health to continue services to protect and improve the health of mothers, adolescents, children, and their families as directed by state and federal law for the period July 1, 2019 through June 30, 2020; and HHS A Director, or any HHS A Branch Director or Deputy Branch Director, as designated by the HHS A Director, to sign prospective and retroactive amendments during the term of the agreement that result in a net change in maximum compensation of no more than \$50,242, and other documents related to the agreement that do not result in a substantial or functional change to the original intent of the agreement, and that otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Public Health)

Approved and authorized the Chairman to sign the Fiscal Year 2019-20 California Department of Veterans Affairs Certificate of Compliance to allow the Veterans Services Officer to participate in the: County Subvention Program; and Medi-Cal Cost Avoidance Program. (Veterans Services)

Adopted Resolution No. 2019-106 which: Repeals Resolution No. 2004-087; and replaces prior Records Retention Schedule Resolution. (Child Support Services)

(See Resolution Book No. 63)

Adopted Resolution No. 2019-107 which: Repeals Resolution No. 2008-089; and authorizes expenditures in support of outreach efforts and transportation assistance approved by the Director of the Department of Child Support Services. (Child Support Services)

(See Resolution Book No. 63)

Took the following actions: Adopted Salary Resolution No. 1574, effective November 24, 2019, which amends the Shasta County Position Allocation List to transfer 1.0 Full-Time Equivalent Staff Services Analyst I/II position from the Health and Human Services Agency (HHS A) budget to the Probation budget; and approved two net zero budget amendments to accommodate the \$47,060 position transfer: in the Probation budget; and in the HHS A budget. (Probation, Health and Human Services Agency-Business and Support Services)

(See Salary Resolution Book)

Adopted Resolution No. 2019-108 which recognizes that the circumstances and factors that led to the Board's 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. 63)

Took the following actions: Adopted Resolution No. 2019-109 which: repeals Resolution No. 2016-060; and designates authorized agents who may execute applications and documents for obtaining financial assistance from the California Governor's Office of Emergency Services (Cal-OES) under the Federal Emergency Management Agency Public Assistance for Disasters and/or the California Disaster Assistance Act; and adopted Resolution No. 2019-110 which designates authorized agents who may execute applications and documents for obtaining financial assistance from Cal-OES under the Emergency Management Performance Grant (EMPG) for the 2019 EMPG grant cycle. (Sheriff)

(See Resolution Book No. 63)

Took the following actions regarding the "Deschutes Road Widening Phase II Project," Contract No. 702981: Approved and authorized the Chairman to sign right-of-way contracts with: James Galba Revocable Trust 2007 for right-of-way (0.16 acres at \$3,500) plus a Federal Highway Administration (FHWA) signing incentive of \$1,500; Kenneth and Marcia Behnke Trust 2002 for right-of-way (0.16 acres at \$7,900) plus a FHWA signing incentive of \$1,500; Allen P. Wyant and Beverly Wyant Family Trust for right-of-way (0.18 acres at \$8,600) plus a FHWA signing incentive of \$1,500; Brian A. Chalmers for right-of-way (0.08 acres at \$2,700) plus a FHWA signing incentive of \$1,500; Lynn R. Mills Family Trust for right-of-way (0.08 acres at \$5,700) plus a FHWA signing incentive of \$1,500; Michael & Marlys Hoke 1999 Trust for right-of-way (0.13 acres at \$4,400) plus a FHWA signing incentive of \$1,500; Larry C. Cornelius and Sharyn J. Cornelius for right-of-way (0.20 acres at \$1,550) plus a FHWA signing incentive of \$1,500; William D. Buell and Dorothy L. Buell for right-of-way (0.17 acres at \$2,100) plus a FHWA signing incentive of \$1,500; Christopher Dickson and Cheryl M. Dickson for right-of-way (0.14 acres at \$14,650) plus a FHWA signing incentive of \$1,500; Thomas E. Fields for right-of-way (0.04 acres at \$3,300) plus a FHWA signing incentive of \$1,500; and Trisha Zissa and Stefan Zissa for right-of-way (0.05 acres at \$2,500) plus a FHWA signing incentive of \$1,500; and accepted eleven Easement Deeds conveying the right-of-way parcels. (Public Works)

Received Fiscal Year 2018-19 annual report, pursuant to Government Code section 66006(b), regarding the status of the Shasta County Public Facilities Impact Fees implemented on July 1, 2008. (Resource Management)

Approved a budget amendment increasing appropriations by \$40,000 in the Public Facilities Impact Fee Professional and Special Services account offset with the use of restricted fund balance Administration Impact Fee Account. (Resource Management)

Adopted Resolution No. 2019-111 which authorizes and directs the Director of Resource Management to: Submit a 2019 Senate Bill 2 Planning Grants Program grant application effective June 30, 2020 through June 30, 2022, to the State of California Department of Housing and Community Development for the amount of \$310,000 to support and contribute to the provision of an adequate supply and diversity of safe, healthy, and affordable housing in the unincorporated areas of Shasta County and; enter into, execute, and deliver an agreement for the grant in the amount awarded. (Resource Management)

(See Resolution Book No. 63)

ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

BELLA VISTA WATER DISTRICT APPOINTMENTS IN LIEU OF ELECTION

In response to questions by Supervisor Chimenti, County Counsel Cruse explained that the Bella Vista Water District Board of Directors had two seats open for election and only two candidates applied to run for those seats. In situations where the candidates number the same as or fewer than open seats, State law provides that the Board of Supervisors may appoint the

individuals in lieu of holding an election. Supervisor Moty also explained that appointments in lieu of election allow districts to save the cost of unnecessary elections.

Thomas Hildebrand spoke against the practice of making appointments in lieu of election, but explained that he was unaware only two people had applied for the open seats.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors appointed Ted Bambino and Frank Schabarum to the Bella Vista Water District Board of Directors in lieu of election to serve four-year terms to December 1, 2023. (Clerk of the Board)

In response to questions by Supervisor Moty, Mr. Cruse stated that State law does not allow the County to hold an election for the position of Sheriff when a vacancy occurs in the office during a term; instead, State law mandates that the Board of Supervisors must appoint someone to fill the vacancy for the unexpired term.

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, starting with a request from the County Medical Services Program that the Board nominate a member as Shasta County's representative on the Governing Board.

By motion made, seconded (Rickert/Baugh), and unanimously carried, the Board of Supervisors nominated Supervisor Moty as the representative for the Supervisor-Group 2 County Medical Services Program Governing Board for the term January 1, 2020, through December 31, 2022.

CEO Lees described proposed legislation to expand boundaries of the Sierra-Nevada Conservancy ("SNC"). This expansion would extend the SNC into Shasta County and make the County eligible for grants for things such as fire safe councils or fire prevention activities. CEO Lees recommended supporting the proposed legislation.

Supervisor Rickert stated that the current SNC boundary is roughly at Cow Creek East and the proposed legislation would extend the boundaries to the western portions of Shasta County, which would include the watershed that drains into the Sacramento River. Supervisor Rickert also explained that this would provide more grant opportunities for fuel reduction and restoration projects.

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors adopted Resolution No. 2019-112 which supports potential legislation to adjust the boundaries of the Sierra Nevada Conservancy.

(See Resolution Book No. 63)

By consensus, the Board directed staff to prepare a letter giving specific examples of the ways in which Pacific Gas and Electric's Public Safety Power Shutoffs negatively affect the residents of Shasta County, to be sent to State Senator Dahle, and to place the letter on the agenda for an upcoming meeting for consideration.

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

Supervisor Morgan recently attended meetings of the Airport Land Use Commission, the Shasta Children and Families Commission, and the Planning Service Area 2 Area Agency on Aging Executive Board.

Supervisor Rickert recently attended meetings of the Northern California Water Association Governing Board and the Mental Health, Alcohol and Drug Advisory Board.

Supervisor Moty was recognized for ten years of service with Shasta County.

County Counsel Cruse explained that the Supervisors' attendance of upcoming town hall meetings concerning Measure A is allowable as they are publicized meetings, but they may not converse with each other at those meetings regarding any County business, including Measure A.

Supervisors reported on issues of countywide interest.

REBUTTAL TO ARGUMENT AGAINST MEASURE A
SHASTA COUNTY PUBLIC SAFETY TRANSACTIONS AND USE TAX ORDINANCE

CEO Lees explained that an Argument Against Measure A ("Argument"), the proposed Public Safety Transactions and Use Tax, was submitted to the County and that Supervisor Chimenti wrote a proposed rebuttal statement ("Rebuttal") to the argument against the Measure.

In response to questions by Supervisor Baugh, Mr. Cruse explained that the Argument was submitted by a citizen of the County and is not something that can be altered or verified by the Board.

Supervisor Moty suggested amending the Rebuttal to include the words "including operating funds" when describing the money to be put toward additional jail beds and staff. Supervisor Rickert suggested rephrasing "help addicts" to "treat addicts" in the section regarding substance abuse treatment.

Monique Welin spoke regarding the possibilities presented by the proposed tax.

By motion made, seconded (Chimenti/Rickert), and unanimously carried, the Board of Supervisors took the following actions for Measure A (Shasta County Public Safety Transactions and Use Tax Ordinance): Temporarily suspended the operation of Rule 7(e)(1) in Administrative Policy 1-101, *Operation and Conduct of Business by the Board of Supervisors*; approved the "Rebuttal to Argument Against Measure A"; and approved and authorized the Chairman to sign the Verification Statement (other four District Supervisors also signed).

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES AGENCY

PUBLIC HEALTH

AGREEMENT: SHASTA REGIONAL COMMUNITY FOUNDATION
ADVERSE CHILDHOOD EXPERIENCES RESILIENCE AND HOPE FUND
ADVERSE CHILDHOOD EXPERIENCES COMMUNITY GRANTS

Brandy Isola, Interim Branch Director for Health and Human Services Agency-Public Health, described the benefits that prevention and mitigation of adverse childhood experiences has for the community, and explained how the proposed agreement would help with those goals.

By motion made, seconded (Morgan/Rickert), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an agreement with the Shasta Regional Community Foundation in an amount not to exceed \$300,000 (paid in three separate \$100,000 advance payments) to support the Adverse Childhood Experiences Resilience and Hope fund to

solicit and award Adverse Childhood Experiences community grants for the period of three years effective date of signing, with one optional one-year renewal.

CLOSED SESSION ANNOUNCEMENT

Chairman Moty 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, pursuant to Government Code section 54956.9, subdivision (d), paragraph (1):

Names of Cases:

- Bradshaw, Robert v. Shasta County Board of Supervisors, et al.*
- Coleman, James v. County of Shasta, et al.*
- County of Shasta, et al. v. Amerisourcebergen Drug Corporation*
- County of Shasta v. Lincoln General Insurance Company, et al.*
- County of Tehama v. State Controller, DMV, State of California (County of Shasta, Real Party in Interest)*
- Dietrich, Aaron, et al. v. County of Shasta, et al.*
- Drake, Jim, et al. v. County of Shasta, et al.*
- First Tennessee Bank v. County of Shasta, et al.*
- Global Discoveries, Ltd. V. County of Shasta, et al.*
- Hammerbeck, Richard Kevin v. County of Shasta, et al.*
- Jeantet, Gary and Patricia v. County of Shasta, et al.*
- Jewett, Everett, et al. v. California Forensic Medical Group, Inc., et al.*
- Johnson, Randall Scott, et al. v. Tom Bosenko, et al.*
- McCullough, Savannah v. Shasta County Sheriff, et al.*
- Pahl, Rose Mary v. Shasta County Jail*
- Solomon, Timothy v. Jonathan Sheldon, et al.*
- Walker, Joe v. Shasta County Board of Supervisors, et al.*
- Williams, Aaron v. Borges Law Office, et al.*
- Wood, Benjamin v. McCormick, Jack*

11:27 a.m.: The Board of Supervisors recessed to Closed Session.

11:50 a.m.: The Board of Supervisors returned 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; however, no reportable action was taken.

11:51 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy