

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, November 15, 2016

REGULAR MEETING

9:00 a.m.: Vice-Chairman Schappell called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Kehoe - Absent
District No. 2 - Supervisor Moty
District No. 3 - Supervisor Giacomini - Absent
District No. 4 - Supervisor Schappell
District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
County Counsel - Rubin E. Cruse, Jr.
Administrative Board Clerk - Mary Hurton
Administrative Board Clerk - Camile Woodstrom

INVOCATION

Invocation was given by Pastor Murray Miller, Anderson Seventh-Day Adventist Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

PROCLAMATION

COMMUNITY FOUNDATION WEEK, NOVEMBER 12-18, 2016

At the recommendation of Supervisor Kehoe, and by motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates November 12-18, 2016 as Community Foundation Week in Shasta County.

Shasta Regional Community Foundation CEO Kerri Caranci was present to accept the proclamation. Ms. Caranci encouraged the public to support local nonprofit organizations and participate in North State Giving Tuesday by visiting NorthStateGives.org.

NOVEMBER 2016 EMPLOYEE OF THE MONTH
DEPARTMENT OF CHILD SUPPORT SERVICES
CHILD SUPPORT SPECIALIST II LORI MORENO
RESOLUTION NO. 2016-129

At the recommendation of Director of Child Support Services Terri Morelock, and by motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-129 which recognizes Child Support Services Department, Child Support Specialist II, Lori Moreno as Shasta County's Employee of the Month for November 2016.

(See Resolution Book No. 57)

PRESENTATION: GREY WOLVES

California Department of Fish and Wildlife Regional PLM Coordinator/Trinity Unit Biologist Jennifer Carlson introduced Wildlife Program Manager Karen Kovacs and Pete Figura. Ms. Kovacs provided the Board with an update on grey wolves in Northern California.

Ms. Kovacs described the goals of the California Wolf Plan (Plan). She stated that a component of the Plan involved inviting public input, and Ms. Kovacs reported that almost 38,000 comments were received.

Mr. Figura explained the efforts to implement the Plan, including outreach efforts, pursuit of various grants, wildlife investigation, and monitoring wolf populations.

In response to questions from Supervisor Baugh, Mr. Figura explained that his agency is preparing for an increase in the wolf population in California. Ms. Kovacs described the demands of these efforts and described additional tools being considered in order to bring additional awareness to the public.

In response to questions from Supervisor Baugh, Ms. Kovacs explained that a wolf may not be shot in California but there are certain steps a producer can take to protect their livestock. Mr. Figura added that staff is being trained on the issue of potential conflict between wildlife and livestock.

In response to questions from Supervisor Schappell, Ms. Kovacs described the predatory strategies of grey wolves.

Pamela Flick provided comment on behalf of Defenders of Wildlife and addressed the organization's efforts to study and mitigate wildlife conflict.

In response to questions from Supervisor Moty, Ms. Flick confirmed that Defenders of Wildlife works to find solutions and common ground to minimize conflict between wildlife and livestock.

PRESENTATION: MENTAL HEALTH SERVICES

County Executive Officer (CEO) Larry Lees announced that this item was being pulled from the agenda to allow for additional clarification.

PUBLIC COMMENT PERIOD - OPEN TIME

No one requested to speak.

ITEMS PULLED FROM CONSENT CALENDAR

Vice-Chairman Schappell noted that the item regarding amendments to the Salary Schedule and Position Allocation List, including amendments to increase the salary range to be five percent about the California Minimum Wage, had been pulled from the agenda.

CONSENT CALENDAR

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

Approved the minutes of the meeting held on November 1, 2016 as submitted. (Clerk of the Board)

Approved and authorized the County Counsel or the Assistant County Counsel to: Sign an agreement with West Publishing Corporation, a Minnesota corporation, doing business as Westlaw and West Publications to provide online and print legal research services to County Counsel's Office in an amount estimated to be \$178,791 for five years effective upon execution by both parties; and execute changes to the online and print legal research subscriptions provided such changes do not result in an increase to the total compensation of more than \$5,000. (County Counsel)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Willow Glen Care Center Inc. in an amount not to exceed \$1,450,000 to provide residential treatment mental health services for the period July 1, 2016 through June 30, 2019. (Health and Human Services Agency (HHSA)-Adult Services)

Approved and authorized the Chairman to sign a retroactive amendment effective June 1, 2016 with Quest Intelligence Investigative Services to increase the maximum compensation by \$2,500 for Fiscal Year 2015-16 (from \$45,000 to \$47,500). (HHSA-Children's Services)

Approved and authorized: the Chairman to sign a retroactive amendment to the California Department of Public Health Agreement #14-10052, increasing revenue by \$47,305 (from \$157,641 to \$204,946) for the period July 1, 2014 through June 30, 2017; and the Health and Human Services Agency (HHSA) Director, or HHSA Branch Director, to sign prospective and retroactive minor amendments during the term of the agreement that result in a net change in compensation of no more than \$41,000, and other documents related to the agreement (including retroactive) that do not result in a substantial or functional change to the original agreement in compliance with Administrative Policy 6-101, Shasta County Contracts Manual. (HHSA-Public Health)

Adopted Salary Resolution No. 1498 which, effective November 13, 2016, amends the County Salary Schedule and Position Allocation List to: Modify the Child Support Attorney III Classification Specification to a minimum requirement of four years as a Child Support Attorney II; and modify the Chief Child Support Attorney Classification Specification from Mid-Management Bargaining Unit to Management-Unrepresented. (Child Support Services)

(See Salary Resolution Book)

Adopted Resolution No. 2016-130 which effective November 1, 2016: Appoints the District Attorney to act as the agent for Shasta County with authorization to conduct all negotiations, execute and submit all documents, including applications, agreements, amendments, and payment requests, including retroactive, for funding from the Victim Compensation and Government Claims Board for the operation of the Crime Victims Assistance Center Claims Grant Program that may be necessary for the verification and adjudication of claims for the unreimbursed financial losses of victims of crimes being administered (Agreement #VCGC 5062) by the District Attorney's Crime Victims' Assistance Center Claims Program for the period July 1, 2015 through June 30, 2018 for an annual grant award not to exceed \$394,192 for Fiscal Year 2015-2016, \$398,192 for Fiscal Year 2016-2017, and \$398,192 for Fiscal Year 2017-2018, for a three-year total not to exceed \$1,190,576; and repeals Resolution No. 2015-054. (District Attorney)

(See Resolution Book No. 57)

Approved and authorized the Chairman to sign a retroactive renewal agreement with Lexipol, LLC in the annual amount of \$5,750 for the subscription of Law Enforcement Policy Manual and Updates for the period August 1, 2016 through July 31, 2019. (Sheriff)

Approved and authorized the Chairman to: Sign a retroactive agreement with 3M Cogent, Inc., in the amount of \$160,273.12 for the period June 1, 2015 through May 31, 2016; \$160,273.12 for the period June 1, 2016 through May 31, 2017; and future annual maintenance fees capped at a three to five percent increase, to provide hardware and software maintenance and support for the Cogent Automated Fingerprint Identification System and Cogent Livescan fingerprint machines from June 1, 2015 until terminated by either party; and sign an agreement with 3M Cogent, Inc., in the amount of \$88,542 to provide replacement Livescan computers and palm scanners from the date of signing for a period of three years. (Sheriff)

Approved and authorized the Public Works Director to sign a Notice of Completion for the "Mental Health and Public Health Buildings Roofing Project," Contract No. 111016/111021, and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign the Acceptance of Offer of Dedication for Public Use for previously offered rights-of-way for Hyrax Road (Millville area). (Public Works)

Adopted Resolution No. 2016-131 which recognizes that the circumstances and factors that led to the May 6, 2014, proclamation of a local emergency due to the drought (Resolution No. 2014-040) no longer exists and that the proclamation of a local emergency due to drought conditions is hereby terminated. (Public Works)

(See Resolution Book No. 57)

Approved and authorized the Public Works Director to sign a Notice of Completion for the Replace Asphalt Concrete Surfacing – 2016 project, Contract No. 706745, and record it within 15 days of actual completion of the work. (Public Works)

Approved and authorized the Chairman to sign an amendment to the agreement with PACE Engineering, Inc. for additional engineering services related to project planning for improvements to the Cottonwood Wastewater Treatment Plant and Collection System, increasing maximum compensation by \$20,300, to a new not-to-exceed maximum of \$70,300. (Public Works/County Service Area No. 17-Cottonwood)

Adopted Resolution No. 2016-132 which approves the temporary partial closure of Deschutes Road in the Palo Cedro area for the purpose of holding the annual Palo Cedro Christmas Festival. (Public Works)

(See Resolution Book No. 57)

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 Moty recently attended a meeting with the Sierra-Sacramento Valley Emergency Medical System Board.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-PERSONNEL

MEMORANDUM OF UNDERSTANDING: TEAMSTERS LOCAL 137-SHASTA COUNTY
TRADES AND CRAFTS BARGAINING UNIT
RESOLUTION NO. 2016-133
SALARY RESOLUTION NO. 1499

Director of Support Services Angela Davis explained the changes made in the successor Memorandum of Understanding for Teamsters Local 137-Shasta County Trades and Crafts Bargaining Unit. She thanked those involved in the labor negotiations, including the Teamsters Local 137 bargaining unit.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2016-133 which approves a successor comprehensive Memorandum of Understanding (MOU) with Teamsters Local 137-Shasta County Trades and Crafts Bargaining Unit (Teamsters) covering the period January 1, 2017 through December 31, 2019; and adopted Salary Resolution No. 1499 which, effective December 25, 2016, amends the Salary Schedule for positions in County Service pursuant to the Teamsters MOU.

CEO Lees thanked Ms. Davis for her efforts and explained that eight of ten labor units have reached agreements with the County. He described the positive impacts that will be realized by the implementation of the 401(A) plan.

(See Resolution Book No. 57)
(See Salary Resolution Book)

HEALTH AND HUMAN SERVICES
ADULT SERVICES

DESIGNATING COUNTY JAIL AS TREATMENT FACILITY
RESOLUTION NO. 2016-134

Health and Human Services Agency-Adult Services Branch Director Dean True explained that this item relates to individuals who are charged with a misdemeanor and are declared incompetent to stand trial. Adopting this resolution would allow psychiatrists to evaluate these individuals and assess if they are competent to provide informed consent, and if not, medication treatment may be initiated in the jail.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-134 which designates the County Main Jail as a treatment facility for the sole purpose of administering antipsychotic medications to persons found mentally incompetent and unable to provide informed consent.

In response to questions from Supervisor Schappell, Mr. True explained that individuals will be evaluated by a psychiatrist to determine a diagnosis. He stated that it is likely one medication will be used at a time, so it can be evaluated for results. Safeguards would be put in place to ensure abuse would not occur.

(See Resolution Book No. 57)

MENTAL HEALTH EVALUATION AND TREATMENT
RESOLUTION NO. 2016-135
REPEALS RESOLUTION NO. 2012-134

Mr. True explained that this item involves repealing a previous resolution involving who may be designated to write a 5150 application (72 hour hold), and replacing it with a resolution which adds two additional individuals who may provide evaluation and treatment. The item also changes annual training requirements to biennial training requirements for evaluators to maintain their designation.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-135 which: Designates mental health professionals who may take, or cause to be taken, into custody persons for transportation to approved facilities for 72-hour mental health evaluation and treatment; and repeals Resolution No. 2012-134.

(See Resolution Book No. 57)

LANTERMAN-PETRIS-SHORT ACT
RESOLUTION NO. 2016-136

Mr. True explained that implementation of the pertinent section of the Lanterman-Petris-Short Act requires approval by the Board of Supervisors. This section allows up to an additional 30 days of involuntary holds for treatment of gravely mentally disabled individuals. Mr. True stated that there is a safeguard in place requiring the issue to be brought before an administrative hearing officer, with a patients' rights advocate present.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board adopted Resolution No. 2016-136 which, effective February 1, 2017, implements Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, California Welfare and Institutions Code section 5270.10 et seq. to allow the County to provide an additional 30-day period of intensive inpatient psychiatric treatment to stabilize mentally disabled individuals in involuntary inpatient care.

(See Resolution Book No. 57)

ASSISTED OUTPATIENT TREATMENT DOCUMENTATION PROJECT ACT OF 2002

LAURA'S LAW

RESOLUTION NO. 2016-137

REPEALS RESOLUTION NO. 2015-122

Mr. True explained that the legislature has extended Laura's Law through 2022, past the initial sunset date of 2017. He stated that Hill Country Community Clinic has been awarded a contract with Shasta County to operate a mental health resource center which includes operation of an assisted outpatient treatment program.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-137 which: Authorizes Shasta County's continued application of the Assisted Outpatient Treatment Documentation Project Act of 2002 (Laura's Law) through January 1, 2022; finds that no voluntary mental health treatment program serving adults, and no children's mental health program, may be reduced as a result of Shasta County implementing the Assisted Outpatient Treatment Project Act of 2002; and repeals Resolution No. 2015-122.

(See Resolution Book No. 57)

AGREEMENT: CALIFORNIA DEPARTMENT OF HEALTHCARE SERVICES

WHOLE PERSON CARE PROJECT

BUDGET AMENDMENTS

SALARY RESOLUTION NO. 1500

County Counsel Rubin Cruse clarified that a unanimous vote by the three present members of the Board of Supervisors would satisfy the requirement for a 4/5 vote of the Board.

Health and Human Services Agency Director Donnell Ewert explained the purpose of the Whole Person Care project which is to treat individuals in a more comprehensive and thorough way. He stated that the County of Shasta has agreed to be the lead agency for this agreement and is collaborating with a large number of local partners.

Mr. Ewert explained that the project is for a five-year term. He described the components of the agreement, which are intended to target homeless individuals who have

visited the emergency room at least twice within the last three months who may have a mental illness or substance abuse disorder. The agreement will allow individuals to be referred to a mental health resource center, instead of to the emergency room, in order to receive a wider array of services.

Mr. Ewert expressed that the risk associated with the agreement is low because the agreement is on a match basis, and there is no penalty if the County fails to provide any portion of the services. He explained that the federal dollars associated with the agreement are on a reimbursement basis to match money Shasta County spends on the project.

In response to questions from Supervisor Moty, Mr. Ewert stated that the agreement does not involve General Fund expenditures. He explained how the match works.

In response to questions from Supervisor Baugh, Mr. Ewert described the collaborative efforts behind this agreement including a monthly meeting with partners and a representative from the Board of Supervisors. This group, along with other local participation, has contributed to this joint response from the community.

By motion made, seconded (Moty/Baugh), and unanimously carried, the Board of Supervisors took the following actions: Approved and authorized the Chairman to sign a revenue agreement with the California Department of Healthcare Services for the Whole Person Care project, for the period from the date of signing through June 30, 2021 in the amount of \$3,880,710 per Fiscal Year (FY) for FYs 2016-17 through 2020-21; approved a budget amendment in the Health and Human Services Agency (HHSA)-Mental Health budget increasing appropriations by \$992,756 and revenues by \$1,940,355 (4/5 vote required); approved a budget amendment in the Health and Human Services-Business and Support Services (BSS) budget increasing appropriations by \$41,135, offset by an increase in the cost applied from HHSA-Mental Health budget in the amount of \$41,135 (4/5 vote required); and adopted Salary Resolution No. 1500 which, effective November 13, 2016, amends Shasta County's Position Allocation List to add three positions, all with sunset dates of June 30, 2021, for the HHSA as follows: adds 1.0 Full-Time Equivalent (FTE) Community Development Coordinator and 1.0 FTE Senior Staff Services Analyst in the HHSA-Mental Health budget; and adds 1.0 FTE Accountant Auditor I/II in the HHSA-BSS budget.

(See Salary Resolution Book)

SCHEDULED HEARINGS

PUBLIC WORKS

REAL PROPERTY PURCHASE AGREEMENT- PACHECO UNION SCHOOL DISTRICT

QUITCLAIM DEED
RESOLUTION NO. 2016-138

This was the time set to conduct a public hearing to consider the following actions: Adopt Resolution No. 2016-138 which, effective November 1, 2016, declares Assessor Parcel Number (APN): 055-370-021 and adjoining property (Property) no longer necessary for County use; approve and authorize the Chairman, in accordance with the terms of the resolution, to sign a Real Property Purchase Agreement setting forth the conditions under which the County will transfer the Property to Pacheco Union School District; and authorize the Chairman to sign a Quitclaim Deed in accordance with the terms of the resolution. The Notice of Hearing and the Affidavit of Publication are on file with the Clerk of the Board.

Director of Public Works Pat Minturn described the property in question, which is alongside Knighton Road in front of Pacheco School (Pacheco). Mr. Minturn explained that this item authorizes abandonment of the property so that it could be transferred to Pacheco.

Mr. Minturn stated that the property is not needed by the County and giving it to Pacheco would require that they construct a fence to close off the school's property from Knighton Road traffic. He said the property is currently being crossed by students to get to school, which poses a danger to the children.

In response to questions from Supervisor Moty, Mr. Minturn confirmed that after the transfer of the property, there would still be enough room to expand Knighton Road to four lanes plus a bicycle lane.

In response to questions from Supervisor Baugh, Mr. Minturn described the roads leading to Pacheco School and emphasized the safety concerns of parents dropping off children along Knighton Road.

The public hearing was opened, at which time George Wold, President of the Pacheco School Board, stated that the primary concern is the safety of the students. He stated that transferring the property would eliminate that concern since it would allow the school to construct the fence.

No one else wished to speak, and the public hearing was closed.

In response to questions from Supervisor Moty, Mr. Minturn explained that trucks leaving the nearby truck stop would not be negatively affected by this action.

In response to questions from Supervisor Moty, Mr. Minturn stated that he doesn't see any detrimental impact to the County's ability to maintain and improve Knighton Road.

In response to questions from Supervisor Moty, Mr. Minturn explained that because the property was assessed and determined to be less than \$25,000, the property could be transferred as the department was requesting. Mr. Minturn stated that in return for the transfer of property, Pacheco would construct the fence.

By motion made, seconded (Baugh/Moty), and unanimously carried, the Board of Supervisors adopted Resolution No. 2016-138 which, effective November 1, 2016, declares Assessor Parcel Number (APN): 055-370-021 and adjoining property (Property) no longer necessary for County use; approved and authorized the Chairman, in accordance with the terms of the resolution, to sign a Real Property Purchase Agreement setting forth the conditions under which the County will transfer the Property to Pacheco Union School District; and authorized the Chairman to sign a Quitclaim Deed in accordance with the terms of the resolution. (See Resolution Book No. 57)

REAL PROPERTY VACATING THE PUBLIC RIGHT-OF-WAY
PACHECO SCHOOL ROAD (COUNTY ROAD NO. 3H114)
AND KNIGHTON ROAD (COUNTY ROAD NO. 3H11)
RESOLUTION NO. 2016-139

This was the time set to conduct a public hearing to consider the following actions, provided that the Board of Supervisors had adopted a resolution which declares the property known as APN: 055-370-021 (Property) no longer necessary for County use; approved and authorized the Chairman, in accordance with the terms of that resolution, to sign a Real Property Purchase Agreement setting forth the conditions under which the County will transfer the Property to Pacheco Union School District; and authorized the Chairman to sign a Quitclaim Deed, take the following actions: conducted a public hearing; and adopted a resolution vacating the public right-of-way in a portion of Pacheco School Road (County Rd No. 3H114) and a portion of Knighton Road (County Rd No. 3H11).

Mr. Minturn explained that this item involves the same property as the previous item, but must be considered separately because it involves vacating a public easement on the property. The public would no longer have the right to travel across the property if it becomes the property of Pacheco.

The public hearing was opened, at which time no one requested to speak for or against the item, and the public hearing was closed.

County Counsel Rubin Cruse clarified that a unanimous vote by the three present members of the Board of Supervisors would satisfy the requirement for a 4/5 vote of the Board.

By motion made, seconded (Baugh/Kehoe), and unanimously carried, the Board of Supervisors conducted a public hearing and adopted Resolution No. 2016-139 vacating the public right-of-way in a portion of Pacheco School Road (County Rd No. 3H114) and a portion of Knighton Road (County Rd No. 3H11).

(See Resolution Book No. 57)

CLOSED SESSION ANNOUNCEMENT

Vice-Chairman Schappell announced that the Board of Supervisors would recess to a Closed Session to take the following actions:

10:55 a.m.: The Board of Supervisors recessed to Closed Session.

11:40 a.m.: The Board of Supervisors recessed from Closed Session and reconvened in Open Session with Supervisors Moty, Schappell and Baugh, 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 Cruse reported that the Board of Supervisors met in Closed Session to discuss existing litigation and labor negotiations.

In the matter of initiation of litigation, one potential case, the Board of Supervisors, by a 3-0 vote (Kehoe & Giacomini were absent), gave approval to legal counsel to initiate the 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.

11:42 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES

November 15, 2016

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Clerk of the Board of Supervisors

By _____
Deputy

DRAFT