

February 6, 2018

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, February 6, 2018

REGULAR MEETING

9:00 a.m.: Chairman Baugh 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 - Courtney Mathews
Administrative Board Clerk - Trisha Boss
Administrative Board Clerk - Kristin Gulling-Smith

INVOCATION

Invocation was given by Pastor Paul Schmidt, Liberty Hill Christian Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

FEBRUARY 2018 EMPLOYEE OF THE MONTH
DEPARTMENT OF PUBLIC WORKS
ASSOCIATE ENGINEER CHARLEEN BEARD
RESOLUTION NO. 2018-012

At the recommendation of Public Works Director Pat Minturn, by motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2018-012 which recognizes Shasta County Department of Public Works Associate Engineer, Charleen Beard, as Shasta County's Employee of the Month for February 2018.

(See Resolution Book No. 60)

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2-1-1 AWARENESS MONTH

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors adopted a proclamation which designates February 2018 as “2-1-1 Awareness Month” in Shasta County (Supervisor Moty). Health and Human Services Agency Director Donnell Ewert and United Way of Northern California Executive Director Larry Olmsted were present to receive the proclamation.

PUBLIC COMMENT PERIOD - OPEN TIME

Dean True, to honor President Abraham Lincoln’s birthday on February 12th, presented the Gettysburg Address.

Monique Welin spoke regarding mental health services in Shasta County

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh noted that the items regarding the Planning and Service Area (PSA) 2 Area Agency on Aging-Executive Board appointment (Supervisor Morgan), the agreement with Victor Treatment Centers, Inc. (Supervisor Rickert), and the Memorandum of Understanding with the City of Redding (Supervisor Kehoe) had been pulled for discussion.

CONSENT CALENDAR

By motion made, seconded (Morgan/Kehoe), and unanimously carried (except for the contract with Remi Vista noted below where Supervisor Rickert recused from the vote), the Board of Supervisors took the following actions, which were listed on the Consent Calendar, as amended:

Received and approved the Chairman’s appointments and liaison assignments for the calendar year 2018 as follows:

Supervisor Kehoe, District 1

County Functional Area - Health and Human Services, Veterans Affairs
CSAC Committee - Health and Human Services
Shasta Regional Transportation Agency (SRTA)
Redding Area Bus Authority (RABA)
Air Pollution Control Board
Oversight Board of the Successor Agency to the Redding Redevelopment Agency
Mental Health, Alcohol and Drug Advisory Board
Local Agency Formation Commission (LAFCO)
Indian Gaming Local Community Benefit Committee
Community Action Board
Emergency Food and Shelter Program

Supervisor Moty, District 2

County Functional Area - Veterans Affairs
CSAC Committee - Administration of Justice
Shasta Regional Transportation Agency (SRTA)

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Supervisor Moty, District 2, (Continued)

Air Pollution Control Board
California State Association of Counties (CSAC)
Sacramento River Forum
Northern Sacramento Valley Integrated Regional Water Management Governing Board
Sierra-Sacramento Valley Emergency Medical System Board
Deferred Compensation Advisory Committee
Airport Land Use Commission (ALUC), Alternate
Indian Gaming Local Community Benefit Committee, Alternate
Northern California Water Association Governing Board, Alternate
Redding Area Water Council Policy Advisory Committee, Alternate
Enterprise-Anderson Groundwater Sustainability Agency, Director

Supervisor Rickert, District 3

County Functional Area - Administration of Justice
CSAC Committee - Agricultural and Natural Resources
Shasta Regional Transportation Agency (SRTA)
Indian Gaming Local Community Benefit Committee
Redding Area Water Council Policy Advisory Committee (Water Agency appointment)
Northern California Water Association Governing Board (Water Agency appointment)
Fire Safe Council
Superior California Economic Development District (SCEDD), Alternate
Air Pollution Control Board, Alternate
Local Agency Formation Commission (LAFCO), Alternate
Rural County Representatives of California (RCRC), Alternate
Sacramento River Forum, Alternate
Sierra-Sacramento Valley Emergency Medical System Board, Alternate
Golden State Finance Authority, Alternate
Sustainable Forest Action Coalition
Sierra Nevada Conservancy Appointee

Supervisor Morgan, District 4

County Functional Area - General Government
CSAC Committee - Housing, Land Use, and Transportation
Oversight Board of the Successor Agency to the Shasta Lake Redevelopment Agency
Airport Land Use Commission
Remote Access Network Board
Youth Violence Prevention Coordinating Council
Shasta Children and Families Commission
Superior California Economic Development District (SCEDD)
Community Action Board
Fire Department Qualifications Review Commission
Emergency Food and Shelter Program
Shasta Regional Transportation Agency (SRTA), Alternate
Area Agency on Aging, PSA 2, Executive Board
Air Pollution Control Board, Alternate
Northern Rural Training and Employment Consortium Governing Board (NoRTEC), Alternate

Supervisor Baugh, District 5

County Functional Area – Land Use
CSAC Committee – Government Finance and Operations
Rural County Representatives of California (RCRC)
Golden State Finance Authority

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Supervisor Baugh, District 5, (Continued)

Area Agency on Aging, PSA 2, Executive Board
Oversight Board of the Successor Agency to the Anderson Redevelopment Agency
Air Pollution Control Board
Local Agency Formation Commission (LAFCO)
Airport Land Use Commission (ALUC)
Fire Safe Council
Northern Rural Training and Employment Consortium Governing Board (NoRTEC)
Environmental Services Joint Power Authority (Public Works Director Pat Minturn, Alternate)
Shasta Regional Transportation Agency (SRTA), Alternate
Redding Area Bus Authority (RABA), Alternate
Mental Health, Alcohol and Drug Advisory Board, Alternate
California State Association of Counties (CSAC), Alternate
Enterprise-Anderson Groundwater Sustainability Agency, Alternate

(Clerk of the Board)

Took the following actions regarding the Buckeye Fire Protection District Board of Directors: Reappointed Fred M. Braun and Michael Smith to terms to December 2021; and appointed Angie Wagner and Nicholas Braun to terms to December 2021. (Clerk of the Board)

Reappointed Jeff Avery, Bill Kohn, Clifford Curry, Roger Lawson, and Pat Corey to the Economic Development Corporation Board of Directors to terms to January 2020. (Clerk of the Board)

Approved the minutes of the meeting held on January 23, 2018, as submitted. (Clerk of the Board)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2017, to the agreement with Cascades Management, Inc., d.b.a. Ridgeview Residential Care Home to provide adult residential care home services increasing the daily bed rate from \$105 per day to \$115 per day, retaining the maximum compensation not to exceed \$1,839,600 during the entire term of the agreement, and the term of August 1, 2015 through June 30, 2018. (Health and Human Services Agency-Adult Services)

Approved and authorized the Chairman to sign an agreement with Remi Vista, Inc. in an amount not to exceed \$225,000 to provide residential specialty mental health services to eligible children for the period date of signing through June 30, 2018, with two automatic one-year renewals. Supervisor Rickert recused herself from voting on the agreement with Remi Vista due to her acting as a landlord of the company. (Health and Human Services Agency-Children's Services)

Took the following actions: Approved and authorized the Health and Human Services Agency (HHSA) Director or the Public Health Branch Director to accept and sign or electronically sign the Terms and Conditions (T&C) and submit an application to the Public Health Accreditation Board to enter HHSA – Public Health into the Public Health Accreditation Program, in an amount not to exceed \$54,600 (including advance payments for the Initial Accreditation Review Fee in the amount of \$21,000 and the Annual Accreditation Services Fee in the amount of \$8,400 per year for the remaining four years of the five-year program) for the period Spring 2018 through Spring 2023; and approved and authorized the HHSA Director or the Public Health Branch Director to accept and sign or electronically sign prospective and retroactive amendments and other documents related to the T&C that result in a net change not to exceed \$10,920, and other, non-monetary amendments as necessary, in compliance with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Health and Human Services Agency-Children's Services)

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Took the following actions: Awarded the bid to and authorized the purchase of a new boat and trailer from Rogue Jet Boatworks for the total purchase price of \$79,955 (including sales tax and delivery); authorized the Sheriff or his designee to sign amendments to the existing grant agreement, or other documents as may be required by the California Department of Parks and Recreation Division of Boating and Waterways, that do not increase the grant award and facilitate expenditure of the balance of the grant award for replacement of a boat engine in an existing boat in the fleet; and approved a budget amendment in the Sheriff's Office Boating Safety Unit Fiscal Year 2017-18 budget increasing revenues and appropriations in the amount of \$100,000. (Sheriff)

Approved and authorized the Chairman to sign an amendment to the agreement with Randall J. Hauser d.b.a. Enplan to limit maximum compensation to \$999,999 including any amendments (not to exceed \$300,000 in any fiscal year), amend the compensation rates, and extend the term from the date of signing through December 31, 2018, to provide environmental and cultural resource consulting services. (Public Works)

Approved and authorized the Chairman to sign five Assignment of Personal Services Agreements, effective date of signing, from North State Resources, Inc. to Stantec Consulting Services, Inc. for the following environmental consulting services agreements: On-Call Environmental Services; Bear Mountain Road at Deep Hole Creek Bridge Replacement; Deschutes Road Widening; Riverland Drive Widening; and 2017 Storm Damage Projects. (Public Works)

Took the following actions regarding the "Public Defender/Adult Probation Roofing Project," Contract No. 610435: Awarded to the low bidder, MCM Roofing Company, Inc., on a lump sum basis in the amount of \$267,598; approved a budget amendment increasing appropriations and revenue by \$225,000 in the Land Buildings and Improvement budget; approved a budget amendment increasing appropriations and revenue by \$161,067 in the Public Defender budget; approved a budget amendment increasing appropriations and revenue by \$63,933 in the Probation Adult budget; and approved a budget amendment increasing appropriations by \$225,000 in the Accumulated Capital Outlay budget, offset with the use of fund balance. (Public Works)

Took the following actions regarding the "Gas Point Road Widening Project," Contract No. 702976: Approved and authorized the Chairman to sign right-of-way contracts with: Karen Ball and Michael Ball for right-of-way (0.09 acres at \$7,200) plus a Federal Highway Administration (FHWA) signing incentive of \$1,000; Kenneth W. Watland and Pamela Watland for right-of-way (0.09 acres at \$5,800) plus a FHWA signing incentive of \$1,000; and accepted two Easement Deeds conveying the right-of-way parcels. (Public Works)

Took the following actions regarding the "HHS Access Control System Project," Contract No. 610487: Found the project categorically exempt in conformance with the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301, Class 1-Existing Facilities; approved plans and specifications and direct the Public Works Director to advertise for bids; and authorized opening of bids on or after Thursday, March 8, 2018, at 11:00 a.m. (Public Works)

Took the following actions: approved and authorized the Chairman to sign a retroactive renewal agreement with Microsoft Volume Licensing Enterprise Enrollment in an amount of \$1,291,910.64 to provide maintenance and support of Microsoft Client Access software licenses, Windows desktop operating system licenses, and Office 365 (O365) subscription licenses for the period February 1, 2018 through January 31, 2021; and approved and authorized the County Executive Officer to sign amendments to the agreement to add additional software products as Microsoft makes them available as part of the O365 software component to the list of available options that do not otherwise result in a substantial or functional change to the intent of the original agreement as long as they comply with Administrative Policy 6-101, *Shasta County Contracts Manual*. (Information Technology)

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ACTION ON ITEMS PULLED FROM CONSENT CALENDAR

**APPOINTMENT: ANN MORNINGSTAR AS COUNTY REPRESENTATIVE-ALTERNATE
PLANNING AND SERVICE AREA (PSA) 2 AREA AGENCY ON AGING
EXECUTIVE BOARD**

By motion made, seconded (Morgan/Rickert), and unanimously carried, the Board of Supervisors appointed Ann Morningstar as a County Representative-Alternate to the Planning and Service Area (PSA) 2 Area Agency on Aging-Executive Board. (Clerk of the Board)

**AGREEMENT: VICTOR TREATMENT CENTERS, INC.
SPECIALTY MENTAL HEALTH SERVICES**

In response to questions by Supervisor Rickert, Health and Human Services Agency Children's Services Branch Director Dianna Wagner reported during the past three years the program averages annually approximately 30 group or therapeutic home placements. Ms. Wagner reported over the past three years there has been an increase of placements with Victor Treatment Centers as a result of Assembly Bill (AB) 403, Continuum of Care Reform legislation, that aims to ensure foster youth are served within the community they are from. Efforts are being made to bring foster youth from higher placements back to Shasta County. Additionally, Ms. Wagner reported an increase in placements resulting from AB 1299, Presumptive Transfer legislation, that was created to ensure foster youth receive mental health services needed to improve mental health and well-being, because Shasta County is a net receiving county, receiving more foster youth than are sent out.

In response to questions by Supervisor Rickert, Ms. Wagner stated the County of original jurisdiction continues to pay the board and care for placement of child; if they choose a presumptive transfer, mental health services would be transferred to Shasta County.

In response to questions by Supervisor Rickert, Ms. Wagner confirmed the goal for children placed in group or therapeutic homes is to return to the original county of jurisdiction.

By motion made, seconded (Rickert/Morgan), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign an amendment to the agreement with Victor Treatment Centers, Inc. for the provision of specialty mental health services to eligible children to add intensive case coordination and intensive home-based services and increase maximum compensation by \$1,600,000, for a new maximum compensation amount not to exceed \$2,200,000 during the entire term of the agreement, retaining the term July 1, 2017 through June 30, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

**MEMORANDUM OF UNDERSTANDING: CITY OF REDDING
COMMUNITY PROSECUTION PROGRAM**

District Attorney Stephanie Bridget reported on the Memorandum of Understanding and recommended approval. DA Bridget stated county and city leaders are coming together to find solutions to public safety.

In response to questions by Supervisor Kehoe, DA Bridget anticipates between 2,000 to 3,000 cases will be able to be reviewed as a result of the program.

In response to questions by Supervisor Rickert, DA Bridget reported a recruitment has been conducted and applications have been received.

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By motion made, seconded (Kehoe/Rickert), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a Memorandum of Understanding (MOU) with the City of Redding providing for establishment of and potential future funding in the amount of \$200,000 (\$100,000 from the City of Redding and \$100,000 from the County) for the second year of a community prosecution program for the period from the date of signing through June 30, 2019, with one optional one-year extension. (District Attorney)

9:40 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 (Morgan/Rickert), and unanimously carried, received and approved the Chairman's appointment to the Redding Area Water Council Policy Advisory Committee for the year 2018. (Clerk of the Board)

9:41 a.m.: The 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 a Fiscal Year 2018-19 Budget meeting with Shasta County department heads and financial staff, and advised he will present a mid-year report at the next Board meeting. CEO Lees reported public safety and mental health spending are on target to be spent and remain a priority, with the public safety budget totaling approximately \$86 million and the mental health budget totaling approximately \$29 million.

Supervisor Morgan recently attended Community Action Board and Airport Land Use Commission meetings.

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

Supervisor Rickert recently attended a Local Agency Formation Commission meeting.

Supervisor Baugh recently attended Local Agency Formation Commission and Airport Land Use Commission meetings.

Supervisors reported on issues of countywide interest.

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CLERK OF THE BOARD

RESOLUTION NO. 2018-013

SENATE BILL 54

County Counsel Rubin E. Cruse, Jr. gave a staff report on Senate Bill (SB) 54, California's sanctuary state law, and stated this matter was brought back before the Board from the Board's direction given on December 12, 2017.

In response to questions by Supervisor Kehoe, Counsel Cruse stated the difference between a resolution and ordinance: an ordinance is a local law, whereas a resolution is a policy decision which does not have the force of the law.

Ann Muir Corrin, Trent Copland, George Koen, Don Yost, Martha Leard, Lee Macey, Judith Satter, Paul Findlay, Katrina Cantrell, Laurie O'Connell, Kyle Dafoer, Missy McArther, David Robbins, Pam Crowe, and Robert Belgeri expressed concerns regarding the proposed resolution.

Chet Szymansk, Bob Holsinger, Baron Browning, Glenn Morris, Kay Wilson, Sally Rapoza, Terry Rapoza, Barbara Keeling, Norman Brewer, and Donna Ellis expressed support for the proposed resolution.

In response to questions by Supervisor Baugh, Counsel Cruse clarified the legal authority behind SB 54.

In response to questions by Supervisor Baugh, Counsel Cruse confirmed the Board has many times opposed the policy decisions of Sacramento, which is acceptable; what the Board cannot do is say the county will refuse to comply with state law.

In response to questions by Supervisor Moty, Counsel Cruse confirmed that it is not always the case that federal law trumps state law; if a court determines the federal government has overstepped its bounds, it is able to strike down a federal law.

In response to questions by Supervisor Baugh, County Executive Officer (CEO) Larry Lees said he has no knowledge of Shasta County holding illegal immigrants.

In response to questions by Supervisor Moty, Sheriff Tom Bosenko stated he is sworn to follow and enforce the law unless a court order rules the law is invalid or unconstitutional.

In response to questions by Supervisor Moty, District Attorney Stephanie Bridgett stated her office does intend to follow the law, and that SB 54, having provisions for violent crimes, will not impact business.

In response to questions by Supervisor Kehoe, DA Bridgett stated the proposed resolution does not have any legal force and will not alter how the District Attorney, Sheriff, or local law enforcement conduct business.

In response to questions by Supervisor Morgan, Sheriff Bosenko stated if someone commits a violent crime, prosecution would be pursued according to law regardless of immigration status.

In response to questions by Supervisor Moty, Counsel Cruse clarified that the resolution will not change the legal situation that exists between Shasta County law enforcement and Immigration and Customs Enforcement (ICE). That relationship will be dictated by the restrictions that exist in SB 54.

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In response to questions by Supervisor Baugh, Counsel Cruse advised that at the December 12, 2017, by consensus, the Board of Supervisors directed staff to provide a follow-up report and course of action to be presented to the Board at a future meeting.

Supervisor Morgan motioned to approve the resolution as submitted, and it was seconded by Supervisor Rickert.

Supervisor Baugh called for a roll call vote as follows:

District No. 4 - Supervisor Morgan - Aye
District No. 3 - Supervisor Rickert - Aye
District No. 1 - Supervisor Kehoe - Abstain
District No. 2 - Supervisor Moty - Abstain
District No. 5 - Supervisor Baugh - Aye

By motion made, seconded (Morgan/Rickert), and carried, the Board of Supervisors adopted Resolution No. 2018-013 which declares, in summary, that: Shasta County's policies comply with federal immigration laws; the County does not constitute a "sanctuary" jurisdiction; and the County will endeavor to provide appropriate interagency assistance to United States immigration authorities within the limits of its resources, including funding, personnel availability, and jail capacity, and also within the limits of its legal obligations, including the limits of its legal obligations imposed by state law and judicial authority. (Clerk of the Board)

(See Resolution Book No. 60)

11:30 a.m.: The Board of Supervisors recessed.

11:36 a.m.: The Board of Supervisors reconvened.

SUPPORT SERVICES-PERSONNEL

ORDINANCE NO. 495-19

ELECTED OFFICIALS CONTRIBUTION TO MEDICAL PREMIUMS

BOARD OF SUPERVISORS

County Counsel Rubin E. Cruse, Jr. presented a staff report on the proposed ordinance.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors, as introduced on January 23, 2018, enacted Ordinance No. 495-19 An Ordinance of the Board of Supervisors of the County of Shasta Establishing Compensation for Members of the Board of Supervisors that reduces the County contributions to health care premiums for the Board of Supervisors during their terms of services and otherwise establishes the employment benefits for the Board of Supervisors as those identified in Chapter 39 of the Shasta County Personnel Rules, adopted on January 23, 2018, that pertain to the Board of Supervisors. (Clerk of the Board)

(See Ordinance No. 495 Salaries of Supervisors Book)

CONTRACT: COUNTY EXECUTIVE OFFICER

At the recommendation of Support Services-Personnel Director Angela Davis, and by motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors approved and authorized the Chairman to sign a Fifth Amendment to the Employment Contract with the County Executive Officer extending the term of the contract to January 5, 2021, with no changes in compensation. (Support Services-Personnel)

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CLOSED SESSION ANNOUNCEMENT

Chairman Baugh 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 Everett Jewett, et al. v. Shasta County Sheriff's Department, et al., pursuant to Government Code section 54956.9, subdivision (d), paragraph (1).

11:45 a.m.: The Board of Supervisors recessed to Closed Session.

12:01 p.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.

12:02 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy