



SHASTA COUNTY

BOARD OF SUPERVISORS

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Supervisor David A. Kehoe, District 1
Supervisor Leonard Moty, District 2
Supervisor Mary Rickert, District 3
Supervisor Steve Morgan, District 4
Supervisor Les Baugh, District 5

AGENDA

REGULAR MEETING OF THE BOARD OF SUPERVISORS

Tuesday, September 18, 2018, 9:00 AM

The Board of Supervisors welcomes you to its meetings which are regularly scheduled for each Tuesday at 9:00 a.m. in the Board of Supervisors Chambers on the second floor of the Shasta County Administration Center, 1450 Court Street, Suite 263, Redding, California. Your interest is encouraged and appreciated.

The agenda is divided into two sections: **CONSENT CALENDAR:** These matters include routine financial and administrative actions and are usually approved by a single majority vote. **REGULAR CALENDAR:** These items include significant financial, policy, and administrative actions and are classified by program areas. The regular calendar also includes "Scheduled Hearings," which are noticed hearings and public hearings, and any items not on the consent calendar.

TO ADDRESS THE BOARD: Members of the public may directly address the Board of Supervisors on any agenda item on the regular calendar before or during the Board's consideration of the item. In addition, the Board of Supervisors provides the members of the public with a Public Comment-Open Time period, where the public may address the Board on any agenda item on the consent calendar before the Board's consideration of the items on the consent calendar and may address the Board on any matter not listed on the agenda that is within the subject matter jurisdiction of the Board of Supervisors. Pursuant to the Brown Act (Govt. Code section 54950, et seq.), **Board action or discussion cannot be taken** on non-agenda matters, but the Board may briefly respond to statements or questions and, if deemed necessary, refer the subject matter to the appropriate department for follow-up and/or to schedule the matter on a subsequent Board Agenda.

Persons wishing to address the Board are requested to fill out a Speaker Request Form and provide it to the Clerk before the meeting begins. Speaker Request Forms are available at the following locations: (1) online at http://www.co.shasta.ca.us/BOS/docs/Request_to_talk.pdf, (2) from the Clerk of the Board on the third floor of 1450 Court Street, Suite 308B, Redding, and (3) in the back of the Board of Supervisors Chambers. If you have documents to present for the members of the Board of Supervisors to review, please provide a minimum of ten copies. When addressing the Board, please approach the rostrum, and after receiving recognition from the Chairman, give your name and comments. Each speaker is allocated three minutes to speak. **Comments should be limited to matters within the subject matter jurisdiction of the Board.**

CALL TO ORDER

Invocation: Pastor Penni Scarbrough, The Meeting Place

Pledge of Allegiance: Supervisor Rickert

REGULAR CALENDAR

Members of the public may directly address the Board of Supervisors on any agenda item on the regular calendar before or during the Board's consideration of the item. Persons wishing to address the Board are requested to fill out a Speaker Request Form prior to the beginning of the meeting (forms are available from the Clerk of the Board, 1450 Court Street, Suite 308B, Redding, or in the back of the Board of Supervisors Chambers). If you have documents to present for the members of the Board of Supervisors to review, please provide a minimum of ten copies. Each speaker is allocated three minutes to speak.

BOARD MATTERS

R 1 Board Matters

Adopt a proclamation which designates September 16-22, 2018, as "Constitution Week" in Shasta County.

No General Fund Impact

Simple Majority Vote

R 2 Board Matters

Adopt a proclamation which designates September 25, 2018, as a "Day of Remembrance for Murder Victims" in Shasta County.

No General Fund Impact

Simple Majority Vote

PRESENTATIONS

R 3 Presentation

Receive a presentation from California Public Lands Coordinator Sam Sedillo regarding Trout Unlimited's Public Lands program and presence in Shasta County.

No General Fund Impact

No Vote

PUBLIC COMMENT PERIOD - OPEN TIME

During the Public Comment Open Time period, the public may address the Board on any agenda item on the consent calendar and may address the Board on any matter not listed on the agenda that is within the subject matter jurisdiction of the Board of Supervisors. Persons wishing to address the Board during Public Comment Open Time are requested to fill out a Speaker Request Form and, if you have documents to present to the Board of Supervisors, please provide a minimum of ten copies.

CONSENT CALENDAR

The following Consent Calendar items are expected to be routine and non-controversial. They may be acted upon by the Board at one time without discussion. Any Board member or staff member may request that an item be removed from the Consent Calendar for discussion and consideration. Members of the public may comment on any item on the Consent Calendar during the Public Comment Period - Open Time, which shall precede the Consent Calendar.

GENERAL GOVERNMENT

C 1 Administrative Office

Approve and authorize the County Executive Officer to sign any documents required to apply for grant funding under the Hazard Mitigation Grant Program (HMGP).

General Fund Impact

Simple Majority Vote

C 2 Auditor-Controller

Adopt a resolution which approves the Fiscal Year 2018/2019 Countywide Tax Rate, Unitary Debt Service Rate, and the tax rates for bond sinking funds, voter-approved debt, and tax overrides.

General Fund Impact

Simple Majority Vote

C 3 Auditor-Controller

Administrative Office

Adopt a policy resolution which amends Administrative Policy 8-103, *Fleet Management Program*, to update procedures.

No Additional General Fund Impact

Simple Majority Vote

C 4 Clerk of the Board

Appoint Kathy Barry to the Shasta Children and Families Commission for an unexpired term to January 2019.

No General Fund Impact

Simple Majority Vote

C 5 Clerk of the Board

Approve the minutes of the meeting held on September 11, 2018, as submitted.

No General Fund Impact

Simple Majority Vote

HEALTH AND HUMAN SERVICES

C 6 Health and Human Services Agency-Adult Services

Take the following actions: (1) Authorize the Chairman to sign, and the Health and Human Services Agency (HHSA) to submit, a letter of interest to the California Department of Health Care Services (DHCS) accepting a one-time \$200,000 allocation for Homeless Mentally Ill Outreach and Treatment (HMIOT) services; (2) adopt a resolution which designates the HHSA Director as the single point of contact to DHCS for HMIOT funding and authorizes participation in the HMIOT program; and (3) approve a budget amendment increasing appropriations and revenue by \$200,000 in the HHSA-Mental Health budget to accept the funding.

No Additional General Fund Impact

4/5 Vote

C 7 Health and Human Services Agency-Children's Services

Approve and authorize the Chairman to sign a retroactive renewal agreement with Northern Valley Catholic Social Service, Inc., in an amount not to exceed

\$2,169,196 to provide youth specialty mental health services for the period July 1, 2018 through June 30, 2020.

No Additional General Fund Impact

Simple Majority Vote

C 8 Housing and Community Action Programs

Adopt a resolution which: (1) Authorizes the Housing and Community Action Programs department to submit an application to the California Department of Housing and Community Development (HCD) for California Emergency Solutions and Housing Program (CESH) funds in an amount not to exceed \$857,130 for rental assistance, homeless prevention, street outreach services, and systems support activities for the period January 1, 2019 through December 31, 2023; (2) approves and authorizes the Director of Housing and Community Action Programs to sign and submit the application, and other application documents, including retroactive; (3) states funds will be expended in compliance with applicable state, federal, and other relevant statutes regarding the CESH program; and (4) approves and authorizes the Chairman or Vice Chairman to sign the grant agreement and subsequent amendments, and other documents related to the CESH award.

No Additional General Fund Impact

Simple Majority Vote

LAW AND JUSTICE

C 9 Probation

Take the following actions: (1) Approve and authorize the Chairman to sign a retroactive revenue agreement with Gateway Unified School District in an amount not to exceed \$112,000 to provide a School Resource Officer for the period August 10, 2018 through June 30, 2019; (2) adopt a salary resolution, effective September 30, 2018, amending the Shasta County Position Allocation List to add 1.0 Full Time Equivalent (FTE) Deputy Probation Officer III; and (3) approve a budget amendment increasing appropriations and revenue by \$112,000 in the Probation budget.

No Additional General Fund Impact

4/5 Vote

PUBLIC WORKS

C 10 Public Works

Approve and authorize the Public Works Director to sign a Notice of Completion for the "Junction School ATP Project," Contract No. 702985, and record it within 15 days of actual completion.

No General Fund Impact

Simple Majority Vote

C 11 Public Works

County Service Area No. 2-Sugarloaf Water

Take the following actions on behalf of County Service Area (CSA) No. 2-Sugarloaf Water: (1) Adopt a resolution which: (a) accepts emergency grant funding in the amount of \$68,000 from the State Water Resources Control Board to

haul water to CSA No. 2-Sugarloaf Water; and (b) designates the Public Works Director, or his/her designee, as the "Authorized Representative" to comply with the grant provisions and complete related documents; and (2) approve a budget amendment increasing appropriations and revenue by \$68,000 in the CSA No. 2-Sugarloaf Water Admin budget for the grant.

No General Fund Impact

4/5 Vote

OTHER DEPARTMENTS

C 12 County Service Area No. 1-County Fire

Take the following actions regarding the purchase of Self Contained Breathing Apparatus (SCBA) equipment: (1) Approve a budget amendment increasing appropriations by \$170,263 offset with use of fund balance; and (2) approve the award and authorize the purchase of new SCBA equipment to All Star Fire Equipment, Inc., under the California Department of General Services (DGS) contract in the amount of \$567,484.12.

No Additional General Fund Impact

4/5 Vote

REGULAR CALENDAR, CONTINUED

GENERAL GOVERNMENT

R 4 Administrative Office

(1) Receive a legislative update and consider action on specific legislation related to Shasta County's legislative platform; and (2) receive Supervisors' reports on countywide issues.

No General Fund Impact

No Vote

HEALTH AND HUMAN SERVICES

R 5 Health and Human Services Agency-Business and Support Services

Approve and authorize the Chairman to sign an evergreen employment agreement with Karen C. Ramstrom, D.O., M.S.P.H., to appoint Dr. Ramstrom as the Shasta County Health Officer effective October 14, 2018 and to establish Dr. Ramstrom's compensation at the E-Step salary range (\$101.633 per hour/\$17,616 per month).

No Additional General Fund Impact

Simple Majority Vote

LAW AND JUSTICE

R 6 Sheriff

Adopt a resolution 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.

General Fund Impact

Simple Majority Vote

RESOURCE MANAGEMENT

R 7 Resource Management

Take the following actions: (1) Find that adoption of the ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the exemptions stated in the ordinance; and (2) introduce and waive the reading of an ordinance enacting Chapter 16.10, Regulations for Limited Density Owner-Built Rural Dwellings, of the Shasta County Code.

No Additional General Fund Impact

Simple Majority Vote

SCHEDULED HEARINGS

A court challenge to action taken by the Board of Supervisors on any project or decision may be limited to only those issues raised during the public hearing or in written correspondence delivered to the Board of Supervisors during, or prior to, the scheduled public hearing.

PUBLIC WORKS

R 8 Public Works

County Service Area No. 8-Palo Cedro Water and Sewer

Take the following actions on behalf of County Service Area (CSA) No. 8-Palo Cedro Sewer and Water: (1) Conduct a public hearing to consider increasing the bi-monthly water and sewer rates; (2) close the public hearing; (3) direct the Clerk of the Board to tabulate written protests from property owners and tenants within CSA No. 8-Palo Cedro and report back to the Board with the results; (4) in the absence of a majority protest, introduce, waive the reading of, and enact an Ordinance of the Board of Supervisors of the County of Shasta, County Service Area No. 8-Palo Cedro Sewer and Water, Repealing Ordinance No. 633 and Setting Forth the Charges, Rates, and Fees for Sewer, Water, and Related Services; and (5) repeal Ordinance No. 633.

No General Fund Impact

Simple Majority Vote

RESOURCE MANAGEMENT

R 9 Resource Management

Take the following actions regarding property in the unincorporated area of Shasta County east of and adjoining the City of Redding in the northwest quadrant of the State Route 299/Old Oregon Trail interchanges area (Assessor Parcel Numbers 076-070-012, 076-070-016, 076-100-018, 076- 060-018 (portion), and 076-100-011): (1) Conduct a public hearing; (2) close the public hearing; (3) adopt a resolution: (a) finding that GPA18-0001 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, (b) approving GPA18-0001 to amend the land use designations on 47.9 acres of property from Commercial (C) and Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)); (4) find that Zoning Amendment (ZA) 18-0002 is not subject to CEQA in

accordance with the provisions of Government Code section 65759; and (5) introduce, waive the reading of, and enact ordinance ZA18-0002 rezoning 33.3 acres of property from Interim Rural Residential (IR), Commercial Light Industrial (C-M), and Community Commercial (C-2) to Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS).

No Additional General Fund Impact

Simple Majority Vote

R 10 Resource Management

Take the following actions regarding property in the unincorporated area of Shasta County north of and adjoining the City of Redding in the area of Old Oasis Road (portion of Assessor Parcel Number 073-010-006): (1) Conduct a public hearing; (2) close the public hearing; (3) adopt a resolution: (a) finding that GPA18-0002 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759; (b) approving GPA18-0002 to amend the land use designation on 51.9 acres of property from Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)) and Urban Residential (UR); (4) find that Zoning Amendment (ZA) 18-0003 is not subject to CEQA in accordance with the provisions of Government Code section 65759; and (5) introduce, waive the reading of, and enact ordinance ZA18-0003 rezoning 51.9 acres of property from Interim Rural Residential (IR) and Designated Floodway (F-1) to Multiple-Family Residential–25 dwelling units per acre (R-3-25), Multiple-Family Residential–10 dwelling units per acre (R-3-10), Open Space (OS), and Designated Floodway (F-1).

No Additional General Fund Impact

Simple Majority Vote

R 11 Resource Management

Based on comments and input from numerous sources which was received following the Planning Commission meeting on August 23, 2018, the Resource Management Department withdraws its recommendation to approve General Plan Amendment (GPA) 18-0003 which would amend the land use designation on 9.8 acres from Commercial (C) to Urban Residential-25 dwelling units per acre (UR(25)), and Zoning Amendment (ZA) 18-0004 which would rezone 9.8 acres of property from Community Commercial (C-2) to Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS), in the unincorporated area of Shasta County in the Palo Cedro Town Center south of State Route 44 and west of Deschutes Road (Assessor Parcel Number 059-360-019).

No Additional General Fund Impact

Simple Majority Vote

R 12 Resource Management

Take the following actions regarding General Plan Amendment GPA13-003, to submit the Draft 2014-2019 Shasta County Housing Element Update to the California Department of Housing and Community Development (HCD): (1) Conduct a public hearing; (2) close the public hearing; and adopt a resolution: (a) finding that GPA13-003 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759 (CEQA does not apply to any action necessary to bring an agency's general

plan or relevant mandatory elements of the plan into compliance with any court order or judgment); and (b) directing the Resource Management Department to submit the Draft 2014-2019 Shasta County Housing Element to HCD for review and comment pursuant to Government Code section 65754(a).

No Additional General Fund Impact

Simple Majority Vote

CLOSED SESSION ANNOUNCEMENT

R 13 The Board of Supervisors will recess to a Closed Session to discuss the following item (Est. 25 minutes):

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code section 54956.9, subdivision (d), paragraph (1)):

Names of Cases: *Raymond Hughes v. County of Shasta*
Yvonne Kreger v. County of Shasta

At the conclusion of the Closed Session, reportable action, if any, will be reported in Open Session.

RECESS

REPORT OF CLOSED SESSION ACTIONS

ADJOURN

REMINDERS

Date:	Time:	Event:	Location:
09/25/2018		Board of Supervisors Meeting Canceled	
10/02/2018	8:30 a.m.	Air Pollution Control Board Meeting	Board Chambers
10/02/2018	9:00 a.m.	Board of Supervisors Meeting	Board Chambers
10/09/2018		Board of Supervisors Meeting Canceled	
10/11/2018	2:00 p.m.	Planning Commission Meeting	Board Chambers
10/16/2018	9:00 a.m.	Board of Supervisors Meeting	Board Chambers
10/23/2018	9:00 a.m.	Board of Supervisors Meeting	Board Chambers

COMMUNICATIONS received by the Board of Supervisors are on file and available for review in the Clerk of the Board's Office.

The County of Shasta does not discriminate on the basis of disability in admission to, access to, or operation of its buildings, facilities, programs, services, or activities. The County does not discriminate on the basis of disability in its hiring or employment practices. Questions, complaints, or requests for additional information regarding the Americans with Disabilities Act (ADA) may be forwarded to the County's ADA Coordinator: Director of Support Services Angela Davis, County of Shasta, 1450 Court Street, Room 348, Redding, CA 96001-1676, Phone: (530) 225-5515, California Relay Service: (800) 735-2922, Fax: (530) 225-5345, E-mail: adacoordinator@co.shasta.ca.us. Individuals with disabilities who need auxiliary aids and/or services for effective communication in the County's programs and services are invited to make their needs and preferences known to the affected department or the ADA Coordinator. For aids or services needed for effective communication during Board of Supervisors meetings, please call Clerk of the Board (530) 225-5550 two business days before the meeting. This notice is available in accessible alternate formats from the affected department or the ADA Coordinator. Accommodations may include, but are not limited to, interpreters, assistive listening devices, accessible seating, or documentation in an alternate format.

The Board of Supervisors meetings are viewable on Shasta County's website at www.co.shasta.ca.us.

Public records which relate to any of the matters on this agenda (except Closed Session items), and which have been distributed to the members of the Board, are available for public inspection at the office of the Clerk of the Board of Supervisors, 1450 Court Street, Suite 308B, Redding, CA 96001-1673.

This document and other Board of Supervisors documents are available online at www.co.shasta.ca.us.

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: BOARD MATTERS-1.

SUBJECT:

Constitution Week

DEPARTMENT: Board Matters

Supervisory District No. : All

DEPARTMENT CONTACT: Mary Williams, Chief Deputy Clerk of the Board (530) 225-5550

STAFF REPORT APPROVED BY: Mary Williams, Chief Deputy Clerk of the Board

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Adopt a proclamation which designates September 16-22, 2018, as "Constitution Week" in Shasta County.

SUMMARY

N/A

DISCUSSION

N/A

ALTERNATIVES

N/A

OTHER AGENCY INVOLVEMENT

The Daughters of the American Revolution requested the proclamation.

FINANCING

There is no General Fund impact associated with the proclamation.

ATTACHMENTS:

Description
Proclamation

Upload Date
9/11/2018

Description
Proclamation

Shasta County Board of Supervisors Proclamation

Constitution Week
September 16-22, 2018

WHEREAS, in order to secure the blessings of liberty and self-government for themselves and their posterity, our Founding Fathers ordained and established a constitution for the United States of America; and

WHEREAS, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all enemies; and

WHEREAS, the anniversary of the Signing of the Constitution provides an opportunity for all Americans to realize the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities it secured; and

WHEREAS, the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during **Constitution Week**, September 16-22, 2018, as designated by proclamation of the President of the United States of America in accordance with Public Law 915;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta hereby proclaims the week of September 16-22, 2018 as **Constitution Week** in Shasta County and urges all our citizens to consider and appreciate the many benefits of our Federal Constitution and American citizenship.

Les Baugh, Chairman

September 18, 2018

Date

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: BOARD MATTERS-2.

SUBJECT:

Adopt a proclamation which designates September 25, 2018, as "Day of Remembrance for Murder Victims" in Shasta County.

DEPARTMENT: Board Matters

Supervisory District No. : All

DEPARTMENT CONTACT: Stephanie Bridgett, District Attorney, 530-245-6310

STAFF REPORT APPROVED BY: Stephanie Bridgett, District Attorney

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Adopt a proclamation which designates September 25, 2018, as a "Day of Remembrance for Murder Victims" in Shasta County.

SUMMARY

N/A

DISCUSSION

This proclamation, sponsored by the District Attorney's Office, is designed to engage our community in honoring victims lost in tragic and unexpected ways. The Board's proclamation will demonstrate support in recognizing these victims and their families and the important work of supportive systems for families enduring the trauma of homicide.

ALTERNATIVES

The alternative is not approving the proclamation, in which case the Shasta County District Attorney will not include the proclamation in the scheduled activities.

OTHER AGENCY INVOLVEMENT

The County Administrative Office has reviewed this proclamation.

FINANCING

There is no fiscal impact with the adoption of this proclamation.

ATTACHMENTS:

Description	Upload Date	Description
Proclamation for Homicide Victims	9/12/2018	Proclamation for Homicide Victims

Shasta County Board of Supervisors Proclamation

Day of Remembrance for Murder Victims
September 25, 2018

WHEREAS, the devastating impact of murder in America has far-reaching effects on individuals, families, communities, and our nation as a whole; and

WHEREAS, the families of murder victims face immediate, short-term and lasting consequences that have a profound effect on them – emotionally, financially, physically, socially and spiritually; and

WHEREAS, the murder of a loved one robs the victim's family of a mother, father, sister, brother, son, daughter, husband, wife, partner, grandparent, aunt, uncle, extended family member, friend, neighbor or colleague, and creates an overwhelming challenge to fill the void their absence creates; and

WHEREAS, the Shasta County District Attorney's Office believes that honoring the memory of victims who have been killed by violence and acknowledging the resulting long-term trauma for families and communities is an important way of promoting public awareness and remembering our loved ones; and

WHEREAS, survivors of homicide victims use their tragedies to tell stories of pain and anger inflicted by a homicide, rejecting paths of retaliation, shame and isolation, and instead lean toward learning and teaching lessons of compassion and peace; and

WHEREAS, survivors of homicide victims transform their pain and anger into power and action, by honoring the memory of their loved ones impacted by homicide. Through leadership, grief support and advocacy, survivors are reducing violence and promoting prevention.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta does hereby proclaim September 25, 2018, as a Day of Remembrance for Murder Victims in Shasta County.

Les Baugh, Chairman

September 18, 2018

Date

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: PRESENTATIONS-3.

SUBJECT:

N/A

DEPARTMENT: Presentation

Supervisory District No. : All

DEPARTMENT CONTACT: Mary Williams, Chief Deputy Clerk of the Board (530) 225-5550

STAFF REPORT APPROVED BY: Mary Williams, Chief Deputy Clerk of the Board

Vote Required?	General Fund Impact?
No Vote	No General Fund Impact

RECOMMENDATION

Receive a presentation from California Public Lands Coordinator Sam Sedillo regarding Trout Unlimited's Public Lands program and presence in Shasta County.

SUMMARY

N/A

DISCUSSION

N/A

ALTERNATIVES

N/A

OTHER AGENCY INVOLVEMENT

N/A

FINANCING

N/A

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - General Government-1.

SUBJECT:

Hazard Mitigation Grant Program Funding

DEPARTMENT: Administrative Office

Supervisory District No. : All

DEPARTMENT CONTACT: Larry Lees, County Executive Officer (530) 225-5561

STAFF REPORT APPROVED BY: Larry Lees, County Executive Officer

Vote Required?	General Fund Impact?
Simple Majority Vote	General Fund Impact

RECOMMENDATION

Approve and authorize the County Executive Officer to sign any documents required to apply for grant funding under the Hazard Mitigation Grant Program (HMGP).

SUMMARY

Grant applications are proposed to alleviate future fire hazards in the watershed.

DISCUSSION

The Carr Fire burned large swaths of the local watershed with attendant impacts to our community and the environment. While we are dealing with the short-term impacts of this event, it may be useful to consider that long-term measures may feasibly alleviate such events in the future. The Hazard Mitigation Grant Program (HMGP) is intended to implement long-term independent solutions (i.e. projects) to reduce the loss of life and property from future disasters. These steps are taken pursuant to a Local Hazard Mitigation Plan (LHMP). Fortunately, Shasta County recently updated its LHMP and is thus eligible to apply for HMGP funding. However, the timelines to apply for such funding are very short and therefore the request is to authorize the CEO to submit the application for funding and execute any necessary documents related to the request for funding. Shasta County is eligible to receive priority in LHMP allocations in the aftermath of the Carr Fire. Potentially \$60,000,000 or more available under the HMGP. If awarded, the grant agreement(s) will be brought to the Board for approval at a later time.

ALTERNATIVES

The Board may decline to apply for HMGP funding. The funds will be allocated to other eligible agencies.

OTHER AGENCY INVOLVEMENT

The County Administrative Office has reviewed the recommendation.

FINANCING

Any potential grants will include a 25% local match for all project costs under HMGP funding rules. Adequate funding sources will have to be identified for any potential grant applications. There is no general fund impact.

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018
CATEGORY: Consent - General Government-2.

SUBJECT:

Fiscal Year 2018/2019 Property Tax Rates

DEPARTMENT: Auditor-Controller

Supervisory District No. : ALL

DEPARTMENT CONTACT: Brian Muir, Auditor-Controller, (530) 225-5541

STAFF REPORT APPROVED BY: Brian Muir, Auditor-Controller

Vote Required?	General Fund Impact?
Simple Majority Vote	General Fund Impact

RECOMMENDATION

Adopt a resolution which approves the Fiscal Year 2018/2019 Countywide Tax Rate, Unitary Debt Service Rate, and the tax rates for bond sinking funds, voter-approved debt, and tax overrides.

SUMMARY

Tax rates are computed by the Auditor-Controller’s Office in order to raise sufficient funds to cover current required payments on voter approved obligations.

When calculating the rates for each bond, loan, voter approved debt, or tax override rate, the annual required funding is first reduced by all anticipated revenue sources such as unitary debt service, interest earned, and cash balance on hand. The remaining amount needed to satisfy each bond payment, loan payment, voter approved debt payment, or tax override rate is then divided by the assessed valuation within the respective District to arrive at a rate. This rate is then applied to the secured tax bill for the assessments within each District.

While the appropriate steps were taken to compute the necessary rates, any new information provided to the Auditor-Controller’s Office by Cascade Elementary School District and the Red Bluff Union High School District may necessitate the need to correctly reflect the bond rates calculated and approved by the respective boards.

DISCUSSION

The approval of these tax rates is necessary in order to satisfy voter-approved liabilities in the form of bond sinking funds, debt service, or tax override obligations.

Also, the approval of the Countywide Tax Rate provides funding for the continued operation of the County and all other agencies, which are entitled to current tax receipts.

ALTERNATIVES

The Board could decline to adopt the adjusted rates; however, that would result in the County violating Government Code Section 29100, which requires that each county adopt rates to be levied on the secured property tax roll that will satisfy amounts necessary for voter approved indebtedness.

OTHER AGENCY INVOLVEMENT

The Tax Collector will collect the taxes.

The Auditor-Controller is the director for most of the debt service funds; however, some non-school agencies manage their own funds and are responsible for issuing the bond payments.

FINANCING

A portion of the taxes collected will be apportioned to Shasta County. The remainder is apportioned to other agencies, or is used to satisfy debt requirements.

ATTACHMENTS:

Description	Upload Date	Description
18-19 Property Tax Rates	9/10/2018	18-19 Property Tax Rates

RESOLUTION NO. 2018-

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
APPROVING THE FY 2018/19 TAX RATES
AS SUBMITTED BY THE COUNTY OF SHASTA AUDITOR-CONTROLLER**

WHEREAS, the Board of Supervisors is required by law to set the annual tax rates for the County of Shasta, and

WHEREAS, the Auditor-Controller has re-calculated such tax rates and submitted them to the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Shasta approves the attached Fiscal Year 2018/19 tax rates for the Countywide Basic Tax; Unitary Debt Service; School District Bond Sinking Funds; Special District Voter-Approved Debt and Tax Overrides.

DULY PASSED AND ADOPTED this 18th day of September 2018, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

Resolution No. 2018-____
 September 18, 2018
 Page 2 of 2

TAX RATES	RATE PER \$100
FISCAL YEAR 2018-2019	OF MARKET
	VALUE
BASIC COUNTYWIDE TAX RATE	
Basic Tax – Countywide	1.000000
UNITARY DEBT SERVICE	
Net Unitary Debt Service Rate	0.252900
SCHOOL DISTRICTS BOND SINKING FUNDS	
Elementary School District (ESD) General Obligation Bonds:	
Black Butte ESD, Election 2016 - Series A	0.023200
Cascade ESD, Election 2008 - Series A & B, 16 Refunding	0.027800
Cascade ESD, Election 2016 Series A	0.025300
Columbia ESD, Election 1995 - 03 & 08 Refunding	0.030600
Columbia ESD, Election 2014 - Series A & B	0.010700
Cottonwood ESD, Election 2003 - Series A	0.031600
Enterprise ESD, Election 1990 - 10 & 12 Refunding	0.000800
Enterprise ESD, Election 2008 - Series A, B, & C, 16 Refunding	0.046100
Grant ESD, Election 2004 - 14 Refunding	0.084500
Happy Valley ESD, Election 2008 - Series A	0.047200
Happy Valley ESD, Election 2014 - Series A	0.027800
Junction ESD, Election 2016 – Series A	0.044800
Pacheco ESD, Election 2008 - Series A & B, 17 Refunding	0.018900
Redding ESD, Election 1991 - 08 & 11 Refunding	0.032400
Redding ESD, Election 2018 – Series A	0.007900
Unified School District (USD) General Obligation Bonds:	
Fall River Joint USD, Election 2004 - 15 Refunding	0.035800
Gateway USD Election 2002 - Series A & B, 11 & 14 Refunding	0.055800
Gateway USD Election 2008 - Series 09, 13, & 17 Refunding, Series 17	0.036800
High School District (HSD) General Obligation Bonds:	
Anderson Union HSD, Election 2012 - Series A & B	0.013000
Shasta Union HSD, Election 2001 - Series 02 & 03, 11 Refunding	0.025400
Shasta Union HSD, Election 2016 - Series 17	0.022100
Red Bluff Union HSD, Election 2016 - Series 17	0.016100
Community College General Obligation Bonds:	
Shasta-Tehama-Trinity Joint Comm College, Election 2002 - 11 & 14 Refunding	0.007200
Shasta-Tehama-Trinity Joint Comm College, Election 2016 - Series A	0.002500
SPECIAL DISTRICT VOTER APPROVED DEBT & TAX OVERRIDES	
Bella Vista Water District	0.036670
City of Shasta Lake (originally Shasta Dam Area PUD)	0.000100
Cottonwood Fire Protection District	0.028900
Mayers Memorial Hospital District	0.077100

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - General Government-3.

SUBJECT:

Fleet Management Program - Update Administrative Policy

DEPARTMENT: Auditor-Controller
Administrative Office

Supervisory District No. : All

DEPARTMENT CONTACT: Brian Muir, Auditor-Controller, (530) 225-5541

STAFF REPORT APPROVED BY: Brian Muir, Auditor-Controller

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Adopt a policy resolution which amends Administrative Policy 8-103, *Fleet Management Program*, to update procedures.

SUMMARY

N/A

DISCUSSION

The revision to the Fleet Management Program reflects that the Auditor-Controller oversees and operates the County's fuel card program. In addition, it adds an additional level of internal control by having the Auditor-Controller hold all vehicle titles.

ALTERNATIVES

The Board could decide to not approve the revision.

OTHER AGENCY INVOLVEMENT

The revision has been reviewed by the Public Works Department.

FINANCING

There is no fiscal impact associated with the recommendation.

ATTACHMENTS:

Description

Upload Date

Description

Resolution Fleet

Resolution Fleet Management Program	9/12/2018	Management Program
Clean Pol 8-103	9/10/2018	Clean Pol 8-103
Markeup Pol 8-103	9/13/2018	Markeup Pol 8-103

POLICY RESOLUTION NO. 2018-_____

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
TO ADOPT REVISIONS TO ADMINISTRATIVE POLICY 8-103,
FLEET MANAGEMENT PROGRAM, TO REFLECT CHANGES IN PROCEDURES**

WHEREAS, the Fleet Management Program policy is used to provide policies, procedures, and authority for effective management of the County's vehicle fleet; and

WHEREAS, periodically the Board of Supervisors, upon recommendation of staff, amends the provisions of Administrative Policy 8-103 to update its provisions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta, State of California, hereby adopts the policy as amended attached hereto as Exhibit A.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Shasta, State of California, hereby allows non-substantive modifications, such as, but not limited to, format, grammar, references, title changes, to Administrative Policy 8-103, *Fleet Management Program*, without the necessitation of a policy resolution approved by the Board.

DULY PASSED AND ADOPTED this 18th day of September, 2018 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 1 of 9	

PURPOSE

To establish and update policies, procedures, and authority for an effective fleet management program. This program is an established Internal Service Fund (ISF), comprised of three components: a Vehicle Replacement Program; a Fuel Billing Program; and a Vehicle Maintenance and Repair Program, which has as its source of funding fees charged to departments.

This policy establishes specific requirements and guidelines for operation of the County's fleet management program. The mission of the fleet management program, a division of the Public Works Department, is to provide Shasta County employees with safe, reliable, and economical vehicles for County business purposes by maintaining, repairing, replacing, and supporting the County fleet in a professional, cost-effective, and responsible manner.

POLICY

Definitions:

County Vehicles-All vehicles, no matter the funding source utilized to procure the vehicle, for which the County, and its dependent entities (such as County Service Areas [CSA]'s), holds the vehicle title. This includes boats, trailers, and other specialized vehicles utilized by County departments in performing County business.

County Fleet-All vehicles included in the Fleet Management ISF. For purposes of clarification, the Fleet Management ISF does not include heavy equipment or specialized vehicles utilized by the Public Works Department, the Shasta County Fire Department, the Air Quality Management District (AQMD), and the Sheriff's Office boats and boat trailers, and certain Sheriff's Office specialized vehicles.

Replacement Fund-Except as otherwise identified as exempt under this policy, County Fleet will be included in the Fleet Management Replacement Fund, which is part of the Vehicle Replacement Program. To cover the cost of replacing a vehicle, County Fleet included in the Replacement Fund are assessed a monthly charge based on maintenance type or class. Exempt vehicles are those purchased for use by the Health and Human Services Agency branches of Regional Services, Adult Services, Children Services, and Business and Support Services. Also exempt are vehicles purchased for use by the Air Quality Management District, Public Works, Shasta County Fire, and Child Support Services. Also exempt are Sheriff's Office vehicles purchased with asset seizure and forfeiture funds, donated vehicles, and other vehicles that may be purchased by federal or special (i.e., grant) funds.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 2 of 9	

- A. The Department of Public Works shall be responsible for the County's fleet management program including:
1. Selecting vendors who supply parts, services, supplies, and enhancements for County Vehicles utilizing appropriate County procurement policies;
 2. Reviewing and approving, if appropriate, invoices for parts, services, supplies, and enhancements that are processed directly by departments prior to submitting the claim for payment to the Auditor-Controller;
 3. Maintaining all vehicle warranties;
 4. Maximizing the efficiency of all vehicles by assigning them to departments where they will receive optimal use;
 5. Administering and overseeing the Vehicle Replacement Program, Vehicle Maintenance & Repair Program, and funds associated with those programs;
 6. Working closely with the Support Services Department-Purchasing Unit (Purchasing), and affected departments to determine appropriate vehicles for purchase by the County;
 7. Determining the appropriate maintenance schedule for each vehicle; and
 8. Ensuring that no vehicle leaves the Fleet Management facility, at any time, in an unsafe condition.
- B. The Auditor-Controller shall be responsible for administering and overseeing the Fuel Billing Program and the safekeeping of registration (title) documents for all County vehicles.
- C. To accomplish these responsibilities, the following procedures are to be followed:
1. County Fleet, other than those that are exempt as identified under the Replacement Fund definition above, will be part of the Replacement Fund. The determination of whether a proposed vehicle falls under the Replacement Fund program will be made jointly by the affected department and Fleet Management. In the event of a dispute, the final decision will be made by the County Executive Officer, or designee.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 3 of 9	

2. All County Vehicles will be registered to and owned by Shasta County.
3. Fleet Management will use the Replacement Fund to fund the replacement of eligible vehicles that have the highest replacement priority in the interest of promoting the safety and efficiency of the entire County Fleet. If a department that participates in the Replacement Fund has a business need to purchase a replacement vehicle before it is fully funded in the Replacement Fund, then the department will consult with Fleet Management in choosing an option such as extending the useful life of a vehicle, continuing monthly Replacement Fund payments, making one-time lump-sum payments, lengthening the period between the surplus of the vehicle and purchasing of its replacement, making permanent reductions of the County Fleet, and/or other options to ensure that funding is available for the purchase of priority vehicles. In consultation with departments that pay in to the Replacement Fund, Fleet Management will establish expected annual mileage guidelines which will serve as the basis of the subsequent replacement period. Use of the vehicle beyond the guidelines may result in additional charges to the department.
4. Excluding costs and associated payments for repairs of vehicle damage covered under Administrative Policy 3-150, all monthly maintenance, repair, replacement and Replacement Fund charges will be established by using vehicle type and class, inflation factors, and historical operating costs. Reconciliation of charges will be processed at least annually, in accordance with the requirements of the State Controller and the County Auditor-Controller. Notwithstanding the foregoing, Fleet Management retains the discretion to bill any department directly for the costs and associated payments for maintenance, repair, and replacement of a County vehicle used by that department.
5. The Auditor-Controller will maintain a centralized Fuel Billing Program that includes charges to department for fuel bills, administration of fuel contracts, and reconciliation of the centralized fuel billing.
6. All appropriate monthly charges to departments, which are based on maintenance and repair costs and the Replacement Fund program, as well as Fleet Management administration costs, will be assessed and charged to departments by the Fleet Management Internal Service Fund, and costs shall be charged to appropriate Fleet Management and/or department's accounts and cost centers (budget units), along with appropriate insurance

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 4 of 9	

reimbursements/settlements, surplus vehicle revenues, and appropriate allocated interest revenue, in order to maximize the revenue available to purchase new vehicles, replacement vehicles, and to fund the repair and maintenance of existing vehicles in the County Fleet.

7. All County Vehicle purchases will be made by Purchasing after consultation with the affected departments and Fleet Management.
8. A department may provide a description of its business needs and the general preferred vehicle specifications regarding the purchase of a new or replacement vehicle. However, the final vehicle specifications shall be determined by Fleet Management subject to the County's purchasing policies. The County has established the following general guidelines:
 - a. Only neutral colors will be specified when purchasing vehicles.
 - b. Whenever possible, used vehicles will be evaluated for purchase instead of purchasing new vehicles, provided the mileage is reasonable as determined by Fleet Management, based upon the current used vehicle market, and provided the used vehicles are in sound mechanical condition.
 - c. All vehicles will be bid using generic specifications. The only exception to this guideline would be if the department can demonstrate a specific business need to perform a specific task that is essential to the mission of that department or if there are safety needs that must be met, including the concept of the necessity to have a variety of undetectable undercover vehicles in various law enforcement divisions.
 - d. All vehicle specifications will be issued by Purchasing with at least a three-week turn around to allow interested car dealers adequate time to bid.
 - e. The County will purchase any brand of vehicle, provided it meets identified business needs.
 - f. Fleet Management, in consultation with Purchasing, will evaluate all bids to determine which bid meets stated specifications at the lowest price.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 5 of 9	

9. Registration (title) documents will be submitted to the Auditor-Controller for safekeeping as soon as received. The Auditor-Controller will verify that vehicles are correctly reflected in the County financial system, and make registration (title) documents available to Fleet Management as needed.
10. The following guidelines will be considered in determining when a vehicle is eligible for replacement.

VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
01 - Patrol Sedans	3 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
02 - Sheriff Vehicles (non-patrol)	7 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
03-06 - Sheriff Vehicles (non-patrol)	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
07 - Sheriff Vehicles (patrol)	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
08 - Sheriff Vehicle (Jail Transport)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
09 - 2 & 4 Wheel Drive Pickup - Heavy Usage	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
10 - Pursuit - Non Sheriff (caged)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
11 - Subcompact	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
12 - Compact Sedan	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
13- Full Size Sedan	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
14- Vans	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
15 - Compact Pickups	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 6 of 9	

VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
17-18 - Full Size Pickups	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
20-21 - Full Size Pickups (4WD, 3/4 ton)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
22 - Fuel/Elec Vehicles	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
23 - Custom Utility Beds	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
24 - Fuel/Elec 4x4	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value

In addition to the criteria listed above, vehicles which are used frequently but incur very few miles, i.e., maintenance vehicles and specialty vehicles, the above replacement criteria may be exceeded provided the vehicle remains in safe condition and it is economical to operate. Fleet Management will review such vehicle utilization annually and meet with departments to review their vehicle utilization and adopt a vehicle replacement plan for vehicles projected to exceed the replacement criteria.

11. No County Fleet vehicle will be serviced, repaired, purchased, or replaced without Fleet Management approval.
12. Any County Fleet vehicle that shows evidence of body or physical damage shall be identified and repaired or surplussed, as necessary, under the direction of the Fleet Management Supervisor. Reimbursement for such repairs, damage, or surplus shall be provided pursuant to Policy 3-105 and Policy 3-150 of the Shasta County Administrative Manual. Any vehicle with damage that exceeds the wholesale value of the vehicle will be surplussed. At the time of repair and/or replacement, it will be necessary to evaluate the amount of Replacement Funds paid by the department and any relevant insurance reimbursement/settlement payment. Those amounts will be compared to the price of the appropriate replacement vehicle prior to proceeding with the purchase. If funds from those two sources are not sufficient to fund the

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 7 of 9	

replacement of a like vehicle, Fleet Management will contact the affected department to discuss other options. Such options may include, but are not limited to, choosing a less expensive vehicle, making continued payments for the destroyed vehicle in addition to payments for the replacement vehicle, and/or taking other steps to meet the goal of mitigating a negative impact on the Replacement Fund and the business needs of the department.

13. The Fleet Management Supervisor is responsible for determining if a County Fleet vehicle is unsafe to operate. Once such a determination is made, the Fleet Management Supervisor has authority to immediately remove the County Fleet vehicle from service and prohibit it from returning to service until such time as the County Fleet vehicle is brought up to minimum safety standards.
14. No smoking is authorized in any County Vehicle. County Vehicles with evidence of smoke shall be cleaned, the appropriate department head will be notified, and the cost for such cleaning will be billed directly to the department.
15. When a department requires a vehicle to perform County business and a County Vehicle is not available for use, or if business is being performed out of the area and requires a vehicle to be picked up at a location outside of the County, a department may secure the use of a rental vehicle from a vendor that has a contract with the County to provide such rental vehicles. Departments may rent vehicles directly through a County-approved rental agency. Additional policies and procedures related to the use of rental vehicles for County business may be found at County Administrative Policy 6-101, section 5.6.2 (The Contracts Manual), and Chapters 20 and 33 of the Shasta County Personnel Rules.
16. Fleet Management shall review each department's annual vehicle usage and cost and shall have authority to transfer vehicles included in the County Fleet from one department to another in consultation with the affected departments in order to ensure the maximum efficiency of the County Fleet. Vehicles may also be transferred between departments when a department deems a vehicle no longer needed, however useful life remains and vehicle can be utilized by another department. The inter- department vehicle transfer process is as follows:
 - a. Fleet Management will use the average “auction price” to determine the value of a particular vehicle at the time of transfer. This price is also referred to as the “transfer price.” The industry standard for auction prices is normally

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 8 of 9	

60 percent of the low Kelley Blue Book value. It is a basic rule under generally accepted accounting principles that the value of a capital asset cannot change so long as it remains within the same financial reporting entity.

- b. If the transfer price, as approved by Fleet is different from the current budgeted value (cost less accumulated depreciation), a cash transfer is required. Determination of a cash transfer is dependent upon the difference between the transfer price and the current budgeted value listed in the County's capital asset system. Once the transfer is agreed upon between the Fleet Management and the affected department head(s), or their designee(s), the department acquiring the capital asset will prepare the journal entry to transfer the cash to the department transferring the asset. The Auditor- Controller will process the budget amendments and journal entries and will transfer the capital assets between the departments. Fleet Management may suspend vehicle transfers between departments if the transfers will have a negative impact on the Replacement Fund program.
 - c. When capital asset vehicles acquired with grant funds are no longer needed for County use, are beyond their useful life, or are sold or are no longer used in a state/federally sponsored program or for purposes authorized by the grantor agency, the agency's equity in the capital asset will be refunded to the grantor agency pursuant to state or federal guidelines in the same proportion as the original state and/or federal funding.
 - d. The Board of Supervisors authorizes the additional transfer of cash for the difference between 60 percent of Kelley Blue Book value and the current budgeted value of the capital asset (cost less accumulated depreciation). The Auditor-Controller will process the appropriate budget amendment, journal entries, cash transfer if applicable, and offsetting entries for the transfer of the capital asset and recording of accumulated depreciation, capital assets, contributed capital, etc. as necessary.
 - e. For actual accounting and budget procedures, see the Auditor-Controller Accounting Procedure Manual.
17. The Board of Supervisors has authorized Purchasing to surplus County vehicles (replacement and non-replacement). Purchasing will consult with Fleet Management prior to accepting a vehicle for surplus. Absent authorization from the Board of

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 9 of 9	

Supervisors, there is no other authority to dispose of a replacement or non-replacement vehicle. Any variation from this policy requires specific Board approval.

18. The overall County Fleet size shall be controlled by the Board of Supervisors through the annual County budget process or by specific Board of Supervisors action.

RESPONSIBLE DEPARTMENTS

Public Works Department - Fleet Management
 Support Services Department - Purchasing and Risk Management
 Auditor-Controller

REFERENCES

BOS Policy Resolution No. 2013-03--04/16/13 (Amended)
 (effective 7/1/13) Administrative Update--03/12/13
 Administrative Update--07/13/12
 BOS Policy Resolution No. 2010-05--6/8/10
 (Amended) BOS Policy Resolution No.
 2008-2--3/4/08 (Amended) BOS Policy
 Resolution No. 2004-2--4/6/04 (Amended)
 BOS Policy Resolution No. 2001-9--6/26/01
 (Amends fleet size) BOS Policy Resolution No.
 2001-1--1/23/01 (Amended)
 BOS Policy Resolution No. 98-4--11/24/98
 (Amended) BOS Policy Resolution No. 98-
 2--6/16/98 (Amended) BOS Policy
 Resolution No. 95-7--6/20/95 (Amended)
 BOS Policy Resolution No. 94-5--6/7/94
 (Amended) BOS Policy Resolution No. 93-

Resolution No. 2018-_____

Page 11

5--6/1/93 (Amended) BOS Policy

Resolution No. 91-7--10/15/91 (Amended)

BOS Policy Resolution No. 89-104--

5/23/89

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 1 of 9	

PURPOSE

To establish and update policies, procedures, and authority for an effective fleet management program. This program is an established Internal Service Fund (ISF), comprised of three components: a Vehicle Replacement Program; a Fuel Billing Program; and a Vehicle Maintenance and Repair Program, which has as its source of funding fees charged to departments.

This policy establishes specific requirements and guidelines for operation of the County's fleet management program. The mission of the fleet management program, a division of the Public Works Department, is to provide Shasta County employees with safe, reliable, and economical vehicles for County business purposes by maintaining, repairing, replacing, and supporting the County fleet in a professional, cost-effective, and responsible manner.

POLICY

Definitions:

County Vehicles-All vehicles, no matter the funding source utilized to procure the vehicle, for which the County, and its dependent entities (such as County Service Areas [CSA]'s), holds the vehicle title. This includes boats, trailers, and other specialized vehicles utilized by County departments in performing County business.

County Fleet-All vehicles included in the Fleet Management ISF. For purposes of clarification, the Fleet Management ISF does not include heavy equipment or specialized vehicles utilized by the Public Works Department, the Shasta County Fire Department, the Air Quality Management District (AQMD), and the Sheriff's Office boats and boat trailers, and certain Sheriff's Office specialized vehicles.

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COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 2 of 9	

- A. The Department of Public Works shall be responsible for the County's fleet management program including:
1. Selecting vendors who supply parts, services, supplies, and enhancements for County Vehicles utilizing appropriate County procurement policies;
 2. Reviewing and approving, if appropriate, invoices for parts, services, supplies, and enhancements that are processed directly by departments prior to submitting the claim for payment to the Auditor-Controller;
 3. Maintaining all vehicle warranties;
 4. Maximizing the efficiency of all vehicles by assigning them to departments where they will receive optimal use;
 5. Administering and overseeing the Vehicle Replacement Program, Vehicle Maintenance & Repair Program, and funds associated with those programs;
 6. Working closely with the Support Services Department-Purchasing Unit (Purchasing), and affected departments to determine appropriate vehicles for purchase by the County;
 7. Determining the appropriate maintenance schedule for each vehicle; and
 8. Ensuring that no vehicle leaves the Fleet Management facility, at any time, in an unsafe condition.
- B. The Auditor-Controller shall be responsible for administering and overseeing the Fuel Billing Program and the safekeeping of registration (title) documents for all County vehicles.
- C. To accomplish these responsibilities, the following procedures are to be followed:
1. County Fleet, other than those that are exempt as identified under the Replacement Fund definition above, will be part of the Replacement Fund. The determination of whether a proposed vehicle falls under the Replacement Fund program will be made jointly by the affected department and Fleet Management. In the event of a dispute, the final decision will be made by the County Executive Officer, or designee.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 3 of 9	

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4. Excluding costs and associated payments for repairs of vehicle damage covered under Administrative Policy 3-150, all monthly maintenance, repair, replacement and Replacement Fund charges will be established by using vehicle type and class, inflation factors, and historical operating costs. Reconciliation of charges will be processed at least annually, in accordance with the requirements of the State Controller and the County Auditor-Controller. Notwithstanding the foregoing, Fleet Management retains the discretion to bill any department directly for the costs and associated payments for maintenance, repair, and replacement of a County vehicle used by that department.
5. The Auditor-Controller will maintain a centralized Fuel Billing Program that includes charges to department for fuel bills, administration of fuel contracts, and reconciliation of the centralized fuel billing.
6. All appropriate monthly charges to departments, which are based on maintenance and repair costs and the Replacement Fund program, as well as Fleet Management administration costs, will be assessed and charged to departments by the Fleet Management Internal Service Fund, and costs shall be charged to appropriate Fleet Management and/or department's accounts and cost centers (budget units), along with appropriate insurance

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 4 of 9	

reimbursements/settlements, surplus vehicle revenues, and appropriate allocated interest revenue, in order to maximize the revenue available to purchase new vehicles, replacement vehicles, and to fund the repair and maintenance of existing vehicles in the County Fleet.

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 - a. Only neutral colors will be specified when purchasing vehicles.
 - b. Whenever possible, used vehicles will be evaluated for purchase instead of purchasing new vehicles, provided the mileage is reasonable as determined by Fleet Management, based upon the current used vehicle market, and provided the used vehicles are in sound mechanical condition.
 - c. All vehicles will be bid using generic specifications. The only exception to this guideline would be if the department can demonstrate a specific business need to perform a specific task that is essential to the mission of that department or if there are safety needs that must be met, including the concept of the necessity to have a variety of undetectable undercover vehicles in various law enforcement divisions.
 - d. All vehicle specifications will be issued by Purchasing with at least a three-week turn around to allow interested car dealers adequate time to bid.
 - e. The County will purchase any brand of vehicle, provided it meets identified business needs.
 - f. Fleet Management, in consultation with Purchasing, will evaluate all bids to determine which bid meets stated specifications at the lowest price.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 5 of 9	

9. Registration (title) documents will be submitted to the Auditor-Controller for safekeeping as soon as received. The Auditor-Controller will verify that vehicles are correctly reflected in the County financial system, and make registration (title) documents available to Fleet Management as needed.
10. The following guidelines will be considered in determining when a vehicle is eligible for replacement.

VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
01 - Patrol Sedans	3 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
02 - Sheriff Vehicles (non-patrol)	7 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
03-06 - Sheriff Vehicles (non-patrol)	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
07 - Sheriff Vehicles (patrol)	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
08 - Sheriff Vehicle (Jail Transport)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
09 - 2 & 4 Wheel Drive Pickup - Heavy Usage	5 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
10 - Pursuit - Non Sheriff (caged)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
11 - Subcompact	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
12 - Compact Sedan	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
13- Full Size Sedan	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
14- Vans	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
15 - Compact Pickups	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 6 of 9	

VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
17-18 - Full Size Pickups	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
20-21 - Full Size Pickups (4WD, 3/4 ton)	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
22 - Fuel/Elec Vehicles	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
23 - Custom Utility Beds	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value
24 - Fuel/Elec 4x4	10 years	125,000 or more depending upon vehicle's condition and/or status of payment schedule and funds available in replacement fund	50% of Vehicle Value

In addition to the criteria listed above, vehicles which are used frequently but incur very few miles, i.e., maintenance vehicles and specialty vehicles, the above replacement criteria may be exceeded provided the vehicle remains in safe condition and it is economical to operate. Fleet Management will review such vehicle utilization annually and meet with departments to review their vehicle utilization and adopt a vehicle replacement plan for vehicles projected to exceed the replacement criteria.

11. No County Fleet vehicle will be serviced, repaired, purchased, or replaced without Fleet Management approval.
12. Any County Fleet vehicle that shows evidence of body or physical damage shall be identified and repaired or surplussed, as necessary, under the direction of the Fleet Management Supervisor. Reimbursement for such repairs, damage, or surplus shall be provided pursuant to Policy 3-105 and Policy 3-150 of the Shasta County Administrative Manual. Any vehicle with damage that exceeds the wholesale value of the vehicle will be surplussed. At the time of repair and/or replacement, it will be necessary to evaluate the amount of Replacement Funds paid by the department and any relevant insurance reimbursement/settlement payment. Those amounts will be compared to the price of the appropriate replacement vehicle prior to proceeding with the purchase. If funds from those two sources are not sufficient to fund the

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 7 of 9	

replacement of a like vehicle, Fleet Management will contact the affected department to discuss other options. Such options may include, but are not limited to, choosing a less expensive vehicle, making continued payments for the destroyed vehicle in addition to payments for the replacement vehicle, and/or taking other steps to meet the goal of mitigating a negative impact on the Replacement Fund and the business needs of the department.

13. The Fleet Management Supervisor is responsible for determining if a County Fleet vehicle is unsafe to operate. Once such a determination is made, the Fleet Management Supervisor has authority to immediately remove the County Fleet vehicle from service and prohibit it from returning to service until such time as the County Fleet vehicle is brought up to minimum safety standards.
14. No smoking is authorized in any County Vehicle. County Vehicles with evidence of smoke shall be cleaned, the appropriate department head will be notified, and the cost for such cleaning will be billed directly to the department.
15. When a department requires a vehicle to perform County business and a County Vehicle is not available for use, or if business is being performed out of the area and requires a vehicle to be picked up at a location outside of the County, a department may secure the use of a rental vehicle from a vendor that has a contract with the County to provide such rental vehicles. Departments may rent vehicles directly through a County-approved rental agency. Additional policies and procedures related to the use of rental vehicles for County business may be found at County Administrative Policy 6-101, section 5.6.2 (The Contracts Manual), and Chapters 20 and 33 of the Shasta County Personnel Rules.
16. Fleet Management shall review each department's annual vehicle usage and cost and shall have authority to transfer vehicles included in the County Fleet from one department to another in consultation with the affected departments in order to ensure the maximum efficiency of the County Fleet. Vehicles may also be transferred between departments when a department deems a vehicle no longer needed, however useful life remains and vehicle can be utilized by another department. The inter- department vehicle transfer process is as follows:
 - a. Fleet Management will use the average "auction price" to determine the value of a particular vehicle at the time of transfer. This price is also referred to as the "transfer price." The industry standard for auction prices is normally

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 8 of 9	

60 percent of the low Kelley Blue Book value. It is a basic rule under generally accepted accounting principles that the value of a capital asset cannot change so long as it remains within the same financial reporting entity.

- b. If the transfer price, as approved by Fleet is different from the current budgeted value (cost less accumulated depreciation), a cash transfer is required. Determination of a cash transfer is dependent upon the difference between the transfer price and the current budgeted value listed in the County's capital asset system. Once the transfer is agreed upon between the Fleet Management and the affected department head(s), or their designee(s), the department acquiring the capital asset will prepare the journal entry to transfer the cash to the department transferring the asset. The Auditor- Controller will process the budget amendments and journal entries and will transfer the capital assets between the departments. Fleet Management may suspend vehicle transfers between departments if the transfers will have a negative impact on the Replacement Fund program.
 - c. When capital asset vehicles acquired with grant funds are no longer needed for County use, are beyond their useful life, or are sold or are no longer used in a state/federally sponsored program or for purposes authorized by the grantor agency, the agency's equity in the capital asset will be refunded to the grantor agency pursuant to state or federal guidelines in the same proportion as the original state and/or federal funding.
 - d. The Board of Supervisors authorizes the additional transfer of cash for the difference between 60 percent of Kelley Blue Book value and the current budgeted value of the capital asset (cost less accumulated depreciation). The Auditor-Controller will process the appropriate budget amendment, journal entries, cash transfer if applicable, and offsetting entries for the transfer of the capital asset and recording of accumulated depreciation, capital assets, contributed capital, etc. as necessary.
 - e. For actual accounting and budget procedures, see the Auditor-Controller Accounting Procedure Manual.
17. The Board of Supervisors has authorized Purchasing to surplus County vehicles (replacement and non-replacement). Purchasing will consult with Fleet Management prior to accepting a vehicle for surplus. Absent authorization from the Board of

COUNTY OF SHASTA ADMINISTRATIVE MANUAL		Number
		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	September 18, 2018	
PAGE NO:	Page 9 of 9	

Supervisors, there is no other authority to dispose of a replacement or non-replacement vehicle. Any variation from this policy requires specific Board approval.

18. The overall County Fleet size shall be controlled by the Board of Supervisors through the annual County budget process or by specific Board of Supervisors action.

RESPONSIBLE DEPARTMENTS

Public Works Department - Fleet Management
 Support Services Department - Purchasing and Risk Management
 Auditor-Controller

REFERENCES

BOS Policy Resolution No. 2013-03--04/16/13 (Amended) (effective 7/1/13)
 Administrative Update--03/12/13
 Administrative Update--07/13/12
 BOS Policy Resolution No. 2010-05--6/8/10 (Amended)
 BOS Policy Resolution No. 2008-2--3/4/08 (Amended)
 BOS Policy Resolution No. 2004-2--4/6/04 (Amended)
 BOS Policy Resolution No. 2001-9--6/26/01 (Amends fleet size)
 BOS Policy Resolution No. 2001-1--1/23/01 (Amended)
 BOS Policy Resolution No. 98-4--11/24/98 (Amended)
 BOS Policy Resolution No. 98-2--6/16/98 (Amended)
 BOS Policy Resolution No. 95-7--6/20/95 (Amended)
 BOS Policy Resolution No. 94-5--6/7/94 (Amended)
 BOS Policy Resolution No. 93-5--6/1/93 (Amended)
 BOS Policy Resolution No. 91-7--10/15/91 (Amended)
 BOS Policy Resolution No. 89-104--5/23/89

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 1 of 9	

PURPOSE

To establish and update policies, procedures, and authority for an effective fleet management program. This program is an established Internal Service Fund (ISF), comprised of three components: a Vehicle Replacement Program; a Fuel Billing Program; and a Vehicle Maintenance and Repair Program, which has as its source of funding fees charged to departments.

This policy establishes specific requirements and guidelines for operation of the County's fleet management program. The mission of the fleet management program, a division of the Public Works Department, is to provide Shasta County employees with safe, reliable, and economical vehicles for County business purposes by maintaining, repairing, replacing, and supporting the County fleet in a professional, cost-effective, and responsible manner.

POLICY**Definitions:**

County Vehicles-All vehicles, no matter the funding source utilized to procure the vehicle, for which the County, and its dependent entities (such as County Service Areas [CSA]'s), holds the vehicle title. This includes boats, trailers, and other specialized vehicles utilized by County departments in performing County business.

County Fleet-All vehicles included in the Fleet Management ISF. For purposes of clarification, the Fleet Management ISF does not include heavy equipment or specialized vehicles utilized by the Public Works Department, the Shasta County Fire Department, the Air Quality Management District (AQMD), and the Sheriff's Office boats and boat trailers, and certain Sheriff's Office specialized vehicles.

Replacement Fund-Except as otherwise identified as exempt under this policy, County Fleet will be included in the Fleet Management Replacement Fund, which is part of the Vehicle Replacement Program. To cover the cost of replacing a vehicle, County Fleet included in the Replacement Fund are assessed a monthly charge based on maintenance type or class. Exempt vehicles are those purchased for use by the Health and Human Services Agency branches of Regional Services, Adult Services, Children Services, and Business and Support Services. Also exempt are vehicles purchased for use by the Air Quality Management District, Public Works, Shasta County Fire, and Child Support Services. Also exempt are Sheriff's Office vehicles purchased with asset seizure and forfeiture funds, donated vehicles, and other vehicles that may be purchased by federal or special (i.e., grant) funds.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 2 of 9	

- A. The Department of Public Works shall be responsible for the County's fleet management program including:
1. Selecting vendors who supply parts, services, supplies, and enhancements for County Vehicles utilizing appropriate County procurement policies;
 2. Reviewing and approving, if appropriate, invoices for parts, services, supplies, and enhancements that are processed directly by departments prior to submitting the claim for payment to the Auditor-Controller;
 - ~~3. Safekeeping all registration (title) documents;~~
 - ~~4.3. Maintaining all vehicle warranties;~~
 - ~~5.4. Maximizing the efficiency of all vehicles by assigning them to departments where they will receive optimal use;~~
 - ~~6.5. Administering and overseeing the Vehicle Replacement Program, Fuel Billing Program, Vehicle Maintenance & Repair Program, and funds associated with those programs;~~
 - ~~7.6. Working closely with the Support Services Department-Purchasing Unit (Purchasing), and affected departments to determine appropriate vehicles for purchase by the County;~~
 - ~~8.7. Determining the appropriate maintenance schedule for each vehicle; and~~
 - ~~8. Ensuring that no vehicle leaves the Fleet Management facility, at any time, in an unsafe condition.~~
- ~~9.B. The Auditor-Controller shall be responsible for administering and overseeing administering and overseeing the Fuel Billing Program and the safekeeping of registration (title) documents for all County vehicles.~~
- B.C. To accomplish these responsibilities, the following procedures are to be followed:
1. County Fleet, other than those that are exempt as identified under the Replacement Fund definition above, will be part of the Replacement Fund. The determination of whether a proposed vehicle falls under the Replacement Fund program will be made

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jointly by the affected department and Fleet Management. In the event of a dispute, the final decision will be made by the County Executive Officer, or designee.

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 3 of 9	

2. All County Vehicles will be registered to and owned by Shasta County.
3. Fleet Management will use the Replacement Fund to fund the replacement of eligible vehicles that have the highest replacement priority in the interest of promoting the safety and efficiency of the entire County Fleet. If a department that participates in the Replacement Fund has a business need to purchase a replacement vehicle before it is fully funded in the Replacement Fund, then the department will consult with Fleet Management in choosing an option such as extending the useful life of a vehicle, continuing monthly Replacement Fund payments, making one-time lump-sum payments, lengthening the period between the surplus of the vehicle and purchasing of its replacement, making permanent reductions of the County Fleet, and/or other options to ensure that funding is available for the purchase of priority vehicles. In consultation with departments that pay in to the Replacement Fund, Fleet Management will establish expected annual mileage guidelines which will serve as the basis of the subsequent replacement period. Use of the vehicle beyond the guidelines may result in additional charges to the department.
4. Excluding costs and associated payments for repairs of vehicle damage covered under Administrative Policy 3-150, all monthly maintenance, repair, replacement and Replacement Fund charges will be established by using vehicle type and class, inflation factors, and historical operating costs. Reconciliation of charges will be processed at least annually, in accordance with the requirements of the State Controller and the County Auditor-Controller. Notwithstanding the foregoing, Fleet Management retains the discretion to bill any department directly for the costs and associated payments for maintenance, repair, and replacement of a County vehicle used by that department.
5. ~~Fleet Management~~The Auditor-Controller will maintains a centralized Fuel Billing Program that includes charges to department for fuel bills, administration of fuel contracts, and reconciliation of the centralized fuel billing.
6. All appropriate monthly charges to departments, which are based on maintenance and repair costs, ~~fuel and the centralized Fuel Billing Program,~~ and the Replacement Fund program, as well as Fleet Management administration costs, will be assessed and charged to departments by the Fleet Management Internal Service Fund, and costs shall be charged to appropriate Fleet Management and/or department's accounts and cost centers (budget units), along with appropriate insurance

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) <u>September 18, 2018</u>	
PAGE NO:	Page 4 of 9	

reimbursements/settlements, surplus vehicle revenues, and appropriate allocated interest revenue, in order to maximize the revenue available to purchase new vehicles, replacement vehicles, and to fund the ~~fueling~~-repair and maintenance of existing vehicles in the County Fleet.

7. All County Vehicle purchases will be made by Purchasing after consultation with the affected departments and Fleet Management.
8. A department may provide a description of its business needs and the general preferred vehicle specifications regarding the purchase of a new or replacement vehicle. However, the final vehicle specifications shall be determined by Fleet Management subject to the County's purchasing policies. The County has established the following general guidelines:
 - a. Only neutral colors will be specified when purchasing vehicles.
 - b. Whenever possible, used vehicles will be evaluated for purchase instead of purchasing new vehicles, provided the mileage is reasonable as determined by Fleet Management, based upon the current used vehicle market, and provided the used vehicles are in sound mechanical condition.
 - c. All vehicles will be bid using generic specifications. The only exception to this guideline would be if the department can demonstrate a specific business need to perform a specific task that is essential to the mission of that department or if there are safety needs that must be met, including the concept of the necessity to have a variety of undetectable undercover vehicles in various law enforcement divisions.
 - d. All vehicle specifications will be issued by Purchasing with at least a three-week turn around to allow interested car dealers adequate time to bid.
 - e. The County will purchase any brand of vehicle, provided it meets identified business needs.

f. Fleet Management, in consultation with Purchasing, will evaluate all bids to determine which bid meets stated specifications at the lowest price.

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COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 5 of 9	

9. Registration (title) documents will be submitted to the Auditor-Controller for safekeeping as soon as received. The Auditor-Controller will verify that vehicles are correctly reflected in the County financial system, and make registration (title) documents available to Fleet Management as needed.

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9.10. The following guidelines will be considered in determining when a vehicle is eligible for replacement.

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VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
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COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) <u>September 18, 2018</u>	
PAGE NO:	Page 6 of 9	

VEHICLE CLASS OR CATEGORY #	YEARS IN SERVICE	MILEAGE	REPAIR COST
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In addition to the criteria listed above, vehicles which are used frequently but incur very few miles, i.e., maintenance vehicles and specialty vehicles, the above replacement criteria may be exceeded provided the vehicle remains in safe condition and it is economical to operate. Fleet Management will review such vehicle utilization annually and meet with departments to review their vehicle utilization and adopt a vehicle replacement plan for vehicles projected to exceed the replacement criteria.

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COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 7 of 9	

replacement of a like vehicle, Fleet Management will contact the affected department to discuss other options. Such options may include, but are not limited to, choosing a less expensive vehicle, making continued payments for the destroyed vehicle in addition to payments for the replacement vehicle, and/or taking other steps to meet the goal of mitigating a negative impact on the Replacement Fund and the business needs of the department.

- ~~12.13.~~ The Fleet Management Supervisor is responsible for determining if a County Fleet vehicle is unsafe to operate. Once such a determination is made, the Fleet Management Supervisor has authority to immediately remove the County Fleet vehicle from service and prohibit it from returning to service until such time as the County Fleet vehicle is brought up to minimum safety standards.
- ~~13.14.~~ No smoking is authorized in any County Vehicle. County Vehicles with evidence of smoke shall be cleaned, the appropriate department head will be notified, and the cost for such cleaning will be billed directly to the department.
- ~~14.15.~~ When a department requires a vehicle to perform County business and a County Vehicle is not available for use, or if business is being performed out of the area and requires a vehicle to be picked up at a location outside of the County, a department may secure the use of a rental vehicle from a vendor that has a contract with the County to provide such rental vehicles. Departments may rent vehicles directly through a County-approved rental agency. Additional policies and procedures related to the use of rental vehicles for County business may be found at County Administrative Policy 6-101, section 5.6.2 (The Contracts Manual), and Chapters 20 and 33 of the Shasta County Personnel Rules.
- ~~15.16.~~ Fleet Management shall review each department's annual vehicle usage and cost and shall have authority to transfer vehicles included in the County Fleet from one department to another in consultation with the affected departments in order to ensure the maximum efficiency of the County Fleet. Vehicles may also be transferred between departments when a department deems a vehicle no longer needed, however useful life remains and vehicle can be utilized by another department. The inter-department vehicle transfer process is as follows:
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COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
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LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) <u>September 18, 2018</u>	
PAGE NO:	Page 8 of 9	

60 percent of the low Kelley Blue Book value. It is a basic rule under generally accepted accounting principles that the value of a capital asset cannot change so long as it remains within the same financial reporting entity.

- b. If the transfer price, as approved by Fleet is different from the current budgeted value (cost less accumulated depreciation), a cash transfer is required. Determination of a cash transfer is dependent upon the difference between the transfer price and the current budgeted value listed in the County's capital asset system. Once the transfer is agreed upon between the Fleet Management and the affected department head(s), or their designee(s), the department acquiring the capital asset will prepare the journal entry to transfer the cash to the department transferring the asset. The Auditor-Controller will process the budget amendments and journal entries and will transfer the capital assets between the departments. Fleet Management may suspend vehicle transfers between departments if the transfers will have a negative impact on the Replacement Fund program.
- c. When capital asset vehicles acquired with grant funds are no longer needed for County use, are beyond their useful life, or are sold or are no longer used in a state/federally sponsored program or for purposes authorized by the grantor agency, the agency's equity in the capital asset will be refunded to the grantor agency pursuant to state or federal guidelines in the same proportion as the original state and/or federal funding.
- d. The Board of Supervisors authorizes the additional transfer of cash for the difference between 60 percent of Kelley Blue Book value and the current budgeted value of the capital asset (cost less accumulated depreciation). ~~and authorizes the Auditor-Controller to will prepare and~~ process the appropriate budget amendment, journal entries, cash transfer if applicable, and offsetting entries for the transfer of the capital asset and recording of accumulated depreciation, capital assets, contributed capital, etc. as necessary.
- e. For actual accounting and budget procedures, see the Auditor-Controller Accounting Procedure Manual.

~~16.17.~~ The Board of Supervisors has authorized Purchasing to surplus County vehicles (replacement and non-replacement). Purchasing will consult with Fleet Management prior to accepting a vehicle for surplus. Absent authorization from the Board of

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		8-103
SECTION:	Miscellaneous	Fleet Management Program
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	April 16, 2013 (effective July 1, 2013) September 18, 2018	
PAGE NO:	Page 9 of 9	

Supervisors, there is no other authority to dispose of a replacement or non-replacement vehicle. Any variation from this policy requires specific Board approval.

~~17.18.~~ The overall County Fleet size shall ~~not be increased without prior approval of the~~ controlled by the Board of Supervisors; ~~as part of through~~ the annual County budget process or by specific Board of Supervisors action. ~~A separate fleet size has been established for the Air Quality Management District by action of the Air Pollution Control Board.~~

RESPONSIBLE DEPARTMENTS

Public Works Department - Fleet Management
Support Services Department - Purchasing and Risk Management
Auditor-Controller

REFERENCES

BOS Policy Resolution No. 2013-03--04/16/13 (Amended) (effective 7/1/13)
Administrative Update--03/12/13
Administrative Update--07/13/12
BOS Policy Resolution No. 2010-05--6/8/10 (Amended)
BOS Policy Resolution No. 2008-2--3/4/08 (Amended)
BOS Policy Resolution No. 2004-2--4/6/04 (Amended)
BOS Policy Resolution No. 2001-9--6/26/01 (Amends fleet size)
BOS Policy Resolution No. 2001-1--1/23/01 (Amended)
BOS Policy Resolution No. 98-4--11/24/98 (Amended)
BOS Policy Resolution No. 98-2--6/16/98 (Amended)
BOS Policy Resolution No. 95-7--6/20/95 (Amended)
BOS Policy Resolution No. 94-5--6/7/94 (Amended)
BOS Policy Resolution No. 93-5--6/1/93 (Amended)
BOS Policy Resolution No. 91-7--10/15/91 (Amended)
BOS Policy Resolution No. 89-104--5/23/89

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - General Government-4.

SUBJECT:

Appointment to the Shasta Children and Families Commission

DEPARTMENT: Clerk of the Board

Supervisory District No. : All

DEPARTMENT CONTACT: Mary Williams, Chief Deputy Clerk of the Board (530) 225-5550

STAFF REPORT APPROVED BY: Mary Williams, Chief Deputy Clerk of the Board

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Appoint Kathy Barry to the Shasta Children and Families Commission for an unexpired term to January 2019.

SUMMARY

N/A

DISCUSSION

The Shasta Children and Families Commission (Commission), also known as First 5 Shasta, is a seven-member Commission appointed by the Board of Supervisors comprised of three County representatives and four community representatives pursuant to Shasta County Code (SCC) 2.65.

According to SCC Section 2.65.030, subsection 4, four members shall be persons selected by the Board of Supervisors from among the following categories:

- a. Representatives of community-based organizations that have the goal of promoting nurturing and early childhood development;
- b. Educators specializing in early childhood development;
- c. Representatives of a local child care resource or referral agency, or a local child care coordinating group;
- d. Representatives of a local organization for prevention or early intervention for families at risk;
- e. Representatives of local medical, pediatric, or obstetric associations or societies;
- f. Representatives of local school districts; and
- g. Recipients of project services included in the county strategic plan.

The Commission was informed of the passing of former Board Member Judie Englesby-Smith on July 23, 2018. SCC 2.65.030 (C) describes the steps to be taken to fill a vacancy:

“A commissioner serves at the pleasure of the board of supervisors and may be removed from office by the board of supervisors at any time. A vacancy shall be filled for the remainder of the unexpired term in the same manner as original appointments are made. The commission may make recommendations of candidates for appointment by the board of supervisors either to fill a vacancy or to commence a new term. The board of supervisors is under no obligation to accept any such commission recommendation. In the event of a vacancy, the board of supervisors shall act within sixty days to fill the vacancy.

Following the notification of this vacancy, a Notice of Vacancy was posted and the Affidavit of Posting is on file with the Clerk of the Board’s office. Five individuals expressed interest in serving on the Commission. After reviewing applications and conducting interviews with applicants, the Commission submitted a letter to request that the Board of Supervisors appoint Kathy Barry to fill this vacancy and serve for the remainder of the unexpired term. Ms. Barry represents Category B, educators specializing in early childhood development. Her application materials are attached.

ALTERNATIVES

The Board of Supervisors may decline to make these appointments, appoint some other person or persons who meet the qualifications for appointment to the Commission, or may request that other applicants be considered.

OTHER AGENCY INVOLVEMENT

The Shasta Children and Families Commission supports the recommendation. County Counsel has reviewed the recommendation.

FINANCING

There is no General Fund impact associated with the recommendation.

ATTACHMENTS:

Description	Upload Date	Description
Kathy Barry Application	9/12/2018	Kathy Barry Application
Chairperson Recommendation Letter	9/12/2018	Chairperson Recommendation Letter

August 27, 2018

Wendy Dickens, Executive Director
First 5 Shasta
393 Park Marina Circle
Redding, CA 96001

Dear Wendy:

I am very interested in being considered for appointment to the vacant seat on the First 5 Commission, left with the passing of Judie Smith. Judie was a true icon in our community, and is irreplaceable, but I would be honored to potentially assume her seat.

First 5 Shasta has a critical role in the overall health and success of our youngest community members and their families, and the organizations and individuals who work with and support them. In the aftermath of the devastating Carr fire, the role of First 5 Shasta takes on even more urgency to provide continuing consistency, education, support, and resources. I have no doubt that the standard of excellence that is expected of First 5 Shasta will help meet the challenge.

I am knowledgeable about child development, and have long experience with the diverse segments of our early childhood community. I am passionate about improving outcomes for young children and their families, resulting in a stronger and healthier community. I believe the first five years are indisputably the foundation for each child's lifetime potential, and that every child has the inherent potential to have a healthy and happy life.

I look forward to hearing about next steps, and appreciate your consideration of my interest in this important position.

Sincerely,

A handwritten signature in black ink that reads "Kathy Barry". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Kathy Barry



Shasta Children and Families Commission Application for Membership

Name: Kathy Barry	
Home Phone Number: 	Business Phone Number: cell:
Email Address: 	

1. Which Commission Membership category best describes you?	
<input checked="" type="checkbox"/> Educator specializing in early childhood development	<input type="checkbox"/> Representative of a local school district
<input type="checkbox"/> Recipient of project services included in the Shasta County strategic plan	<input type="checkbox"/> Representative of a local medical, pediatric, or obstetric association or society
<input type="checkbox"/> Representative of a local organization for prevention or early intervention for families at risk	<input type="checkbox"/> Representative of a local child care resource or referral agency, or a local child care coordinating group
<input type="checkbox"/> Representative of a community-based organization that has the goal of promoting nurturing and early childhood development	

2. Which of the First 5 Shasta Pathway Goals and Initiatives are you most familiar with and/or are most interested in?	
GOAL 1: Healthy, Well-Timed Births <input type="checkbox"/> Encourage healthy habits and behavior during pregnancy <input type="checkbox"/> Connect prenatal care with other services that support healthy childbearing	GOAL 4: High-Quality Child Care and Early Education <input checked="" type="checkbox"/> Support early care and education to maintain standards of high quality (emphasis on family engagement and on social, cognitive, and emotional growth of children) <input checked="" type="checkbox"/> Strengthen the capacity of informal child care providers (emphasis on building provider skills and community supports) <input checked="" type="checkbox"/> Create links among early education and services to better mobilize help for individual children
GOAL 2: Health and Development on Track <input checked="" type="checkbox"/> Increase access to health screenings and developmental assessments for children <input checked="" type="checkbox"/> Connect children to needed services and resources	GOAL 5: Continuity In Early Childhood Experiences <input checked="" type="checkbox"/> Support alignment of curricula, expectations, standards and assessments Pre-K to 3rd Grade (emphasis on Pre-K to K)
GOAL 3: Supported and Supportive Families <input checked="" type="checkbox"/> Enhance activities that strengthen parenting capacity (emphasis on attachment and building parenting skills) <input checked="" type="checkbox"/> Expand activities that help parents cultivate their children's interest in learning (emphasis on literacy) <input checked="" type="checkbox"/> Strengthen provider capacity to mobilize services for families (emphasis on substance abuse, mental health, and domestic violence)	

3. Why are you interested in becoming a member of the Shasta Children and Families Commission?

I have supported the mission of First 5 Shasta since its inception, and view it as a vital leader and partner in improving the lives of young children and their families in Shasta County. The needs of our community are almost endless, and the financial resources while appreciated, are not boundless. It is imperative that the taxpayer funds are used in the most effective way to forward the goal of healthy outcomes for our youngest citizens. I would welcome being a part of the governing body that helps to determine the direction, focus, and utilization of these critical funds. I appreciate the diversity of backgrounds of those currently (and historically) on the Commission, and feel that I could serve an important role with my background in early childhood education. Judie Smith is truly irreplaceable, but it would be an honor to assume her seat.

As a previous agency grantee, in my career with Early Childhood Services, I have dealt directly with the reporting requirements of receiving First 5 funds. While it is sometimes seen as difficult and rigorous from the grantee community, I have always felt that First 5 Shasta has done an exemplary job of safeguarding the integrity of the funds with which they are entrusted. I believe this experience of being 'on the other side' of funding, would enhance my ability to consider future funding directions and decisions. It is clearly not possible to meet all the community needs, but it is prudent to focus on the Pathways that have been thoughtfully established.

I have also greatly admired the depth and breadth of First 5 Shasta's outreach in our community. The ability to look at and consider small one-time projects, as well as large multi-year ones, across the factors affecting our community is truly singular. While First 5 welcomes innovative ideas to improve outcomes, they are significantly focused on data-driven, research-based approaches. No other agency has the capacity to play this role, and First 5 Shasta has set the bar for this critical work.

I am interested in all the First 5 Shasta Pathway goals, but highlighted those in which I have the most experience.

4. What is your professional/employment experience as it relates to the Commission position?

My earliest professional background with early childhood education was that of a preschool teacher at the Shasta College Early Childhood Education Center. I spent 15 years in that position, mentoring and training early childhood education students in the Lab School setting. I valued that experience working in an 'ideal' early education environment, which focused solely on 'best practices.' During my time as a preschool teacher, I realized that I needed to further my education, so I commuted for 2 and a half years to Sac State to get my Master's Degree in Early Childhood Education. Once I obtained that, I began teaching as an Adjunct Faculty for Shasta College. I also worked for a short time (one semester) as an ROP/Careers with Children instructor for Shasta Trinity ROP, working with high school students, before a position opened with Shasta County Office of Education.

I was hired as a Coordinator of the Early Childhood Services Department in 1999, working directly with State-funded Preschool programs. While I continued to utilize and insist on 'best practices', it became apparent to me quickly that the children in our State Preschool part and full day classrooms, were more 'at risk' than those I had taught previously. I passionately believe that every child can succeed, and that their optimal growth depends on the adults around them. To that end, I championed training for our preschool teaching staff, increased partnerships with our community colleagues, increased supports to families and children through early intervention programs, Bridges to School Success, and new classrooms in underserved areas. I was promoted throughout my career at SCOE, getting an Administrative Credential to become a Principal, and ultimately retiring from the role of Executive Director of Early Childhood Services. I am very proud of my work with ECS through those 16 years, and continue to be proud of the leadership and direction that continues today in that Department.

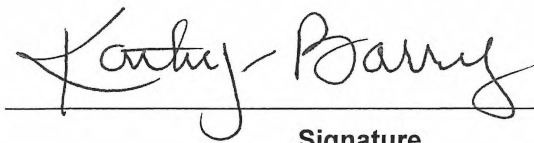
After retirement, I was not ready to be done with supporting education, so I was open to an appointment to the Shasta County Board of Education, a position I still hold. I like to look at the 'big picture', from birth through graduation from high school and into college, and continue to see the foundation of those early years as the most critical. We can sometimes get stuck in our 0-5 world, so I have enjoyed the opportunity to learn more about the entire education path of our students, the many schools and districts in our county, and the tireless educators and administrators who support them.

5. What is your experience with organizations/community groups as it relates to this position?

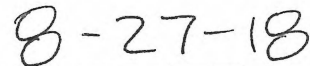
As previously stated, I am a member of the Shasta County Board of Education. First 5 Shasta is inter-connected with the work of the SCOE through Reach Higher Shasta, ECS, and various other departments through grants and committees.

I am a Board member of the Child Abuse Prevention Council (CAPC), which also is inter-connected with the work of First 5 Shasta through grants and committees.

I was a founding member of SELP (Shasta Early Literacy Partnership), and have continued participation as it has been blended into the literacy branch of Reach Higher Shasta.



Signature



Date

Please mail or email the application and a cover letter to Tristen Grantham.
Mail: 393 Park Marina Circle, Redding, CA 96001
Email: assistant@first5shasta.org

Applications must be received by **September 9, 2018**.

Thank you for your interest in serving on the Shasta Children and Families Commission.



COMMISSIONERS

Joe Ayer
Steve Morgan
Erin Salazar
Cindy Vogt
Dianna Wagner

EXECUTIVE DIRECTOR

Wendy Dickens

Dear Board of Supervisors,

On behalf of the Shasta County Children and Families Commission (First 5 Shasta Commission) I would like to recommend Kathy Barry to serve as the Community Representative in the current vacancy of public Seat 4. Barry is a representative of community-based organizations that have the goal of promoting nurturing and early childhood development, and is a previous educator specializing in early childhood development.

Thank you for your consideration of Kathy Barry for appointment to the Shasta County Children and Families Commission.

Sincerely,

Cindy Vogt

Chair
Shasta County Children and Families Commission

**Shasta Children and
Families Commission**

393 Park Marina Circle
Redding, California 96001
(530) 646-3780
first5shasta.org

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - General Government-5.

SUBJECT:

9/11/18 Draft Minutes

DEPARTMENT: Clerk of the Board

Supervisory District No. : ALL

DEPARTMENT CONTACT: Kristin Gulling-Smith, Deputy Clerk of the Board, 530-225-5550

STAFF REPORT APPROVED BY: Mary Williams, Chief Deputy Clerk of the Board

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Approve the minutes of the meeting held on September 11, 2018, as submitted.

SUMMARY

n/a

DISCUSSION

n/a

ALTERNATIVES

n/a

OTHER AGENCY INVOLVEMENT

n/a

FINANCING

There is no General Fund impact associated with this action.

ATTACHMENTS:

Description	Upload Date	Description
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September 11, 2018

1

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 11, 2018

REGULAR MEETING

9:01 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
Assistant County Counsel - James Ross
Administrative Board Clerk - Kristin Gulling-Smith
Administrative Board Clerk - Trisha Boss

INVOCATION

Invocation was given by Pastor Darrell Farley of Hillside Church.

PLEDGE OF ALLEGIANCE

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

REGULAR CALENDAR

BOARD MATTERS

Supervisor Baugh announced that the public hearings regarding zoning changes were noticed to be heard at the Board of Supervisors meeting on September 18, 2018.

SEPTEMBER 2018 EMPLOYEE OF THE MONTH
DANIEL IRVING, DEPUTY PROBATION OFFICER II
PROBATION DEPARTMENT
RESOLUTION 2018-075

At the recommendation of Chief Probation Officer Tracie Neal, and by motion made, seconded (Kehoe/Rickert), and unanimously carried, the Board of Supervisors adopted Resolution No. 2018-075 which recognizes Shasta County Probation Department Deputy Probation Officer II Daniel Irving as Shasta County's Employee of the Month for September 2018.

(See Resolution Book No. 61)

PROCLAMATION: PROSTATE CANCER AWARENESS MONTH
SEPTEMBER 2018

At the recommendation of Supervisor Morgan, and by motion made, seconded (Morgan/Moty), and unanimously carried, the Board of Supervisors adopted a proclamation which designates September 2018 as "Prostate Cancer Awareness Month" in Shasta County. Donnell Ewert, Director of the Health and Human Services Agency, accepted the proclamation.

Supervisor Morgan announced that Mercy Medical Health Center will have a free exam for prostate cancer on September 20, 2018.

PUBLIC COMMENT PERIOD - OPEN TIME

Hope Bjerke spoke against the proposed zoning changes in Palo Cedro due to limitations in the local school district.

Melissa Janulewicz, Branch Director of Regional Services, described the benefits of Disaster CalFresh, which was made available to those people impacted by the local fires. She also recognized the Health and Human Services Agency staff members who oversaw the Disaster CalFresh program.

Monique Welin spoke regarding mental health needs and the need for a mobile crisis unit in Shasta County.

Elaina Tupper spoke against the proposed zoning changes in Palo Cedro.

Laura Baldwin stated that residents of Palo Cedro who would be affected by the proposed zoning changes did not receive notification of the proposal and requested that the changes be sent back to the Planning Commission.

September 11, 2018

3

Melissa Campbell stated that responsible growth in Palo Cedro would be welcome, but that she does not support the proposed zoning changes; she also requested that the changes be sent back to the Planning Commission.

Russ Wade spoke regarding the causes of large wildfires and the need for utilizing alternate sources of energy and fuel.

Sue Horkey spoke against the proposed zoning changes in Palo Cedro due to infrastructure limitations and stated that the community was not involved in the Planning Commission process.

ITEMS PULLED FROM CONSENT CALENDAR

Chairman Baugh noted that the item regarding the evergreen employment agreement with Karen C. Ramstrom, D.O., M.S.P.H., had been pulled from the agenda.

CONSENT CALENDAR

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

Approved and authorized the Chairman to sign the County Claims List in the amount of \$30, as submitted. (Auditor-Controller)

Adopted Resolution No. 2018-076, effective July 26, 2018, which: Authorizes the use of the Emergency Management Mutual Aid (EMMA) Plan Mutual Aid Memorandum of Agreement (MOA) agreement format for the request of non-law enforcement and non-fire response mutual aid from other counties due to the Carr Fire; and designates signature authority to the County Executive Officer for EMMA Plan Mutual Aid MOAs, and all other Carr Fire-related non-law enforcement and non-fire response mutual aid agreements, including retroactive, as long as they are approved by the County Risk Manager and are approved as to form by County Counsel. (Administrative Office)

(See Resolution Book No. 61)

Approved the minutes of the meeting held on August 21, 2018, as submitted. (Clerk of the Board)

Adopted Resolution No. 2018-077 which suspends the following work restrictions for California Public Employees' Retirement System (CalPERS) retired annuitants due to the Carr Fire local emergency: Requirement to reinstate retired annuitants in CalPERS prior to beginning employment with Shasta County; limitation on hours worked to 960 hours in a fiscal year for all

employers in the CalPERS retirement system; rate of pay requirements; and requirements to wait 60 days and 180 days following the date of retirement prior to becoming eligible for employment with Shasta County. (Support Services-Personnel)

(See Resolution Book No. 61)

Approved and authorized the Chairman to sign a retroactive amendment, effective July 1, 2018, to the agreement with Vista Pacifica Enterprises, Inc., to provide residential treatment services for mentally disabled adults increasing daily rates, and retaining maximum compensation not to exceed \$7,500,000 during the entire term of the agreement and the term July 1, 2017, through June 30, 2020. (Health and Human Services Agency-Adult Services)

(See Resolution Book No. 61)

Adopted Resolution No. 2018-078 which releases a real property lien recorded on May 12, 1959, against Jessie D. Harper for services rendered to Lester Harper at the Shasta General Hospital in 1959 and finds that said real property lien is hereby fully satisfied, released, and cancelled as recorded on June 7, 1963. (Health and Human Services Agency-Business and Support Services)

(See Resolution Book No. 61)

Approved and authorized the Chairman to sign an amendment effective date of signing to the agreement with J. Reid McKellar, PH.D., Inc., to provide psychological evaluations and assessments to add in-person and telephone consultation services and increase maximum compensation by \$24,700 (for a new total not to exceed \$174,700), and retain the term July 1, 2017, through June 30, 2018, with two automatic one-year renewals. (Health and Human Services Agency-Children's Services)

(See Resolution Book No. 61)

Took the following actions: Approved and accepted the Federal Emergency Management Agency (FEMA) supplemental grant funding award (FEMA-4382- DR-CA) awarded to Shasta County to provide crisis counseling assistance and training due to the Carr Fire in the amount of \$339,783.26 for the period date of signing through June, 30, 2019; approved and authorized the Chairman to sign an agreement with Northern Valley Catholic Social Service, Inc., to provide FEMA- funded crisis counseling services in an amount not to exceed \$199,546 for the period date of signing through June 30, 2019; and made the determination that the approval of the recommended actions is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment. (Health and Human Services-Office of the Director)

Approved and authorized the: Chairman to sign a revenue renewal agreement with Shasta Regional Transportation Agency in an amount not to exceed \$170,000 to provide Safe Routes to School non-infrastructure activities in Shasta County effective date of signing through January 27, 2019; Chairman to sign Appendix A - Scope of Work, and Appendix B - Fiscal

September 11, 2018

5

Year 2018-19 Sub-Recipient Budget for Pass-Through Funds, to the agreement; and Health and Human Services Agency (HHSA) Director or any HHSA Branch Director, as designated by the HHSA Director, to sign prospective and retroactive amendments and other documents related to the agreement that result in a net change of no more than \$17,000 to the maximum compensation 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)

Took the following actions: Adopted Resolution No. 2018-079 which approves and authorizes the: Chairman to sign Amendment Number 1 to the Community Services Block Grant (CSBG) agreement with the State Department of Community Services and Development (CSD) effective date of signing to provide services to persons living in poverty in Shasta County to increase funding by \$42,538 (for a new total not to exceed \$337,945), extend the end date of the term five months through May 31, 2019, and make other minor changes; Chairman to sign any additional amendments to the agreement, including retroactive, including changes to the maximum compensation of no more than \$33,794, during the period January 1, 2018, through May 31, 2019, so long as they otherwise comply with Administrative Policy 6-101, *Shasta County Contracts Manual*; Director of the Department of Housing and Community Action Programs (Director), or his or her designee, to sign the Certification Regarding Lobbying, CSBG budget, and all other CSBG documents and reports required by CSD, including retroactive, to secure the grant and for the implementation and administration of the program and Director to act on behalf of the County of Shasta and the Shasta County Community Action Agency in all matters pertaining to the agreement; and approve a budget amendment increasing appropriations and revenue by \$49,538 in the Community Action budget. (Housing)

(See Resolution Book No. 61)

Approved and authorized the County Executive Officer and/or designee to sign a revenue agreement with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$28,688 for planning activities for the homeless continuum of care for the period from date of execution by HUD through the end of the project performance period to be set by HUD. (Housing)

(See Resolution Book No. 61)

Approved and authorized the Chairman to sign a renewal agreement with Shasta County Child Abuse Prevention Coordinating Council in an amount not to exceed \$148,645 to provide AmeriCorps members to enhance various youth and family activities for the period October 1, 2018, through the final funding period of the North State Rural Assets Project grant, or December 31, 2019, whichever comes first. (Probation)

Approved and authorized the Chairman to sign: An amendment effective date of signing to the lease agreement with Saber Zell for portable hangar Space No. 3 at Fall River Mills (FRM) Airport to terminate the lease effective September 30, 2018; and a lease agreement with Rex Horney in the amount of \$25 per month for portable hangar Space No. 3 at FRM Airport for the period October 1, 2018, through March 31, 2019. (Public Works)

Adopted Resolution No. 2018-080 which establishes deadlines for the submission of Debris Removal Right-of-Entry Permits, Alternative Fire Debris Removal Program Applications and Work Plans, and completion of debris removal under the Alternative Program. (Public Works)
(See Resolution Book No. 61)

Took the following actions regarding "The Gas Point Road at Park Drive Intersection Improvements," Contract No. 702984: Approved plans and specifications and directed the Public Works Director to advertise for bids; and authorized opening of bids on or after October 25, 2018, at 11 a.m. (Public Works)

Took the following actions regarding the space needs assessment agreement with Nichols-Melburg & Rossetto, AIA & Associates, Inc.: Approved and authorized the Chairman to sign an amendment, effective date of signing, to increase compensation by \$131,500, for a new total not to exceed \$264,000, to provide additional space needs assessments, and extend the term to December 31, 2019; approved a budget amendment increasing appropriations and revenue by \$127,000 in the Jail budget; approved a budget amendment increasing appropriations and revenue by \$13,000 in the Building Inspection budget; and approved a budget amendment increasing appropriations by \$140,000 in the Accumulated Capital Outlay budget offset by use of assigned fund balance. (Public Works)

Approved and authorized the Chairman to sign a retroactive amendment, effective September 1, 2018, to the service agreement with Virtual Project Manager, to extend the term from September 1, 2018, to December 31, 2020, and retain compensation at \$500 per month, per the original agreement, for a new total not to exceed \$32,000 to provide construction management software services. (Public Works)

Approved and authorized the Public Works Director to sign a Notice of Completion for the "West Central Landfill Gas Monitoring Probes," Contract No. 207512, and record it within 15 days of actual completion of the work. (Public Works)

Awarded to the lowest responsive and responsible bidder, Aptim Environmental & Infrastructure, Inc., on a unit cost basis, the contract for the "West Central Landfill Gas Collection and Control System Expansion – 2018," Contract No. 207515, in the amount of \$292,428. (Public Works)

Adopted Salary Resolution No. 1533, effective September 16, 2018, which deletes 1.0 Full-Time Equivalent (FTE) vacant Information Technology (IT) Technician position and adds 1.0 FTE IT Infrastructure Support Engineer I/II position in the IT department budget. (Information Technology)

(See Salary Resolution Book)

REGULAR CALENDAR, CONTINUED

September 11, 2018

7

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 Shasta Children and Families Commission meeting.

Supervisor Kehoe recently attended meetings of the Mental Health, Alcohol and Drug Advisory Board and the Local Agency Formation Commission.

Supervisor Moty recently attended meetings of the California State Association of Counties and the Northern Sacramento Valley Integrated Regional Water Management Governing Board.

Supervisor Rickert recently attended a Sierra-Nevada Conservancy meeting.

Supervisors reported on issues of countywide interest.

SUPPORT SERVICES-PERSONNEL

MEMORANDUM OF UNDERSTANDING
SHASTA COUNTY EMPLOYEES ASSOCIATION – SUPERVISORY UNIT
RESOLUTION NO. 2018-081
SALARY RESOLUTION NO. 1534

Angela Davis, Director of Support Services, presented the staff report and recommended approval.

In response to questions from Supervisor Kehoe, CEO Lees stated that the county does have the available resources to pay for the salary increases included in the Memorandum of Understanding.

By motion made, seconded (Kehoe/Rickert), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2018-081 which approves a successor comprehensive Memorandum of Understanding (MOU) with the Shasta County Employees Association – Supervisory Unit (SCEA) covering the period July 1, 2018, through June 30, 2021; and adopted Salary Resolution No. 1534, effective September 16, 2018, which amends the Salary Schedule for positions in County Service pursuant to the SCEA MOU.

(See Resolution Book No. 61)

(See Salary Resolution Book)

HEALTH AND HUMAN SERVICES AGENCY

ADULT SERVICES

SHASTA REGIONAL MEDICAL CENTER & PRIME HEALTHCARE SERVICES

RESOLUTION NO. 2018-082

Dean True, Branch Director of Adult Services, presented the staff report and recommended approval.

In response to questions from Supervisor Moty, Mr. True stated that this agreement would improve the situation in county emergency rooms by providing assistance for people who cannot be accepted at other locations.

In response to questions from Supervisor Morgan, Mr. True explained that the facility currently has a 20-bed capacity, and that the county will continue to use resources both in Shasta County and in Red Bluff.

In response to questions from Supervisor Rickert, Mr. True stated that patients for this facility will come from other North State counties, as well as Shasta County. Mr. True explained that the facility is currently only for patients who are 18 or older. He also described the possible option of conservatorship for those who need further treatment after the 30-day maximum.

In response to questions from Supervisor Kehoe, Mr. True explained the current options for children with mental health issues: Currently, the nearest location for children is in Red Bluff, but for more complicated situations, children are being sent to facilities farther south. Mr. True stated that Dianna Wagner, Branch Director of Children's Services, is working on expanding treatment options for children.

Representatives from Shasta Regional Medical Center, Tracy Peterson, Director of Nursing Services, and Casey Fatch, Chief Executive Officer, described the services that Shasta Regional Medical Center will be able to offer to patients and the benefits to the county from keeping that care local.

In response to questions from Supervisor Rickert, Mr. True stated that he spoke with the local National Public Radio (NPR) station the day before the meeting, so local media has taken an interest in the program.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors took the following actions: Adopted Resolution No. 2018-082 designating Shasta Regional Medical Center, operated by Prime Healthcare Services – Shasta, LLC, as a facility to

September 11, 2018

9

provide 72-hour treatment and evaluation, 14-day intensive treatment, and 30-day intensive treatment, pursuant to Welfare and Institutions Code section 5000; authorized the Director of the Health and Human Services Agency to send confirmation of negotiated rates to Prime Healthcare Services – Shasta, LLC; and approved and authorized the Chairman to sign an agreement with Prime Healthcare Services – Shasta, LLC, in an amount not to exceed \$7,500,000 to provide inpatient psychiatric hospitalization services for the period date of signing through June 30, 2021. (Health and Human Services Agency-Adult Services)

(See Resolution Book No. 61)

SHERIFF

DELTA FIRE LOCAL EMERGENCY PROCLAMATION **RESOLUTION NO. 2018-083**

Sheriff Tom Bosenko gave an update on the Delta Fire, presented the staff report, and recommended approval.

Nick Truax from CalFire explained that a new federal team recently took over management of the Delta Fire and described the current status of CalFire operations.

Jay Kurth, Incident Commander for California Interagency Command Team 4, described the current status of the Delta Fire and the overall challenges and plans for containing the fire.

In response to questions from Supervisor Rickert, Mr. Kurth explained that the current Red Flag Warning is tied to an oncoming cold front from the north. He also explained that weather predictions are generally only reliable through a short period of time, although they anticipate more favorable conditions in the near future.

In response to questions from Supervisor Baugh, Mr. Kurth stated that the best estimate they currently have, given the weather forecast and conditions in the area, is that the fire will be under containment by September 22; however, that is only an estimate and is prone to change.

In response to questions from Supervisor Rickert, Sheriff Bosenko confirmed that the fire was human-caused and that it is currently under investigation.

Sheriff Bosenko explained that infrastructure has been lost along Interstate 5 and the railway, and that damage assessments and repair from CalTrans and Union Pacific are ongoing.

In response to questions from Supervisor Kehoe, Ben Newburn, Fire Management Officer for the Shasta-Trinity National Forest, explained that the ownership in the area of the Delta Fire is a mixture of U.S. Forest Service-managed public land, privately-held small parcels, and private industry timberlands. Terry Simon-Jackson, Deputy Forest Supervisor for the Shasta-Trinity

National Forest, stated that, due to the active nature of the fire, the timber resources in the Delta Fire area have not been examined closely, but assessments are currently ongoing. The area of the Carr Fire is currently being assessed for damage and remaining timber resources. Ms. Simon-Jackson explained that discussions about clearing out fuel in the national forest are ongoing, and that those efforts need funding; currently, they are focusing on road maintenance and fallen trees. She also explained that clearing the damaged trees also depends on the capacity of local timber companies, as they are already dealing with the damaged trees from their own lands.

In response to questions from Supervisor Rickert, Ms. Simon-Jackson explained the burned area rehabilitation efforts going on in the Carr Fire area, and that there is a stage progression before salvage can be done.

In response to questions from Supervisor Baugh, CEO Lees stated that Board support for funding for these efforts would be appropriate and that he would bring something back to the Board.

By motion made, seconded (Morgan/Rickert), and unanimously carried, the Board of Supervisors adopted Resolution No. 2018-083 which ratifies the Shasta County Director of Emergency Services September 6, 2018, proclamation of a local emergency due to the wildland fire identified as the "Delta Fire," subject to the requirements of and in accordance with Government Code Section 8630.

(See Resolution Book No. 61)

PUBLIC WORKS

EMERGENCY DECLARATION **CSA NO. 2-SUGARLOAF WATER** **RESOLUTION NO. 2018-084**

Sheriff Tom Bosenko explained the local emergency declared in County Service Area (CSA) No. 2-Sugarloaf Water, due to low amounts of available water in the area.

Pat Minturn, Director of Public Works, gave an update on the situation in CSA No. 2, presented the staff report, and recommended approval.

In response to questions from Supervisor Morgan, Mr. Minturn stated that the new well in CSA No. 2 will not be online for use before next summer, and that the water quality and yield of the well still need to be examined. Bringing the well online will require another grant from the state. Mr. Minturn explained the plan to get through the time until the new well is online with the existing water supply.

September 11, 2018

11

By motion made, seconded (Moty/Morgan), and unanimously carried, the Board of Supervisors took the following actions on behalf of County Service Area No. 2-Sugarloaf Water: Adopted Resolution No. 2018-04 which ratifies the Sheriff's September 4, 2018, Emergency Declaration; and requested the Governor proclaim a State of Emergency.

(See Resolution Book No. 61)

SCHEDULED HEARINGS

ADMINISTRATIVE OFFICE

ASSEMBLY BILL 1265 AND SENATE BILL 1353: WILLIAMSON ACT RESOLUTION 2018-085

This was the time set aside to hold a public hearing to consider implementing, pursuant to subdivision (e) of Government Code section 16142, the provisions authorized in Assembly Bill (AB) 1265 and Senate Bill (SB) 1353 and outlined in subdivision (b) of Government Code Section 51244 and Section 51244.3 (AB 1265/SB 1353 provisions).

Supervisor Rickert recused herself due to personal ownership of property affected by Williamson Act contract provisions.

10:44 a.m.: Supervisor Rickert exited the Board Chambers.

Administrative Analyst Ayla Tucker 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 Kehoe, Ms. Tucker explained that the foregone General Fund property tax revenue is an amount of potential revenue that the county did not receive due to the difference between that amount and the subvention payment the County received from the State of California.

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

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors adopted Resolution No. 2018-085 which: finds that, for Fiscal Year (FY) 2017-18, the subvention payment the County received from the State of California pursuant to the Open Space Subvention Act was less than one-half of the County's actual foregone General Fund property tax revenue that resulted from Williamson Act contracts; and states the Board's decision to implement Government Code Section 51244(b) and Government Code Section 51244.3 effective January 1, 2019; directs staff to notify all Williamson Act contracted landowners of the following:

12

September 11, 2018

the final decision of the Board of Supervisors after the conclusion of the September 11, 2018, public hearing on whether to implement the AB 1265/SB 1353 provisions; and the landowner's right to prevent the reduction in the term of his or her contract due to the implementation of the AB 1265/SB 1353 provisions by serving notice of non-renewal as specified by Government Code Sections 51244, 51245 and Shasta County Resolution No. 2011-103; and directs the County Administrative Office, Assessor-Recorder, Auditor-Controller, Tax Collector, and Director of Resource Management to take all necessary steps to implement AB 1265/SB 1353 including but not limited to recording a notice that states the affected parcel numbers and current owner's names, making the appropriate additions to all affected properties assessed values, and modifying the FY 2019-20 tax bills to reflect the assessment changes associated with the reduced tax benefit. (See Resolution Book No. 61)

10:48 a.m.: Supervisor Rickert returned to the Board Chambers.

RESOURCE MANAGEMENT

CARR FIRE DISASTER RECOVERY **SHASTA COUNTY CODE URGENCY ORDINANCE** **ORDINANCE NO. SCC 2018-02**

This was the time set aside to hold a public hearing to consider Urgency Ordinance No. SCC 2018-02, adding Title 19, *Shasta County Carr Fire Disaster Recovery*, to the Shasta County Code. Paul Hellman, Director of Resource Management, 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.

CEO Lees explained that the county reached out to related associations and that there will be further recommendations for addressing Carr Fire recovery coming before the Board at the next meeting.

In response to questions from Supervisor Moty, Mr. Hellman stated that placing a temporary dwelling on a parcel unaffected by the fire will allow someone to receive temporary power.

In response to questions from Supervisor Kehoe, Assistant County Council James Ross stated that the current urgency ordinance is being adopted pursuant to certain provisions from the Governor's Executive Order which apply to this ordinance, so it cannot be adapted to include the areas affected by the Delta Fire. He explained that another ordinance for areas affected by the Delta Fire can be brought before the Board in the future. Mr. Ross also explained that he received input from many other counties who offered their experience in similar situations, which benefited this ordinance.

September 11, 2018

13

In response to questions from Supervisor Kehoe, CEO Lees explained that the current ordinance contains time-based limitations on renting or selling property damaged by the Carr Fire.

In response to questions from Supervisor Baugh, Mr. Ross explained that this ordinance is specifically for people affected by the Carr Fire, but that other ordinances can be brought to the Board to address people affected by other fires. Senior Deputy County Counsel Matt McOmber stated that this ordinance was prepared based on a template used by Sonoma County. He also explained that the ordinance defines what a “displaced person” is, and that only those people who meet that definition can take advantage of the conditions in this ordinance.

In response to questions from Supervisor Baugh, Mr. Hellman explained that an administrative permit would only be required for temporary dwellings on parcels that are not residentially zoned; this permit costs \$1430 and must be noticed, to ensure minimal impact on commercial or industrial areas. Temporary dwellings in residential parcels will not require this permit.

In response to questions from Supervisor Kehoe, Mr. Hellman stated that he believes there are parallels between the County of Shasta and the City of Redding’s approaches to Carr Fire recovery, although the City is more limited in options due to smaller parcel sizes and other considerations.

In response to questions from Supervisor Rickert, Dale Fletcher, Assistant Director of Resource Management, stated that there have been a couple hundred people affected by the Carr Fire who have discussed their rebuilding and recovery plans with the department, as well as at least one person who has already submitted rebuilding plans for review.

The public hearing was opened.

Vickie Wolf expressed concerns regarding the clarity and reach of the proposed ordinance.

Kent Dagg spoke in favor of the ordinance and asked that the Shasta Association of Realtors be included in any further discussions of how to address rebuilding.

No one else spoke for or against the matter, and the public hearing was closed.

In response to questions from Supervisor Baugh, CEO Lees stated that there is no known intent to use the Carr Fire to advantage any outside interests. Mr. Ross explained that this is the first ordinance in a series of action items that will be brought before the Board. CEO Lees explained that some of the Board guidance, as directed at the August 21, 2018, meeting, is not addressed in this ordinance and will be brought before the Board at a future meeting.

In response to questions from Supervisor Kehoe, Mr. Hellman explained that the decision to extend permits made on or since July 23, 2016, is to allow for construction of projects to happen without having to apply for new permits. He also explained that future development and the impact

14

September 11, 2018

of rebuilding on contractors is uncertain, but that a year may not be enough due to the probable shortage of available contractors. Mr. Hellman stated that the provision for Accessory Dwelling Units was made due to the shortage of housing that existed prior to the Carr Fire, which has been exacerbated due to the fires in the area.

In response to questions from Supervisor Moty, Mr. Hellman explained that giving the blanket permit extension simplifies the process, as builders are already capable of coming in individually to request extensions. Mr. Hellman also explained that this ordinance only addresses the issue of temporary dwellings for Carr Fire victims.

In response to questions from Supervisor Kehoe, Mr. Hellman stated that he would be willing to meet with Ms. Wolf after the meeting to further address her concerns.

In response to questions from Supervisor Baugh, CEO Lees stated that if any changes are needed to the ordinance, amendments will be brought before the Board.

By motion made, seconded (Moty/Kehoe), and unanimously carried, the Board of Supervisors introduced, waived the reading of, and enacted Urgency Ordinance No. SCC 2018-02 adding Title 19, *Shasta County Carr Fire Disaster Recovery*, as amended, to the Shasta County Code.

CLOSED SESSION ANNOUNCEMENT

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

Confer with its Labor Negotiators, County Executive Officer Larry Lees, Personnel Director Angela Davis, and Labor Consultant Liebert Cassidy Whitmore, to discuss the following employee organizations: Deputy Sheriffs Association-Deputy Sheriffs, Sergeant, and District Attorney Investigator Unit, pursuant to Government Code section 54957.6.

11:31 a.m.: The Board of Supervisors recessed to Closed Session.

12:13 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 Assistant County Counsel James Ross present.

REPORT OF CLOSED SESSION ACTIONS

September 11, 2018

15

Assistant County Counsel James Ross reported that the Board of Supervisors met in Closed Session to discuss labor negotiations; however, no reportable action was taken.

12:16 p.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Health and Human Services-6.

SUBJECT:

Homeless Mentally Ill Outreach & Treatment Program (HMIOT)

DEPARTMENT: Health and Human Services Agency-Adult Services

Supervisory District No. : All

DEPARTMENT CONTACT: Dean True, Branch Director, HHSA Adult Services, (530) 225-5900

STAFF REPORT APPROVED BY: Dean True, Branch Director, HHSA Adult Services

Vote Required?	General Fund Impact?
4/5 Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions: (1) Authorize the Chairman to sign, and the Health and Human Services Agency (HHSA) to submit, a letter of interest to the California Department of Health Care Services (DHCS) accepting a one-time \$200,000 allocation for Homeless Mentally Ill Outreach and Treatment (HMIOT) services; (2) adopt a resolution which designates the HHSA Director as the single point of contact to DHCS for HMIOT funding and authorizes participation in the HMIOT program; and (3) approve a budget amendment increasing appropriations and revenue by \$200,000 in the HHSA-Mental Health budget to accept the funding.

SUMMARY

Receipt of this allocation will provide additional funding for local activities related to individuals with serious mental illness or who are homeless or at risk of becoming homeless.

DISCUSSION

Senate Bill (SB) 840 allows for a funding opportunity to counties via the Department of Health Care Services for one-time funding for local activities involving individuals with serious mental illness and who are homeless or at risk of becoming homeless.

Shasta County has several programs currently running that address issues of homelessness, including an active Whole Person Care grant project that promotes integration and coordination of care surrounding issues of physical health, mental health, substance use, and homelessness. SB 840 funds would be instrumental in further addressing housing needs in our community by expanding room and board opportunities for those living with mental illness, efficiently and effectively addressing emergency shelter needs, and providing supports such as rental/ utilities assistance related to permanent housing.

To request these funds the County must delegate a primary contact organization (HHSA) to submit a Letter of Interest indicating how the county intends to use the funds for the purpose outlined in the provisions of SB 840. The funder also requests that the Letter of Interest include a Board of Supervisors resolution as an attachment.

A final report will be submitted within 90 days of the end of the project, June 2020. The report will include the disposition of funds, the services provided, and the number of individuals who received services. All funds must be expended by project end date June 30, 2020.

ALTERNATIVES

The Board could choose not to submit a letter of interest and/or approve the budget amendment. This is not recommended because it would make Shasta County ineligible to receive this funding.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the resolution as to form. The Auditor-Controller has reviewed the budget amendment. The County Administrative Office has reviewed the recommendation.

FINANCING

The proposed budget amendment will support the HMIOT program in FY 2018-19. The increase in FY 2019-20 will be included in next year’s budget request. There is no County match required. There is no additional General Fund impact from the recommended action.

ATTACHMENTS:

Description	Upload Date	Description
Letter of Interest	9/6/2018	Letter of Interest
Resolution	9/6/2018	Resolution
Budget Amendment	9/6/2018	Budget Amendment

DRAFT

September 18, 2018:

California Department of Health Care Services
Managed Care Quality and Monitoring Division
1501 Capitol Avenue, P.O. Box 997413, MS 4400
Sacramento, CA 95899-7413
Phone (916) 449-5000 Fax (916) 449-5005

RE: Letter of Interest

To whom it may concern,

Pursuant to Senate Bill (SB) 840, a state Fiscal Year 2018-19 budget appropriations bill, provides one-time funding opportunities for local activities to counties through the Department of Health Care Services related to individuals with serious mental illness who are homeless or at risk of becoming homeless. The Shasta County Board of Supervisors would like to formally submit this letter of interest in receiving Shasta County's projected Fiscal Year 2018-19 allocation of \$200,000.

Shasta County currently has several programs that address issues of homelessness, including an active Whole Person Care grant project that promotes integration and coordination of care surrounding issues of physical health, mental health, substance use, and homelessness. SB 840 funds would be instrumental in further addressing housing needs in our community by expanding room and board opportunities for those living with mental illness, efficiently and effectively addressing emergency shelter needs, and providing supports such as rental/ utilities assistance related to permanent housing.

Thank you for your consideration.

Sincerely,

Chairperson, Board of Supervisors

RESOLUTION NO. 2018-_____

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
AUTHORIZING PARTICIPATION IN THE ONE-TIME HOMELESS MENTALLY ILL
OUTREACH AND TREATMENT FUNDING OPPORTUNITY AVAILABLE AS A
RESULT OF SENATE BILL 840 (CHAPTER 29, STATUTES OF 2018).**

WHEREAS, California's Governor Edmund G. Brown, Jr. and the California Legislature have recognized the critical need for funding at the local level to combat homelessness; and

WHEREAS, the Governor, Legislature, and Shasta County recognize the need for outreach and treatment to those who are living with a severe mental illness who are also homeless or at risk of homelessness, including persons participating in Whole Person Care pilot programs or who have had recent involvement with the criminal justice system or been recently released from incarceration, as well as other special populations within the County; and

WHEREAS, the Governor and Legislature have allocated \$50 million statewide in one-time funding for Fiscal Year 2018-19 to counties and four eligible cities for the Homeless Mentally Ill Outreach and Treatment ("HMIOT") allocation; and

WHEREAS, the Governor and Legislature have directed counties to leverage other available funding for this purpose and prohibited any supplantation of existing funding or services in order to maximize the impact of HMIOT allocation funding locally; and

WHEREAS, the Governor and Legislature require counties that receive HMIOT allocation funding to expend the funding no later than June 30, 2020, and further require counties to report to the Department of Health Care Services the disposition of funds, the services provided, and the number of individuals who received services no later than 90 days after the full expenditure of funding; and

WHEREAS, the County of Shasta designates the County Health and Human Services Agency Director as the single point of contact to the Department of Health Care Services for the HMIOT allocation; and

WHEREAS, the County of Shasta affirms the county's commitment to combatting homelessness and improving outreach and treatment for those living with severe mental illness in our communities pursuant to the provisions of Senate Bill 840 and the receipt of HMIOT funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta, does hereby authorize the County's participation in the Homeless Mentally Ill Outreach and Treatment allocation in Fiscal Years 2018-19 and 2019-20.

Resolution No. 2018-_____

Page 2 of 2

DULY PASSED AND ADOPTED this _____th/st day of _____, 2018 by
the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

LES BAUGH, CHAIRMAN

Board of Supervisors

County of Shasta

State of California

ATTEST:

LAWRENCE G. LEES

Clerk of the Board of Supervisors

By _____

Deputy



Health and Human Services Agency

Donnell Ewert, MPH, Director

Business and Support Services Branch

Tracy Tedder, Branch Director

1810 Market Street
Redding, CA 96001-1930

P.O. Box 496005

Redding, CA 96049-6005

Phone: (530) 229-8419

Fax: (530) 225-5555

CA Relay Service: (800) 735-2922

Memorandum

To: Shasta County Board of Supervisors
Brian Muir, Auditor-Controller

From: Tracy Tedder, Director, HHSA Business & Support Services

Date: August 31, 2018

Re: Budget Amendment for Mental Health

Please prepare a FY 2018-19-line item budget amendment for Mental Health (41010) in the amount of \$200,000 to accommodate an increase in appropriations for a new Homeless Mentally Ill Outreach and Treatment grant awarded to Shasta County by the Department of Health Care Services. This increase in appropriations will be offset by an increase in grant revenue in the amount of \$200,000. The budget amendment is going to the Board of Supervisors Office for consideration on 9/18/18.

See attached budget amendment

Thank you.

cc: Terri Howat, County Chief Fiscal Officer
Julie Hope, Principal Administrative Analyst

County of Shasta

Budget AmendmentMENTAL HEALTH

DEPARTMENT NAME

APPROPRIATIONS

INCREASE <DECREASE>

ORG KEY	ACCOUNT	ACCOUNT DESCRIPTION	BUDGET READS	BUDGET SHOULD READ	AMOUNT OF TRANSFER (+/-)
41010	052000	SUPPORT & CARE OF PERSONS	0	200,000	200,000
					0
					0
					0
TOTAL					200,000

REVENUE

INCREASE <DECREASE>

ORG KEY	ACCOUNT	ACCOUNT DESCRIPTION	BUDGET READS	BUDGET SHOULD READ	AMOUNT OF TRANSFER (+/-)
41010	560996	FED DHCS MENTAL HEALTH GRANT	2,000,000	2,200,000	200,000
					0
					0
					0
TOTAL					200,000

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Health and Human Services-7.

SUBJECT:

Renewal agreement with North Valley Catholic Social Service

DEPARTMENT: Health and Human Services Agency-Children's Services

Supervisory District No. : All

DEPARTMENT CONTACT: Dianna L. Wagner, Branch Director, Children's Services (530) 225-5705

STAFF REPORT APPROVED BY: Dianna L. Wagner, Branch Director

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Approve and authorize the Chairman to sign a retroactive renewal agreement with Northern Valley Catholic Social Service, Inc., in an amount not to exceed \$2,169,196 to provide youth specialty mental health services for the period July 1, 2018 through June 30, 2020.

SUMMARY

The agreement will allow Northern California Catholic Social Service, Inc. (NVCSS) to continue to provide youth specialty mental health services to Medi-Cal eligible clients, their family members and care providers in Shasta County during Fiscal Year 2018-19 and 2019-20.

DISCUSSION

The Shasta County Mental Health Plan has a responsibility to provide mental health services to eligible Medi-Cal Beneficiaries. Resulting from a recent competitive procurement cycle for mental health services, the proposed agreement will allow NVCSS to provide medically necessary specialty mental health services to children, adolescents and young adults (up to 21 years of age) who fall within Shasta County's eligible population. NVCSS provides both clinic-based and community-based services.

NVCSS has been providing medically necessary youth specialty mental health services for several years to eligible Shasta County clients. The agreement contains specific requirements to ensure maximum access to services for Shasta County clients and their families, including children placed in foster care. The Health and Human Services Agency (HHSA) has oversight processes in place and has been satisfied with their performance. Continual performance monitoring includes evaluating client outcomes by the implementation of the Child and Adolescent Needs and Strengths (CANS) tool as well as progress towards individual treatment goals.

The proposed agreement includes language to allow the HHSA Director or his or her designee to approve variances up to a maximum of 10 percent between categories within each budget line item with prior written approval, provided the maximum amount of compensation per County fiscal year of these agreements are not exceeded. Allowing the HHSA Director to

authorize this budget variance in the agreements will allow NVCSS flexibility to provide those service types most needed by the youth being served.

The agreement is retroactive due to the time needed to for all parties to negotiate the agreement terms.

ALTERNATIVES

The Board could choose not to execute the agreement, or to approve with modified terms or funding levels.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the agreement as to form. Risk Management has approved the agreement. The recommendation has been reviewed by the County Administrative Office.

FINANCING

The maximum compensation amount of the proposed agreement is included in the Mental Health (BU 410) FY 2018-19 Adopted Budgets. Specialty Mental Health Medi-Cal services are funded through a combination of federal Medicaid funds (approx. 50%) with a county match which is largely met through a combination of 1991 and 2011 realignment revenue. There is no additional General Fund impact with the approval of this recommendation.

ATTACHMENTS:

Description	Upload Date	Description
North Valley Catholic Social Services, Youth Specialty Mental Health Agreement	9/6/2018	North Valley Catholic Social Services, Youth Specialty Mental Health Agreement

**PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SHASTA
AND
NORTHERN VALLEY CATHOLIC SOCIAL SERVICE**

This agreement is entered into between the County of Shasta, through its Health and Human Services Agency a political subdivision of the State of California, (County) and Northern Valley Catholic Social Service a California non-profit corporation (Consultant) (collectively, the Parties and individually a Party) for the provision of youth specialty mental health services.

Section 1. RESPONSIBILITIES OF CONSULTANT.

Pursuant to the terms and conditions of this agreement Consultant shall:

- A. Provide specialty mental health services at the compensated rates as prescribed in **EXHIBIT A, SERVICES** and **EXHIBIT B, RATES** attached and incorporated herein. For all services, Consultant shall comply with applicable provisions of the State of California approved Shasta County Managed Care Mental Health Plan, number 12-89397, (Plan) and any subsequent updates. For the purposes of this agreement, the Plan is the contract between the State of California Department of Health Care Services (DHCS) and the County to provide mental health managed care services to California Medi-Cal beneficiaries. The Plan is available at: http://www.co.shasta.ca.us/index/hhsa_index/Community_partnerships/OrgProviders.aspx. Consultant shall check the website for updates regularly to ensure Consultant has current approved Plan. Should Consultant be unable to access the electronic version of the Plan, County will provide Consultant with a hard copy version upon written request. If any ambiguity, inconsistency, or conflict exists between the language of this agreement, the Exhibits, and the Plan, the Plan shall govern.
- B. Provide specialized Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) mental health services to Shasta County or other counties Medi-Cal eligible beneficiaries age 0-21 years (Clients) referred by County.
- C. Screen 100% of referred Clients for EPSDT Medi-Cal eligibility monthly while the Client is open to services with the Consultant. The eligibility screening shall include verifying that Shasta County is the responsible County, and assessing for valid full scope Medi-Cal coverage aid codes.
- D. Take the necessary steps to ensure the timely reinstatement of Medi-Cal eligibility, should the Client become ineligible for full-scope Medi-Cal, and notify County regarding ineligibility and potential for reinstatement.
- E. Treatment shall be based on a comprehensive mental health assessment that determines medical necessity and in collaboration with the Client and a person or persons authorized to consent to treatment. Treatment shall not exceed the services authorized by County.
- F. Provide community-based services to Clients and families including, but not limited to home, school, office or other sites. Place of service shall enhance service delivery and access to service. Documentation of the site of services shall be reflected in the Client treatment record and service claims.

- G. Provide flexible service delivery to Clients and families during regular business hours as well as outside of the Monday through Friday 8am – 5pm work day.
- H. Ensure all staff accompanying a Client into the community, as a part of mental health service delivery, maintains ongoing supervision and care for the Client throughout the service event, to include returning the Client to an appropriate responsible adult.
- I. Ensure staff provides documentation of productivity at a minimum of 65% of available time to the provision of mental health services to Clients. The 65% shall be based on an aggregate of Consultant's staff. For purposes of this agreement, "available time" is defined as the total number of minutes paid to each of Consultant's treatment staff including paid time off.
- J. Notify County of any/all changes in leadership staff within ten days of change. Leadership staff includes but is not limited to, Executive Director, Clinical/Program Director, and Chief Fiscal Officer.
- K. Ensure staff attend County meetings and other work groups as scheduled by County at a minimum of every 90 days, a maximum of once per month.
- L. Ensure Consultant's staff attends training sessions conducted by, or arranged through, County, as determined by County.
- M. Allow County and the DHCS, and their duly authorized representatives at all reasonable times to inspect or otherwise evaluate the work performed under the terms of this agreement, including all supported activities and the premises in which it is being performed.
- N. As required by Government Code section 7550, each document or report prepared by Consultant for or under the direction of County pursuant to this agreement shall contain the numbers and dollar amount of the agreement and all subcontracts under the agreement relating to the preparation of the document or written report. If multiple documents or written reports are the subject of the agreement or subcontracts, the disclosure section may also contain a statement indicating that the total agreement amount represents compensation for multiple documents or written reports. Consultant shall label the bottom of the last page of the document or report as follows: department name, agreement number, and dollar amount. If more than one document or report is produced under this agreement, Consultant shall add: "This [document or report] is one of [number] produced under this agreement."
- O. Comply with the privacy and information security provisions contained in Exhibit F within the Shasta County Mental Health Managed Care Plan as referenced in section 1.A. Consultant shall implement reasonable and appropriate administrative, physical and technical safeguards to protect Protected Health Information (PHI). For purposes of this agreement PHI means individually identifiable health information that is transmitted by electronic media, maintained in electronic media, or is transmitted or maintained in any other form or medium.
- P. Maintain collaborative relationships with Child Welfare, Probation, Special Education, Medical Providers, and other supportive entities in an effort to provide the most comprehensive experience for the Client.
- Q. Utilize an Electronic Health Record (EHR) and document all clinical services within 3 days of service delivery.

- R. Understand the California Code of Regulations, Title 9, Chapter 11 services to Medi-Cal beneficiaries age 0-21, and work under the Shasta County Mental Health Managed Care Plan.
- S. Maintain an Annual Quality Management (QM) Work Plan for compliance with the County's Managed Care Mental Health Plan (MHP).
- T. Acknowledge the funding source of all activities undertaken pursuant to this agreement including in any educational and training materials, audio visual aids, interviews with the press, flyers, or publication of the following statement: "This activity (or program) has been funded (or sponsored) by the County of Shasta through the California Department of Health Care Services."

Section 2. RESPONSIBILITIES OF COUNTY.

Pursuant to the terms and conditions of this agreement County shall:

- A. Compensate Consultant as prescribed in sections 3 and 4 of this agreement.
- B. Monitor and evaluate the performance of Consultant throughout the term of this agreement to assure compliance with the terms and conditions of this agreement.
- C. Conduct meetings a minimum of biannually, maximum of once per month, to coordinate mental health treatment, program planning, contract compliance, and to provide consultation to Consultant regarding service delivery. The date, time, and location of each meeting will be set by County.
- D. Conduct visits for Medi-Cal site certification and program review at site(s) where services are provided by Consultant in accordance with the Plan and Title 9 of the California Code of Regulations. Dates and times of site visits shall be determined by County based upon Medi-Cal Certification and Recertification requirements.
- E. Review Consultant's participation in and compliance with Plan problem resolution process and Title 9 of the California Code of Regulations for Client complaints or grievances.
- F. Conduct utilization review meetings with Consultant staff for the purpose of reviewing documentation in the records of Clients receiving services. The date, time, and location of each utilization review meeting shall be set by County.
- G. Notify Consultant when Clients are admitted to a psychiatric hospital by County.
- H. Refer Clients that are Full-Scope Medi-Cal eligible beneficiaries and assess non Medi-Cal eligible youth to determine eligibility for services prior to referral for Consultant's services as provided in **EXHIBIT A**.
- I. Submit billings to Medi-Cal or other payor sources as appropriate for services provided by Consultant.
- J. Exhaust administrative remedies to appeal or otherwise reverse the denial of payment by Medi-Cal for services delivered and billed pursuant to this agreement.

- K. Provide Treatment Authorization approvals or denials in a timely manner.
- L. Provide Consultant with Triple P® Resource Materials when requested by the Consultant's individual staff. County will only provide materials based upon the staffs' Triple P® accreditation and utilization of outcome tools.
- M. If a federal or state audit exception is created, during the course of the provision of services under this agreement, due to an error or errors of omission or commission on the part of County, be responsible for the audit exception.
- N. Ensure that referrals to Consultant are based on a catchment area as defined by County in its sole discretion. County, in its sole discretion, may refer Clients from outside Consultant's catchment area when determined by County to be appropriate. Within 20 days of receipt of a written request from Consultant, County shall provide a map to Consultant depicting Consultant's catchment area.

Section 3. COMPENSATION.

- A. County shall compensate Consultant for services rendered pursuant to this agreement in accordance with the terms specified in **EXHIBIT B, RATES**. The total compensation payable to Consultant under this agreement shall not exceed \$1,084,598 for County fiscal year 2018-19, and \$1,084,598 for County fiscal year 2019-2020. In no event shall the total maximum amount payable under this agreement exceed \$2,169,196.
- B. During the term of this agreement, the Health and Human Services Agency (HHSA) Director (Director) or HHSA Branch Director may approve, in writing and in advance, changes in any line item budgeted expenses in the Budget up to a maximum of 10 percent between categories within each line item budget expense provided the maximum compensation specified in Section 3.A. of this agreement is not exceeded.
- C. Consultant's violation or breach of agreement terms may result in fiscal penalties, withholding of compensation, or termination of agreement.

Section 4. BILLING AND PAYMENT.

- A. Consultant shall submit to Fiscal Unit, Shasta County HHSA, Attn: Accounts Payable, P.O. Box 496005, Redding, CA 96049-6005, monthly by the 15th of each month for services rendered the preceding month, and in accordance with the Budget, a billhead or invoice regularly used in the conduct of Consultant's business for services rendered and costs incurred, accompanied by an **EXPENDITURE REPORT, EXHIBIT C**, attached and incorporated herein, and receipts.
- B. The correct and currently active NPI(s) shall be included as documentation on each billhead or invoice submitted by Consultant to County. Any billhead or invoice received by County without the NPI included shall be returned to Consultant and shall not be reimbursed by or compensated for by County until the billhead or invoice is submitted including the NPI.
- C. County shall not be obligated to pay Consultant for services covered by any Invoice, if Consultant presents the Invoice to County more than 90 days after the date services were

rendered by Consultant for Medi-Cal eligible youth or more than 150 days after the date services were rendered by Consultant for Medi-Cal eligible youth with private insurance.

- D. Consultant shall provide County with supporting documentation and an explanation of benefits (EOB) when submitting Invoices for Medi-Cal eligible youth with private insurance. If Consultant does not receive a response from the private insurer within 90 days of billing to them, Consultant shall include that service in the next Invoice to the County, providing the completed claim form as proof of billing. Consultant shall provide advance notice to County when submitting an Invoice more than 90 days after the date services were rendered by Consultant.
- E. County shall make payment within 30 days of receipt of Consultant's correct and approved Invoice. For the final month of this agreement, June 2020, Consultant shall submit to Fiscal Unit Shasta County HHSA, a final Invoice no later than July 10, 2020. Notwithstanding the previous sentence, a final Invoice for Medi-Cal eligible youth with private insurance, including supporting documentation and EOB, may be submitted by Consultant to Fiscal Unit, Shasta County HHSA after July 10, 2020, with prior approval of the Director or any HHSA Branch Director designated by the Director provided that the final Invoice is submitted no later than November 30, 2020.
- F. Upon termination of this agreement, County shall compensate Consultant pursuant to the terms of this agreement within 30 days of receipt of Consultant's final Invoice and Expenditure Report. Consultant shall submit Consultant's final Invoice and Expenditure Report, within 15 days of the effective date of termination. To the extent necessary to effectuate full compensation of Consultant, this provision shall survive the termination of this agreement.
- G. Consultant shall provide County with all records required to bill third-party payors, including documentation of billing to private insurance, required for the purposes of utilization review and as may be required by County for other purposes relevant to the provision of services under the terms of this agreement, within 90 days of the date of service.
- H. All approved services adjudicated through the Short-Doyle/Medi-Cal Program of the State of California Department of Health Care Services shall be settled pursuant to Section 34 of this agreement, at actual costs or published costs, whichever is less.
- I. Compensation under this agreement shall be reduced by applicable Consultant revenues. The term "applicable Consultant revenues" refers to those receipts or reductions in expenditures or costs which operate to offset or reduce expense or cost items that are allocable to Consultant's compensation under this agreement (such as but not limited to: purchase discounts, rebates or allowances, insurance refunds and adjustments or overpayment, or other erroneous charges). To the extent that applicable Consultant revenues, accruing or received by Consultant relate to allowable costs, they shall be credited to County either as a reduction, or a cash refund, as appropriate.
- J. Should County, or the state or federal government, disallow any amount claimed by Consultant, Consultant shall reimburse County, or the state or federal government, as directed by County, or the state or federal government, for such disallowed cost.

- K. Services denied for payment by Medi-Cal will be adjusted against future Consultant monthly statements.
- L. Consultant shall hold harmless the California Department of Health Care Services and Clients served under the terms of this agreement in the event the County cannot or does not pay for services provided by Consultant pursuant to this agreement.

Section 5. TERM OF AGREEMENT.

The term of this agreement shall be for begin July 1, 2018 and end June 30, 2020. Notwithstanding the foregoing, County shall not be obligated for payments hereunder for any future County fiscal year unless or until County's Board of Supervisors appropriates funds for this agreement in County's budget for that County fiscal year. In the event that funds are not appropriated for this agreement, then this agreement shall end as of June 30 of the last County fiscal year for which funds for this agreement were appropriated. For the purposes of this agreement, the County fiscal year commences on July 1 and ends on June 30 of the following year. County shall notify Consultant in writing of such non-appropriation at the earliest possible date.

Section 6. TERMINATION OF AGREEMENT.

- A. If Consultant materially fails to perform Consultant's responsibilities under this agreement to the satisfaction of County, or if Consultant fails to fulfill in a timely and professional manner Consultant's responsibilities under this agreement, or if Consultant violates any of the terms or provisions of this agreement, then County shall have the right to terminate this agreement for cause effective immediately upon the County giving written notice thereof to Consultant. If termination for cause is given by County to Consultant and it is later determined that Consultant was not in default or the default was excusable, then the notice of termination shall be deemed to have been given without cause pursuant to paragraph B of this section.
- B. Either party may terminate this agreement without cause on 60 days written notice to Consultant.
- C. County may terminate this agreement immediately upon oral notice should funding cease or be materially decreased during the term of this agreement.
- D. County's right to terminate this agreement may be exercised by the Shasta County Board of Supervisors, the Shasta County Executive Officer, the Director or any HHSA Branch Director designated by the Director.
- E. Should this agreement be terminated, Consultant shall promptly provide to County any and all finished and unfinished reports, data, studies, photographs, charts, and other documents prepared by Consultant pursuant to this agreement.
- F. If this agreement is terminated, Consultant shall only be paid for services satisfactorily completed and provided prior to the effective date of termination.

Section 7. REPORTING REQUIREMENTS

Consultant shall:

- A. Provide an expenditure report in the format as prescribed in **EXHIBIT C** (Expenditure Report) on the expenditures made based on Consultant's budget, herein attached and incorporated as **EXHIBIT D** (Budget) in providing youth mental health services pursuant to this agreement and reflecting Consultant's expenditures shall be submitted to and received by County within 30 days of the conclusion, termination or cancellation of this agreement. Should this agreement be terminated or cancelled prior to the end of the agreement, Consultant shall submit the Expenditure Report covering the period of time during which this agreement was in effect within 30 days of the termination or cancellation of this agreement. This provision shall survive the termination, expiration, or cancellation of this agreement.
- B. Provide, within 60 days of execution of this agreement, program objectives and goals.
- C. Provide by the 15th of each month following the month of services rendered the **MONTHLY PROGRESS REPORT** herein attached and incorporated as **EXHIBIT I**.
- D. Provide by July 15th and January 15th a narrative Semi-Annual Report including, but not limited to, all the following:
 - (1) CANS reporting outcomes;
 - (2) Staffing changes;
 - (3) Evaluation of services;
 - (4) Analysis of progress towards previously established goals and outcomes;
 - (5) Specialized training and/or curriculum development describing activities completed; and
 - (6) Analysis of identified issues and responses, developing issues, opportunities for improvement.
- E. Provide to County the Annual Quality Management (QM) Work Plan for compliance with the Quality Management requirements as set forth in the Shasta County Managed Care Mental Health Plan by July 15th for each preceding fiscal year.
- F. Financial Reporting
 - (1) Consultant shall provide financial information and/or records pertaining to Consultant's agency including, but not limited to: audited financial statement from audit prepared in accordance with Circular No. A-133 of the Office of Management and Budget of the Executive Office of the President of the United States (OMB) and performed by a qualified Certified Public Accountant (submitted annually to County within 30 days of Consultant's receipt of financial statement); IRS form 990 and all supporting schedules (submit to County within 30 days of filing); notice to County of any tax delinquency including but not limited to property, sales, income, and payroll taxes (submit to County within 10 days of receipt of notice or knowledge of delinquency). All financial information shall be submitted to Shasta County HHSA Business and Support Services, Attention: HHSA Fiscal Manager, P.O. Box 496005,

Redding, CA 96049-6005. Consultant shall provide additional financial information as requested by County within 30 days of receiving such request. Consultant shall fully cooperate with County in providing any financial information and/or records requested by County concerning this agreement. This Section shall survive the termination, expiration or cancellation of this agreement for the period of time necessary to submit all required financial reporting to County as prescribed herein.

Section 8. ENTIRE AGREEMENT; AMENDMENTS; HEADINGS; EXHIBITS/APPENDICES.

- A. This agreement supersedes all previous agreements relating to the subject of this agreement and constitutes the entire understanding of the Parties hereto. Consultant shall be entitled to no other benefits other than those specified herein. Consultant specifically acknowledges that in entering into and executing this agreement, Consultant relies solely upon the provisions contained in this agreement and no others.
- B. No changes, amendments, or alterations to this agreement shall be effective unless in writing and signed by both parties. In addition to the provision in Section 3.C., minor amendments, including retroactive, that do not result in a substantial or functional change to the original intent of this agreement and do not cause an increase to the maximum amount payable under this agreement may be agreed to by amendment between Consultant and Director, or any HHSA Branch Director designated by the Director, provided that the amendment is in substantially the same format as the County's standard format amendment contained in the Shasta County Contracts Manual (Administrative Policy 6-101).
- C. The headings that appear in this agreement are for reference purposes only and shall not affect the meaning or construction of this agreement.
- D. If any ambiguity, inconsistency, or conflict exists or arises between the provisions of this agreement and the provisions of any of this agreement's exhibits or appendices, the provisions of this agreement shall govern.
- E. Notwithstanding the provisions of Section 9.B. of this agreement, total line item budgeted costs in the Budget may vary up to a maximum of 10 percent between categories within each budget line item and 15 percent between Personnel/Position and Operating Expense budgets with prior approval through amendment by the Director or his/her designee, and provided the maximum amount of compensation per County fiscal year of this agreement is not exceeded.

Section 9. NONASSIGNMENT OF AGREEMENT; NON-WAIVER.

Inasmuch as this agreement is intended to secure the specialized services of Consultant, Consultant may not assign, transfer, delegate, or sublet any interest herein without the prior written consent of County. The waiver by County of any breach of any requirement of this agreement shall not be deemed to be a waiver of any other breach.

Section 10. EMPLOYMENT STATUS OF CONSULTANT.

Consultant shall, during the entire term of this agreement, be construed to be an independent contractor, and nothing in this agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, or to allow County to exercise discretion or control over the professional manner in which Consultant performs the work or services that are the

subject matter of this agreement; provided, however, that the work or services to be provided by Consultant shall be provided in a manner consistent with the professional standards applicable to such work or services. The sole interest of County is to ensure that the work or services shall be rendered and performed in a competent, efficient, and satisfactory manner. Consultant shall be fully responsible for payment of all taxes due to the State of California or the federal government that would be withheld from compensation if Consultant were a County employee. County shall not be liable for deductions for any amount for any purpose from Consultant's compensation. Consultant shall not be eligible for coverage under County's workers' compensation insurance plan nor shall Consultant be eligible for any other County benefit. Consultant must issue W-2 and 941 Forms for income and employment tax purposes, for all of Consultant's assigned personnel under the terms and conditions of this agreement.

Section 11. INDEMNIFICATION.

To the fullest extent permitted by law, Consultant shall indemnify and hold harmless County, its elected officials, officers, employees, agents, and volunteers against all claims, suits, actions, costs, expenses, (including, but not limited to, reasonable attorney's fees of County Counsel and counsel retained by County, expert fees, litigation costs, and investigation costs), damages, judgments, or decrees arising from the work or the provision of services undertaken pursuant to this agreement by Consultant, or by any of Consultant's subcontractors, any person employed under Consultant, or under any subcontractor, or in any capacity, except when the injury or loss is caused by the sole negligence or intentional wrongdoing of County. Consultant shall also, at Consultant's own expense, defend the County, its elected officials, officers, employees, agents, and volunteers, against any claim, suit, action or proceeding brought against County, its elected officials, officers, employees, agents, and volunteers, arising from the work or the provision of services undertaken pursuant to this agreement by Consultant, or any of Consultant's subcontractors, any person employed under Consultant, or under any Subcontractor, or in any capacity. Consultant shall also defend and indemnify County for any adverse determination made by the Internal Revenue Service or the State Franchise Tax Board and/or any other taxing or regulatory agency and shall defend, indemnify, and hold harmless County with respect to Consultant's "independent contractor" status that would establish a liability on County for failure to make social security deductions or contributions or income tax withholding payments, or any other legally mandated payment. The provisions of this paragraph are intended to be interpreted as broadly as permitted by applicable law. This provision shall survive the termination, expiration, or cancellation of this agreement.

Section 12. INSURANCE COVERAGE.

- A. Without limiting Consultant's duties of defense and indemnification, Consultant and any subcontractor shall obtain, from an insurance carrier authorized to transact business in the State of California, and maintain continuously during the term of this agreement Commercial General Liability Insurance, including coverage for owned and non-owned automobiles, and other coverage necessary to protect County and the public with limits of liability of not less than \$1 million per occurrence; such insurance shall be primary as to any other insurance maintained by County.
- B. Consultant and any subcontractor shall obtain and maintain continuously required Workers' Compensation and Employer's Liability Insurance to cover Consultant, subcontractor, Consultant's partner(s), subcontractor's partner(s), Consultant's employees, and subcontractor's(s') employees with an insurance carrier authorized to transact business in the State of California covering the full liability for compensation for injury to those employed by Consultant or subcontractor. Each such policy shall be endorsed to state that the Workers'

Compensation carrier waives its right of subrogation against *County, its elected officials, officers, employees, agents, and volunteers* which might arise in connection with this agreement. Consultant hereby certifies that Consultant is aware of the provisions of section 3700 of the Labor Code, which requires every employer to insure against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and Consultant shall comply with such provisions before commencing the performance of the work or the provision of services pursuant to this agreement.

- C. Consultant shall obtain and maintain continuously a policy of Errors and Omissions coverage with limits of liability of not less than \$1 million per occurrence, \$3 million in the aggregate.
- D. Consultant shall require subcontractors to furnish satisfactory proof to County that liability and workers' compensation and other required types of insurance have been obtained and are maintained similar to that required of Consultant pursuant to this agreement.
- E. With regard to all insurance coverage required by this agreement:
 - (1) Any deductible or self-insured retention exceeding \$25,000 for Consultant or subcontractor shall be disclosed to and be subject to approval by the County Risk Manager prior to the effective date of this agreement.
 - (2) If any insurance coverage required hereunder is provided on a "claims made" rather than "occurrence" form, Consultant or subcontractor shall maintain such insurance coverage with an effective date earlier or equal to the effective date of this agreement and continue coverage for a period of three years after the expiration of this agreement and any extensions thereof. In lieu of maintaining post-agreement expiration coverage as specified above, Consultant or subcontractor may satisfy this provision by purchasing tail coverage for the claims-made policy. Such tail coverage shall, at a minimum, provide the insurance coverage required hereunder for claims received and reported three years after the expiration date of this agreement.
 - (3) All insurance (except workers' compensation and professional liability) shall include an endorsement or an amendment to the policy of insurance which names *County, its elected officials, officers, employees, agents, and volunteers as additional insureds*. In the event that coverage is reduced or canceled, a notice of said reduction or cancellation shall be provided to County within 24 hours. Any available insurance proceeds in excess of the specified minimum limits and coverage pursuant to the terms of this agreement shall be applicable to the Additional Insured. The additional insureds coverage shall be equal to Insurance Service Office endorsement CG 20 10 for on-going operations, and CG 20 37 for completed operations.
 - (4) Each insurance policy (except for workers' compensation and professional liability policies), or an endorsement thereto, shall contain a "separation of insureds" clause which shall read:

"Separation of Insureds.

Except with respect to the Limits of Insurance, and any rights or duties specifically assigned in this Coverage Part to the first Named Insured, this insurance applies:

- a. As if each Named Insured were the only Named Insured; and
 - b. Separately to each suit insured against whom a claim is made or suit is brought.”
- (5) Consultant shall provide County with an endorsement or amendment to Consultant’s policy of insurance as evidence of insurance protection before the effective date of this agreement.
- (6) The insurance coverage required herein shall be in effect at all times during the term of this agreement. In the event any insurance coverage expires at any time during the term of this agreement, Consultant shall provide County, at least 20 days prior to said expiration date, a new endorsement or policy amendment evidencing insurance coverage as provided for herein for not less than the remainder of the term of this agreement or for a period of not less than one year. In the event Consultant fails to keep in effect at all times insurance coverage as herein provided and a renewal endorsement or policy amendment is not provided within 10 days of the expiration of the endorsement or policy amendment in effect at inception of this agreement, County may, in addition to any other remedies it may have, terminate this agreement upon the occurrence of such event.
- (7) If the endorsement or amendment does not reflect the limits of liability provided by the policy of insurance, Consultant shall provide County a certificate of insurance reflecting those limits.
- (8) Any of Consultant’s Excess Insurance shall contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of County.

Section 13. NOTICE OF CLAIM; APPLICABLE LAW; VENUE.

- A. If any claim for damages is filed with Consultant or if any lawsuit is instituted concerning Consultant’s performance under this agreement and that in any way, directly or indirectly, contingently or otherwise, affects or might reasonably affect County, Consultant shall give prompt and timely notice thereof to County. Notice shall be prompt and timely if given within 30 days following the date of receipt of a claim or 10 days following the date of service of process of a lawsuit. This provision shall survive the termination, expiration, or cancellation of this agreement.
- B. Any dispute between the Parties, and the interpretation of this agreement, shall be governed by the laws of the State of California. Any litigation shall be venued in Shasta County.

Section 14. COMPLIANCE WITH LAWS; NON-DISCRIMINATION.

- A. Consultant shall observe and comply with all applicable present and future federal laws, state laws, and local laws, codes, rules, regulations, and/or orders that relate to the work or services to be provided pursuant to this agreement.
- B. Consultant shall not discriminate in employment practices or in the delivery of services on the basis of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, medical condition (including cancer, HIV, and AIDS), physical or mental

disability, or use of family care leave under either the Family & Medical Leave Act or the California Family Rights Act, or in the basis of any other status or conduct protected by law.

- C. Consultant represents that Consultant is in compliance with and agrees that Consultant shall continue to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. section 12101, *et seq.*), the Fair Employment and Housing Act (Government Code sections 12900, *et seq.*), and regulations and guidelines issued pursuant thereto.
- D. Consultant shall comply with the Federal Rehabilitation Act of 1973, section 504.
- E. Consultant and Consultant's officers, employees, and agents shall comply with the policies of Shasta County adopted pursuant to the Deficit Reduction Act of 2005 §6032.
- F. For all services, Consultant shall comply with all applicable Medi-Cal Specialty Mental Health Services regulations; section 14680 of the Welfare and Institutions Code; and the California Code of Regulations, Title 9, Chapter 11.
- G. Consultant shall comply with all applicable provisions of Part 2 of Division 5 of the Welfare and Institutions Code, (commencing at section 5600 *et seq.*), Title 9 and Title 22 of the California Code of Regulations, the California Department of Health Care Services Cost Reporting/Data Collection Manual (CR/DC), and the prior State of California Department of Mental Health Policy Letters.
- H. Consultant shall comply with all applicable County, state and federal laws, ordinances, rules and regulations now in effect or hereafter enacted, pertaining to the provision of Medi-Cal Specialty Mental Health Services, each of which are hereby made a part hereof and incorporated herein by reference including, but not limited to, California Code of Regulations, title 9, section 1810.436, subd. (a)(1)-(5), which provides (in substance) that:
 - (1) Medi-Cal beneficiaries shall receive the same level of care as provided to all other patients served;
 - (2) Medi-Cal beneficiaries shall not be discriminated against in any manner;
 - (3) Consultant shall make all records, program compliance, and beneficiary complaints available for authorized review and fiscal audit whenever requested to do so by County, state, or federal authorities;
 - (4) Compensation paid pursuant to this agreement is considered to be payment in full; and
 - (5) Consultant shall adhere to Title XIX of the Social Security Act and conform to all other applicable federal and state statutes and regulations.
- I. Consultant shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act [42 U.S.C. 1857(h)], section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).

- J. Consultant shall comply with Section 1352 of Title 31, U.S.C. and no funds expended pursuant to this agreement shall be used to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered federal actions: the awarding of any federal contract or agreement, the making of any federal grant, the making of any federal loan, entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract or agreement, grant, loan, or cooperative agreement. All services rendered by Consultant pursuant to this agreement shall be in compliance with Section 1352 of Title 31, U.S.C., and in conjunction therewith shall executed the attached **EXHIBIT E, CERTIFICATION REGARDING LOBBYING**, attached hereto and incorporated herein.
- K. No funds or compensation received by Consultant under this agreement shall be used by Consultant for sectarian worship, instruction, or proselytization. No funds or compensation received by Consultant under this agreement shall be used to provide direct, immediate, or substantial support to any religious activity.
- L. In addition to any other provisions of this agreement, Consultant shall be solely responsible for any and all damages caused, and/or penalties levied, as the result of Consultant's noncompliance with the provisions of this section.

Section 15. ACCESS TO RECORDS; RECORDS RETENTION.

- A. County, federal, and state officials shall have access to any books, documents, papers, and records of Consultant that are directly pertinent to the subject matter of this agreement for the purpose of auditing or examining the activities of Consultant or County. Except where longer retention is required by federal or state law, Consultant shall maintain all records for ten years after County makes final payment hereunder. This provision shall survive the termination, expiration, or cancellation of this agreement.
- B. Consultant shall maintain appropriate records to insure a proper accounting of all funds and expenditures pertaining to the work performed or the services provided pursuant to this agreement. Consultant shall maintain records providing information that account for all funds and expenses related to the provision of services provided pursuant to this agreement. Access to these records shall be provided to County during working days, 8:00 a.m. to 5:00 p.m. and at other times upon reasonable notice by County, and upon request of state and federal agencies charged with the administration of programs related to the work or services to be provided pursuant to this agreement.
- C. Consultant agrees to accept responsibility for receiving, replying to, and/or complying with any audit exception by appropriate federal, state, or County audit directly related to the provisions of this agreement. Consultant agrees to repay County the full amount of payment received for duplicate billings, erroneous billings, audit exceptions, or false or deceptive claims. Consultant agrees that County may withhold any money due and recover through any appropriate method any money erroneously paid under this agreement if evidence exists of less than full compliance with this agreement including, but not limited to, exercising a right of set-off against any compensation payable to Consultant.
- D. The Director or any HHSA Branch Director designated by the Director shall have the right to oversee, monitor and specify the kind, quality, appropriateness, timeliness and amount of

the services and the criteria for determining the persons and Clients to be served within this agreement. Consultant agrees to extend to the Director, or any HHSA Branch Director designated by the Director, and to the State of California Department of Health Care Services, the United States Department of Health and Human Services, the Comptroller General of the United States and other authorized state and federal agencies or their duly authorized representatives, the right to review, monitor, and evaluate Consultant's programs, books, records or procedures at any reasonable time.

- E. Consultant shall be subject to the examination and audit of the Department or Auditor General for a period of three years after final payment under contract (Government Code §8546.7). Consultant agrees to maintain and present, until six years after termination of this Agreement and final payment from County to Consultant, to permit the California Department of Health Care services or any duly authorized representative to have access to, examine or audit any pertinent books, documents, papers and records related to this agreement and to allow interviews of any employees who might reasonable have information related to such records.

Section 16. COMPLIANCE WITH CHILD, FAMILY, AND SPOUSAL SUPPORT REPORTING OBLIGATIONS.

Consultant's failure to comply with state and federal child, family, and spousal support reporting requirements regarding Consultant's employees or failure to implement lawfully served wage and earnings assignment orders or notices of assignment relating to child, family, and spousal support obligations shall constitute a default under this agreement. Consultant's failure to cure such default within 90 days of notice by County shall be grounds for termination of this agreement.

Section 17. LICENSES AND PERMITS.

- A. Consultant and Consultant's officers, employees, and agents performing the work or services required by this agreement, shall possess and maintain all necessary licenses, permits, certificates, and credentials required by the laws of the United States, the State of California, the County of Shasta, and all other appropriate governmental agencies, including any certification and credentials required by County. Failure to maintain the licenses, permits, certificates, and credentials shall be deemed a breach of this agreement and constitutes grounds for the termination of this agreement by County.
- B. With respect to Consultant's Site(s), Consultant shall comply with all applicable County, state and federal licensing requirements and shall obtain all applicable licenses and display the same in a location on Consultant's Site(s) that is reasonably conspicuous. Failure to maintain the licensing requirements shall be deemed a breach of this agreement and may be, at County's sole discretion, grounds for the termination of this agreement pursuant to subsection A of Section 6 of this agreement.
- C. Consultant shall obtain a copy of the most recent Fire Marshall Clearance for each school based service delivery site(s) at the start of each school year and retain Fire Marshall Clearance for review as requested by County and/or the State of California Department of Health Care Services.

- D. Consultant shall immediately advise County of any investigation or adverse action taken against it, or against its officers, employees, and agents providing services pursuant to this agreement, by state or federal agencies and/or professional licensing organizations.

Section 18. PERFORMANCE STANDARDS.

Consultant shall perform the work or services required by this agreement in accordance with the industry and/or professional standards applicable to Consultant's work or services.

Section 19. CONFLICTS OF INTEREST.

Consultant and Consultant's officers and employees shall not have a financial interest, or acquire any financial interest, direct or indirect, in any business, property, or source of income that could be financially affected by or otherwise conflict in any manner or degree with the performance of the work or services required under this agreement.

Section 20. NOTICES.

- A. Except as provided in section 6.C. of this agreement (oral notice of termination due to insufficient funding), any notices required or permitted pursuant to the terms and provisions of this agreement shall be given to the appropriate Party at the address specified below or at such other address as the Party shall specify in writing. Such notice shall be deemed given: (1) upon personal delivery; or (2) if sent by first class mail, postage prepaid, two days after the date of mailing.

If to County: Branch Director
 Children's Services
 Attn: Contracts Unit
 1313 Yuba Street
 Redding, CA 96001
 Tel: (530) 225-5757
 Fax: (530) 225-5190

and for Clinical Contact:

Branch Director
Children's Services
1313 Yuba St.
Redding, CA 96001
Phone: (530) 225-5705
Fax: (530) 225-5190

If to Consultant: Executive Director
 Northern Valley Catholic Social Service
 2400 Washington Ave.
 Redding, Ca 96001
 Tel: (530) 241-0552
 Fax: (530) 241-6457

- B. Any oral notice authorized by this agreement shall be given to the persons specified in Section 20.A. and shall be deemed to be effective immediately.
- C. Unless otherwise stated in this agreement, any written or oral notices on behalf of the County as provided for in this agreement may be executed and/or exercised by the County Executive Officer.

Section 21. AGREEMENT PREPARATION.

It is agreed and understood by the Parties that this agreement has been arrived at through negotiation and that neither Party is to be deemed the Party which created any uncertainty in this agreement within the meaning of section 1654 of the Civil Code.

Section 22. COMPLIANCE WITH POLITICAL REFORM ACT.

Consultant shall comply with the California Political Reform Act (Government Code, sections 81000, *et seq.*), with all regulations adopted by the Fair Political Practices Commission pursuant thereto, and with the County's Conflict of Interest Code, with regard to any obligation on the part of Consultant to disclose financial interests and to recuse from influencing any County decision which may affect Consultant's financial interests. If required by the County's Conflict of Interest Code, Consultant shall comply with the ethics training requirements of Government Code sections 53234, *et seq.*

Section 23. PROPERTY TAXES.

Consultant represents and warrants that Consultant, on the date of execution of this agreement, (1) has paid all property taxes for which Consultant is obligated to pay, or (2) is current in payments due under any approved property tax payment arrangement. Consultant shall make timely payment of all property taxes at all times during the term of this agreement.

Section 24. SEVERABILITY.

If any portion of this agreement or application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction or if it is found in contravention of any federal or state statute or regulation or County ordinance, the remaining provisions of this agreement, or the application thereof, shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this agreement are severable.

Section 25. COUNTY'S RIGHT OF SETOFF.

To the fullest extent permitted by law, County shall have the right but not the obligation, to setoff, in whole or in part, against any compensation owed to Consultant or any of its subsidiaries under any contract with the County, any amount of any Federal or State audit liability owed by or claimed or asserted against the County or any amounts owed to County by Consultant or its subsidiaries.

Section 26. CONFIDENTIALITY.

During the term of this agreement, both parties may have access to information that is confidential or proprietary in nature. Both parties agree to preserve the confidentiality of and to not disclose any such information to any third party without the express written consent of the other Party or as

required by law. This provision shall survive the termination, expiration, or cancellation of this agreement.

Section 27. CONFIDENTIALITY OF PATIENT INFORMATION.

All information and records obtained in the course of providing services under this agreement shall be confidential, and Consultant and all of Consultant's employees, volunteers, agents, and officers shall comply with state and federal requirements regarding confidentiality of patient information (including, but not limited to, sections 827, 5328, 10850, and 14100.2 of the California Welfare and Institutions Code; Health and Safety sections 11845.5 and 11812, 22 California code of Regulations section 51009; California Civil Code section 56.10; the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the regulations adopted pursuant thereto; Title 42, Code of Federal Regulations, Part 2; and Title 45, Code of Federal Regulations, section 205.50). All applicable regulations and statutes relating to patients' rights shall be adhered to. No list of services of persons receiving services under this Agreement shall be published, disclosed, or used for any other purpose except for the direct administration of the program or other uses authorized by law that are not in conflict with requirements of confidentiality. This provision shall survive the termination, expiration, or cancellation of this agreement.

Section 28. CLINICAL RECORDS.

Consultant shall maintain adequate clinical treatment records. Clinical treatment records must comply with all applicable state and federal requirements. Individual Client clinical treatment records shall contain assessment information, treatment planning documents, and progress notes which reflect all Client contacts and/or all treatment decisions. Program and Client clinical treatment records shall contain detail adequate for the evaluation of the service. Consultant shall provide monthly reports to the Director in conformance with the Client and Service Information (CSI) System as directed by the County.

Section 29. FINANCIAL RECORDS.

Consultant shall maintain financial records that clearly reflect the cost of each type of service for which compensation under this agreement is claimed. Any apportionment of costs shall be made in accordance with generally accepted accounting principles and shall evidence proper audit trails reflecting the true cost of the services rendered. Appropriate service and financial records must be maintained and retained for six years following the close of the fiscal year to which the records pertain. This provision shall survive the termination, expiration, or cancellation of this agreement.

Section 30. AGREEMENT SUPERVISION.

- A. The Director, or his or her designee, shall be the County representative authorized and assigned to represent the interests of the County and to determine if the terms and conditions of this agreement are carried out.
- B. County shall monitor the kind, quality, and quantity of Consultant's services and criteria for determining the persons to be served and length of treatment for the persons receiving mental health services covered under the terms of this agreement.

Section 31. NOTICE OF RIGHTS.

Consultant shall give the persons provided services pursuant to this agreement notice of their rights in accordance with section 5325 of the Welfare and Institutions Code and California Code of Regulations, Title 9, section 862. In addition, in all of Consultant's Site(s), Consultant shall have prominently posted in the predominant languages of the community a notice of the rights delineated in section 5325 of the Welfare and Institutions Code and in California Code of Regulations, Title 9, section 862.

Section 32. FEDERAL HEALTHCARE COMPLIANCE PROGRAM.

- A. In entering into this agreement, Consultant acknowledges the County's Program for Compliance with Federal Healthcare Programs (Compliance Program) and agrees to comply, and to require its employees who are considered "Covered Individuals" to comply with all policies and procedures of the Compliance Program including, without limitation, County's code of conduct (Code of Conduct), attached and incorporated herein as **EXHIBIT F**. Should the aforementioned Code of Conduct be amended during the term of this agreement, Consultant shall comply with the Code of Conduct as amended and as provided to Consultant by County. "Covered Individuals" are defined as employees of the Consultant with responsibilities pertaining to the ordering, provision, documentation, coding, or billing of services payable by a Federal Healthcare program for which County seeks reimbursement from the Federal Healthcare programs.
- B. Consultant agrees to provide copies of the Code of Conduct to all Covered Individuals who are its employees and to obtain (subject to review by County and/or Office of Inspector General [OIG]) signed certifications from each individual certifying that they have received, read, and understand the Code of Conduct and agree to abide by the requirements of the Compliance Program. Consultant shall submit the signed certifications to County's Compliance Officer within 30 days after the effective date of this agreement for all current employees who are Covered Individuals and within 30 days after the start date of any newly-hired employees who are Covered Individuals.
- C. Consultant agrees that all of its employees who are Covered Individuals, both current and all newly-hired, will be required to attend annually the complete compliance training program provided by County, or Consultant's program with prior approval of County's Compliance Officer, as required by the County's Program for Compliance with Federal Healthcare Programs.
- D. Consultant shall not enter into an agreement with any provider who is, or at any time has been, excluded from participation in any federally funded healthcare program, including, without limitation, Medi-Care or Medi-Cal.
- E. Consultant attests that Consultant and all Consultant's employees and subcontractors are not excluded from Medi-Cal and Medicaid provider participation.
- F. Consultant shall verify monthly all of Consultant's employees and subcontractors are not excluded from Medi-Cal and Medicaid provider participation. Consultant shall maintain documentation of monthly verification on file and provide such documentation to County by the 15th of the following month, electronically in .pdf format or other electronic format preapproved by County to mceur@co.shasta.ca.us and CSContracts@co.shasta.ca.us.

Verification checking, at a minimum shall include Consultant's use of the following three websites:

- (1) Office of Inspection General
http://oig.hhs.gov/exclusions/exclusions_list.asp
- (2) Medi-Cal Suspended and Ineligible List
<https://files.medi-cal.ca.gov/pubsdoco/SandILanding.asp>
- (3) System for Award Management
<https://www.sam.gov/portal/SAM/#1>

Section 33. PERSONNEL.

- A. Consultant shall furnish such qualified professional personnel as prescribed in Title 9 of the California Code of Regulations, for the type of services prescribed in this agreement.
- B. Consultant shall provide clinical supervision to all treatment staff, licensed or unlicensed. Those staff seeking licensure shall receive supervision in accordance with the appropriate State Licensure Board.

Section 34. ANNUAL COST REPORT

- A. Consultant shall submit a separate, detailed Mental Health Provider Cost Report ("Cost Report") in the format prescribed by the State of California Department of Health Care Services and a complete financial statement ("Financial Statement") not later than 90 days after the end of this agreement. Consultant's Cost Report and Financial Statement shall be subject to audit by appropriate County, state, and federal audit agencies. Costs for Medi-Cal eligible services rendered by Consultant shall be settled in accordance with State of California Department of Health Care Services guidelines. The Cost Report shall calculate the cost per unit as the lowest of the actual costs or published charges. In the event the Cost Report settlement identifies an overpayment to Consultant, Consultant shall reimburse County the full overpayment amount. If Consultant fails to reimburse County within 60 days of receiving notice from County of the overpayment, County may withhold up to 20 percent of future monthly payments to Consultant under this agreement until the full overpayment has been recouped, or up to 100 percent of the final payment to Consultant under this agreement until the full overpayment has been recouped. If any amount of overpayment to Consultant remains unpaid upon the termination, expiration, or cancellation of this agreement, which has not been reimbursed to County either by monthly withholding or withholding from the final payment under this agreement, Consultant shall reimburse County within 60 days of the termination, expiration, or cancellation of this agreement. If, at the time of Cost Settlement, additional compensation is due Consultant by County, County shall compensate Consultant the per unit rate up to the contract maximum, pursuant to California Department of Health Care Services guidelines. This provision shall survive the termination, expiration or cancellation of this agreement.
- B. Consultant may use unaudited financial statements as the basis of cost information for completion of the Cost Report and Financial Statement. Consultant shall submit a copy of the unaudited financial statements with the completed Cost Report and Financial Statement. In addition, Consultant shall submit to County an independent audit report conducted by a

Certified Public Accountant in accordance with OMB Circular A133 within 276 days after the close of each County fiscal year during which this agreement is in effect. This provision shall survive the termination, expiration, or cancellation of this agreement.

- C. Compensation for services rendered subsequent to the Cost Report and Financial Statement due dates may be withheld from Consultant at the County's sole discretion until the Cost Report and Financial Statement have been received by County.

Section 35. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

The parties acknowledge the Health Insurance Portability and Accountability Act of 1996 and its implementing regulations (HIPAA). Consultant understands and agrees that, as a provider of medical treatment services, it is a "covered entity" under HIPAA and, as such, has obligations with respect to the confidentiality, privacy, and security of patients' medical information, and must take certain steps to preserve the confidentiality of this information, both internally and externally, including the training of staff and the establishment of proper procedures for the release of such information. The Parties acknowledge their separate and independent obligations with respect to HIPAA, and that such obligations relate to transactions and code sets, privacy, and security. Consultant understands and agrees that it is independently responsible for compliance with HIPAA and agrees to take all necessary and reasonable actions to comply with the requirements of HIPAA related to transactions and code sets, privacy, and security. Consultant agrees that, should it fail to comply with its obligations under HIPAA, it shall indemnify and hold harmless County (including County's officers, employees, and agents), for damages that are attributable to such failure. The indemnification provided for in this section is in addition to, and does not in any way limit, the hold harmless, indemnification, and defense obligations of Consultant that are provided for in Section 11.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, County and Consultant have executed this agreement on the dates set forth below. By their signatures below, each signatory represents that he/she has the authority to execute this agreement and to bind the Party on whose behalf his/her execution is made.

COUNTY OF SHASTA

Date: _____

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST
LAWRENCE G. LEES
Clerk of the Board of Supervisors


By: _____
Deputy

Approved as to form:

RISK MANAGEMENT APPROVAL

RUBIN E. CRUSE, JR.
County Counsel


By: Alan B. Cox
Deputy County Counsel


By: James Johnson
Risk Management Analyst

CONSULTANT

Date: 09/05/18



CATHLEEN WYATT,
Executive Director

Tax I.D.#: On File

SCOPE OF WORK

SERVICES
A. Consultant shall make available a minimum of 5 individual assessment appointment slots per week, to be scheduled by County staff only. New referrals, and their associated intake appointment scheduling, will be given preference over rescheduling of "no show" appointments. The Consultant shall ensure a Client will receive an assessment within 10 days of referral.
B. Gather Client information in the first three assessment contacts to complete a Diagnostic Assessment and Treatment Plan that meets Medi-Cal regulation requirements, to include ICD-10 diagnosis, or current diagnostic criteria set forth by the state within <u>45 days of the intake appointment</u> . This information shall address, at a minimum, but not be limited to: Client's risk factors, presenting symptoms, diagnosis and related functional impairments, Client and family strengths, along with goals and interventions to ameliorate symptoms and impairments. Additional assessment contacts in the initial 60 day authorization period require prior County approval. [Treatment plan submitted in 45 days.]
C. Begin clinical treatment (medication, family, individual) for the assessed condition within two weeks of completed comprehensive mental health assessment and TAR or during the 45-day comprehensive mental health assessment period.
D. Involve the Client, parents, guardians and/or caregivers who are authorized to participate in all assessment, treatment planning, ongoing therapy and decision-making regarding the Client's service and document in the Client's Treatment Plan and EHR.
E. On-going collateral therapy (with parent or other caregiver) is necessary for effective treatment for Clients under age 18, and must be frequent for those under age 14; therefore there will be an expected 50% collateral inclusion for Clients under age 14 and a 30% collateral inclusion for those between the ages of 14-18. Collateral therapy should focus on: <ul style="list-style-type: none"> a. Helping parent(s), guardian(s), and caregivers understand the process of mental health treatment and the nature of the Client's mental disorder. b. Parent/caregiver capacity to support/address Client's mental disorder including but not limited to: <ul style="list-style-type: none"> i. Parent, guardian, or caregiver and Client relationship issues; ii. Structure and stability of the home environment; iii. Parenting strategies for challenging behaviors.
F. Consultant shall provide referrals and/or facilitate linkage to community services for needs such as housing, food, clothing and transportation, as appropriate.
G. Implement required services including, but not limited to: The Positive Parenting Program (Triple P), Trauma Focused Cognitive Behavioral Therapy (TF-CBT), Case Management, Intensive Case Coordination (ICC), Intensive Home Based Services (IHBS), and Crisis Intervention.
H. Ensure interagency and organizational collaboration, including participation in meetings that address the mental health needs of children.
I. Attend, participate, and at times coordinate a Clinical Care Meeting or a Child and Family Team (CFT) meeting for Clients involved with Child Welfare and Probation. Consultant must come prepared with the following information: <ul style="list-style-type: none"> a. Reason for calling the Clinical Care Meeting or CFT b. Age of Client c. Who Client lives with/caregiver d. When did they begin treatment with the Consultant e. Treatment goals and progress toward or lack thereof

f. School performance/IEP status
g. Diagnosis and medication management
J. Provide Consultant staffing composition which may include professionals and paraprofessionals.

CRISIS

- A. In addition to the intake slots per week, Consultant shall give priority for services to Clients identified by County or Consultant as requiring immediate service (such as Clients discharging from an inpatient program, Clients identified high risk/need, or foster youth).
- B. Provide crisis support, including crisis assessment and intervention services to clients during normal business hours and after hours. Accompany Clients to the HHSA Children's Services Mental Health office or Emergency Rooms when Client is in crisis and is considered a danger to self or a danger to others.
- C. Consultant shall contact and coordinate with acute psychiatric hospitals, Juvenile Hall, emergency rooms or any other involved agency within twenty-four hours when the Consultant is notified the Client has been hospitalized, or temporarily removed from their usual residence.

MANAGED CARE

- A. Initial Authorizations for services pursuant to this agreement shall be authorized by County for up to 60 days.
- B. Use only those forms that have been pre-approved by County.
- C. Mental health services available shall include:
 - a. Assessment;
 - b. Plan development;
 - c. Psychotherapy including individual therapy;
 - d. Group therapy;
 - e. Collateral services;
 - f. Rehabilitation services;
 - g. Case management;
 - h. Crisis intervention services;
 - i. Intensive home based services (IHBS); and
 - j. Intensive case coordination (ICC).
- D. Obtain prior written authorization for all services provided beyond the 60 day authorization through the submission and approval of a Treatment Plan and authorization request for all mental health services from County. Services rendered by Consultant without prior authorization, unless otherwise specified from County shall not be reimbursed.
- E. Complete the Assessment and Treatment Plan and if needed, authorization request within 45 days of referral.
- F. Reauthorizations for ongoing services pursuant to this agreement may be authorized by County as follows:
 - a. Treatment Plans shall specify the type and frequency of interventions to be provided.
 - b. Requests for reauthorization of services will be evaluated for medical necessity including level of ongoing impairment, as well as evidence of progress in treatment or risk of impaired development due to a mental disorder.
- G. The first Treatment Plan and authorization request after the initial 60 day Initial Authorization shall be for a service period of up to one year from the date of the Initial Authorization, including the period of the Initial Authorization.

- H. Ongoing interventions that may be reauthorized by County include, but are not necessarily limited to:
- a. Continued collateral sessions only.
 - b. Individual therapy and collateral with at least one collateral session monthly.
 - c. Group with collateral contact at least one time monthly.
 - d. Other ongoing mental health services, including rehabilitation services or case management with collateral contacts.
 - e. Adolescent Clients may receive individual therapy as the primary intervention when caregiver(s) is/are not willing to participate in treatment after two documented attempts to outreach and engage parents/caregivers after assessment.
- I. Reassess Client at least once per year based on the date of Client's initial assessment and submit a copy of the annual assessment and Treatment Plan and authorization request for continued services to County when continued services beyond one year are clinically indicated. Continued services may be reauthorized up to one year subject to approval by County within 30 days before prior authorization expires.
- J. Inform County and submit assessment document to County, by fax, within 3 working days after assessment, when any Medi-Cal beneficiary is determined to be ineligible for services. County shall review the assessment document and, if applicable, issue a Notice of Adverse Benefit Determination (NOABD) to Client in accordance with the guidelines set forth in the County's Managed Care Mental Health Plan.
- K. Complete all Performance Outcome requirements in accordance with and as determined by the State of California Department of Health Care Services, and County. For purposes of this agreement Performance Outcomes include, but are not limited to, measures to determine Client progress and Consultant's productivity.
- L. Adhere to guidelines in accordance with policies and procedures issued by County, including but not limited to:
- a. Complete all chart documentation as defined by the policy and procedure information located at the County Provider website. The Provider website is updated and maintained by County and is available at: http://www.co.shasta.ca.us/index/hhsa_index/Mental_health_alcohol_and_drug/OrgProviders.aspx
 - b. Conduct a minimum of three internal chart audits each month and shall submit documentation of said audits to County by the 15th day of the following month. Consultant shall participate in additional internal Utilization Review activities as directed by County.
 - c. Comply with audit requests by County.
 - d. Complete and submit to County within 30 days of execution of this agreement, a Quality Management Annual Work Plan (QM Plan) including Annual Work Plan Goals and Annual Work Plan Goal report analyzing progress made on prior year's QM Plan as required by the State of California Department of Health Care Services and as set forth in the County's Managed Care Mental Health Plan.
 - e. Provide EPSDT notification to all Medi-Cal beneficiaries as required by the State of California Department of Health Care Services.
 - f. Determine who can legally give consent for Client treatment and obtain consent from that person as required by law.
 - g. Verbally notify Children's Branch Director within 4 hours regarding instances of significant harm.
- M. Provide a Treatment Authorization Request (TAR) within 45 days of intake appointment.

DISCHARGE PLANNING

- A. A written Discharge Summary shall accompany the episode closing paperwork to County's Managed Care. The Discharge Summary shall have the following elements:
- a. Reason for discharge.
 - b. Progress toward goals, or barriers to achieving completion of goals.
 - c. Referrals to other providers or community supports.

TRIPLE P

- A. Levels 3, 4, and 5 of the Triple P® Positive Parenting Program shall be provided to parents, family members, and caretakers of children/youth. Triple P® Positive Parenting Program services for Medi-Cal beneficiaries require prior authorization.
- B. Triple P Services will be provided in the home 80% of the time.
- C. Consultant shall sustain Triple P accredited staff and maintain all documentation and data tracking that is required to ensure fidelity to the evidence based practice.
- D. Staff providing Triple P® Services shall only provide Triple P® for levels they are certified to provide.
- E. Participate in the countywide evaluation of Triple P® and conduct surveys that correspond to the level of Triple P® that they are providing and that the County has deemed required for the countywide Triple P® evaluation herein attached and incorporated as **EXHIBIT G, REQUIRED TRIPLE P® EVALUATIONS**. Consultant shall enter all required surveys into the Shasta County Scoring Application and complete monthly documentation showing the number of services provided to each Client on a County provided form.
- F. Comply with applicable copyright laws regarding Triple P® Resource Materials. All resource materials shall be requested by Consultant using the Triple P® Resource Materials request form as provided by the County. In order to receive resource materials requested, Consultant must be current with their submission of data via the County metrics form and scoring application.
- G. Complete a Triple P® Quarterly Implementation Report and submit to the Agency Staff Services Analyst, 1313 Yuba Street, Redding, CA 96001. The **TRIPLE P® QUARTERLY IMPLEMENTATION REPORT** herein attached and incorporated as **EXHIBIT H** is due by the 10th of October, January, April and July each year of the agreement.

MEDICATION MANAGEMENT

- A. A referral for medication management services may be made at any time the Client presents risk to self or others, is at risk of disruption to school placement or at risk for out-of-home placement, or an assessment indicates that medication could assist in decreasing presenting symptoms. Parent/guardian/caregiver participation in medication management services is required. Consultant's primary therapist for the Client shall coordinate services with County medication management services.
- B. For Clients receiving medications through Children's Services, a Clinical Care meeting will be requested to discuss coordination and transition of Client out of therapy and medication treatment. If the Client prefers to receive only medication services, this information will be discussed in the Clinical Care meeting and a plan for the appropriate provision of medication management services will be determined.

FOSTER YOUTH

- A. Verbally notify the Child Welfare social worker, or probation officer and Mental Health Access within five working days of any of the following:
 - a. Client has terminated counseling with Consultant.
 - b. Client/family/foster family/relative caregiver has failed to respond to Consultant's efforts to schedule an appointment.
 - c. If Consultant deems a planned discharge is necessary, notification to County should be provided to the assigned social worker and probation officer before the Client is discharged.
- B. Attend, participate, and at times coordinate the Children and Family Team (CFT) meetings that occur throughout the life of the child welfare case.
 - a. Provide the Client's team information on treatment plan goals and progress made.
- C. Consultant shall provide testimony when subpoenaed to court and ordered to release information. In the event that Consultant is required by subpoena to testify in any matter arising out of or concerning this

agreement by any party, Consultant shall not be entitled to any compensation from County for time spent or expense incurred in giving or preparing for such testimony, including travel time.

CHILD AND ADOLESCENT NEEDS AND STRENGTHS (CANS) & Pediatric Symptom Checklist (PSC-35)

- A. Utilize the CANS and PSC-35 for assessment, treatment planning and evaluation of program. At a minimum, Consultant shall complete a CANS and PSC-35 during the initial assessment and TAR submission, at 6 months intervals, with the annual TAR submission, and prior to discharge. County shall provide the Consultant with the version/template of the CANS and PSC-35 the County uses as a minimum application.
- B. Routinely review individual Client and Consultant outcomes for quality improvement efforts in service delivery.
- C. Consultant may utilize a CANS version with additional questions beyond the County version, but it must contain, at minimum, the same questions as the County version. Consultant shall submit CANS and PSC-35 data into an identified County database for reporting purposes.
- D. Ensure staff are trained initially and annually in use of the CANS and PSC-35 tools.

TRAUMA FOCUSED COGNITIVE BEHAVIORAL THERAPY (TF-CBT)

- A. Utilize TF-CBT as the primary treatment modality for Clients diagnosed with Post Traumatic Stress Disorder and Anxiety Disorder not otherwise specified when the Client's symptoms appear related to the Client experiencing a traumatic event.
- B. Consultant shall sustain TF-CBT accredited staff and maintain all documentation and data tracking that is required to ensure fidelity to the evidence based practice.

RATES**I. Mental Health Services**

- A. Subject to the terms and conditions of this agreement, County shall pay Consultant at the following interim rates for pre-authorized services.

Service	Rate	
Mental Health Services	2.61	per minute
Rehabilitation	2.61	per minute
Case Management/Brokerage	1.75	per minute
Crisis Intervention	2.90	per minute

- B. Should the Consultant create a federal or state audit exception, during the course of the provision of services under this agreement, due to an error or errors of omission or commission, Consultant shall be responsible for the audit exception.
- C. Consultant shall provide County with current and active National Provider Identifier (NPI) numbers. Services provided without submission to County of current and active NPI's by Consultant shall be the responsibility of Consultant and shall not be reimbursed by or compensated for by County.

EXHIBIT C

EXPENDITURE REPORT

Northern Valley Catholic Social Services
2400 Washington Ave.
Redding, CA 96001

Check for final Report ☐

Date of Report

Term of Contract: 10/1/17 – 6/30/18

Period of Report

Budget Category (1)	Approved Budget (2)	This Period (3)	Previous Periods (4)	YTD (5)	Remaining Balance (6)
Personnel/Position					
Fringe Benefits					
Total Salary and Benefits					
Operating Expenses					
Office Expenses/Supplies					
Equipment					
Rents/Leases					
Utilities/Communications					
Travel					
(OTHER - Please Specify)					
Total Operating Expenses					
Other Expenses					
Fixed Assets					
(OTHER - Please Specify)					
Total Other Expenses					
Total Expenses					
Administrative Cost					
(Not to exceed 15%)					
Totals					

Invoice Total

\$-,---,--

Prepared by: (type name here)

Date

Telephone #

FOR COUNTY USE ONLY:

Cost Center

Account Code

Project Code

Activity Code

**NORTHERN VALLEY CATHOLIC SOCIAL SERVICE, INC.
BUDGET**

Shasta County Health & Human Services Agency
1810 Market Street
Redding, CA 96001

Northern Valley Catholic Social Service, Inc.
2400 Washington Ave.
Redding, CA 96001

Term of Contract: 7/01/2018 - 6/30/2020

Youth Organizational Provider Budgets

Budget Category	7/1/18 - 6/30/19	7/1/19 - 6/30/20	Total Budgeted Costs
Personnel/Position	FTE		
Regional Director	17.50% 14,149	14,149	28,298
Clinical Supervisor	80.00% 50,685	50,685	101,370
Maintenance Worker	5.00% 1,942	1,942	3,884
Officer Manager	100.00% 33,301	33,301	66,602
Front Desk	10.00% 3,139	3,139	6,278
Technician II	87.50% 32,360	32,360	64,720
Supervising Therapist	100.00% 59,155	59,155	118,310
Therapist I	360.00% 158,897	158,897	317,794
Therapist II	160.00% 80,192	80,192	160,384
Therapist III	125.00% 72,239	72,239	144,478
IT	15.00% 8,873	8,873	17,746
On Call Therapist	0.00% 5,200	5,200	10,400
Mental Health Rehab Specialists	100.00% 32,614	32,614	65,228
Fringe Benefits	219,637	219,637	439,274
Total Salary and Benefits	772,383	772,383	1,544,766
Operating Expenses			
Office Expenses/Supplies	7,467	7,467	14,934
Equipment			
Rents/Leases	48,000	48,000	96,000
Utilities/Communications	20,600	20,600	41,200
Travel	12,000	12,000	24,000
Rental	2,000	2,000	4,000
Insurance	30,000	30,000	60,000
Subscriptions	100	100	200
Fees and Licenses	17,750	17,750	35,500
Postage, Copies & Printing	5,450	5,450	10,900
Employment Cost and Fees	1,000	1,000	2,000
Training Conferences	10,000	10,000	20,000
Employee Meetings	325	325	650
Maintenance Labor and Supplies	10,554	10,554	21,108
Depreciation (Cerner)	5,500	5,500	11,000
Total Operating Expenses	170,746	170,746	341,492
Total Expenses	943,129	943,129	1,886,258
Administrative Cost <i>(Not to exceed 15%)</i>	141,469	141,469	282,938
Totals	1,084,598	1,084,598	2,169,196

FOR COUNTY USE ONLY:

Cost Center _____
Account Code _____
Project Code _____
Activity Code _____

Administrative overhead expenses in the Budget shall be calculated at an amount not to exceed 15 percent of direct expenses.

EXHIBIT E

**State of California
Department of Health Care Services**

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making, awarding or entering into of this Federal contract, Federal grant, or cooperative agreement, and the extension, continuation, renewal, amendment, or modification of this Federal contract, grant, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency of the United States Government, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities" in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontractors, subgrants, and contracts under grants and cooperative agreements) of \$100,000 or more, and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C., any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Name of Consultant

Printed Name of Person Signing for Consultant

2009-10-2018-01

Contract/Grant Number

Signature of Person Signing for Consultant

Date

Title

**SHASTA COUNTY HEALTH AND HUMAN SERVICES,
MENTAL HEALTH PLAN (MHP)
CODE OF CONDUCT**

Shasta County Health and Human Services (HHSA), maintains high ethical standards and is committed to complying with all applicable statutes, regulations, and guidelines. HHSA Consultants shall follow this Consultant Code of Conduct (Code of Conduct) as applicable to services performed under the Managed Care Plan agreement between Shasta County and the State Department of Health Care Services and this Agreement between the County of Shasta and HHSA Consultant.

1. PURPOSE

The purpose of the HHSA Code of Conduct is to ensure that all HHSA Consultants providing services under the Shasta County Managed Care Plan (the agreement between Shasta County and State of California Department of Health Care Services to provide specialty mental health services to eligible Shasta County Medi-Cal beneficiaries) and this Agreement between the County of Shasta and Consultant, are committed to conducting their activities ethically and in compliance with all applicable state and federal statutes, regulations, and guidelines applicable to Federal Health Care programs. This Code of Conduct also serves to demonstrate HHSA's dedication to providing quality care to its clients, and to submitting accurate claims for reimbursement to all payers.

2. CODE OF CONDUCT - GENERAL STATEMENT

- A. The Code of Conduct is intended to provide HHSA Consultants with general guidelines, to enable them to conduct the business of HHSA in an ethical and legal manner;
- B. Every HHSA Consultant is expected to uphold this Code of Conduct;
- C. Failure to comply with this Consultant Code of Conduct, or failure to report reasonably suspected issues of non-compliance, may result in the HHSA Consultant's termination of contracted status. In addition, such conduct may place the Consultant, the individuals employed under Consultant, or HHSA, at substantial risk in terms of its relationship with various payers. In extreme cases, there is also the risk of action by a governmental entity up to and including an investigation, criminal prosecution, and/or exclusion from participation in the Federal Health Care Programs.

3. CODE OF CONDUCT

All HHSA Consultants and employees, volunteers, and interns of Consultant shall:

- A. Perform their duties in good faith and to the best of their ability;

- B. Comply with all statutes, regulations, and guidelines applicable to Federal Health Care programs, and with this Code of Conduct;
- C. Refrain from any illegal conduct. When a Consultant is uncertain of the meaning or application of a statute, regulation, or policy, or the legality of a certain practice or activity, Consultant shall inform the HHSA Compliance officer or designee;
- D. Not obtain any improper personal benefit by virtue of their contractual relationship with HHSA.
- E. Notify the Compliance Officer or designee immediately upon the receipt, at any location, of any inquiry, subpoena, or other agency or government request for information regarding HHSA or the services provided under this agreement between HHSA and Consultant;
- F. Not destroy or alter HHSA information or documents in anticipation of, or in response to, a request for documents by any applicable government agency or from a court of competent jurisdiction;
- G. Not engage in any practice intended to unlawfully obtain favorable treatment or business from any entity, physician, patient, resident, vendor, or any other person or entity in a position to provide such treatment or business;
- H. Not accept any gift of more than nominal value or any hospitality or entertainment, which because of its source or value, might influence the Consultant's independent judgment in transactions involving HHSA or the services provided under this agreement between HHSA and Consultant;
- I. Disclose to the HHSA Compliance Officer or designee any financial interest, official position, ownership interest, or any other financial or business relationship that they (or a member of their immediate family, or persons in their employ) has with HHSA's employees, vendors or contractors;
- J. Not participate in any false billing of HHSA, client, other government entities, or any other party;
- K. Not participate in preparation or submission of any false cost report or other type of report submitted to the HHSA or any other government entity;
- L. Not pay, or arrange for Consultant to pay, any person or entity for the referral of HHSA client to Consultant, and shall not accept any payment or arrange for any other entity to accept any payment for referrals from Consultant;

- M. Not use confidential HHSA information for their own personal benefit or for the benefit of any other person or entity, while under contract to HHSA, or at any time thereafter;
- N. Not disclose confidential medical information pertaining to HHSA's clients without the express written consent of the client or pursuant to court order and in accordance with all applicable laws;
- O. Promptly report to the HHSA Compliance Officer or designee any and all violations or reasonably suspected violations of this Code of Conduct;
- P. Promptly report to the HHSA Compliance Officer or designee any and all violations or reasonably suspected violations of any statute, regulation, or guideline applicable to Federal Health Care programs;
- Q. Know they have the right to use HHSA's Confidential Disclosure Line without fear of retaliation with respect to disclosures; and with HHSA's commitment to maintain confidentiality, as appropriate; and
- R. Not engage in or tolerate retaliation against anyone who reports suspected wrongdoing.

4. SHASTA COUNTY COMPLIANCE OFFICER

The Shasta County HHSA Compliance Officer may be contacted at:

Compliance Officer

Shasta County Health and Human Services Agency, Business & Support Services

1810 Market Street, Redding, CA 96001

P. O. Box 496005, Redding, CA 96049-6005

(530) 245-6750

24/7 Confidential Disclosure Line: (530) 229-8050 or 1-866-229-8050

Email: mhcompofcr@co.shasta.ca.us

CODE OF CONDUCT CERTIFICATION PAGES FOLLOWS



Shasta County Health & Human Services Agency (HHSA)

**CODE OF CONDUCT
CERTIFICATION**

I, _____ by signing this Certification
(Print First and Last Name)

acknowledge that:

1. I am an employee of Northern Valley Catholic Social Service, a consultant of the County of Shasta, through its Health and Human Services Agency;
2. I have received a copy of the Code of Conduct;
3. I have read and understand the Code of Conduct; and
4. I agree to comply with the Code of Conduct.

Signed _____ Date _____

Consultant shall maintain all current signed Code of Conduct Certification forms on file and retain forms for a period of seven years after employee no longer works for Consultant, and provide to HHSA upon request, or submit depending upon agreement terms, this signed certification to HHSA Compliance Program staff at 1810 Market Street, Redding, CA 96001, or to P.O. Box 496005, Redding, CA 96049-6005.

Thank you.

Triple P® Required Evaluations**Shasta County Online Triple P® Scoring Application Required Data Fields**

Focus Child	Family Members/Caregivers
• What Organization/Agency is providing services for this child?	• Which best describes the household in which the child is presently living?
• Last four digits of child's SSN.	• Is intervention complete?
• Level providing.	• Relationship to child.
• Date intervention commenced.	• Caregiver's marital status.
• Date intervention ended.	• Add family members.
• Caregiver's zip code.	• Caregiver's primary language.
• Child's gender.	• Caregiver's race/ethnicity.
• Child's age today.	• What culture does Caregiver identify with?
• Child's date of birth.	• How did Caregiver hear about Triple P or who referred Caregiver?

Level 2 Seminar, Level 2 Seminar Teen:

- No surveys required

Level 3 Primary, Level 3 Primary Teen:

- Client Satisfaction Survey (Post Only)
- Strength and Difficulties Questionnaire (Pre/Post)

Level 4 Standard, Level 4 Group

- Client Satisfaction Survey (Post Only)
- Being a Parent (PSOC) (Pre/Post)
- Strengths and Difficulties Questionnaire (Pre/Post)
- Depression, Anxiety, Stress Scale – 42 Question Survey (Pre/Post)

Level 4 Standard Teen, Level 4 Group Teen

- Client Satisfaction Survey (Post Only)
- Parenting Scale – Adolescent (Pre/Post)
- Strength and Difficulties Questionnaire (Pre/Post)
- Depression, Anxiety, Stress Scale- 21 Question Survey (Pre/Post)

Level 4 Stepping Stones

- Client Satisfaction Survey (Post Only)
- Parenting Scale – Adolescent (Pre/Post)
- Being A Parent Survey (Pre/Post)
- Strength and Difficulties Questionnaire (Pre/Post)
- Depression, Anxiety, Stress Scale – 42 Question Survey (Pre/Post)

Level 5 Enhanced, Level 5 Pathways, Level 5 Family Transitions

- Client Satisfaction Survey (Post Only)
- Parenting Scale (Pre/Post)
- Strength and Difficulties Questionnaire (Pre/Post)
- Depression, Anxiety, Stress Scale – 42 Question Survey (Pre/Post) (21 Questions Survey for Family Transitions (Pre/Post))
- Acrimony Scale (Pre/Post) – Required for Level 5 Family Transitions Only

Triple P® Quarterly Implementation Report**Name of Organization:****Report Period:**

1. List the staff names, his/her Triple P® accredited levels, and whether or not they were active this quarter:

2. For Triple P® Level 4 Groups this reporting quarter please provide:

Start Date	Standard	Teen	End Date	# of Participants	# of Participants that Completed	# of Sessions
1.	<input type="checkbox"/>	<input type="checkbox"/>				
2.	<input type="checkbox"/>	<input type="checkbox"/>				
3.	<input type="checkbox"/>	<input type="checkbox"/>				
4.	<input type="checkbox"/>	<input type="checkbox"/>				
5.	<input type="checkbox"/>	<input type="checkbox"/>				
6.	<input type="checkbox"/>	<input type="checkbox"/>				

3. Briefly report on your marketing and outreach activities for this quarter:

4. Briefly describe some of the success and barriers your Organization has experienced in implementing Triple P® this quarter?

- Success:

- Barriers:

5. Do you have a waitlist? ☐ No ☐ Yes

- If yes, how many caregivers are waiting for each level?

___ Level 3 ___ Level 3 Teen ___ Level 4 ___ Level 4 Group ___ Level 4 Stepping Stones
 ___ Level 5 Enhanced ___ Level 5 Pathways ___ Level 5 Family Transitions

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**Shasta County Health & Human Services Agency – Children’s Services Branch
Youth Mental Health Services Agreement
Monthly Progress Report**

Monthly PROGRESS REPORT INSTRUCTIONS

One electronic copy of each monthly report is due to Shasta County HHSA Children’s Services Branch by the 15th of each month reporting on services rendered in the previous month.

1. Email electronic copies of monthly reports to: lsteale@co.shasta.ca.us; dshelton@co.shasta.ca.us; acondrey@co.shasta.ca.us; CSContracts@co.shasta.ca.us; mceur@co.shasta.ca.us

Provider Name: _____ **Month Covered by Report:** _____

Provider Number: _____ **NPI Number:** _____

Report Completed by: _____ **Phone:** _____

Email Address: _____ **Date of Report:** _____

1. **Achievement of Program Objectives: Please report the number of existing, new and discharged individuals served during the reporting month.**

	# Served	Target # to Serve	% Served
Children/Youth in program at beginning of month			
Children/Youth added to program during month			
Children/Youth discharged from program during month			

Number of children/youth who were admitted to psychiatric hospital. <i>Target = < 3%</i> Take # of children admitted and divide by number served to get %	# admitted	%
Number of children/youth who received crisis services. <i>Target = < 5%</i> Take # of children receiving crisis services and divide by number served to get %	# receiving	%
Number of children/youth arrested/detained. <i>Target = < 5%</i> Take # of children arrested/detained and divide by number served to get %	# arrested /detained	%
Number of children/youth moved to group home. <i>Target = < 5%</i> Take # of children moved to group home and divide by number served to get %	# moved	%
Number of discharged who had CANS improved from initial score of (2-3) to (0-1). Number of those improved divided by number discharged. <i>Target = 70%</i>	# discharged	%
a. Life Domain Functioning Number improved divided by number discharged.		%
b. Mental Health Behavioral Emotional Needs Number improved divided by number discharged.		%
c. Risk Behaviors Number improved divided by number discharged.		%
d. Educational Needs Number improved divided by number discharged.		%
Number of care providers receiving Triple P services in the home. <i>Target = 80%</i> Number of care providers receiving Triple P in the home divide by number of care providers receiving Triple P services.	# care providers	%
Number of Clients receiving collateral with family (Family Therapy). <i>Target = 75%</i> Number of Clients receiving collateral divide by number of Clients served.	# care providers	%
Number of Clients receiving services in their home. <i>Target = 60%</i> Number of Clients receiving services in their home divide by number of Clients served.	# care providers	%
Number of minutes billed to Medi-Cal this month.		
Amount of Unbilled Services this month.		

3. If achievement of any program objectives is below the expected target percentage, please provide explanation and plans for improving the rate of achievement in the next month:

4. Verification of compliance with Section 32.F. – sanction verification requirements:

By: _____

On: _____

5. Monthly Internal chart audit:

Chart Number/MH ID Number	Date of Audit	# of Discrepancies Identified	Auditor Name

6. Progress on completing the Additional Requirements this month (Check if complete).

(Use only those requirements listed on the EXHIBIT A)

- ☐ All staff working in program have passed the Sanction Checks.
- ☐ All staff working with Clients less than 18 years of age have received clearance from the Department of Justice (DOJ).
- ☐ All staff have been trained in and are adhering to the Code of Conduct.
- ☐ All staff have attended the mandatory staff trainings as required by Children's Services.
Number of mandatory trainings completed by staff this month. _____
- ☐ All documentation was brought to the Managed Care site on a weekly basis.
- ☐ Agency has submitted Financial Audit within the time limits as required by the Agreement.

Date Audit was submitted to Fiscal. _____

7. If any of the Additional Requirements have not been met, please provide explanation and a plan for meeting them:

8. Please describe any challenges or barriers encountered in program implementation and the steps that have been taken to resolve these issues.

9. Please provide any other information you would like us to have.

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Health and Human Services-8.

SUBJECT:

California Emergency Solutions and Housing Program application in the amount of \$857,130 to provide emergency housing program funds in the Continuum of Care Region.

DEPARTMENT: Housing and Community Action Programs

Supervisory District No. : ALL

DEPARTMENT CONTACT: Laura Burch, Director (530) 225-5160

STAFF REPORT APPROVED BY: Laura Burch, Director

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Adopt a resolution which: (1) Authorizes the Housing and Community Action Programs department to submit an application to the California Department of Housing and Community Development (HCD) for California Emergency Solutions and Housing Program (CESH) funds in an amount not to exceed \$857,130 for rental assistance, homeless prevention, street outreach services, and systems support activities for the period January 1, 2019 through December 31, 2023; (2) approves and authorizes the Director of Housing and Community Action Programs to sign and submit the application, and other application documents, including retroactive; (3) states funds will be expended in compliance with applicable state, federal, and other relevant statutes regarding the CESH program; and (4) approves and authorizes the Chairman or Vice Chairman to sign the grant agreement and subsequent amendments, and other documents related to the CESH award.

SUMMARY

Upon approval of the recommendation, a grant application will be submitted to the California Department of Housing and Community Development (HCD) requesting California Emergency Solutions and Housing Program (CESH) funding to receive \$857,130 for Rental Assistance, Homeless Prevention Program, Street Outreach services, and Systems Support of the Continuum of Care including, but not limited to, Coordinated Entry, Homeless Management Information System and homeless planning activities.

DISCUSSION

In 2016, Senate Bill 850 was enacted to provide a funding source for multiple housing programs. In 2018, Senate Bill 850 was amended to include additional homeless programs. The Building Homes and Jobs Act established a trust fund which was designed to be allocated by HCD to assist persons experiencing or at risk of homelessness. The Building Homes and Jobs Trust Fund allocation was designed to fund two homeless centers in California and the remainder was to be split between the California Emergency Solutions and Housing Program and the Housing for a Healthy California Program.

The California Department of Housing and Community Development announced the availability of \$53 million in funding in the

first of two rounds of application. The CESH Program is funded from a portion of the first and second quarters of revenue deposited in the Building Homes and Jobs Act Trust Fund (Fund) and approximately \$25 million in unallocated California Emergency Solutions Grant funds. A second application, which will include revenue from the third and fourth quarters of the Fund, will be released early in 2019. Any funds not allocated in the first round of funding, will be reallocated among all Continuum of Care (CoC) service area.

Through HCD’s formula process, our CoC Region which includes the counties of Del Norte, Lassen, Modoc, Plumas, Shasta, Sierra and Siskiyou, was allocated \$857,130. Through a small application process within the CoC service area, four requests were received. Rental assistance was requested in the amount of \$372,000, street outreach was requested in the amount of \$150,000, and the remainder was requested for System supports including Homeless Management Information System (HMIS) and Coordinated Entry System (CES) support. On August 22, 2018, the Continuum of Care Executive Board appointed Shasta County Department of Housing and Community Action Programs, through the Community Action Agency, to act as the Administrative Entity to apply for the CESH funds on behalf of the CoC Region.

The grant application is due to HCD on September 27, 2018. HCD intends to award funds in November 2018. This is not a competitive grant application process.

ALTERNATIVES

The Board of Supervisors could decline to approve the resolution. This alternative is not recommended as these funds could leverage future funds.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the resolution as to form. This recommendation has been reviewed by the County Administrative Office. This recommendation has been supported by the Continuum of Care Executive Board and the General Membership.

FINANCING

CESH is funding allocated by the California Department of Housing and Community Development. An allocation of a minimum of \$857,130 will be awarded upon a complete application to HCD.

Once the grant application is approved by HCD, a budget amendment will be requested. Grant revenue not expended during one fiscal year will roll forward to the next fiscal year. There is a no match requirement for this grant application. There is no additional General Fund impact associated with approval of the recommendation.

ATTACHMENTS:

Description	Upload Date	Description
Resolution	9/7/2018	Resolution
Application	9/8/2018	Application

RESOLUTION NO. 2018-____

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SHASTA COUNTY
AUTHORIZING SUBMISSION OF AN APPLICATION FOR, AND RECEIPT OF,
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
FUNDING UNDER THE CALIFORNIA EMERGENCY SOLUTIONS AND HOUSING
PROGRAM**

WHEREAS, the State of California, Department of Housing and Community Development (“HCD”) has issued a Notice of Funding Availability dated August 15, 2018 (“NOFA”), for its California Emergency Solutions and Housing Program (“CESH”); and

WHEREAS, the County of Shasta is eligible to apply as the Administrative Entity appointed by the Continuum of Care to administer CESH funds and desires to submit a project application for the CESH Program and will submit a 2018 Grant Application as described in the CESH NOFA released by the HCD for the CESH Program; and

WHEREAS, HCD may approve funding allocations for the CESH Program, subject to the terms and conditions of the NOFA, Program guidelines and requirements, and the Standard Agreement and other contracts between the Department and CESH grant recipients; and

WHEREAS, HCD is authorized to provide up to \$53 million in state funds for the CESH Program; and

WHEREAS, in response to the August 15, 2018 NOFA, the County of Shasta (“County”) wishes to apply to HCD for, and receive an allocation, of CESH funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Shasta that in response to the August 15, 2018 NOFA, the County shall submit an application to HCD to participate in the CESH Program and for an allocation of funds in the amount of \$857,130 for Rental Assistance, Homeless Prevention Program, Street Outreach services, and Systems Support for the period January 1, 2019 through December 31, 2023.

BE IT FUTHER RESOLVED that the County’s Director of the Department of Housing and Community Action Programs, Laura Burch, or her designee is authorized and directed to sign and submit the grant application and all other application documents, including retroactive, necessary to secure the grant.

BE IT FUTHER RESOLVED, that if the application is approved by HCD, funds will be expended in a manner consistent and in compliance with all applicable state, federal and other statutes, rules, regulations, guidelines and laws, including without limitation all rules and laws regarding the CESH Program.

BE IT FUTHER RESOLVED, that if the application is approved by HCD, funds will be expended in accordance with all CESH Program requirements, and other rules and laws, as well as in a manner consistent and in compliance with the standard agreement.

RESOLUTION NO. 2018-

Page 2 of 2

BE IT FUTHER RESOLVED that if the application is approved by HCD, the Chairman of Shasta County Board of Supervisors, or the Vice Chairman of the Shasta County Board of Supervisors, is hereby authorized to sign the standard agreement with the State of California for the purposes of the grant, and any subsequent amendments thereto, and any other documents related to the CESH Program or the CESH funds awarded to County, as HCD may deem appropriate.

DULY PASSED AND ADOPTED this 18th day of September, 2018, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

By: _____

Deputy

California Emergency Solutions and Housing (CESH) Program

2018 Application



**State of California
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development**

NOFA Section, CESH Program
2020 West El Camino Avenue, Suite 650, Sacramento, CA 95833
CESH Program Email: CESH@hcd.ca.gov

**Final Filing Date for November 2018 Award: 9/27/2018 at 5:00 p.m.
Final Filing Date: 10/15/2018 at 5:00 p.m.**

Overview - Applicant Information					Rev. 8/14/18
Instructions					
This application is subject to the California Emergency Solutions and Housing (CESH) program requirements of Health and Safety Code (HSC) Part 2 of Division 31 Chapter 2.8, commencing with §50490 and including §50490.1, 50490.2, 50490.3, 50490.4, and 50490.5, and the 2018 CESH Notice of Funding Availability (NOFA).					
A. Download and review the 2018 NOFA for the CESH Program and Section 4 of SB 850 (Chapter 48, Statutes of 2018)					
B. Application Submittal: Submit one original (hard copy) application with wet, original signatures in a 3-ring binder with pockets, and one CD or USB flash drive that includes a copy of the application with signatures with all files uploaded. Applicants are required to submit the Application Forms in this Excel Workbook as instructed on each form.					
C. Application forms for the CESH Program are available at http://www.hcd.ca.gov/grants-funding/active-funding/cesh.shtml					
D. All application forms from applicants that wish to receive an award by November 5, 2018 must be postmarked or received no later than 5 p.m. Pacific Standard Time (PST) on September 27, 2018 as set forth in the NOFA Section I(B).					
E. All other application forms must be postmarked or received no later than 5 p.m. PST on October 15, 2018 . Application forms not submitted by the deadline will result in a denial of funds to your CoC Service Area. AEs are responsible for ensuring that all required materials are submitted by the deadline as set forth in the NOFA Section I(B).					
General Application Requirements §50490.3					
File Name:	Administrative Entity (AE) Certification from CoC	Attach certification from the CoC documenting that the AE has been designated by the CoC to administer CESH funds per §50490(a)	Attached and uploaded?	Yes	
AE and Authorized Representative (Per Board Resolution)		Entity Name County of Shasta			
Applicant Type	Unit of general purpose local government.				
Address	1450 Court Street	City	Redding	State	CA
Zip	96001				
Auth Rep Name	Laura Burch	Title	Director	Authorized Rep. Email	lburch@co.shasta.ca.us
Phone	530-225-5182				
Federal Tax ID Number (FEIN)	94-600035	Data Universal Numbering System (DUNS)			
Address	1450 Court Street	City	Redding	State	CA
Zip	96001				
Administrative Fiscal Representative (i.e., CFO, Accountant/Bookkeeper)					
Name	Torri Cardilino	Title	Program Manager	Authorized Rep. Email	tcardilino@co.shasta.ca.us
Phone	530-245-6431				
Contact Name	Tonya Willock	Title	SSA I/II	Contact Email	twillock@co.shasta.ca.us
Contact Phone	530-245-6432				
Address	1450 Court Street, Suite 108	City	Redding	State	CA
Zip	96001				
Continuum of Care (CoC)					
CoC Service Area	Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties CoC				
CoC Name	NorCal CoC				
Address	1450 Court Street, Suite 108	City	Redding	State	CA
Zip	96001				
Rep Name	Torri Cardilino	Title	Program Manager	Authorized Rep. Email	tcardilino@co.shasta.ca.us
Phone	530-245-6431				
Contact Name		Title		Contact Email	
Contact Phone					
Address	1450 Court Street, Suite 108	City	Redding	State	CA
Zip	96001				
Application requests an allocation in order to carry out one or more eligible activity within the CoC service area §50490.3(a)(1)? (See Estimated Budget and Goals Worksheet)					
Applicant has prior experience administering the eligible activities described in the application or has partnered with one or more local governments or other entities with in the relevant CoC service area that have the necessary prior experience to administer the requested funds §50490.3(a)(2)(A&B)? (See Estimated Budget and Goals Worksheet)					
Does CoC service area have a functioning CES and HMIS that meet the applicable HUD requirements, as set forth in the NOFA Section II(e)(3) per §50490.3(a)(3)(A)?					
Yes					
File Name:	HUD Coordinated Entry Process Self-Assessment	Attach HUD Coordinated Entry Process Self-Assessment documenting that CES meets at a minimum the required aspects of coordinated entry	Attached and uploaded?	Yes	
If self-assessment is not attached, application documents that a minimum of 20 percent of the allocation to the CoC service area will be used to implement or update its systems to comply with the applicable HUD requirements §50490.3(a)(3)(B)? (See Estimated Budget and Goals Worksheet)					
No					
File Name:	Local Program or Project Selection Process Documentation	Attach documentation, if available, demonstrating that local program or project selection process anticipated to be used to allocate available funds to subrecipients qualified to carry out the eligible activities is consistent with §50490.3(a)(4)	Attached and uploaded?	Yes	
If local program or project selection process documentation not attached, describe how the local program or project selection process to allocate available funds to subrecipients is consistent with §50490.3(a)(4):					
§50490.3(a)(4) The application describes or provides documentation of the local program or project selection process anticipated to be used to allocate available funds to subrecipients qualified to carry out the eligible activities. In order to satisfy the requirements of this subdivision, the applicant's proposed program or project selection process shall avoid conflicts of interest in program or project selection and shall be easily accessible to the public.					
An internal RFF was released on August 21, 2018 to the general CoC memberships and partnering agencies. Requests were received back on September 5, 2018. A rating and ranking committee rated and ranked applications according to the number of people the agency proposed to serve and the type of assistance requested. All applications were funded in part or in whole depending on the dollars available.					
Current Plan Addressing Actions to be Taken with in the Continuum of Care Service Area §50490.3(b)?					
File Name:	Current Homelessness Plan	If yes, attach the most current plan addressing actions to be taken within the Continuum of Care	Attached and uploaded?	No	
If not, funding requested to develop a homelessness plan §50490.3(b)? (See Estimated Budget and Goals Worksheet)					
Other Documents					
File Name:	STD-204	Applicants that are not a government agency must submit a Payee Data Record (STD-204)	Attached and uploaded?	Yes	
File Name:	Government TIN Form	Applicants that are a government agency must submit a Government TIN Form	Attached and uploaded?	Yes	
File Name:	Resolution	Resolutions (Refer to Resolution Instructions and Sample Resolution on CESH Program website)	Attached and uploaded?	Yes	
Certifications					
On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.					
Laura Burch, Director					
Printed Name and Title of Signatory		Signature		Date	
Entity name:	County of Shasta	Phone Number:		530-225-5160	
Entity Address	1450 Court Street, Suite 108	City	Redding	State	CA
Zip	96001				

Estimated Budget and Goals §50490.3(a)(5)										CoC Service Area Allocation requested §50490.2:		\$857,130					
Activity #1	Rental assistance, housing relocation & stabilization services to ensure housing affordability to individuals experiencing homelessness or who are at risk of homelessness.									Projected administrative costs §50490.2(b):		\$42,856					
Activity #2	Operating subsidies in the form of 15-year capitalized operating reserves for new and existing affordable permanent housing units for homeless individuals and/or families.									Instructions: Complete the following chart by listing the anticipated estimated amounts to be used for the specific eligible activities the AE and/or local partner will carry out with the allocation requested above. Describe each activity and the experience the AE or local partner has administering it. Identify numerical goals and performance measures to be used to evaluate success in implementing each eligible activity. Certify that each activity will be administered consistent with Housing First as described in §II.G of the NOFA.							
Activity #3	Flexible housing subsidy funds for local programs that establish or support the provision of rental subsidies in permanent housing to assist homeless individuals & families.																
Activity #4	Operating support for emergency housing interventions including but not limited to: navigation centers, street outreach, and shelter diversion.																
Activity #5	Systems support for activities necessary to maintain a comprehensive homeless services and housing delivery system, including Coordinated Entry System (CES) data, and Homeless Management Information System (HMIS) reporting, and homelessness planning activities.																
Activity #6a	Develop or update a CES, if the CoC does not have a system in place that meets the applicable HUD requirements, as set forth in Section II.E.3.A of the NOFA.																
Activity #6b	Development of a plan addressing actions to be taken within the CoC service area if no such plan exists.																
Eligible Activities §50490.4(a)			Prior Experience §50490.3(a)(2)(A&B)				Projected Performance Measures §50490.3(a)(5)								Housing First §50490.4(d,e)		
Activity	Estimated amount for eligible activity	Activity as a % of Allocation amount requested	Describe Activity and prior AE experience administering Activity	If no relevant experience, describe activity and prior experience of local government or other entity in CoC service area that AE will partner with to administer activity		(A) Number of homeless persons served	(B1) Number of unsheltered homeless persons served	(B2) Average length of time spent as homeless before entry into program or project	(C) Number of homeless persons exiting the program or project into permanent housing	(D) Number of persons that return to homelessness after exiting the program or project	Other applicant identified performance measure #1	Numerical goal (#)	Other applicant identified performance measure #2	Numerical goal (#)	Other applicant identified performance measure #3	Numerical goal (#)	AE or subrecipient will administer activity consistent with Housing First NOFA §II.G?
Activity #1	\$372,000	43.4%	Rental Assistance - using ESG funds, HSP funds, HDAP funds, Section 8 Voucher Program and HOME funds. Rental assistance will allow for those who are homeless to have the ability to choose their location of the rental unit.			650	600	12 months	125	100	homeless persons		homeless persons	6	homeless persons	125	Yes
Activity #5	\$145,848	17.0%	A/E currently administers CoC HMIS/CES systems in house since 2009. All reporting, training, and contract management is overseen by CAA program manager			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Activity #4	\$125,000	14.6%	Using MDT'S established in each community, street outreach will occur to the areas of greatest need in the rural areas of each county to engage homeless persons who are not engaged in services.			285	285	60 months	140	145	homeless persons	285	homeless persons	140	homeless persons	140	Yes
Activity #6a	\$85,713	10.0%	The Continuum of Care has draft CES policies and procedures. After receiving T/A from ABT Associates, the guidelines need to be modified to be able to have policies and procedures that will be fluent across all 7 counties. The A/E may procure a subcontractor to finish the policies and procedures for submission and approval to HCD.			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Activity #6b	\$85,713	10.0%	The Continuum of Care is working on a draft homeless plan at this time. It is not yet complete. The A/E may procure a subcontractor to finish the plan for submission and approval to HCD.			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total:	\$857,130																

CoC Certification of AE Designation to Administer Funds

By signing below, the CoC Representative certifies
CoC to administer 2018 CESH funds.

Shasta County Department of Housing and Community Action Programs

is designated by the

Certification of AE Designation to Administer Funds

Melissa Janulewicz

Printed Name of CoC Authorized Representative

CoC Executive Board Chair

Title

CoC Authorized Representative Signature

9/7/2018

DATE

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Law and Justice-9.

SUBJECT:

Agreement, Salary Resolution, and Budget Amendment for Gateway SRO

DEPARTMENT: Probation

Supervisory District No. : ALL

DEPARTMENT CONTACT: Tracie Neal, Chief Probation Officer (530) 245-6200

STAFF REPORT APPROVED BY: Tracie Neal, Chief Probation Officer

Vote Required?	General Fund Impact?
4/5 Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions: (1) Approve and authorize the Chairman to sign a retroactive revenue agreement with Gateway Unified School District in an amount not to exceed \$112,000 to provide a School Resource Officer for the period August 10, 2018 through June 30, 2019; (2) adopt a salary resolution, effective September 30, 2018, amending the Shasta County Position Allocation List to add 1.0 Full Time Equivalent (FTE) Deputy Probation Officer III; and (3) approve a budget amendment increasing appropriations and revenue by \$112,000 in the Probation budget.

SUMMARY

N/A

DISCUSSION

Prevention and early intervention prevents the onset of delinquency behavior and supports the development of a youth's assets and resilience.

A Deputy Probation Officer III (DPO) will be assigned to the Gateway School District as a juvenile prevention and school resource officer. The DPO's role will be to provide prevention and early intervention services for youth involved in, and at risk of becoming involved in, the Juvenile Justice System, and for youth displaying truancy behaviors or status offenses. The DPO will provide mentoring, support and address truancy, conduct presentations on youth related issues, and coordinate services and evidenced based programs. Building relationships with the staff, students, school counselors, and parents will be a primary role of the DPO. This proactive approach is designed to engage the students with a pro-social adult who will foster relationships with the focus of on-going and early prevention of the above-mentioned behaviors. Engagement is one of the most difficult aspects of the probation system, yet research shows that building rapport with our population considerably reduces the risk of re-offense. The DPO will serve as the liaison between students and parents and social services agencies and community based organizations and connect families with services as needed. The DPO will work with parents and staff to create strategies that will increase parental involvement and support collaborative school efforts. The DPO will attend community events, school activities, outreach programs and conduct home visits as needed in order to provide prevention and

early intervention services.

The Shasta County Office of Education tracks several data measures on each school and district ranging from truancy, suspension, student homelessness to meeting or exceeding grade levels. For the school year 2015/16, Central Valley High School had a truancy rate of 77.32% which is significantly higher than the rate for Shasta County schools of 40.89% and the state rate of 34.05%. The Gateway School District is working to improve attendance rates and decrease truancy rates as one of its top priorities. Addressing and reducing truancy will also be a top priority for our DPO. Increasing school attendance and participation in education is an important aspect of raising well developed youth who have the pro-social and cognitive skills to become productive members of the community. The budget amendment will allow the Probation Department to accept funds from Gateway for the SRO.

This agreement is retroactive because the concept was recently conceived and both Probation and Gateway wanted the agreement effective for the new school year, however schedules of governing boards did not allow for earlier approval.

ALTERNATIVES

The Board could decide not to approve the recommendation or could request changes to the terms and conditions of the agreement.

OTHER AGENCY INVOLVEMENT

The County Administrative Office has reviewed the recommendation. County Counsel has approved the agreement as to form. Risk Management has reviewed and approved the agreement. Support Services has prepared the salary resolution. The budget amendment has been provided to the Auditor.

FINANCING

Once the budget amendment is approved, the Probation Department’s FY 2018-19 Adopted Budget will include sufficient expenditure authority for the Deputy Probation Officer position. Should Gateway express an interest in renewing the agreement, the Probation Department’s future budget will include sufficient expenditure requests. There is no additional General Fund impact associated with this recommendation.

ATTACHMENTS:

Description	Upload Date	Description
Gateway SRO 18-19	8/30/2018	Gateway SRO 18-19
Budget Amendment Memo	9/13/2018	Budget Amendment Memo
Salary Resolution DPO III	9/13/2018	Salary Resolution DPO III

**PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SHASTA AND
GATEWAY UNIFIED SCHOOL DISTRICT**

This agreement is entered into between the County of Shasta, through its Probation Department, a political subdivision of the State of California ("County") and Gateway Unified School District ("District") for the purpose of providing a School Resource Officer (collectively, the "Parties" and individually a "Party").

Section 1. RESPONSIBILITIES OF DISTRICT.

Pursuant to the terms and conditions of this agreement, District shall:

- A. Provide appropriate non-exclusive professional office space for the School Resource Officer (SRO) to work.
- B. Schedule work week for SRO. 85% of time shall be spent at Central Valley High School, 15% of time shall be at other schools as needed.
- C. Schedule home visits and after school activities with SRO as approved by County.
- D. District shall compensate County as prescribed in Sections 3 and 4 of this agreement.

Section 2. RESPONSIBILITIES OF COUNTY.

Pursuant to the terms and conditions of this agreement, County shall provide one SRO to District during the times and at the locations as specified in this agreement. The SRO shall:

- A. Work on regular school days, 7:30 a.m. to 4:30 p.m., Monday through Friday, excluding District holidays as listed on District's 2018-19 School Calendar, attached and incorporated herein as Attachment A, and excluding County holidays as listed on County's 2018 Holiday Schedule, attached and incorporated herein as Attachment B. County will provide County's 2019 Holiday Schedule to District once it becomes available.
 - (1) Monday through Thursday, the SRO shall be in probation polo and uniform trousers.
 - (2) Fridays, the SRO shall have the option to wear Central Valley High School gear, provided by District, to be returned at the end of assignment. If SRO does not elect to wear Central Valley High School gear, the SRO shall be in probation polo and uniform trousers.
- B. Attend community events, school activities, outreach programs, and home visits outside of normal working hours as scheduled by District and approved by County.
- C. Provide class instruction as identified by District and approved by County.

- D. Participate on the Safety Committee.
- E. Provide general supervision during passing periods, breaks, and lunch.
- F. Assist school administration with parents/guardians.
- G. Provide home visits for youth who are struggling with truancy issues.
- H. Build relationships with staff, students, and parents.
- I. SRO will be a liaison between students and parents and social services agencies and connect families with services as needed.
- J. Have a working relationship with Shasta Lake Unit of the Shasta County Sheriff's Office.

Section 3. COMPENSATION.

- A. District shall pay to County a maximum of \$112,000 for all reasonable and necessary costs in accordance with applicable Circulars of the Office of Management and Budget ("OMB") of the Executive Office of the President of the United States, for satisfactorily providing services pursuant to this agreement. In no event shall the maximum amount payable under this agreement exceed \$112,000.
- B. County's violation or breach of agreement terms may result in fiscal penalties, withholding of compensation, or termination of agreement.

Section 4. TERM OF AGREEMENT.

This agreement shall commence as of August 10, 2018 and shall end June 30, 2019.

Section 5. TERMINATION OF AGREEMENT.

- A. Either Party may terminate this agreement without cause on 30 days written notice to the other Party.
- B. Either Party may terminate this agreement immediately upon oral notice should funding cease or be materially decreased during the term of this agreement.
- C. County's right to terminate this agreement may be exercised by the County Executive Officer or the Chief Probation Officer. District's right to terminate this agreement may be exercised by District's Superintendent.
- D. Should this agreement be terminated, District shall compensate County for services satisfactorily completed and provided prior to the effective date of termination.

Section 6. ENTIRE AGREEMENT; AMENDMENTS; HEADINGS; EXHIBITS/APPENDICES.

- A. This agreement supersedes all previous agreements relating to the subject of this agreement and constitutes the entire understanding of the Parties hereto. County shall be entitled to no other benefits other than those specified herein. County specifically acknowledges that in entering into and executing this agreement, County relies solely upon the provisions contained in this agreement and no others.
- B. No changes, amendments, or alterations to this agreement shall be effective unless in writing and signed by both Parties. However, minor amendments, including retroactive, that do not result in a substantial or functional change to the original intent of this agreement and do not cause an increase to the maximum amount payable under this agreement may be agreed to in writing between District and the Chief Probation Officer, provided that the amendment is in substantially the same format as the County's standard format amendment contained in the Shasta County Contracts Manual (Administrative Policy 6-101).
- C. The headings that appear in this agreement are for reference purposes only and shall not affect the meaning or construction of this agreement.
- D. If any ambiguity, inconsistency, or conflict exists or arises between the provisions of this agreement and the provisions of any of this agreement's exhibits or appendices, the provisions of this agreement shall govern.

Section 7. NONASSIGNMENT OF AGREEMENT; NON-WAIVER.

Inasmuch as this agreement is intended to secure the specialized services of County, County may not assign, transfer, delegate, or sublet any interest herein without the prior written consent of District. The waiver by District of any breach of any requirement of this agreement shall not be deemed to be a waiver of any other breach.

Section 8. EMPLOYMENT STATUS OF COUNTY.

It is expressly understood and agreed that nothing in this agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, or to allow District to exercise discretion or control over the professional manner in which County performs the work or services that are the subject matter of this agreement; provided, however, that the work or services to be provided by County shall be provided in a manner consistent with the professional standards applicable to such work or services.

Section 9. INDEMNIFICATION.

- A. Each party shall defend, indemnify, and hold the other party, its officials, officers, employees, agents, and volunteers, harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damage arising out of the performance of this agreement, but only in proportion to and to the extent such liability, loss, expense (including reasonable attorneys' fees), or

claims for injury or damage are caused by or result from the negligent or intentional acts or omissions of the indemnifying party, its officials, officers, employees, agents, or volunteers.

- B. On termination or expiration of this agreement, the Parties shall continue to indemnify, defend, and hold harmless each other, as prescribed in this agreement, for all acts or omissions occurring prior to the effective date of the termination or expiration of this agreement.

Section 10. INSURANCE COVERAGE.

County and District shall each secure and maintain, in full force and effect during the full term of this Agreement, liability insurance or participation in a self-insurance program in amounts of not less than three million dollars (\$3,000,000) in the aggregate. Insurance policies shall be written by carriers reasonably satisfactory to each party. On request, a certificate evidencing the insurance requirements of this section shall be provided.

Section 11. NOTICE OF CLAIM; APPLICABLE LAW; VENUE.

- A. If any claim for damages is filed with either Party or if any lawsuit is instituted concerning either Party's performance under this agreement and that in any way, directly or indirectly, contingently or otherwise, affects or might reasonably affect the other Party, each Party shall give prompt and timely notice thereof to the other Party. Notice shall be prompt and timely if given within 30 days following the date of receipt of a claim or 10 days following the date of service of process of a lawsuit. This provision shall survive the termination, expiration, or cancellation of this agreement.
- B. Any dispute between the Parties, and the interpretation of this agreement, shall be governed by the laws of the State of California. Any litigation shall be venued in Shasta County.

Section 12. COMPLIANCE WITH LAWS; NON-DISCRIMINATION.

- A. Each Party shall observe and comply with all applicable present and future federal laws, state laws, and local laws, codes, rules regulations, and/or orders that relate to the work or services to be provided pursuant to this agreement.
- B. Neither Party shall not discriminate in employment practices or in the delivery of services on the basis of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, medical condition (including cancer, HIV, and AIDS) physical or mental disability, use of family care leave under either the Family & Medical Leave Act or the California Family Rights Act, or on the basis of any other status or conduct protected by law.
- C. Each Party represents that they are in compliance with and agrees that they shall continue to comply with the Americans with Disabilities Act of 1990 (42 U.S.C.

sections 12101, *et seq.*), the Fair Employment and Housing Act (Government Code sections 12900, *et seq.*), and regulations and guidelines issued pursuant thereto.

- D. No funds or compensation received by County under this agreement shall be used by County for sectarian worship, instruction, or proselytization. No funds or compensation received by County under this agreement shall be used to provide direct, immediate, or substantial support to any religious activity.
- E. In addition to any other provisions of this agreement, each Party shall be solely responsible for any and all damages caused, and/or penalties levied, as the result of their Party's noncompliance with the provisions of this Section.

Section 13. ACCESS TO RECORDS; RECORDS RETENTION.

- A. County, federal, and state officials shall have access to any books, documents, papers, and records of District that are directly pertinent to the subject matter of this agreement for the purpose of auditing or examining the activities of District or County. Except where longer retention is required by federal or state law, District shall maintain all records for five years after County receives final payment hereunder. This provision shall survive the termination, expiration, or cancellation of this agreement.
- B. District shall maintain appropriate records to insure a proper accounting of all funds and expenditures pertaining to the work performed or the services provided pursuant to this agreement. District shall maintain records providing information that account for all funds and expenses related to the provision of services provided pursuant to this agreement. Access to these records shall be provided to County during working days, 8:00 a.m. to 5:00 p.m. and at other times upon reasonable notice by County, and upon request of state and federal agencies charged with the administration of programs related to the work or services to be provided pursuant to this agreement.

Section 14. COMPLIANCE WITH CHILD, FAMILY, AND SPOUSAL SUPPORT REPORTING OBLIGATIONS.

District's failure to comply with state and federal child, family, and spousal support reporting requirements regarding District's employees or failure to implement lawfully served wage and earnings assignment orders or notices of assignment relating to child, family, and spousal support obligations shall constitute a default under this agreement. District's failure to cure such default within 90 days of notice by County shall be grounds for termination of this agreement.

Section 15. LICENSES AND PERMITS.

District, and District's officers, employees, and agents performing the work or services required by this agreement, shall possess and maintain all necessary licenses, permits, certificates, and credentials required by the laws of the United States, the State of California, the County of Shasta, and all other appropriate governmental agencies,

including any certification and credentials required by County. Failure to maintain the licenses, permits, certificates, and credentials shall be deemed a breach of this agreement and constitutes grounds for the termination of this agreement by County.

Section 16. PERFORMANCE STANDARDS.

County shall perform the work or services required by this agreement in accordance with the industry and/or professional standards applicable to County's work or services.

Section 17. CONFLICTS OF INTEREST.

Each Party and Party's officers and employees shall not have a financial interest, or acquire any financial interest, direct or indirect, in any business, property, or source of income that could be financially affected by or otherwise conflict in any manner or degree with the performance of the work or services required under this agreement.

Section 18. NOTICES.

- A. Except as provided in Section 5.B. of this agreement (oral notice of termination due to insufficient funding), any notices required or permitted pursuant to the terms and provisions of this agreement shall be given to the appropriate Party at the address specified below or at such other address as the Party shall specify in writing. Such notice shall be deemed given: (1) upon personal delivery; or (2) if sent by first class mail, postage prepaid, two days after the date of mailing.

If to County: Chief Probation Officer
Shasta County Probation Department
2684 Radio Lane
Redding, CA 96001
Phone: 530-245-6200
Fax: 530-245-6001

If to District: Superintendent
Gateway Unified School District
4411 Mountain Lakes Boulevard
Redding, CA 96003
Phone: 530-245-7900
Fax: (530) 245-7920

- B. Any oral notice authorized by this agreement shall be given to the persons specified in Section 18.A. and shall be deemed to be effective immediately.
- C. Unless otherwise stated in this agreement, any written or oral notices on behalf of the County as provided for in this agreement may be executed and/or exercised by the County Executive Officer.

Section 19. AGREEMENT PREPARATION.

It is agreed and understood by the Parties that this agreement has been arrived at through negotiation and that neither Party is to be deemed the Party which created any uncertainty in this agreement within the meaning of section 1654 of the Civil Code.

Section 20. COMPLIANCE WITH POLITICAL REFORM ACT.

District shall comply with the California Political Reform Act (Government Code, sections 81000, *et seq.*), with all regulations adopted by the Fair Political Practices Commission pursuant thereto, and with the County's Conflict of Interest Code, with regard to any obligation on the part of District to disclose financial interests and to recuse from influencing any County decision which may affect District's financial interests. If required by the County's Conflict of Interest Code, District shall comply with the ethics training requirements of Government Code sections 53234, *et seq.*

Section 21. PROPERTY TAXES.

District represents and warrants that District, on the date of execution of this agreement, (1) has paid all property taxes for which District is obligated to pay, or (2) is current in payments due under any approved property tax payment arrangement. District shall make timely payment of all property taxes at all times during the term of this agreement.

Section 22. SEVERABILITY.

If any portion of this agreement or application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction or if it is found in contravention of any federal or state statute or regulation or County ordinance, the remaining provisions of this agreement, or the application thereof, shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this agreement are severable.

Section 23. CONFIDENTIALITY.

During the term of this agreement, both Parties may have access to information that is confidential or proprietary in nature. Both Parties agree to preserve the confidentiality of and to not disclose any such information to any third party without the express written consent of the other Party or as required by law. This provision shall survive the termination, expiration, or cancellation of this agreement.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, County and District have executed this agreement on the dates set forth below. By their signatures below, each signatory represents that he/she has the authority to execute this agreement and to bind the Party on whose behalf his/her execution is made.

COUNTY OF SHASTA

Date: _____

Les Baugh, CHAIRMAN
Board of Supervisors
County of Shasta
State of California


ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

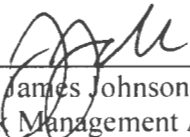
By: _____
Deputy

Approved as to form:

RUBIN E. CRUSE, JR
County Counsel

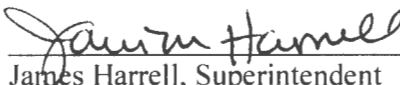

By: David M. Yorton, Jr. Date
Senior Deputy County Counsel

RISK MANAGEMENT APPROVAL

 08/17/18
By: James Johnson Date
Risk Management Analyst III

DISTRICT

Date: 8-8-18


James Harrell, Superintendent
Gateway Unified School District



GATEWAY UNIFIED SCHOOL DISTRICT 2018-2019 SCHOOL CALENDAR

JULY 2018				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

AUGUST 2018 13/180				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20 *	21	22	23	24
27 *	28	29	30	31

SEPTEMBER 2018 32/180				
M	T	W	T	F
3	4	5	6	7
10 *	11	12	13	14
17 *	18	19	20	21
24 *	25 *	26 *	27 *	28 *

OCTOBER 2018 55/180				
M	T	W	T	F
1 *	2	3	4	5
8 *	9	10	11	12
15 *	16	17	18	19
22 *	23	24	25	26
29 *	30	31		

NOVEMBER 2018 71/180				
M	T	W	T	F
			1	2
5 *	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26 *	27	28	29	30

DECEMBER 2018 85/180				
M	T	W	T	F
3 *	4	5	6	7
10 *	11	12	13	14
17 *	18	19	20	21
24 *	25 *	26 *	27	28
31				

JANUARY 2019 102/180				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14 *	15	16	17	18
21	22	23	24	25
28 *	29	30	31	

FEBRUARY 2019 117/180				
M	T	W	T	F
				1
4 *	5	6	7	8
11 *	12	13	14	15
18	19	20	21	22
25 *	26	27	28	

MARCH 2019 138/180				
M	T	W	T	F
				1
4 *	5	6	7	8
11 *	12	13	14	15
18 *	19	20	21	22
25 *	26	27	28	29

APRIL 2019 155/180				
M	T	W	T	F
1 *	2	3	4	5
8 *	9	10	11	12
15	16	17	18	19
22 *	23	24	25	26
29 *	30			

MAY 2019 177/180				
M	T	W	T	F
		1	2	3
6 *	7	8	9	10
13 *	14	15	16	17
20 *	21	22	23	24
27	28	29	30	31

JUNE 2019 180				
M	T	W	T	F
3 *	4	5 *	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

DATES TO REMEMBER:

August 10	Professional Development Day or Work Day
August 13	Professional Development Day or Work Day
August 14	All Staff Work Day or Prof. Development Day
August 15	First Day of School (No Minimum Day)
Sept. 24-28	Parent/Teacher Conferences (Minimum Day *)
Jan. 7	Professional Development Day

DATES TO REMEMBER:

Nov. 19 - 23	Thanksgiving Recess (No School)
Dec. 21 - Jan. 7	Winter Recess (No School)
Feb. 18 - 22	President's Week Recess (No School)
April 15 - 19	Spring Recess (No School)
June 6	Last Day of School (Minimum Day *)
180	Student Attendance Days

* 37 Minimum Days: Mondays, Parent Conferences & Last Day of School

HOLIDAYS

09/04	Independence Day
09/05	Labor Day
11/12	Veterans Day (11/11) Observed
11/22	In Lieu of CA Admissions Day (9/9)
11/21 - 23	Thanksgiving (11/22)
12/24	Christmas Eve
12/25	Christmas Day
12/26	Negotiated Holiday
01/01	New Year's Day
01/21	Martin Luther King, Jr. Day
02/18	Washington's Birthday (2/22) Observed
02/19	Lincoln's Birthday (2/12) Observed
04/19	Easter (4/21) Observed
05/27	Memorial Day

SESSIONS: MLHS	SEMESTERS: CVHS
Session 1 ends: 09/28/18	First Semester
Session 2 ends: 11/09/18	1st quarter ends: 10/12/18
Session 3 ends: 01/11/19	2nd quarter ends: 12/20/18
Session 4 ends: 03/01/19	Second Semester
Session 5 ends: 04/12/19	3rd quarter ends: 03/15/19
Session 6 ends: 06/05/19	4th quarter ends: 06/05/19
TRIMESTERS: (BSA, GOES, SLS)	180 Instructional Days
1st trimester ends: 11/09/18	Revised: May 30, 2018
2nd trimester ends: 03/01/19	
3rd trimester ends: 06/05/19	



**MEMORANDUM
DEPARTMENT OF SUPPORT SERVICES**

Angela Davis, Director of Support Services
(530) 225-5515 Voice
(530) 225-5345 Fax

PO-055

To: All Shasta County Employees
From: Angela Davis, Director of Support Services
Date: August 3, 2017
Subject: 2018 Holiday Schedule

Pursuant to Section 11.1 of the Shasta County Personnel Rules, the following is a list of the 2018 holidays for County employees. Please note, if an authorized holiday falls on a Saturday, the immediately preceding Friday will be observed as the paid holiday. If an authorized holiday falls on a Sunday, the following Monday will be observed as the paid holiday.

<u>Holiday</u>	<u>Date of Observance</u>
January 1 (New Year's Day)	Monday, January 1, 2018
The 3rd Monday in January (Martin Luther King, Jr. Day)	Monday, January 15, 2018
February 12th (Lincoln's Birthday)	Monday, February 12, 2018
The 3rd Monday in February (Presidents' Day)	Monday, February 19, 2018
The last Monday in May (Memorial Day)	Monday, May 28, 2018
July 4th (Independence Day)	Wednesday, July 4, 2018
The 1st Monday in September (Labor Day)	Monday, September 3, 2018
November 11th (Veterans' Day)	Monday, November 12, 2018
The 4th Thursday in November (Thanksgiving Day)	Thursday, November 22, 2018
Day Following Thanksgiving	Friday, November 23, 2018
December 24th (Christmas Eve)	Monday, December 24, 2018
December 25th (Christmas Day)	Tuesday, December 25, 2018

AD: ae

**SHASTA COUNTY PROBATION DEPARTMENT**

2684 Radio Lane
 Redding, CA 96001
 (530) 245-6200 FAX: (530) 245-6001

Tracie Neal
 Chief Probation Officer

To: Brian Muir, Auditor-Controller
 From: Tracie Neal, Chief Probation Officer *Tracie Neal*
 Date: September 12, 2018
 Subject: Budget Amendment

Please prepare a FY 2018-19 budget amendment for Probation (Cost Center 26303) to add appropriations for Salaries and Benefits in the amount of \$112,00 and increase revenues in the amount of \$112,000. This budget amendment is going to the Board of Supervisors for consideration on September 18, 2018.

Fund/BU	Account	Description	Budget Reads	Budget Should Read	Appropriation Inc/(Decr)
Expenditures					
00195/26303	011000	Regular Salaries	631,574	693,896	62,322
00195/26303	017502	Overtime Pay	4,000	5,493	1,493
00195/26303	018100	Employer Share FICA	12,120	13,024	904
00195/26303	018201	Employer Share Retirement	291,932	322,078	30,146
00195/26303	018300	Employer Share Health Insur	177,490	191,972	14,482
00195/26303	018307	Employer Shr Other Post Emp Ben	18,947	20,817	1,870
00195/26303	018400	Employer Shr Unemployment Ins	985	1,082	97
00195/26303	018500	Workers Comp Exposure	5,339	5,863	524
00195/26303	033102	Insur XP Liability Exposure	1,652	1,814	162
Revenues					
00195/26303	692320	Reimb Probation Officer School	0	112,000	112,000
				Total	0

SAFER COMMUNITIES
 BETTER LIVES

INTEGRITY • PROFESSIONALISM • ACCOUNTABILITY • BELIEF IN CHANGE

SALARY RESOLUTION NO.**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA
AMENDING THE SHASTA COUNTY POSITION ALLOCATION LIST**

BE IT RESOLVED that effective September 30, 2018, the following amendments are made to the Shasta County Position Allocation List for positions in County service:

PROBATION – Cost Center 263

<u>Footnotes</u>	<u>Classification Title</u>	<u>No. of Positions</u>	<u>FTE</u>	<u>Unique Position Number</u>	<u>Schedule</u>	<u>Range</u>	<u>Approx. Monthly A Step</u>	<u>Equiv. Salary F Step</u>
<u>ADD</u>								
40	Deputy Probation Officer III	1	1.0		PPOA	468	3958	5051

DULY PASSED AND ADOPTED this 18th day of September 2018, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Public Works-10.

SUBJECT:

Junction School ATP – Notice of Completion

DEPARTMENT: Public Works

Supervisory District No. : 3

DEPARTMENT CONTACT: Pat Minturn, Public Works Director, (530) 225-5661

STAFF REPORT APPROVED BY: Pat Minturn, Public Works Director

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Approve and authorize the Public Works Director to sign a Notice of Completion for the “Junction School ATP Project,” Contract No. 702985, and record it within 15 days of actual completion.

SUMMARY

Junction School ATP improvements will soon be completed.

DISCUSSION

On June 26, 2018, California Highway Construction Group, Inc., was awarded the contract for construction on the Junction School ATP Project. The project included pedestrian and bicycling improvements. Work will be completed by the end of September.

ALTERNATIVES

The Board may decline to authorize the filing of a Notice of Completion. The lien period would extend for 90 days instead of 30 days. Final payment to the contractor would be delayed by 60 days.

OTHER AGENCY INVOLVEMENT

The County Administrative Office has reviewed this recommendation.

FINANCING

The total cost of this project, including engineering and contingencies, is estimated to be \$600,000. Adequate funds have been included in the Adopted FY 2018/19 Road Fund budget. There is no General Fund impact.

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Public Works-11.

SUBJECT:

CSA No. 2-Sugarloaf Water Emergency Grant

DEPARTMENT: Public Works

County Service Area No. 2-Sugarloaf Water

Supervisory District No. : 4

DEPARTMENT CONTACT: Pat Minturn, Public Works Director, (530) 225-5661

STAFF REPORT APPROVED BY: Pat Minturn, Public Works Director

Vote Required?	General Fund Impact?
4/5 Vote	No General Fund Impact

RECOMMENDATION

Take the following actions on behalf of County Service Area (CSA) No. 2-Sugarloaf Water: (1) Adopt a resolution which: (a) accepts emergency grant funding in the amount of \$68,000 from the State Water Resources Control Board to haul water to CSA No. 2-Sugarloaf Water; and (b) designates the Public Works Director, or his/her designee, as the “Authorized Representative” to comply with the grant provisions and complete related documents; and (2) approve a budget amendment increasing appropriations and revenue by \$68,000 in the CSA No. 2-Sugarloaf Water Admin budget for the grant.

SUMMARY

Accept a \$68,000 grant to fund emergency water hauling in CSA No. 2-Sugarloaf Water.

DISCUSSION

County Service Area No. 2-Sugarloaf Water (CSA) provides water service to 62 connections near Lakehead. The CSA draws water from a well and a spring. These supplies typically wane in late summer to about 15 gallons per minute. Demand tapers off after Labor Day and winter rains replenish supplies.

The spring has traditionally met winter demand with the well held in reserve due to water quality concerns. Last year, the well was upgraded to meet current water quality standards and was pressed into continuous service. Current combined yield is about nine gallons per minute which is insufficient to meet demand. On September 11, 2018, the Board ratified an emergency water shortage proclamation in the CSA.

The State Water Resources Control Board has issued a letter agreeing to provide grant funding of \$68,000 for emergency water hauling of approximately 9,000 gallons per day. A resolution is recommended to accept the emergency funding and designate an authorized representative to comply with grant provisions and complete related documents.

ALTERNATIVES

The Board may decline to accept emergency funding at this time. Existing supply is insufficient to meet basic demand.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the resolution as to form. The recommendation has been reviewed by the County Administrative Office.

FINANCING

The CSA No. 2 Sugarloaf Water Administration fund is currently in a negative cash position. A rate increase went into effect July 1, 2018. Wellhead improvements and waterline breaks have significantly increased operational costs. The water hauling project may entail up to \$68,000 in grant funded work. Potential General Fund impact is unknown at this time.

ATTACHMENTS:

Description	Upload Date	Description
Emergency Grant Resolution	9/11/2018	Emergency Grant Resolution
Budget Amendment Memo	9/10/2018	Budget Amendment Memo
State Approval Letter	9/10/2018	State Approval Letter
Project Director Certification	9/10/2018	Project Director Certification

RESOLUTION NO. 2018-

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SHASTA
ACCEPTING EMERGENCY GRANT FUNDING AND AUTHORIZING
THE PUBLIC WORKS DIRECTOR TO BE THE GRANTEE'S REPRESENTATIVE –
RESPONSIBLE TO COMPLY WITH GRANT PROVISIONS AND COMPLETE
REQUIRED GRANT DOCUMENTS FOR
COUNTY SERVICE AREA NO. 2-SUGARLOAF WATER**

WHEREAS, County Service Area No. 2-Sugarloaf Water is not producing enough water to meet needs of residents; and

WHEREAS, on September 4, 2018, the Director of Emergency Services of the County of Shasta proclaimed the existence of a local emergency within County Service Area No 2-Sugarloaf Water due to the water shortage; and

WHEREAS, on September 11, 2018, the Board of Supervisors ratified the proclamation of a “local emergency” by the Director of Emergency Services and proclaimed and ordered that said local emergency be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors; and

WHEREAS, it is expected this emergency will continue until significant, measurable rainfall occurs and provides adequate water to the area or a second well is installed and tested; and

WHEREAS, the Board of Supervisors found that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency and requested the Governor Proclaim a State of Emergency throughout Shasta County; and

WHEREAS, the State Water Resources Control Board has issued a letter agreeing to provide \$68,000 in emergency grant funding for water hauling to County Service Area No. 2-Sugarloaf Water (the Project); and

WHEREAS, the Board of Supervisors of the County of Shasta needs to accept the emergency funding and authorize an agent, or representative, to complete necessary paperwork to comply with grant provisions, and requests for reimbursement on behalf of the County of Shasta, and to carry out other necessary Project-related activities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta hereby accepts the emergency funding in the amount of \$68,000 for County Service Area No. 2-Sugarloaf Water from the State Water Resources Control Board.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Shasta authorizes the Department of Public Works to carry out the Project with the State Water Resources Control Board, and accept and expend State funds for the Project.

Resolution No. 2018-
September 18, 2018
Page 2

BE IT FURTHER RESOLVED that the Public Works Director, or his or her designee, is hereby designated as the “Authorized Representative” and is responsible to comply with grant provisions and to provide required Project documentation, including progress reports, authorizing and signing invoices, requests for reimbursement of Project costs, and related supporting back-up documentation.

DULY PASSED AND ADOPTED this 18th day of September, 2018, by the Shasta County Board of Supervisors by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

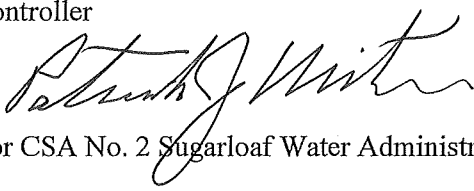
By _____
Deputy

**COUNTY
OF
SHASTA**

DEPARTMENT OF PUBLIC WORKS

Pat Minturn, Director

MEMORANDUM

DATE September 10, 2018 FAF 020004
TO Brian Muir, Auditor-Controller
FROM Pat Minturn, Director 
SUBJECT Budget Amendments for CSA No. 2 Sugarloaf Water Administration

A budget amendment is requested in the CSA No. 2 Sugarloaf Water Administration Budget Unit 00375. The purpose of this budget amendment is to increase appropriations and revenue by \$68,000 for the CSA No. 2 Sugarloaf Water emergency water hauling.

After preparing the budget transfer document, would you please forward it to the CAO's office for approval. It is our intention to present this to the Board of Supervisors for approval on September 18, 2018. Thank you for your assistance in this matter.

PJM/kdc

Attachment

email: Ayla Tucker, CAO Administrative Analyst

County of Shasta

Budget Amendment**CSA #2 Sugarloaf Water Admin**

DEPARTMENT NAME

APPROPRIATIONS

INCREASE <DECREASE>

COST CENTER	ACCOUNT	ACCOUNT DESCRIPTION	BUDGET READS	BUDGET SHOULD READ	AMOUNT OF TRANSFER (+/-)
00375	034800	PROF & SPECIAL SERVICES	1,000	69,000	68,000
					-
					-
					-
TOTAL					68,000

REVENUE

INCREASE <DECREASE>

COST CENTER	ACCOUNT	ACCOUNT DESCRIPTION	BUDGET READS	BUDGET SHOULD READ	AMOUNT OF TRANSFER (+/-)
00375	549780	STATE CLEAN WATER GRANT	0	68,000	68,000
					-
					-
					-
TOTAL					68,000

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

SEP 07 2018

Patrick Minturn
County of Shasta
1855 Placer Street
Redding, CA 96001

RE: APPROVAL OF FUNDING FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA)
TO COUNTY OF SHASTA FOR COUNTY SERVICE AREA #2 (CSA #2) – SUGARLOAF
HAULED WATER PROJECT [CAA 413] (PROJECT)

Dear Mr. Minturn,

The request from the County of Shasta (Grantee) for CAA funds to address a drinking water emergency through an emergency oral agreement has been approved in the amount of \$68,000. This funding will provide hauled water for the residences in the Sugarloaf community in the County of Shasta.

By accepting these CAA funds, the Grantee agrees to comply with the provisions of the enclosed State Water Board General Conditions, and the following special conditions:

- The Grantee must implement stringent water conservation measures for the duration of the Project.
- The Grantee must prohibit its users from using hauled water for any purpose other than basic human needs. Uses of hauled water for needs such as agriculture, raising livestock, and outside watering are prohibited.

The term of this Project is from August 22, 2018 through October 31, 2018. Only Project related costs that occur within this term can be reimbursed. If the Grantee or the Project are determined ineligible after the date of approval, the Grantee shall be required to repay the grant funds to the State Water Board.

Line Item Budget:	
Administration	\$0
Hauled Water Delivery	\$68,000
Total	\$68,000

The following documents are also enclosed for your use and need to be submitted to Anna Petrosyan before any disbursements can be processed:

- *Project Director Certification Form (PD Cert)*. This form authorizes the Project Director and any other designees to sign invoices and progress reports, and must be signed by the Grantee's authorized representative.

SEP 07 2018

- *Payee Data Record Form (STD 204)*. This form is used for verification of the Grantee's tax identification number.
- *CAA Grant Invoice Template*. This template must be completed and submitted with each invoice in addition to all related supporting back-up documentation.

If you have any questions, please contact Anna Petrosyan, Program Analyst at (916)319-9068 or at anna.petrosyan@waterboards.ca.gov.

Sincerely,



Lisa Labrado, Staff Services Manager I
DIVISION OF FINANCIAL ASSISTANCE



Mark Fong, Grant Manager
DIVISION OF FINANCIAL ASSISTANCE

Enclosures

cc: Meghan Tosney, Division of Financial Assistance
Kim Hanagan, Division of Financial Assistance
Mark Fong, Division of Drinking Water

State Water Resources Control Board

Division of Financial Assistance

Project Director Certification

Grantee: County of Shasta

Project Name: County Service Area #2 (CSA #2) – Sugarloaf Hauled Water

Project Director (PD): Eric Wedemeyer

PD Phone No.: (530) 225-5181 Email Address: ewedeyemer@co.shasta.ca.us

Project No.: CAA 413 Grant Agreement No.: Oral Project

Program: 358 ☐ CAA ☒ 319(h) ☐ 385 ☐ SB826 ☐ DWFS ☐

☒ As the assigned Project Director for this Project, I understand the Program requirements and responsibilities of the Project Director, and

(Check one of the boxes below)

☒ I am a paid employee of the Grantee and not acting as a subcontractor on the Project

-or-

☐ The Grantee has no paid employees. I have been designated by the Grantee's Board or governing body to be the Project Director, and am acting solely in that capacity. (A Resolution for the designation must accompany this document)

Invoice/Grant Progress Report Signature Authorization (The designee(s) must be employed by the Grantee.)

- ☒ I will review and sign invoices authorizing reimbursement for this Project and/or Grant Progress Reports that accompany invoices.
- ☒ The following individual(s) are also authorized to sign invoices/Grant Progress Reports for this Project:

Designee's Name: Ken Cristobal, Deputy Public Works Director – Admin

Designee's Signature: _____

Secretary of State Verification (Excludes county, city, and state agencies.)

- ☐ I certify the Grantee has an active status with the California Secretary of State.
- Entity Number _____
- ☐ N/A.

Please sign, date, and return to the Program Analyst.

Project Director Signature

Date

Authorized Representative Signature

Title

Date

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Consent - Other Departments-12.

SUBJECT:

Approve a budget amendment and award the purchase of Self Contained Breathing Apparatus equipment.

DEPARTMENT: County Service Area No. 1-County Fire

Supervisory District No. : All

DEPARTMENT CONTACT: Julia Hayen, Staff Services Analyst, 530-225-2516

STAFF REPORT APPROVED BY: Mike Hebrard, Fire Warden

Vote Required?	General Fund Impact?
4/5 Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions regarding the purchase of Self Contained Breathing Apparatus (SCBA) equipment: (1) Approve a budget amendment increasing appropriations by \$170,263 offset with use of fund balance; and (2) approve the award and authorize the purchase of new SCBA equipment to All Star Fire Equipment, Inc., under the California Department of General Services (DGS) contract in the amount of \$567,484.12.

SUMMARY

Shasta County Fire Department is planning to spend approximately \$1,100,000 in new SCBA equipment over the course of Fiscal Years 2018 and 2019. Recent changes to fire industry guidelines published by the National Fire Protection Association have necessitated a complete replacement of SCBA equipment. Shasta County Fire Department (SCFD) has anticipated this change and reduced new purchasing and maintenance over the last few years. The funds for these purchases will come primarily from fund balance and deferred vehicle purchasing, and cost savings from deferred purchasing and maintenance.

DISCUSSION

The National Fire Protection Association (NFPA) is a global non-profit organization that creates and updates safety standards and codes for usage and adoption by government agencies. NFPA codes for use and maintenance of fire safety equipment are considered the fire industry standard, and they are referenced by the California Division of Occupational Safety and Health, as well as federal Occupational Safety and Health Administration safety regulations.

The newest 2018 edition of NFPA 1981 Standard on Open-Circuit Self-Contained Breathing Apparatus for Emergency Services meets or exceeds OSHA requirements, and is considered the industry standard for SCBA. By purchasing new equipment that meets this standard, the equipment is expected to have a functional life of 20 years while still meeting these standards.

SCFD would like to use the All Star Fire Equipment, Inc. contract through DGS for the purchase of Scott brand SCBA to allow for interoperability with other fire agencies in Shasta County that will also be converting to the Scott brand SCBA. This interoperability will provide greater safety by allowing exchange of air tanks between personnel from different agencies. Using one brand and model will also allow for consistency of training and maintenance between SCFD, CAL FIRE and other agency personnel using the Scott brand SCBA.

SCFD requests the Board award the purchase of 102 SCBA and 83 additional air cylinders to All Star Fire Equipment, Inc. for Fiscal Year 2018/2019. All Star Fire Equipment successfully competed in a statewide DGS competitive procurement, and was awarded the statewide contract for SCBA meeting the needed specifications. This DGS contract is available for use by local government agencies.

SCFD has known for several years that updates were pending for NFPA 1981 standards, which would necessitate major overhaul or replacement of the current SCBA equipment. To that end, SCFD has deferred replacement of any equipment and conducted only required maintenance to create carryover funds for the anticipated replacement of SCBA equipment.

SCFD requests a budget amendment to increase appropriations in the amount of \$170,263, offset with use of fund balance to re-budget Fiscal Year 2017/2018 appropriations to Fiscal Year 2018/2019. Appropriations to purchase SCBA equipment were approved as part of the Fiscal Year 2018/2019 budget. However, delivery of SCBA equipment ordered in Fiscal Year 2017/2018 took longer than anticipated, and supplemental appropriations are needed to complete the purchasing from the prior fiscal year.

ALTERNATIVES

The Board may choose not to award the purchase to All Star Fire Equipment, Inc. and direct County Purchasing to conduct competitive procurement. The Board may choose not to approve the budget amendment.

OTHER AGENCY INVOLVEMENT

The recommendation has been reviewed by the County Administrative Office and County Purchasing Unit. This recommendation has also been reviewed by the CAL FIRE Shasta-Trinity Unit SCBA Program Coordinator.

FINANCING

The total cost for the new purchase is \$567,484.12 in Fiscal Year 2018/2019. The appropriations for the SCBA purchase are included in the SCFD Approved Budget. The budget amendment in the amount of \$170,263, offset by use of fund balance, will re-budget appropriations to complete funding for SCBA equipment ordered in Fiscal Year 2017/2018. There is no additional General Fund Impact associated with this request.

ATTACHMENTS:

Description	Upload Date	Description
Budget Amendment	9/7/2018	Budget Amendment

SHASTA COUNTY FIRE DEPARTMENT

Memorandum

To: Brian Muir
Auditor-Controller

Date: September 7, 2018

From: Mike Hebrard
Shasta County Fire Warden

Subject: Budget Adjustment

Shasta County Fire Department issued a Purchase order for SCBA equipment in April 2018. A large portion of the equipment was not delivered until July 2018. A budget amendment is needed to re-budget the appropriations to allow for payment of equipment ordered in the previous fiscal year.

County Fire will use funds from Fund Balance to offset the increase in appropriations. This request is anticipated to be on the September 18, 2018 Board of Supervisors agenda.

County Fire would like to make the following budget amendments to allow for payment of the Self Contained Breathing Apparatus and additional equipment.

035500 – Minor Equipment - Increase appropriations \$170,263.

If you have any questions, please feel free to contact Julia Hayen at 225-2516.

Attachment

cc: Ayla Tucker, Administrative Analyst

County of Shasta

Budget Amendment

CSA #1-County Fire

Department Name

Appropriations

Increase <Decrease>

Fund/Budget Unit Number	Account Number/ Description	Budget Reads	Budget Should Read	Amount of Transfer (+/-)
00391	035500/ Minor Equip	\$693,000	\$863,263	\$170,263
Total				170,263

Revenue

Increase <Decrease>

Fund/Budget Unit Number	Account Number/ Description	Budget Reads	Budget Should Read	Amount of Transfer (+/-)
Total				0

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Regular - General Government-4.

SUBJECT:

N/A

DEPARTMENT: Administrative Office

Supervisory District No. : ALL

DEPARTMENT CONTACT: Larry Lees, County Executive Officer (530) 225-5550

STAFF REPORT APPROVED BY: Larry Lees, County Executive Officer

Vote Required?	General Fund Impact?
No Vote	No General Fund Impact

RECOMMENDATION

- (1) Receive a legislative update and consider action on specific legislation related to Shasta County’s legislative platform; and
(2) receive Supervisors’ reports on countywide issues.

SUMMARY

N/A

DISCUSSION

N/A

ALTERNATIVES

N/A

OTHER AGENCY INVOLVEMENT

N/A

FINANCING

N/A

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Regular - Health and Human Services-5.

SUBJECT:

Employment Agreement with Karen C. Ramstrom, D.O., M.S.P.H. for Health Officer Appointment

DEPARTMENT: Health and Human Services Agency-Business and Support Services

Supervisory District No. : All

DEPARTMENT CONTACT: Tracy Tedder, Branch Director, HHSA Business & Support Services, (530) 229-8425

STAFF REPORT APPROVED BY: Tracy Tedder, Branch Director, HHSA Business & Support Services

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Approve and authorize the Chairman to sign an evergreen employment agreement with Karen C. Ramstrom, D.O., M.S.P.H., to appoint Dr. Ramstrom as the Shasta County Health Officer effective October 14, 2018 and to establish Dr. Ramstrom's compensation at the E-Step salary range (\$101.633 per hour/\$17,616 per month).

SUMMARY

The Health and Human Services Agency (HHSA) recommends entering into an employment agreement to appoint a Health Officer for the County.

DISCUSSION

Due to the retirement of the previous Shasta County Health Officer and pursuant to Shasta County Code section 2.28.070 as well as sections 101000, 101005, and 101010 of the California Health and Safety Code, it is necessary for the Board of Supervisors to appoint a Health Officer for Shasta County to complete mandated assignments and duties, which include signing birth and death certificates. The local health officer is responsible for preventing the spread of contagious, infectious, or communicable diseases, and order quarantine when necessary. They are required to monitor and address other contributing factors impacting population health outcomes. The county health officer shall enforce public health orders and ordinances of the board of supervisors, and other public health regulations and statutes required by state and/or federal law.

The HHSA has recruited for the vacant position of Health Officer and entered into negotiations to make an offer of employment, contingent upon Board approval of the recommended employment agreement to appoint Dr. Ramstrom, D.O., M.P.H., to the position of Health Officer. Dr. Ramstrom has served as the interim Health Officer since appointed extra-help by the Board of Supervisors on July 24, 2018. Dr. Ramstrom completed her undergraduate studies at University of California, Riverside, received a Doctor of Osteopathy from the College of Osteopathic Medicine of the Pacific, and completed her

Family Medicine Residency training at the Colorado Springs Osteopathic Foundation. She has a Master of Science in Public Health from the University of Colorado Health Sciences Center, where she also completed a Preventive Medicine Residency program. Additionally, she possesses nearly 20 years of experience in public health practice, including 12 years with the California Department of Public Health, most recently as a Public Health Medical Officer for the Center for Family Health. She has clinical experience in primary care and women’s health as a General Medical Officer in the U.S. Army and the El Paso County Department of Health and Environment in Colorado. Due to her excellent qualifications and vast experience in the practice and administration of public health services, it is recommended the Shasta County Board of Supervisors approve the agreement appointing Dr. Ramstrom as a Shasta County Health Officer effective October 14, 2018 and establish Dr. Ramstrom’s compensation at the E-Step salary range (\$101.633 per hour/ \$17,616 per month) for the position of Health Officer. The agreement also provides for reimbursement of up to \$4,000 in moving costs as Dr. Ramstrom will need to relocate from Sacramento in order to accept the offer of employment and perform the required duties.

ALTERNATIVES

The Board could choose not to approve the agreement or request changes to the provisions of the agreement.

OTHER AGENCY INVOLVEMENT

The agreement has been reviewed by Shasta County Support Services-Personnel and Risk Management Units. The Auditor-Controller's Office has reviewed the reimbursement provisions of the agreement as they relate to moving expenses. The agreement has been approved as to form by County Counsel. The County Administrative Office has reviewed the recommendation.

FINANCING

HHSA’s FY 2018-19 Adopted Budget includes sufficient appropriation authority for the activities described in this agreement. No additional County General Funds are requested.

ATTACHMENTS:

Description	Upload Date	Description
Employment Agreement	9/14/2018	Employment Agreement

**EMPLOYMENT AGREEMENT BETWEEN KAREN C. RAMSTROM, D.O., M.S.P.H., AND
THE COUNTY OF SHASTA FOR HEALTH OFFICER**

THIS AGREEMENT is entered into between the County of Shasta ("County") and Karen C. Ramstrom, D.O., M.S.P.H., ("Dr. Ramstrom") for the purpose of hiring Dr. Ramstrom as the Health Officer for the County of Shasta.

WHEREAS, Health and Safety Code Section 101000 specifies that a Board of Supervisors shall appoint a county health officer, and

WHEREAS, Karen C. Ramstrom, D.O., M.S.P.H., is a physician licensed in the State of California and is qualified and willing to hold the office and perform the functions required of the Shasta County Health Officer.

NOW, THEREFORE, the parties agree:

1. APPOINTMENT

- A. The Shasta County Board of Supervisors hereby appoints Karen C. Ramstrom, D.O., M.S.P.H., as County Health Officer ("Health Officer") for Shasta County.
- B. During the period of her employment, the Health Officer position shall be allocated as a 1.0 full time equivalent position and shall be a member of the Unclassified Senior Management of Shasta County. Except as otherwise provided in this Agreement, the Health Officer's employment shall be governed by the provisions of the Shasta County Personnel Rules, as they now exist and as they may be amended.

2. DUTIES OF HEALTH OFFICER

- A. The Health Officer shall perform all duties and exercise all powers imparted by federal, state, and local law pertaining to the office of county health officer, except, in accordance with section 33201 of the Government Code, for the direction and administration of health functions, which are to be performed by the Health and Human Services Agency (HHSA) Director pursuant to Section 2.28.020(F) of the Shasta County Code,
- B. The Health Officer shall report to the Board of Supervisors through the HHSA Director and the HHSA Branch Director for Public Health ("Branch Director") and shall be subject to the general direction and administration of the Branch Director and HHSA Director, who shall both be responsible for evaluating the Health Officer's performance. The HHSA Branch Director of Public Health, through the oversight of the HHSA Director, shall have the right to set, enforce, and review the standards of performance, approve leaves, and undertake any other tasks incident to overseeing and directing the performance of the Health Officer, except as may otherwise be limited by law.
- C. The Health Officer shall be reasonably available for emergencies and urgent situations via communication devices (such as cell phone or a laptop, property of County, which County shall maintain and provide to Health Officer and Health Officer shall keep securely in her custody and care) while away from the HHSA Public Health Branch and outside of normal business hours. The Health Officer shall arrange for appropriate Health Officer coverage as approved by the HHSA Branch Director of Public Health for vacations or extended leaves.

- D. During the term of this agreement Health Officer shall be a physician licensed by the State of California and such license shall be unrestricted by the California Medical Board at all times.
- E. Health Officer shall comply with all federal, state, and local statutes, rules, regulations, and ordinances, including, but not limited to the Shasta County Personnel Rules, applicable to Health Officer's employment and the maintenance of Health Officer's license as a physician.
- F. If the Health Officer's biennial license renewal is required during the term of this agreement, the County shall reimburse Health Officer for her medical license renewal upon proof of payment. Reimbursement claims shall be submitted within 60 days from the date the expense was incurred and shall include the original renewal receipt and proof of renewal.

3. COMPENSATION

- A. The Health Officer shall be paid at the 'E' Step range of Job Code B71UM of the County of Shasta Personnel Division Salary Schedule. Health Officer shall be entitled to the same cost of living increases or other adjustments in salary or benefits as may be approved by the Board of Supervisors and granted to other Unclassified Senior Management. The Health Officer shall be considered an "exempt" employee under applicable wage and hour laws and shall not be subject to minimum wage and overtime requirements.
- B. The Health Officer shall be subject to annual performance evaluations, which may result in an adjustment to the Health Officer's salary and benefits in accordance with the Shasta County Personnel Rules.
- C. During the term of this agreement, County shall pay for Health Officer's annual memberships for enrollment in the Shasta County Medical Society, the California Conference of Local Health Officers (CCLHO), the Health Officers Association of California (HOAC), American College of Preventive Medicine (ACPM), and/or appropriate organizations at discretion of the HHSA Branch Director of Public Health, which shall not be unreasonably held. Such costs will be paid for actual expenses only and shall not exceed \$2,500 per fiscal year.
- D. County shall reimburse Health Officer's fees for her California Medical License renewal and Board Maintenance of Certification (MOC) costs upon County's receipt of original receipt and proof of payment.
- E. During the term of this agreement, the County shall pay for Health Officer's fees, travel expenses, food and lodging incurred to attend association, state and/or national meetings for professional development, to include CCLHO semi-annual conferences, as approved by the HHSA Branch Director of Public Health. Such costs will be paid for actual expenses and shall not exceed \$4,000 per fiscal year.
- F. Health Officer shall be reimbursed upon submission of appropriate original supporting documentation for reasonable moving expenses, up to a maximum not to exceed \$4,000 for relocating Health Officer's personal household property from the Sacramento, California area to Shasta County, California for purposes of employment with County. Allowable expenses include the cost of necessary moving truck/van rentals, an auto transport trailer rental if required, rental of loading equipment, and the cost of fuel for the moving truck/van (requires beginning and ending mileage not to exceed 250 miles and documentation on each fuel receipt and the odometer reading of the vehicle), and other reasonable ancillary expenses incurred for the rental of other

assistive devices such as a dolly and furniture pads, as well as costs for moving boxes if needed. A condition of eligibility for reimbursement shall be that Health Officer shall obtain through the moving truck/van rental company such insurance that will protect Health Officer from loss or damage, which shall include a Limited Damage Waiver, Supplemental Liability Insurance, and Towing Insurance if a transport trailer is utilized; such actual costs for the specified insurances are allowable expenses for reimbursement purposes.

Health Officer shall submit an aggregate claim for reimbursement no later than 60 days after appointment and Health Officer must include all original receipts and original agreements, which must be itemized, for which reimbursement is sought. Required receipts include the original rental agreement for the moving truck/van and auto transport trailer (if trailer is required), original receipts for any necessary rentals of loading equipment, original itemized (showing gallons purchased and cost per gallon) receipts for fuel for the moving van which must have the odometer reading written on each receipt and the statement "moving van fuel only."

No other moving expense reimbursements are authorized under this agreement.

If Health Officer should resign within one year from the date of employment for any reason, Health Officer shall reimburse County for all moving expenses paid by County to Health Officer.

4. PROFESSIONAL LIABILITY INSURANCE

- A. During the term of this agreement, Health Officer shall be covered by County's general liability and errors and omissions ("professional malpractice") coverage for acts or omissions arising within the course and scope of Health Officer duties.
- B. County shall provide medical professional liability insurance which covers all claims made regarding Health Officer's services provided pursuant to the terms of this agreement, including all claims filed after the termination of this agreement ("tail coverage").
- C. County shall indemnify, defend, and hold Health Officer harmless against all claims or expenses, including reasonable attorneys' fees, judgments, fines, settlements, professional liability damages, premiums on any appeal bond connected with Health Officer's County employment, and other amounts actually and reasonably incurred in connection with any proceeding arising by reason of Health Officer's employment by County, including any acts or omissions pursuant to this agreement, as provided by the California Tort Claims Act. In accordance with such Act, the County shall defend Health Officer and Health Officer shall cooperate in said defense. This provision shall not be construed as providing any defense or indemnity obligation on the County greater than the defense and indemnity obligations imposed on the County by law.

5. TERM AND TERMINATION

- A. Term. Health Officer assumes the position effective October 14, 2018, and shall continue until such time as this agreement is terminated by either party under the provisions set forth below.
- B. At-Will Status. Health Officer acknowledges that as an at-will County employee she may be terminated, disciplined or discharged at any time, without cause and without any right of appeal under County's personnel rules. Health Officer shall have no property interest in her employment and is therefore entitled to no pre-disciplinary or pre-removal due process. This agreement shall automatically terminate upon the effective date of discharge or resignation.

- C. Termination by County. The Board of Supervisors, in their sole discretion, may terminate Health Officer's employment without cause and for the convenience of the County upon 90 calendar days' written notice. In the event that County terminates Health Officer's employment, County shall either give 90 days' written notice of termination, or pay Health Officer the equivalent of 90 days' base salary and health benefits with no other add on compensation included as severance pay. The parties acknowledge that, pursuant to Government Code § 53260 and § 53261, if this contract is terminated, the maximum cash settlement allowed by law is an amount equal to the monthly salary of the Employee multiplied by 18 and shall not include any noncash items except health benefits. By this agreement, the parties agree (1) to reduce that maximum cash settlement to an amount equal to 90 days of the Health Officer's current annual base salary, payable in a lump sum or in installments without interest. The cash settlement set forth in this provision shall not include any other noncash items except health benefits, which will be continued for the same duration of time as covered in the settlement, or until the employee finds other employment, whichever occurs first; and (2) to make this reduced maximum cash settlement payable only upon the circumstances stated in this Agreement.
- D. Vacation Payments. The payments identified in Section 5(C) of this Agreement shall be in addition to any accumulated vacation and sick leave payments to which Health Officer would be otherwise entitled.
- E. Termination for Misconduct. County shall have no obligation to compensate by payment of severance pay as outlined in Section 5(C) of this Agreement in the event that Health Officer is discharged because of misconduct in office. Misconduct in office means: (1) the willful breach or habitual neglect of duties which are required to be performed under the terms of this agreement; or (2) the commission of acts of dishonesty, fraud, misrepresentation, or other acts of moral turpitude that would prevent or significantly interfere with the performance of Health Officer's duties. Termination for misconduct shall be effected by giving written notice which will specify the grounds for the termination and shall be supported by a statement of relevant facts. Health Officer shall be given an opportunity to respond to the statement of facts orally and in writing. Nothing in this provision shall be construed to impact Health Officer's "at-will" status and the parties agree this provision only addresses the payment of severance pay as outlined in Section 5(C) of this Agreement.
- F. Resignation. Health Officer may voluntarily terminate her employment with County at any time by delivering to the HHSA Branch Director of Public Health her written resignation. Such resignation shall be revocable at the sole discretion of the HHSA Director or HHSA Branch Director of Public Health and shall be effective not earlier than 90 calendar days following the HHSA Director or the HHSA Branch Director of Public Health's receipt, unless the parties mutually agree in writing to some other period.
- G. Death. This Agreement shall automatically terminate upon Health Officer's death. Under such circumstances, no payments under Section 5(C) of this Agreement shall be due to Health Officer's heirs or representatives.
- H. Continued Effort. From the date upon which Health Officer either resigns or learns of County's written intention to terminate this agreement to the actual date upon which the resignation or termination becomes effective, Health Officer shall continue to devote her full attention and effort to the duties anticipated hereunder and shall perform them in a professional and competent manner. If requested, Health Officer shall assist (with pay and benefits) County in orienting Health Officer's replacement, and shall perform such tasks as are necessary to effect a smooth transition in Health Officer responsibilities.

- I. No Additional Rights. Health Officer warrants that she shall have no further contractual right or claim to employment after the termination of this agreement and the receipt of any termination payment to which she is entitled pursuant to this agreement, and that no other document, handbook, policy, resolution, or oral or written representation, of any nature whatsoever, shall be effective or construed to be effective to extend the term hereof or otherwise grant Health Officer any right or claim to continued employment with County. This warranty has been relied upon by County as a material inducement to enter into this agreement and, in the absence thereof County would not have entered into this agreement. This provision shall not apply to claims the Health Officer may make under applicable state and federal statutes.

6. ENTIRE AGREEMENT: MODIFICATION

This agreement supersedes all previous agreements relating to the subject of this agreement and constitutes the entire agreement between the parties. There are no oral agreements or understandings that directly or indirectly affect the employment relationship between the County and the Health Officer. There are also no other written agreements, except as expressly provided for in this agreement, that directly or indirectly affect the employment relationship between the County and Health Officer. No addition, modification, amendment, or deletion to this agreement shall be valid unless it is in writing and executed by the parties to this agreement.

7. NONASSIGNMENT OF AGREEMENT: THIRD PARTY RIGHTS

Inasmuch as this agreement is intended to secure the specialized services of Health Officer, Health Officer may not assign, transfer, or delegate any interest herein without the prior written consent of County. This agreement shall not give rise to any third party beneficiary rights.

8. NOTICES

Any notice required to be given pursuant to the terms and provisions of this contract shall be in writing and shall be given by personal deliver, or by first-class mail, postage prepaid, deposited in the United States mail, to the following addresses or such other addresses as either party may specify in writing.

If to County: HHS Branch Director of Public Health
2650 Breslauer Way
Redding, CA 96001

And to: Shasta County Support Services Department
Shasta County Personnel Director
1450 Court Street, Suite 348
Redding, CA 96001-1676

If to Health Officer: Karen C. Ramstrom, D.O., M.S.P.H.
5440 2nd Avenue
Sacramento, CA 95817

Notice shall be deemed to be effective three days after mailing.

9. SEVERABILITY

If any provision of this agreement is held to be unconstitutional, invalid, unenforceable, or otherwise not in effect, the remainder of this agreement shall be deemed severable,

shall not be affected, and shall remain in full force and effect.

10. EFFECT OF WAIVER

The failure of either party to insist on strict compliance with any of the terms of this agreement by the other party shall not be considered a waiver of that term at any other time.

11. COMPLIANCE WITH LAWS

The parties enter into this agreement with the intent of conducting their relationship in full compliance with applicable present and future federal laws, state laws, local laws, codes, rules, regulations, ordinances/or orders that relate to the work or services to be provided pursuant to this agreement.

12. COUNTERPARTS AND FACSIMILE SIGNATURES

This Agreement may be executed in two or more counterparts, which together shall constitute a single agreement. This Agreement and any documents relating to it may be executed and transmitted to any other party by facsimile, which facsimile shall be deemed to be, and utilized in all respects as, an original, wet-inked manually executed document.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, County and Health Officer have executed this agreement on the dates set forth below. By their signatures below, each signatory represents that he/she has the authority to execute this agreement and to bind the party on whose behalf his/her execution is made.

COUNTY OF SHASTA

Date: _____

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:


LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

Approved as to form:
RUBIN E. CRUSE, JR.
County Counsel

 9/14/18
By: Alan Cox, Deputy County Counsel III

SUPPORT SERVICES APPROVAL

 09/14/2018
By: _____
Angela Davis, Support Services Director

HEALTH OFFICER

Date: _____

By: _____
Karen C. Ramstrom, D.O., M.S.P.H.
Tax ID: On File

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Regular - Law and Justice-6.

SUBJECT:

Continuation of Local Emergency Proclamation: Carr Fire

DEPARTMENT: Sheriff

Supervisory District No. : 1, 2, and 4

DEPARTMENT CONTACT: Tom Bosenko, Sheriff-Coroner (530) 245-6167

STAFF REPORT APPROVED BY: Tom Bosenko, Sheriff-Coroner

Vote Required?	General Fund Impact?
Simple Majority Vote	General Fund Impact

RECOMMENDATION

Adopt a resolution 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.

SUMMARY

There is a need for the Carr Fire local emergency proclamation to be continued.

DISCUSSION

The Shasta County Director of Emergency Services proclaimed a local emergency on July 26, 2018 due to the wildland fire identified as the "Carr Fire". On that same day, State of California Governor Edmund G. Brown Jr., proclaimed a state of emergency in Shasta County. On July 30, 2018 the Shasta County Board of Supervisors ratified the Shasta County Director of Emergency Services local emergency proclamation pursuant to California Government Code Section 8630. On August 4, 2018 a Presidential Major Disaster Declaration was declared. After burning 229,651 acres, 100 percent containment of the Carr Fire was achieved on August 30, 2018. This was good news to a weary community and to the firefighters and first responders working the fire. However, resources are still being committed to this incident for cleanup.

At one point during this incident there were over 40,000 people evacuated from their homes. The Sheriff's Office and numerous allied law enforcement agencies evacuated the areas in and around French Gulch, Old Shasta, Keswick, Igo/Ono, the City of Shasta Lake, and parts of Redding. The Carr Fire also impacted neighboring Trinity County.

Surveys of fire damage stand at 1,604 structures destroyed, of which 1,079 were residential structures. The Carr Fire has also damaged 277 structures, 190 of which were residential structures. Numerous guardrails, power poles, power lines and other public and private infrastructure were damaged or destroyed. Unfortunately, eight deaths are also associated with the Carr Fire.

The Carr Fire currently stands as the seventh largest wildfire in California since 1932, when accurate records began to be kept,

and has been the most destructive fire in Shasta County history; however, it is only one of several fires that have impacted Shasta County in these last couple months. Currently, the “Delta Fire” which began on September 5, 2018 is burning primarily on US Forest Service land, has burned 47,110 acres, damaged or destroyed 14 residential structures and 21 outbuildings, and is 5 percent contained due to burning to the western edge of the Hirz Fire. The “Hirz Fire”, began on August 9, 2018 and is burning on US Forest Service land. Firefighting efforts on the Hirz Fire were successful in achieving one-hundred percent containment on September 10, 2018 after consuming 46,150 acres. Several other smaller fires that started in the period between early August and now have, fortunately, been fully contained but fire danger is still very high and weather conditions are still presenting challenges to containment of current fires.

While the Carr Fire was 100 percent contained as of August 30, 2018 it is recommended the local emergency proclamation be continued as cleanup and recovery efforts are of such scope that it is beyond the control of the services, personnel, equipment, and facilities of Shasta County. Cleanup and recovery efforts within the footprint of the Carr Fire are necessary and ongoing to mitigate potential threats to the safety of the public.

The public is reminded to stay vigilant on current fire conditions, to adhere to road closures, and follow any evacuation warnings for all current and future fires that might occur.

ALTERNATIVES

The Board may suggest modifications to the resolution so long as the County meets the required timeline for approving the resolution.

OTHER AGENCY INVOLVEMENT

Other agency involvement during the course of this incident has included, but is not limited to, the Shasta County Department of Public Works, Shasta County Resource Management, Shasta County Fire/CAL FIRE, California Highway Patrol, Redding Police Department, California Office of Emergency Services, California Department of Transportation, Whiskeytown National Park Service, US Forest Service, Anderson Police Department, Redding Fire Department, Happy Valley Fire Department, Mountain Gate Fire Department, Shasta County Marshal, Shasta County Probation Department, and the Bureau of Land Management. County Counsel has approved the resolution as to form. The recommendation has been reviewed by the County Administrative Office.

FINANCING

The costs associated with this incident are unprecedented for Shasta County and have exceeded the resources available to the impacted local governments. Due to the Governor’s proclamation and the Presidential major disaster declaration, eligible costs are shared between the federal, state, and local governments. The federal share is 75 percent. The remaining 25 percent is shared between the state and local government with the state share being 75 percent. For eligible Carr Fire related costs that have been documented sufficiently for submission to the California Office of Emergency Services (CalOES) and Federal Emergency Management Agency (FEMA) the final share for the County after those match percentages is 6.25 percent. County staff are working to track both eligible and non-eligible costs so as to better understand all the fiscal impacts of this incident to the County. The full General Fund impact is unknown at this time.

ATTACHMENTS:

Description	Upload Date	Description
Resolution for Continuance	9/10/2018	Resolution for Continuance

RESOLUTION NO. 2018-

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
CONTINUING THE PROCLAMATION OF A LOCAL EMERGENCY**

WHEREAS, California Government Code Section 8630 and Shasta County Code Section 2.72.60 of the County of Shasta empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency as defined by California Government Code Section 8558 when the Board of Supervisors is not in session; and

WHEREAS, conditions of extreme peril to the safety of persons and property arose within the County of Shasta, in that wildland fire, identified as the “Carr Fire” has devastated the areas of French Gulch, Old Shasta, Keswick, Iron Mountain Road, Swasey Drive, as well as other portions of western Redding, and cleanup and hazard mitigation necessary for public safety are ongoing; and

WHEREAS, the Director of Emergency Services of the County did proclaim the existence of a local emergency within the County of Shasta due to the Carr Fire on July 26, 2018 at 6:15 a.m.; and

WHEREAS, on July 30, 2018 the Shasta County Board of Supervisors ratified the Director of Emergency Services’ local emergency proclamation; and

WHEREAS, conditions of extreme fire danger continue within the unincorporated areas of Shasta County; and

WHEREAS, in the early morning hours of August 9, 2018 another fire identified as the “Hirz Fire” started around Gilman Road about 11 miles east of Interstate 5 and active firefighting measures were successful in reaching one-hundred percent containment of the Hirz fire on September 10, 2018 after burning 46,150 acres primarily on United States Forest Service land; and

WHEREAS, just before 1 p.m on September 5, 2018 another fire identified as the “Delta Fire” started 2 miles North of Lakehead and is reported as of September 10, 2018 at 47,150 acres with five percent containment after burning to the western edge of the Hirz Fire, has destroyed 14 residences and 21 outbuildings as well as infrastructure and vehicles, has damaged 2 outbuildings, and has resulted in an extended closure of Interstate 5 and disruption of railroad travel due to burned rail lines; and

WHEREAS, as of the FINAL Cal Fire report on September 4, 2018 the “Carr Fire” had burned 229,651 acres, was 100% contained, destroyed 1,079 residences, destroyed 22 commercial structures, destroyed 503 outbuildings, damaged 190 residences, damaged 26 commercial structures, and damaged 61 outbuildings; and

WHEREAS, cleanup and hazard mitigation within the footprint of the Carr Fire, to protect the public, is ongoing and beyond the control of the services, personnel, equipment, and facilities of Shasta County; and

WHEREAS, the Board of Supervisors recognizes that the circumstances that led to the July 26, 2018 local emergency proclamation continue to exist.

Resolution No. 2018 –
September 18, 2018
Page 2 of 2

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta continues the proclamation of a ‘local emergency’ by the Director of Emergency Services and proclaims and orders that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors of the County of Shasta, State of California.

BE IT FURTHER RESOLVED that the Board of Supervisors shall review the need for continuing the local emergency at least once every 30 days until its termination is proclaimed by this Board.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Shasta hereby Proclaims and Orders that during the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this county shall be those prescribed by state law, ordinances, and resolutions of the County of Shasta and approved by the Board of Supervisors, and by the Shasta Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

DULY PASSED AND ADOPTED this 18th day of September, 2018 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Regular - Resource Management-7.

SUBJECT:

Ordinance enacting Chapter 16.10, Regulations for Limited Density Owner-Built Rural Dwellings, of the Shasta County Code

DEPARTMENT: Resource Management

Supervisory District No. : All

DEPARTMENT CONTACT: Paul Hellman, Director of Resource Management (530) 225-5789

STAFF REPORT APPROVED BY: Paul Hellman, Director of Resource Management

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions: (1) Find that adoption of the ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the exemptions stated in the ordinance; and (2) introduce and waive the reading of an ordinance enacting Chapter 16.10, Regulations for Limited Density Owner-Built Rural Dwellings, of the Shasta County Code.

SUMMARY

The Carr wildfire in July and August 2018 resulted in the loss of numerous dwellings and outbuildings in rural areas of Shasta County. Many of these structures were uninsured or underinsured. The replacement of homes and restoration of the communities impacted by the Carr wildfire has placed an unprecedented financial burden upon the populations of these rural areas. The proposed ordinance will facilitate the availability of affordable, owner-built homes which are essential to the continued health and welfare of the residents of these rural communities. The purpose and intent of the proposed ordinance is to allow the use of ingenuity and preferences of the builder and to allow and facilitate the use of alternatives to the specifications prescribed by the latest adopted version of the technical codes to the extent that a reasonable degree of health and safety is provided by such alternatives for properties impacted by the Carr wildfire.

The purpose of the proposed ordinance is to make Article 8 of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations, as modified by the ordinance, operative on Limited Density Owner-Built Rural Dwellings in areas impacted by the Carr wildfire, and to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of such dwellings and appurtenant structures. It is also the purpose of the proposed ordinance to support the use of alternative construction design, materials and methods that protect the environment, improve economic viability of sustainable construction, aid affordability of construction improvements, increase participation and consumer protection through promoting lawful construction activity, enhance owner equity in the improvement of property, and provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of Limited Density Owner-Built Rural Dwellings and appurtenant structures.

DISCUSSION

Citizens within the rural areas of unincorporated Shasta County impacted by the Carr wildfire have expressed a desire to legalize the construction of Limited Density Owner-Built Rural Dwellings in compliance with State law, and have emphasized the values of affordability, sustainability, self-sufficiency, creativity and character of the rural communities.

A significant portion of the unincorporated area of Shasta County impacted by the Carr wildfire is very remote, and utility services are cost prohibitive and difficult if not impossible to obtain. The lack of readily available public water, sewer or utility power connections would exclude participation in the normal permit process and create an unreasonable burden to the property owner to comply with the prescriptive building and development requirements of the current California Building Standards Code (Title 24 of the California Code of Regulations).

The building standards contained in the proposed ordinance apply only to Limited Density Owner-Built Rural Dwellings and appurtenant structures. Limited Density Owner-Built Rural Dwellings are defined as follows:

1. A single family dwelling.
2. The dwelling is constructed by either:
 - a. A general contractor licensed to practice in the State of California who contracts directly with the person or persons owning the property at the time construction is commenced for occupancy as the principal residence of that person or persons owning the property; or
 - b. By any person or family who acts as the general contractor for, or the provider of, part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family
3. The dwelling is not subject to sale, lease, rental, or employee occupancy for a period of three years from issuance of a certificate of occupancy. The three year period may be waived by the Building Official if owner occupancy is unfeasible, due to circumstances forcing the sale or rental of the property.
4. The dwelling is located on a legal parcel that meets the following criteria:
 - a. Located within the area of unincorporated Shasta County impacted by the Carr wildfire as shown on the map attached to the proposed ordinance.
 - b. Located within a zone or zones of unincorporated Shasta County that allow for single family residences as a permitted use.
 - c. A parcel created in compliance with the Shasta County Code.
 - d. A parcel with a sewer connection or of sufficient size and configuration to fulfill the sewage disposal system setbacks to all property lines and all other setbacks established by law.

Appurtenant structures are structures directly related to the primary residential use, including but not limited to detached bedrooms or hobby rooms used as living space, garages, or pump houses. Appurtenant structures also include, but are not limited to, shops, barns, or sheds, including those considered accessory to the zone.

The proposed ordinance contains the following specific modifications and/or suspensions of county housing, permitting, and health and safety codes and policies for properties impacted by the Carr wildfire:

Building Code Compliance: Except as amended by the provisions of the proposed ordinance and except as otherwise preempted by statute, the 1997 edition of the California Building Standards Code, Title 24, California Code of Regulations (1997 Building Code), shall be used in determining compliance with the standards of the proposed chapter.

In the alternative to the above, and except as amended by the provisions of the proposed ordinance and except as otherwise preempted by statute, the Building Official shall use the plans of a certified architect, civil engineer, or structural engineer to determine compliance with the standards of the proposed ordinance as follows:

1. The plans were previously issued for a structure that was destroyed or damaged in the Carr wildfire.
2. The plans were not issued before January 1, 1998.
3. The applicant requests that this standard be used and provides the plans to the Building Official.

Structural Design: Buildings or structures constructed pursuant to this article may be of any type of construction which will provide for a sound structural condition. Pier foundations, stone masonry footings and foundation systems, pressure treated lumber, poles, or equivalent foundation materials or designs may be used provided that the bearing and lateral stability is sufficient for the purpose intended.

Building Materials and Appliances: Owner-produced or used materials and appliances may be utilized unless found not to be of sufficient strength or durability to perform the intended function; owner-produced or used lumber may be utilized unless found to contain dry rot, excessive splitting, or other defects obviously rendering the material unfit in strength or durability for the intended purpose.

Heating: A heating facility or appliance shall be installed in each dwelling subject to the provisions of the ordinance; however, there shall be no specified requirement for heating capacity or temperature maintenance. Fireplaces, heating and cooking

appliances, and gas piping installed in buildings constructed pursuant to the ordinance shall be installed and vented in accordance with the applicable requirements contained in the most currently adopted version of the California Mechanical Code.

Room dimensions: There shall be no requirements for room dimensions provided that there is adequate light and ventilation and adequate means of egress.

Electricity: In structures where electrical usage is confined to one (1) or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the Building Official determines the electrical demands are expected to exceed the confinement and capacity of that room(s). Where electrical wiring or appliances are installed, the installation shall be in accordance with the applicable requirements contained in the most recently adopted version of the California Electrical Code.

Fire Safety. All Limited Density Owner-Built Rural Dwellings shall comply with the “Materials and Construction Methods for Exterior Wildfire Exposure” requirements found in the current adopted California Residential Code and/or in the latest adopted version of the California Building Code, Chapter 7A. Smoke and carbon monoxide detectors must also be installed per the most current adopted California Residential Code. The Board directed staff to consider the waiver of fire sprinkler requirements for Limited Density Owner-Built Rural Dwellings. In light of the substantial safety benefits provided by residential fire sprinkler systems in many circumstances other than wildfires, the County Fire Department and the Department of Resource Management recommend applying fire sprinkler requirements to Limited Density Owner-Built Rural Dwellings. Current plumbing and sanitation standards must still be met.

Additional details and provisions are outlined in the ordinance.

The proposed ordinance is a pilot program and will expire on November 30, 2021, unless extended by subsequent ordinance. Adoption of the proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) regarding projects to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.

The proposed ordinance is also not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: Sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment), 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including, but not limited to, by direct referral to the County Counsel as appropriate for judicial enforcement), 15302 (replacement or reconstruction) and 15303 (new construction or conversion of small structures, e.g., a residential accessory building). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

ALTERNATIVES

The following alternatives are available:

1. Do not adopt the ordinance;
2. Modify the ordinance;
3. Continue this item to request additional specific information.

None of these alternatives are recommended as they would delay the transition of residents and their families made homeless or displaced as a result of the Carr wildfire to shelter on an interim and long term basis.

OTHER AGENCY INVOLVEMENT

The proposed ordinance was drafted by the Department of Resource Management in consultation with the County Counsel’s Office and with the County Fire Department. County Counsel has approved the ordinance as to form. The County Administrative Office has reviewed this recommendation. Staff reached out to the Shasta Builders’ Exchange and to several local architects, all of whom expressed support for the ordinance as described to them in concept, most notably the appropriateness of requiring homes built

pursuant to the proposed chapter to conform to the 1997 Building Code rather than subsequent editions.

FINANCING

No General Fund impact would result from adoption of the ordinance.

ATTACHMENTS:

Description	Upload Date	Description
Limited Density Owner-Built Rural Dwellings Ordinance	9/11/2018	Limited Density Owner-Built Rural Dwellings Ordinance
Exhibit A	9/11/2018	Exhibit A

ORDINANCE NO. SCC 2018 - _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA ENACTING CHAPTER 16.10 OF THE
SHASTA COUNTY CODE ADOPTING REGULATIONS FOR LIMITED
DENSITY OWNER-BUILT RURAL DWELLINGS**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION I.

Chapter 16.10 is added to the Shasta County Code as follows:

Chapter 16.10

**REGULATIONS FOR LIMITED DENSITY OWNER-BUILT RURAL
DWELLINGS**

Sections:

16.10.010	Authority
16.10.020	Purpose and Findings
16.10.030	Intent and Application
16.10.040	Definitions
16.10.050	Regulation of Use
16.10.060	Abatement of Substandard Buildings/Violations
16.10.070	Petition for Interpretation
16.10.080	Interpretation
16.10.090	Notice of Interpretation
16.10.100	Recording
16.10.110	Permits
16.10.120	Exemptions
16.10.130	Existing Buildings
16.10.140	Application
16.10.150	Plans
16.10.160	Waiver of Plans
16.10.170	Modifications
16.10.180	Permit Validity
16.10.190	Inspections
16.10.200	Special Inspections
16.10.210	Inspection Waivers
16.10.220	Inspection Requests and Notice
16.10.230	Certificate of Occupancy
16.10.240	Temporary Occupancy

Page 2 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

16.10.250	Fees
16.10.260	General Requirements
16.10.270	Intent of General Requirements
16.10.280	Technical Codes To Be a Basis of Approval
16.10.290	Fire Safety Regulations
16.10.300	Construction Requirements
16.10.310	Sanitation Requirements
16.10.320	Mechanical Requirements
16.10.330	Electrical Requirements
16.10.340	Electrical Installation Requirements
16.10.350	Exceptions to Electrical Installation Requirements
16.10.360	Plumbing Requirements
16.10.370	Chapter Expiration

16.10.010 Authority

This chapter is adopted in accordance with the provisions of Health and Safety Code Section 17958.2 and Article 8, Subchapter 1, Chapter 1, Division 1, of Title 25, California Code of Regulations.

16.10.020 Purpose and Findings

A. Purpose.

1. The purpose of this chapter is to make Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations, as modified herein, operative on Limited Density Owner-Built Rural Dwellings in Shasta County (as defined in Section 16.10.040, "Definitions" herein), and to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of such dwellings and appurtenant structures.
2. It is also the expressed purpose of this chapter to conform the regulations regarding the construction and use of such dwellings and appurtenant structures to the requirements of Article 1, Section 1 of the California State Constitution, and the statutes of the State of California.

Page 3 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

3. It is also the purpose of this article to support the use of alternative construction design, materials and methods that protect the environment, improve economic viability of sustainable construction, aid affordability of construction improvements, increase participation and consumer protection through promoting lawful construction activity, enhance owner equity in the improvement of property, and provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of Limited Density Owner-Built Rural Dwellings and appurtenant structures.
- B. Findings. It is necessary to modify said Article 8 and to make its provisions, as modified, operative because of the following local conditions:
1. The Carr wildfire within Shasta County in July and August 2018 resulted in the loss of numerous dwellings and outbuildings in the rural areas. Many of these structures were uninsured or underinsured. The replacement of homes and restoration of the communities impacted by the Carr wildfire has placed an unprecedented financial burden upon the populations of these rural areas. This ordinance will facilitate the availability of affordable, owner-built homes which are essential to the continued health and welfare of the residents of these rural communities.
 2. The ability to use owner generated materials, such as lumber milled from harvested timber, creates an affordable option for building materials not available under current Shasta County building codes.
 3. Citizens within the rural areas of unincorporated Shasta County impacted by the Carr wildfire have expressed a desire to legalize the construction of Limited Density Owner-Built Rural Dwellings in compliance with this chapter, and have emphasized the values of affordability, sustainability, self-sufficiency, creativity and character of the rural communities.
 4. A significant portion of the unincorporated area of Shasta County impacted by the Carr wildfire is very remote, and utility services are cost prohibitive and difficult if not impossible to obtain. The lack of readily available public water, sewer or utility power connections would exclude participation in the normal permit process and create an unreasonable burden to the property owner to comply with the

Page 4 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

prescriptive building and development requirements of the current California Building Standards Code (Title 24 of the California Code of Regulations).

16.10.030 Intent and Application

The provisions of this chapter shall apply to the construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of Limited Density Owner-Built Rural Dwellings and appurtenant structures. It is the intent of this article that the requirements contained herein shall apply to seasonally or permanently occupied dwellings, detached bedrooms, and guest houses, located in rural areas and solely occupied as the principal residence of the owner or the owner's family. The requirements will also apply to barns, sheds, shops or other appurtenant structures, not intended for human habitation, to be constructed and used solely by the owner of the property, or by the owner's family.

16.10.040 Definitions

For the purposes of this article the following definitions shall apply:

- A. Limited Density Owner-Built Rural Dwelling. Any structure consisting of one (1) or more habitable rooms intended or designed to be occupied by one (1) family with facilities for living and sleeping, with use restricted to rural areas that fulfill the requirements of this chapter.
- B. Owner-Built. Construction that meets the following requirements:
 - 1. Construction that is not intended for sale, lease, rent, or employee occupancy; and
 - 2. Construction that is either:
 - a. By a general contractor licensed to practice in the State of California who contracts directly with the person or persons owning the property at the time construction is commenced for occupancy as the principal residence of that person or persons owning the property; or
 - b. By any person or family who acts as the general contractor for, or the provider of, part or all of the labor necessary to

Page 5 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

build housing to be occupied as the principal residence of that person or family

- C. Sale, Lease, Rent or Employee Occupancy. For the purposes of this chapter the sale, lease, renting or employee occupancy of owner-built structures within three (3) years of issuance of a certificate of occupancy shall be presumptive evidence that the structure was erected for the purpose of sale, lease, rent, or employee occupancy. The three (3) year period of required owner occupancy may be waived in cases of unreasonable hardship.
- D. Rural. For the purposes of this article only, “rural” shall mean legal parcels in unincorporated areas of the County that meet each of the following criteria:
 - 1. Located within the area of unincorporated Shasta County impacted by the Carr wildfire as shown on the map entitled “Carr Fire Impact Area,” which is attached to this Chapter as Exhibit A.
 - 2. Located within a zone or zones of unincorporated Shasta County that allow for single family residences as a permitted use.
 - 3. A parcel created in compliance with the Shasta County Code.
 - 4. A parcel with a sewer connection or of sufficient size and configuration to fulfill the sewage disposal system setbacks to all property lines and all other setbacks established by law.
- E. Appurtenant Structures. Structures directly related to the primary residential use, including but not limited to detached bedrooms or hobby rooms used as living space, garages, or pump houses. Appurtenant structures also include, but are not limited to, shops, barns, or sheds, including those considered accessory to the zone.
- F. Sub-Standard Building. A structure or portion of a structure in which there exists any condition that endangers the life, health, property, safety or welfare of the public or the occupants thereof. Except as amended by the provisions of this chapter and except as otherwise preempted by statute, the 1997 edition of the California Building Standards Code, Title 24, California Code of Regulations, shall be the determining criteria for compliance with the standards of this chapter and the defining of a substandard building.

Page 6 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

- G. Sound Structural Condition. A structure shall be considered to be in “sound structural condition” when all portions of the structure are adequately constructed to resist expected gravity and lateral forces from wind and seismic forces. Building plans must provide sufficient detail to determine how gravity and lateral forces are distributed vertically and horizontally from their points of origin to the load resisting elements. Portions of the structures that are irregular in shape, complex design, or incorporate unusual building materials or practices may require design by a California registered design professional at the discretion of the Building Official.
- H. Unreasonable Hardship. Unreasonable hardship exists when the Building Official finds that compliance with the requirement for a minimum of three (3) years of owner occupancy is unfeasible, due to circumstances forcing the sale or rental of the property, including but not limited to the death, divorce, loss of employment or income, or disability of the owner, supported by sufficient information provided by the applicant.
- I Building Official. The person identified as the Building Official pursuant to Shasta County Code section 8.02.040.

16.10.050 Regulation of Use

- A. Housing permitted pursuant to this chapter shall be for occupancy as the principal residence of the owner or the owner’s family and not for sale, lease, rent, or employee occupancy.
- B For the purposes of this article the sale, lease, renting or employee occupancy of owner-built structures within three (3) years of the issuance of a certificate of occupancy shall be presumptive evidence that the structure was erected for the purpose of sale, lease, renting, or employee housing. The three (3) year period of required owner occupancy may be waived in cases of unreasonable hardship.
- C. Accessory dwelling units in conformance with Shasta County Code and Section 65852.2 of the California Government Code using a Limited Density Owner-Built Rural Dwelling permit shall be allowed for a family member using the same criteria as the primary dwelling. After/or during original construction, additions may be permitted to be made to such a dwelling, and appurtenant structures may be permitted after approval by the Building Division.

Page 7 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

- D The restrictions of this chapter on the sale, lease, renting, or employee occupancy of these dwellings may be reasonably amended to be more restrictive if the Board of Supervisors determines that such an amendment is necessary to ensure compliance with the intent of this chapter.

16.10.060 Abatement of Substandard Buildings/ Violations

- A. Every violation of the regulatory or prohibitory provisions of this chapter and all structures or portions thereof which are determined by the Building Official to constitute a substandard building are hereby declared to be a public nuisance and may be abated in accordance with Chapter 8.28 (Nuisances) of the Shasta County Code and by any other means available by law.
- B. The critical concern in the promulgation of this chapter is to provide for health and safety while maintaining respect for the law and voluntary compliance with the provisions of this chapter, and therefore, in the event that an order to correct a substandard condition is ignored, it is the intent of this section that civil abatement procedures should be the first remedy pursued by the Building Official. Notwithstanding the foregoing, this section is cumulative to all other remedies now or hereafter available to abate or otherwise regulate or prevent public nuisances or to enforce the provisions of the Shasta County Code

16.10.070 Petition for Interpretation

Any Limited Density Owner-Built Rural Dwelling permit applicant or owner may petition the Building Official for an interpretation of any provision of this chapter. Petitions shall be submitted in writing, after which the Building Official may consider such requests and may make a determination as to the meaning or intent of any provision of this chapter with respect to the petition in question. The consideration of petitions for interpretation shall be discretionary with the Building Official.

16.10.080 Interpretation.

Interpretations by the Building Official as to the meaning, intent, or application of the provisions of this chapter are not intended to preempt the exercising of building appeals processes, as provided in this title, but are intended to facilitate public understanding and the effective enforcement of this chapter.

Page 8 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

16.10.090 Notice of Interpretation.

The Department of Resource Management shall keep a record of all interpretations made by the Building Official which shall be available for review by the public or any governmental agency and shall provide notice to the petitioner(s) of the Building Official's findings.

16.10.100 Recording.

- A. No provision of this chapter is intended to prohibit or limit the County from establishing and enforcing reasonable regulations for the recording of information regarding the materials, methods of construction, alternative facilities, or other factors that may be of value in the full disclosure of the nature of the dwelling and appurtenant structures. A deed restriction disclosing the nature of the dwellings and appurtenant structures shall be recorded.
- B. The Department of Resource Management shall record a "Notice of Limited Allowed Use" This notice shall disclose:
 - 1. The nature of the dwelling and appurtenant structures, and that the structure(s) have been permitted under this chapter, entitled "Regulations for Limited Density Owner-Built Rural Dwellings," of this title, entitled "Buildings and Construction," adopted under the authorization of Health and Safety Code section 17958.2, and not under Title 24, California Code of Regulations.
 - 2. That the dwelling may not be sold, leased, rented, or employee occupied for a period of three (3) years except in cases of unreasonable hardship as determined by the Shasta County Building Official.

16.10.110 Permits

Permits shall be required for the construction of Limited Density Owner-Built Rural Dwellings and appurtenant structures. The application, plans, and other data filed by an applicant for such a permit shall clearly state that it is for a Title-25 Limited Density Owner-Built Rural Dwelling structure and shall be reviewed by the Department of Resource Management, Building Division, to verify compliance with the provisions of this chapter. When the Building Official determines that the permit application and other data indicate that the structure(s) will comply with the

Page 9 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

provisions of this chapter, the Building Official shall issue a permit therefor to the applicant.

16.10.120 Exemptions

Permits shall not be required pursuant to Section 16.10.100 for small or unimportant work, or alterations or repairs that do not present a health or safety hazard, and which are in conformance with County zoning requirements or property standards. The determination, if any, of what work is properly classified as small or unimportant or without relation to health and safety hazards is to be made by the Building Official. Examples of work exempt from permits include, but are not limited to, the exemptions listed in the 1997 edition of the California Residential Code.

16.10.130 Existing Buildings

- A.. A building permit shall be obtained pursuant to the provisions of this article for a Limited Density Owner-Built Rural Dwelling that was constructed or was partially constructed, without a building permit.
- B. The applicant must be the owner of the dwelling or structure at the time of application and issuance of the permit.
- C. The dwelling or structure shall meet all standards required by this chapter.
- D. An inspection of the dwelling shall be made by the Building Official to determine that the requirements of this chapter have been substantially met to the extent that no abnormal risk to health or safety will result from occupancy of the structure.

16.10.140 Application

To obtain a permit, the applicant shall first file an application therefor with the Building Division. Permit applications shall contain the following information:

- 1. Name and mailing address of the applicant;
- 2. Address, assessor's parcel number, and location of the proposed structure(s);

Page 10 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

3. A general description of the structure(s) which shall include mechanical installations with all clearances and venting procedures detailed, electrical installations, plumbing fixtures, foundation, structural, and construction details;
4. A site plan indicating the location of the dwelling in relation to property lines, other structures, sanitation and bathing facilities, water resources and water ways, slope of site, major land features, and all required items on the Shasta County Building Division "Plot Plan Example" handout;
5. Approval for the installation of a private sewage disposal system or alternate waste disposal means from the Shasta County Department of Resource Management, Environmental Health Division;
6. A stipulation by the applicant that the building or structure is to be owner-built;
7. The signature of the owner, contractor, or authorized agent;
8. The use or occupancy for which the work is intended; and
9. Any other data or information as may be required by statute or Shasta County regulation.

16.10.150 Plans

Plans shall consist of a general description of the structure(s), including all necessary information to facilitate a reasonable judgment of conformance by the Building Official. This shall include a diagram of the floor plan and site elevation in order to determine the appropriate dimensions of structural members. Architectural drawings and structural analyses shall not be required. For structures of complex design or unusual conditions for which the Building Official cannot make a reasonable judgment of conformance to this chapter based upon the general description and simplified plan(s), the Building Official may require additional supporting information sufficient to make a judgment as to the integrity of the design.

Page 11 of 19
Ordinance No. SCC 2018 - _____
Limited Density Owner-Built Rural Dwellings

16.10.160 Waiver of plans.

The Building Official may waive the submission of any plans if he or she finds that the nature of the work applied for is such that the reviewing of plans is not necessary to obtain compliance with this chapter.

16.10.170 Modifications.

Modifications to the design, materials, and methods of construction are permitted, provided that the structural integrity of the building or structure is maintained, the building continues to conform to the provisions of this chapter, and the Building Official is notified in writing of the intended modification.

16.10.180 Permit validity

Permits shall be valid, for a minimum period of three (3) years, unless reissued as specified in Shasta County Code Section 16.04.200(B).

16.10.190 Inspections.

All construction or work for which a permit is required pursuant to this article shall be subject to inspection by the Building Official. Required inspections shall consist of a foundation inspection prior to placement of concrete, a concrete slab or under-floor inspection, a rough framing, plumbing, electrical, and mechanical inspection prior to covering of walls, and a final inspection. The final inspection shall be conducted after the structure(s) is completed and ready for occupancy, in order to determine compliance with the provisions of this article. Other inspections may be required by the Shasta County Fire Warden, or the Shasta County Department of Resource Management, Environmental Health Division. Structures of conventional or simple construction shall be inspected at a single inspection if possible because all components to be inspected are simultaneously ready for inspection.

16.10.200 Special Inspections

Additional inspections may be conducted under the following circumstances: An inspection shall be conducted where there is a reasonable expectation that the foundation system will be subjected to excessive vertical or lateral movement due to site topography, expansive soils, or other unstable soil conditions; or the application indicates that interior wall coverings or construction elements will

Page 12 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

conceal underlying construction, electrical or mechanical systems; or where an unconventional construction method is indicated which would preclude examination at a single inspection.

16.10.210 Inspection waivers.

Inspections may be waived by the Building Official for structures which do not contain electrical or mechanical installations or for alterations, additions, modifications, or repairs that do not involve electrical or mechanical installations.

16.10.220 Inspection requests and notice.

It shall be the duty of the applicant to notify the Building Official that the construction is ready for inspection and to cause the work to remain accessible and exposed for inspection purposes, and to provide access to the premises. Inspections shall be requested by the applicant at least twenty-four (24) hours in advance of the intended inspection. It shall be the duty of the enforcement agency to notify or inform the applicant of the day during which the inspection is to be conducted.

16.10.230 Certificate of Occupancy

After the structure(s) is completed for occupancy/use and any inspections which have been required by the Building Official have been conducted, and work approved, the Building Official shall issue a Certificate of Occupancy for such dwelling(s) and appurtenant structure(s) which comply with the provisions of this chapter.

16.10.240 Temporary occupancy.

The use and occupancy of a portion or portions of a dwelling or appurtenant structure prior to the completion of the entire structure pursuant to this chapter shall be allowed, provided that approved sanitary facilities are available at the site and that the work completed does not create any condition that endangers life, health or safety of the public or occupants. The occupants of any such uncompleted structure shall assume sole responsibility for the occupancy of the structure or portion thereof.

16.10.250 Fees.

Fees shall be required and collected by the Building Official to provide for the cost of administering the provisions of this chapter. It is the intent of this article that

Page 13 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

permit and inspection fee schedules be established to reflect the actual inspection and administrative costs resulting from the application of this chapter.

16.10.260 General Requirements

- A. Each structure shall be maintained in a sound structural condition to be safe, sanitary, and to shelter the occupants from the elements.
- B. Except as amended by the provisions of this chapter and except as otherwise preempted by statute, the 1997 edition of the California Building Standards Code, Title 24, California Code of Regulations, shall be used in determining compliance with the standards of this chapter.
- C. In the alternative to Section 16.10.260(B), and except as amended by the provisions of this chapter and except as otherwise preempted by statute, the Building Official shall use the plans of a certified architect, civil engineer, or structural engineer to determine compliance with the standards of this chapter as follows.
 - a. The plans were previously issued for a structure that was destroyed or damaged in the Carr wildfire.
 - b. The plans were not issued before January 1, 1998.
 - c. The applicant requests that this standard be used and provides the plans to the Building Official.
- D. Generators shall be enclosed in a sound reduction enclosure approved by the Building Official to eliminate or greatly reduce noise. This structure shall consist of a fully enclosed masonry or wood frame structure with a minimum of two (2) inches by four (4) inches insulated wall and roof framing, with walls, ceiling, and roof covered in the manner required by the most recently adopted technical codes on both inside and outside surfaces. This structure shall reduce generator noise to a maximum of fifty-five (55) decibels twenty (20) feet from the structure.

16.10.270 Intent of General Requirements.

It shall be the purpose and intent of this chapter to allow the use of ingenuity and preferences of the builder; to allow and facilitate the use of alternatives to the specifications prescribed by the latest adopted version of the technical codes to the

Page 14 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

extent that a reasonable degree of health and safety is provided by such alternatives; and to assure that the materials, methods of construction, and structural integrity of the structure shall perform in application for the purpose intended. To provide for the application of this chapter, it shall be necessary for the Building Official to exercise reasonable judgment in determining the compliance of appropriate structures with the general and specific requirements of this chapter.

16.10.280 Technical codes to be a basis of approval.

Except as otherwise required by this chapter, dwellings and appurtenant structures constructed pursuant to this chapter need not conform with the construction requirements prescribed by the latest adopted editions of the California Building, Plumbing, Mechanical, and Electrical Codes, or other applicable technical codes; however, it is not the intent of this section to disregard nationally accepted technical and scientific principles relating to design, materials, methods of construction, and structural requirements for the erection and construction of dwelling and appurtenant structures as are contained in the technical codes. Such codes shall be a basis for approval.

16.10.290 Fire safety regulations.

- A. A Limited Density Owner-Built Rural Dwelling permit application shall be reviewed by the County Fire Warden for compliance with Public Resources Code sections 4290 and 4291, and the Shasta County Code.
- B. All Limited Density Owner-Built Rural Dwellings shall comply with the “Materials and Construction Methods for Exterior Wildfire Exposure” requirements found in the current adopted California Residential Code and/or in the latest adopted version of the California Building Code, Chapter 7A.
- C. For purposes of this chapter, residential fire sprinklers shall be required in Limited Density Owner-Built Rural Dwellings in accordance with the applicable requirements contained in the most currently adopted version of the California Building Standards Code, Title 24, California Code of Regulations.

Page 15 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

16.10.300 Construction requirements.

- A. Structural requirements. Buildings or structures constructed pursuant to this article may be of any type of construction which will provide for a sound structural condition. Structural hazards which result in an unsound condition, and which may constitute a substandard building, are defined by reference to the 1997 edition of the California Building Standards Code, Title 24, California Code of Regulations and are further delineated in Health & Safety Code section 17920.3, as it now exists and as may hereafter be amended.
- B. Foundations. Pier foundations, stone masonry footings and foundation systems, pressure treated lumber, poles, or equivalent foundation materials or designs may be used provided that the bearing and lateral stability is sufficient for the purpose intended.
- C. Materials. Owner-produced or used materials and appliances may be utilized unless found not to be of sufficient strength or durability to perform the intended function; owner-produced or used lumber may be utilized unless found to contain dry rot, excessive splitting, or other defects obviously rendering the material unfit in strength or durability for the intended purpose. Wall and floor framing shall not be enclosed when the framing members exceed nineteen percent (19%) moisture content.
- D. Heating capacity. A heating facility or appliance shall be installed in each dwelling subject to the provisions of this article; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of a solid fuel or solar heating device shall be deemed as complying with the requirements of this section. If a non-renewable fuel is used in these dwellings, rooms so heated shall meet current installation standards.
- E. Room requirements. There shall be no requirements for room dimensions provided that there is adequate light and ventilation and adequate means of egress.

16.10.310 Sanitation requirements.

- A. Sanitation facilities, including the type, design, and number of facilities, shall be shown on plans submitted for the building permit.

Page 16 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

- B. No dwelling shall discharge wastewater from sanitary facilities other than to a wastewater system that is designed, constructed, operated, and maintained in accordance with the requirements of the Department of Resource Management, Environmental Health Division.
- C. No dwelling shall utilize a bathtub or shower and a washbasin, or alternate bathing and washing facility, unless it has been approved by the Environmental Health Division and Building Official.

16.10.320 Mechanical requirements.

Fireplaces, heating and cooking appliances, and gas piping installed in buildings constructed pursuant to this article shall be installed and vented in accordance with the applicable requirements contained in the most currently adopted version of the California Mechanical Code, Part 4, Title 24, California Code of Regulations.

16.10.330 Electrical requirements.

No dwelling or appurtenant structure constructed pursuant to this article shall be required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification, except as set forth in Section 16.10.340.

16.10.340 Electrical installation requirements.

Where electrical wiring or appliances are installed, the installation shall be in accordance with the applicable requirements contained in the most recently adopted version of the California Electrical Code, Part 3, Title 24, California Code of Regulations. Smoke and carbon monoxide alarms shall be installed per the most current adopted California Residential Code. If electrical wiring is not being installed, alarms may be battery operated and must contain ten-year batteries.

16.10.350 Exceptions to electrical installation requirements.

In structures where electrical usage is confined to one (1) or more rooms of a structure, the remainder of the structure shall not be required to be wired or otherwise fitted for electrification unless the Building Official determines the electrical demands are expected to exceed the confinement and capacity of that room(s). In these instances, the Building Official may require further electrification of the structure. It is the intent of this section to apply to buildings in which there exists a workshop, kitchen, or other single room which may require electrification, and where there is no expectation of further electrical demand. The Building

Page 17 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

Official shall, at the time of a permit application or other appropriate point, advise the applicant of the potential hazards of violating this section.

16.10.360 Plumbing requirements.

Plumbing equipment and installation shall be in accordance with the applicable requirements contained in the most recently adopted version of the California Plumbing Code, Part 5, Title 24, California Code of Regulations.

16.10.370 Chapter Expiration

This chapter is a pilot program. This chapter will expire and be of no further force and effect after November 30, 2021, unless extended by subsequent ordinance. Notwithstanding the foregoing, applications that have been submitted prior to said expiration date may be processed, including but not limited to permit issuance, completion of construction, final inspection of said construction, and issuance of a certificate of occupancy.

SECTION II.

Adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) regarding projects to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.

The County also finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment), 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including, but not limited to, by direct referral to the County Counsel as appropriate for judicial

Page 18 of 19

Ordinance No. SCC 2018 - _____

Limited Density Owner-Built Rural Dwellings

enforcement), 15302 (replacement or reconstruction) and 15303 (new construction or conversion of small structures, e.g., a residential accessory building). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

SECTION III.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION IV.

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

Page 19 of 19
Ordinance No. SCC 2018 - _____
Limited Density Owner-Built Rural Dwellings

SECTION V.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this ____ day of _____ 2018, by the Board of Supervisors, County of Shasta, State of California, by the following vote:

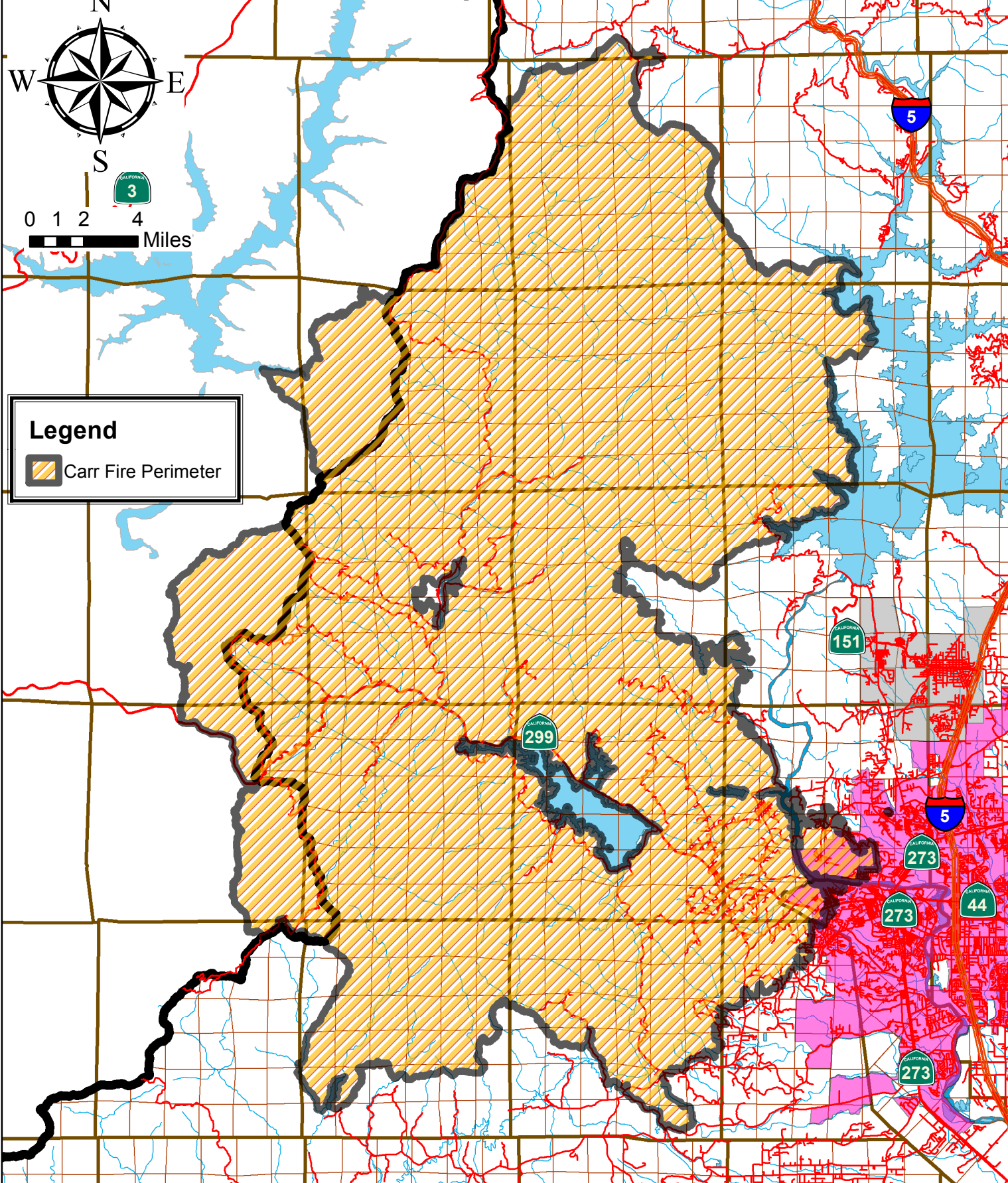
AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy



**Limited Density Owner - Built Rural Dwellings Ordinance
Exhibit A
Carr Fire Impact Area**

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Scheduled Hearings - Public Works-8.

SUBJECT:

County Service Area No. 8-Palo Cedro Rate Increase

DEPARTMENT: Public Works

County Service Area No. 8-Palo Cedro Water and Sewer

Supervisory District No. : 3

DEPARTMENT CONTACT: Pat Minturn, Public Works Director, (530) 225-5661

STAFF REPORT APPROVED BY: Pat Minturn, Public Works Director

Vote Required?	General Fund Impact?
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Take the following actions on behalf of County Service Area (CSA) No. 8-Palo Cedro Sewer and Water: (1) Conduct a public hearing to consider increasing the bi-monthly water and sewer rates; (2) close the public hearing; (3) direct the Clerk of the Board to tabulate written protests from property owners and tenants within CSA No. 8-Palo Cedro and report back to the Board with the results; (4) in the absence of a majority protest, introduce, waive the reading of, and enact an Ordinance of the Board of Supervisors of the County of Shasta, County Service Area No. 8-Palo Cedro Sewer and Water, Repealing Ordinance No. 633 and Setting Forth the Charges, Rates, and Fees for Sewer, Water, and Related Services; and (5) repeal Ordinance No. 633.

SUMMARY

Operational costs exceed revenues in the CSA No. 8-Palo Cedro Sewer and Water.

DISCUSSION

County Service Area No. 8-Palo Cedro Sewer and Water (CSA) provides water and sewer in Palo Cedro. Water is sourced from a well. Sewage is pumped, stored and land-applied. Customers are responsible for the ongoing costs. A rate study has been prepared (attached). The proposal was summarized in a notice to all property owners and tenants per Article XIID, Section 6, of the California Constitution (attached).

ALTERNATIVES

The Board may decline to re-visit rates at this time. Water and sewer services are being provided below cost.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the Notice of Public Hearing and proposed ordinance as to form. The County Administrative Office has reviewed the recommendation.

FINANCING

Adequate funds to operate and maintain the CSA were included in the Adopted FY 2018/19 budget for County Service Area No. 8-Palo Cedro. As long as the CSA remains financially self-sufficient, there is no General Fund impact.

ATTACHMENTS:

Description	Upload Date	Description
CSA No. 8-Palo Cedro Sewer and Water Rate Report	9/4/2018	CSA No. 8-Palo Cedro Sewer and Water Rate Report
Prop 218 Notice of Public Hearing	9/4/2018	Prop 218 Notice of Public Hearing
CSA No. 8-Palo Cedro Sewer and Water Rate Ordinance	9/4/2018	CSA No. 8-Palo Cedro Sewer and Water Rate Ordinance

County Service Area #8 – Palo Cedro Sewer and Water

Draft Rate Report

July 3, 2018



INTRODUCTION

County Service Area #8 – Palo Cedro Sewer and Water (CSA) currently provides sewage collection, treatment and disposal to 166 active customers representing 481.5 household equivalents (HE) with 77 standby accounts and 79 water customers with 4 standby accounts.

Regulatory oversight for the sewer system is by the California Regional Water Quality Control Board (RWQCB). The water system is regulated by the Shasta County Environmental Health Division.

In 2005, Ordinance No. 633 was adopted by the Board of Supervisors. It established the rates currently charged in the CSA. Ordinance No. 724 established fees for services and late payments in 2017.

EXISTING OPERATION FUND

Financial information for the three most recent Fiscal Years (FY) years is available. Complete financials for FY 2014-15, FY 2015-16 and FY 2016-17 are included in **Exhibit A**. This period was selected because it matches with an uptick in sewer repair and regulatory interest in the system which seems to be the new “normal.”

Table 1 summarizes sewer revenue and expense. See **Exhibit A** for more information.

Table 1 – Sewer Revenue and Expense

	FY 2014-15	FY 2015-16	FY 2016-17	Average
Revenue	\$127,444	\$124,866	\$133,160	\$128,490
Expense	\$138,260	\$189,981	\$210,941	\$179,727
Difference	-\$10,816	-\$65,115	-\$77,781	-\$51,237

Depreciation is not included in **Table 1**.

Table 2 summarizes water revenue and expense. See **Exhibit A** for more information.

Table 2 – Water Revenue and Expense

	FY 2014-15	FY 2015-16	FY 2016-17	Average
Revenue	\$27,802	\$30,482	\$28,606	\$28,963
Expense	\$78,759	\$57,508	\$64,965	\$67,074
Difference	-\$50,947	-\$27,026	-\$36,359	-\$38,111

Depreciation is not included in **Table 2**.

FY 2014-15 shows very high water expenses. This year saw a pump failure and emergency replacement and repair.

SEWER - FINANCIAL NEEDS

Financial needs fall into three broad categories: operations and maintenance, utilities and depreciation.

Operations and Maintenance

Average operating expenses over the last three years were \$179,730. The most recent two-year average is \$200,461. **Exhibit A** shows the single largest expense is Monitoring Services. This is utility staff time. RWQCB provides regulatory oversight of the CSA. It is a regulatory requirement that the plant be visited by staff every day. RWQCB also periodically requires redevelopment of permits and operating procedures, which incur costs to the system. The 2017 RWQCB Permit Renewal included increased monitoring requirements; the new permit no longer allows off-site effluent application, which increases pumping and labor costs. This period saw some physical improvements, such as fencing the sewage holding ponds and road repairs.

Utilities

The CSA uses electricity from PG&E. While most of the collection system is gravity operated, one pump station also moves effluent towards the treatment plant. Electricity is required to move effluent from short term storage to the diffusion system. There is a direct correlation between the amount of effluent pumped and power use. Long term power rates are likely to rise. Average annual utility costs during the study period were \$35,428. Power is subject to peak use penalties.

Depreciation

Financial solvency enables the CSA to collect effluent from its users. Revenue collected must cover all operating costs, overhead and some depreciation. Depreciation is collected to offset the cost of

future equipment replacement and repairs. Thompson-Reuters assigns a fifty year useful life to sewer collection systems as a whole and twenty to sewage treatment plants, though individual components may wear out or become obsolete sooner. The oldest parts of the system have been in operation since 1995. Full annual depreciation of the sewer and water system is \$95,778. Funds have not been set aside for system replacement for the three years examined in this report.

SEWER - OTHER FINANCIAL CONSIDERATIONS

Utility operations staff believes the two 50 HP submersible pumps need refurbishing and/or replacement at the sewer lift station. There is also an emergency generator there that needs replacement along with its underground fuel tank. Because no depreciation is being set aside, separate capital recovery schedules should be developed.

SEWER - REVENUE GOALS

Average expenses for the three year period considered were \$179,727. Average revenue was \$128,490, a 39.9% shortfall. In FYs 2015-16 and 2016-17 the shortfall was greater than 50% and costs were in excess of \$185,000. A goal of \$190,000 is not overly conservative.

PROPOSED SEWER RATES

To achieve \$190,000 in annual revenue, rates should be \$63.23 per HE. This would represent at 55.4% increase. **Table 3** phases in rates over a four year period.

Table 3 – Four Year Proposal – Sewer Collection and Disposal Rates

	Current	Year 1	Year 2	Year 3	Year 4
Base Rate per HE	\$42.00	\$54.00	\$66.00	\$72.00	\$78.00
Model Revenue	\$125,903	\$160,572	\$195,242	\$212,577	\$229,911

In year 2 of the proposed rate structure, basic operational revenue needs are met and some cost increases are allowed for. In year 3, money is set aside for capital replacement due to depreciation. Before the next rate study, specific capital costs and replacement schedules should be developed for the pumps, generator, fuel tank and any other equipment showing signs of wear.

Exhibit B provides rate comparisons with some local districts. Even the Year 4 proposed rate is below the area norm.

WATER - FINANCIAL NEEDS

Financial needs fall into three broad categories: operations and maintenance, utilities and depreciation.

Operations and Maintenance

Average operating expenses over the last three years were \$67,074. **Exhibit A** shows the single largest expense is Maintenance Services. This is utility staff time to make weekly checks of the well, read meters, and collect water tests.

Utilities

The CSA uses electricity from PG&E. The water system in Palo Cedro has very limited storage; generally, the well must run whenever there is demand. There is a direct correlation between the amount of water pumped and power use. Long term power rates are likely to rise.

Average annual utility costs during the study period were \$12,101. There was a marked increase in FY 2016-17 costs even though approximately the same amount of water was produced. The CSA is subject to peak use charges.

Depreciation

Financial solvency enables the CSA to deliver water to its users. Revenue collected must cover all operating costs, overhead and some depreciation. Depreciation is collected to offset the cost of future equipment replacement and repairs. Thompson-Reuters assigns a fifty year useful life to water systems as a whole, though individual components may wear out or become obsolete sooner. The oldest parts of the system have been in operation since 1995. Full annual depreciation of both systems, as determined by standard accounting practices, is \$95,778. Funds have not been set aside for system replacement for the three years examined in this report.

WATER - OTHER FINANCIAL CONSIDERATIONS

The pressure tank at the wellhead has not been replaced in recent memory. The well's pump was replaced in FY 2014-15 and should have a fifteen year useful life according to Thompson-Reuters. Because of the lack of storage, the pump cycles frequently, which reduces equipment life.

WATER - EXISTING USE PATTERNS

The treatment and distribution systems are adequately sized to serve the current district. During development of this rate report, individual meter use from bi-monthly billings for the service period from July 1, 2014, through June 30, 2017, was examined. Part of this period coincided with a drought. Non-zero average and median use is shown in **Table 4**. The "Aggregate" column considers all of the data together.

Table 4 – Non-Zero Average and Median Use in Gallons

	FY 2014-15	FY 2015-16	FY 2016-17	Aggregate
Average	57,839	55,086	52,039	54,970
Median	36,716	31,842	26,457	33,604

Average use decreased during FY 2016-17. This was a very wet period, so low use probably reflects late irrigation in 2017.

WATER - REVENUE GOALS

Average expenses for the three year period considered were \$67,074. Average revenue was \$28,963, a 132% shortfall. Even with high FYs 2014-15 expenses, the average revenue is not overly conservative.

PROPOSED WATER RATES

The final step of Rate Ordinance 633 went into effect on May 1, 2005. It established the bi-monthly charge for the first 12,000 gallons of water at \$34.00 and \$0.50 per 1,000 gallons thereafter. Average use is much lower.

The new rate structure should more closely match recurring fixed costs in the base rate and variable costs in the volumetric charge. Fixed costs are those that occur independent of the quantity of water produced. For instance, an operator must check the plant weekly and meters must be read bi-monthly as long as the system is operating. The most obvious variable cost is for utilities; a certain amount of maintenance is also based on the amount of water produced. Standby and vacation rates are unchanged and are set at \$10 per billing cycle and treated as fixed.

Average expenses for the three year period considered were \$67,074. Average annual utility costs during the study period were \$12,101. The proposed rate structure will attempt to recover at least \$55,000 from the basic bi-monthly charge and \$12,100 from the volumetric (per 1,000-gallon) charges.

Based on the three years examined, a rate structure using a simple meter fee (no water use) of \$118.00 and a per-thousand gallon rate of \$0.49 would cover the basic cost of providing service as long as there is not another water supply curtailment or electrical rate increase. However, this overlooks the need to maintain minimum turnover in the system for water quality and other reasons. CSA customers have historically preferred a base water use quantity. This rate structure will not be further examined.

Based on the three years examined, a rate structure allowing 12,000 gallons of base use could work with a \$121.50 base rate and a per-thousand gallon rate of \$0.53. That would cover the basic cost of providing service until there is an electrical rate increase or other unexpected expense. No money would be set aside for future emergencies or capitol replacement.

Table 5 shows a rate proposal which phases in the rate increase.

Table 5 – Four Year Proposal – 12,000 Gallon Drinking Water Base Quantity

	Current	Year 1	Year 2	Year 3	Year 4
Base Rate	\$34.00	\$56.00	\$78.00	\$100.00	\$122.00
Per 1,000 Gallons	\$0.50	\$0.55	\$0.60	\$0.65	\$0.70
Model Revenue	\$26,810	\$38,284	\$49,757	\$61,230	\$72,704

Incremental revenue is increased \$0.05 per year against electric rate increases.

Exhibit B provides rate comparisons with some local districts. The proposed rates are within local norms. Many of the comparison districts are larger and achieve an economy of scale not possible in a 79 connection district.

If no emergency conditions come up during the proposed rate period, the next rate study should realign costs with charges and begin collecting general depreciation and/or a reserve for replacement of the pressure tank and well pump.

CONCLUSION

The sewer rate structure proposed in **Table 3** recovers current operating costs in three years and begins collecting revenue against depreciation in the fourth. The water rate schedule proposed in **Table 5** recovers recent average operating costs after four years.

Barring emergency situations, this rate structure should match CSA costs after five years. At that time, or sooner if expenses warrant, the rates should be reconsidered to include depreciation recovery and/or replacing specific components.

Attachments:

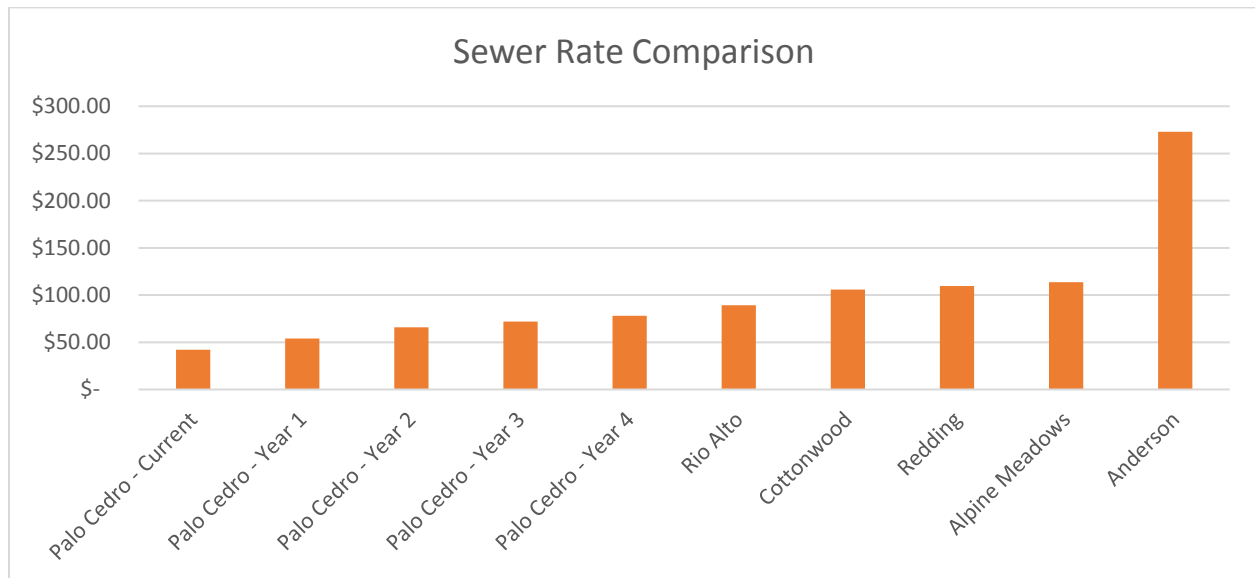
- Exhibit A:** Expense and Revenue Statement
- Exhibit B:** Rate Comparisons

EXHIBIT A
CSA #8 Palo Cedro Expenses and Revenues

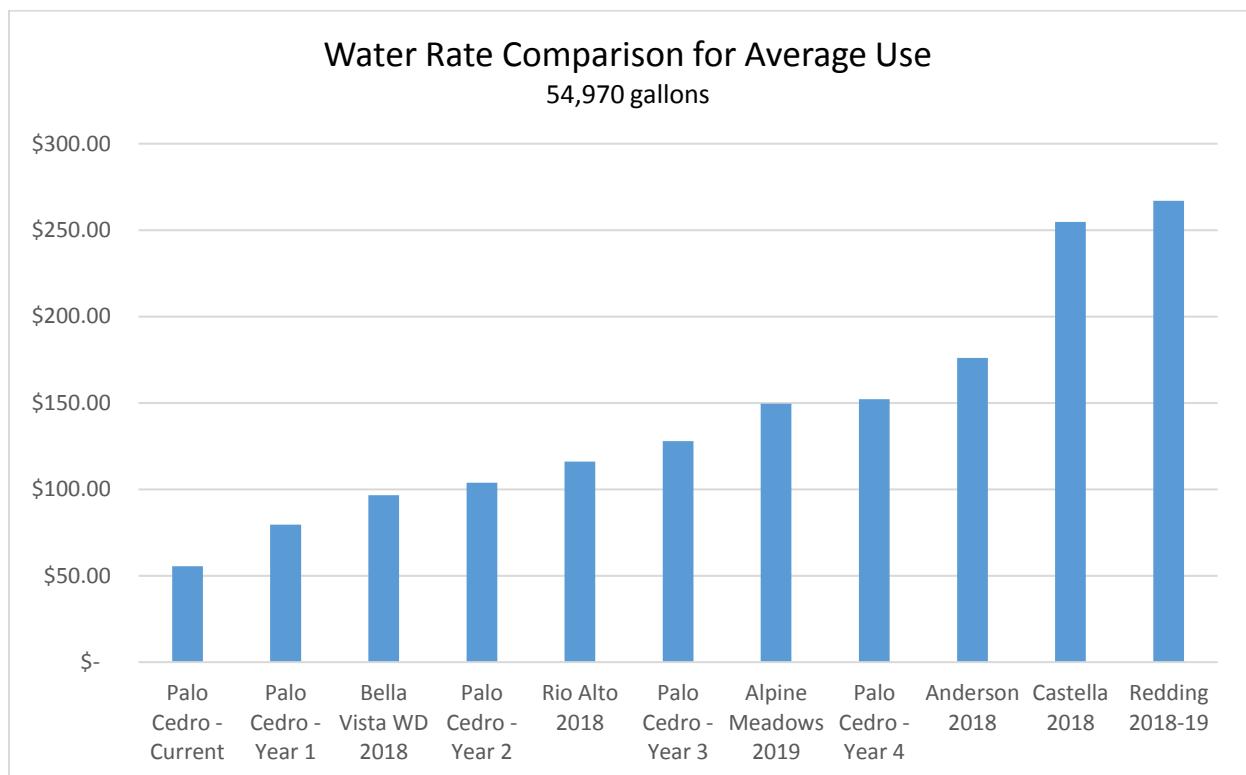
	FY 2014-2015			FY 2015-2016			FY 2016-2017				Average	
	Water	Sewer	Total	Water	Sewer	Total	Water	Sewer	Total	Water	Sewer	Aggregate
Expenses												
Clothing/personal supplies ¹	3	10	13	0	0	0	0	0	0	1	3	4
Communications ¹	662	1,939	2,601	689	2,019	2,708	700	2,051	2,751	684	2,003	2,687
Household	0	0	0	20	57	77	0	0	0	7	19	26
Insurance ¹	244	716	960	232	680	912	233	684	917	237	693	930
Maintenance of equipment	5,590	4,389	9,979	2,922	942	3,864	1,953	6,711	8,664	3,488	4,014	7,502
Hardware/software ¹	24	71	95	19	56	75	24	69	93	22	65	87
Maintenance of structures	0	900	900	0	1,285	1,285	0	15,138	15,138	0	5,774	5,774
Medical/dental/lab supplies	0	549	549	0	1,244	1,244	0	0	0	0	598	598
Memberships ¹	39	114	153	42	122	164	41	120	161	41	119	159
Postage ¹	240	704	944	257	752	1,009	239	698	937	245	718	963
Professional/Special services	20,271	1,927	22,198	1,246	7,040	8,286	127	12,681	12,808	7,215	7,216	14,431
Laboratory services ¹	1,406	4,116	5,522	1,552	4,545	6,097	1,227	3,593	4,820	1,395	4,085	5,480
Maintenance services	35,985	0	35,985	32,817	0	32,817	41,952	0	41,952	36,918	0	36,918
Monitoring services	0	67,066	67,066	0	103,272	103,272	0	101,993	101,993	0	90,777	90,777
Information technology services ¹	254	744	998	255	747	1,002	257	751	1,008	255	747	1,002
Rent/lease of equipment	0	65	65	0	0	0	0	0	0	0	22	22
Publications/legal notices ¹	0	0	0	2	5	7	0	0	0	1	2	3
Minor equipment	681	195	876	0	272	272	1,149	579	1,728	610	349	959
Special departmental expense	145	17,472	17,617	657	17,085	17,742	631	17,051	17,682	478	17,203	17,681
Special dept exp permits/licenses	588	0	588	0	0	0	0	0	0	196	0	196
Transportation/travel ¹	348	1,394	1,742	658	2,630	3,288	660	2,642	3,302	555	2,222	2,777
Utilities ¹	11,418	33,428	44,846	11,299	33,081	44,380	13,586	39,775	53,361	12,101	35,428	47,529
Bad Debt	0	(29)	(29)	0	(25)	(25)	0	5	5	0	(16)	(16)
A-87 ¹	851	2,490	3,341	4,841	14,172	19,013	2,186	6,400	8,586	2,626	7,688	10,314
Depreciation ¹	24,385	71,393	95,778	24,385	71,393	95,778	24,385	71,393	95,778	24,385	71,393	95,778
Total	103,134	209,653	312,787	81,893	261,374	343,267	89,350	282,334	371,684	91,459	251,122	342,581
Revenue												
Interest	498	1,458	1,956	385	1,126	1,511	479	1,401	1,880	454	1,329	1,783
Special Assessment Delinquent	0	1,315	1,315	0	526	526	0	497	497	0	779	779
Connection Fees	0	1,750	1,750	0	1,750	1,750	0	7,550	7,550	0	3,683	3,683
Charges	27,304	122,810	150,114	29,772	121,350	151,122	28,127	123,562	151,689	28,401	122,574	150,975
Miscellaneous	0	111	111	325	114	439	0	150	150	108	125	233
Total	27,802	127,444	155,246	30,482	124,866	155,348	28,606	133,160	161,766	28,963	128,490	157,453

Note 1: Expenses in this category are not tracked, so the amounts charged to water and sewer are weighted by total service connections.

EXHIBIT B **RATE COMPARISONS**



Anderson has a per-100 cubic foot fee based on water use. This is possible in Anderson because the water and sewer districts are the same. CSA 8 average water use of 54,970 gallons was used to calculate the Anderson sewer fee.



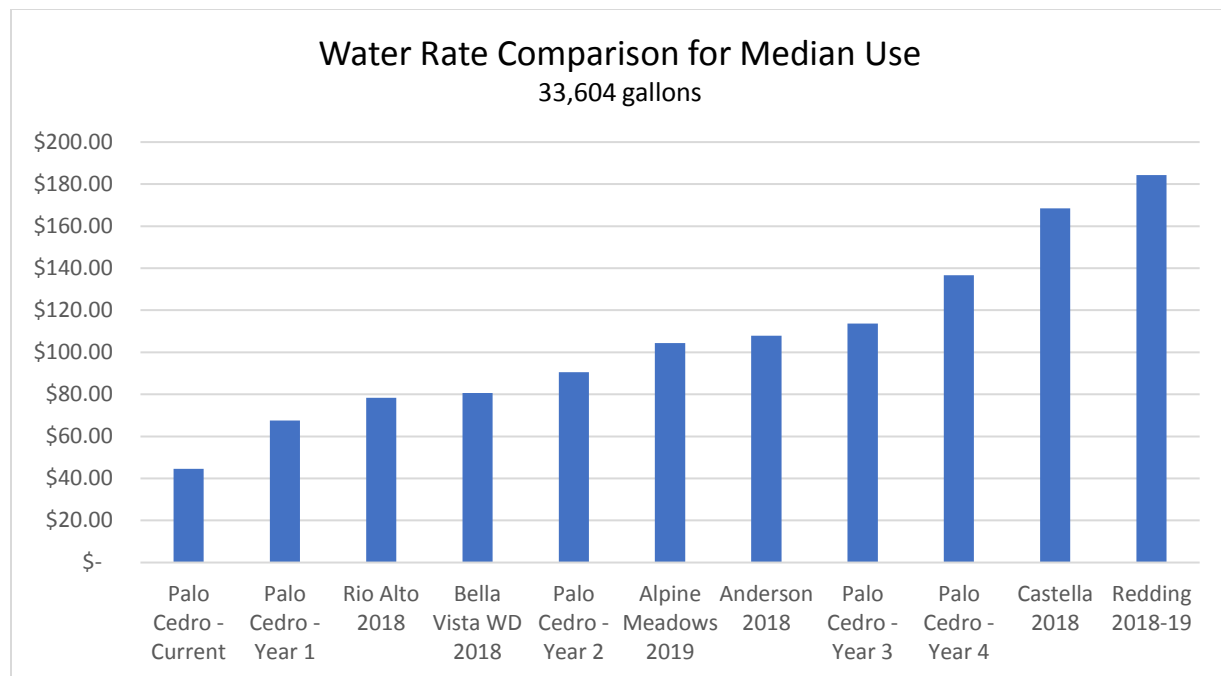


EXHIBIT B
RATE COMPARISONS



CSA #8 — PALO CEDRO WATER & SEWER RATE INCREASE

PROPOSITION 218 NOTICE OF PROPOSED WATER & SEWER RATE INCREASE

TO AFFECTED PROPERTY OWNER(S):

YOU ARE HEREBY NOTIFIED THAT THE SHASTA COUNTY BOARD OF SUPERVISORS WILL BE CONSIDERING A WATER & SEWER RATE INCREASE FOR COUNTY SERVICE AREA (CSA) #8 – PALO CEDRO. THIS RATE INCREASE IS TO COVER INCREASED EXPENSES IN THE PRODUCTION, TREATMENT AND DELIVERY OF WATER AND THE COLLECTION AND DISPOSAL OF WASTEWATER FOR PROPERTIES WITHIN THE CSA. THIS NOTICE IS GIVEN IN ACCORDANCE WITH PROPOSITION 218 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION.

THE PROPOSED RATES ARE LISTED BELOW:

CURRENT BI-MONTHLY WATER AND SEWER RATES	Existing
Water Base Rate (0-12,000 Gallons)	\$34.00
Water Rate Per 1,000 Gallons (over 12,000 Gallons)	\$0.50
Sewer and Wastewater Per Household Equivalent	\$42.00

EFFECTIVE DATE: 11/1/2018 BI-MONTHLY BILL	Proposed – Year 1
Water Base Rate (0-12,000 Gallons)	\$56.00
Water Rate Per 100 Cubic Feet (over 12,000 Gallons)	\$0.55
Sewer and Wastewater Per Household Equivalent	\$54.00

EFFECTIVE DATE: 11/1/2019 BI-MONTHLY BILL	Proposed – Year 2
Water Base Rate (0-12,000 Gallons)	\$78.00
Water Rate Per 100 Cubic Feet (over 12,000 Gallons)	\$0.60
Sewer and Wastewater Per Household Equivalent	\$66.00

EFFECTIVE DATE: 11/1/2020 BI-MONTHLY BILL	Proposed – Year 3
Water Base Rate (0-12,000 Gallons)	\$100.00
Water Rate Per 100 Cubic Feet (over 12,000 Gallons)	\$0.65
Sewer and Wastewater Per Household Equivalent	\$72.00

EFFECTIVE DATE: 11/1/2021 BI-MONTHLY BILL	Proposed – Year 4
Water Base Rate (0-12,000 Gallons)	\$122.00
Water Rate Per 100 Cubic Feet (over 12,000 Gallons)	\$0.70
Sewer and Wastewater Per Household Equivalent	\$78.00

THESE RATES ARE NECESSARY TO RECOVER THE COSTS OF OPERATIONS AND MAINTENANCE REQUIRED BY THE CSA'S OPERATING PERMITS.

A DETAILED ACCOUNTING SHOWING THE BASIS OF THE FEES MAY BE VIEWED AND OBTAINED AT THE SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS AT 1855 PLACER STREET, REDDING, CALIFORNIA.

A PUBLIC HEARING IS SCHEDULED ON SEPTEMBER 18, 2018, IN THE SHASTA COUNTY BOARD OF SUPERVISORS CHAMBERS, LOCATED AT 1450 COURT STREET, ROOM 263, REDDING, CALIFORNIA, AT 9:00 A.M. OR AS SOON THEREAFTER AS MAY BE HEARD, TO CONSIDER THE PROPOSED WATER AND SEWER RATE INCREASE AND ANY PROTESTS.

Protest Information:

The Shasta County Board of Supervisors will consider the proposed water and sewer service rate increase at a public hearing at 9:00 a.m., or as soon thereafter as can be heard, on September 18, 2018, at the Board of Supervisors Chambers located at 1450 Court Street, Room 263, Redding, California. Under State law, if you are the owner of record of, or a tenant at, a parcel or parcels subject to the proposed rate changes, you may submit a protest against the proposed rate changes by filing a written protest with the Clerk of the Board at or before the time set for the public hearing. Only one protest per parcel will be counted. If there is no majority protest the Board will consider and may adopt the increased water and sewer service rates. A majority protest exists if written protests against the proposed rate increase are presented by a majority of the affected parcels.

A written protest must contain a description of the parcel or parcels in which the party signing the protest has an interest, sufficient to identify the parcel(s). If the party signing the protest is not shown on the last equalized assessment role of Shasta County as the owner of the parcel(s), the protest must contain or be accompanied by written evidence that such party is the owner of the parcel(s) or is a tenant on the parcel(s). Written protests regarding the proposed rate changes may be mailed to: County of Shasta, Clerk of the Board, 1450 Court Street, Suite 308B, Redding, California 96001. Written protests may also be personally delivered to the Clerk of the Board at this address. To be valid, a protest must be in writing and received by the Clerk of the Board at or before the time of the protest hearing.

ORDINANCE NO.

**ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
COUNTY SERVICE AREA NO. 8-PALO CEDRO SEWER AND WATER
REPEALING ORDINANCE NO. 633 AND SETTING FORTH THE CHARGES,
RATES, AND FEES FOR SEWER, WATER, AND RELATED SERVICES**

WHEREAS, on July 20, 2018, a written notice describing the proposed rates, fees, and charges to be imposed for water and related services was mailed to the affected property owners in accordance with the provisions of Cal. Const., art. XIII D, §6; and

WHEREAS, on September 18, 2018, a public hearing was held to provide an opportunity to protest the proposed the proposed rates, fees, and charges to be imposed for water and related services in accordance with Cal. Const., art. XIII D, §6; and

WHEREAS, the proposed rates, fees, and charges are necessary in providing water services, including an appropriate level of reserves, and will not produce revenues in excess of the costs of such service; and

WHEREAS, there was not a majority protest to the proposed rates, fees, and charges to be imposed for water and related services; and

WHEREAS, this ordinance complies with the legal and procedural requirements for setting the charges and rates for water and related services including, but not limited to, Cal. Const., art. XIII D, §6 and Government Code section 53750 *et seq.*

The Board of Supervisors of the County of Shasta ordains as follows:

Section 1. Rate Schedules: The following rate schedules for sewer and water shall be adopted for County Service Area No. 8-Palo Cedro Sewer and Water.

A. Water Rate Schedule

Basic Bi-monthly Charge Effective November 1, 2018

- (1) A basic bi-monthly charge of \$56.00, which includes the first 12,000 gallons (1,604 cubic feet) of water consumed (0 - 12,000 gallons consumed); and
- (2) A charge of \$0.55 for every 1,000 gallons (134 cubic feet) or portion thereof for that portion of the total bi-monthly consumption in excess of 12,000 gallons.

Basic Bi-monthly Charge Effective November 1, 2019

- (1) A basic bi-monthly charge of \$78.00, which includes the first 12,000 gallons (1,604 cubic feet) of water consumed (0 - 12,000 gallons consumed); and

Ordinance No.
September 18, 2018
Page 2 of 4

- (2) A charge of \$0.60 for every 1,000 gallons (134 cubic feet) or portion thereof for that portion of the total bi-monthly consumption in excess of 12,000 gallons.

Basic Bi-monthly Charge Effective November 1, 2020

- (1) A basic bi-monthly charge of \$100.00, which includes the first 12,000 gallons (1,604 cubic feet) of water consumed (0 - 12,000 gallons consumed); and
- (2) A charge of \$0.65 for every 1,000 gallons (134 cubic feet) or portion thereof for that portion of the total bi-monthly consumption in excess of 12,000 gallons.

Basic Bi-monthly Charge Effective November 1, 2021

- (1) A basic bi-monthly charge of \$122.00, which includes the first 12,000 gallons (1,604 cubic feet) of water consumed (0 - 12,000 gallons consumed); and
- (2) A charge of \$0.70 for every 1,000 gallons (134 cubic feet) or portion thereof for that portion of the total bi-monthly consumption in excess of 12,000 gallons.

Bi-Monthly Standby Charge (Unchanged): \$10.00

- (1) **Not Connected to Water System:** A standby charge shall be paid by the owner of each parcel in the service area for which delivery of water service is readily available but has not been initiated, whether structures are present on the property or not. The Director of Public Works may waive the monthly standby charge if the Director determines that service is not readily available to a particular parcel. This determination will include factors such as size of the property, the topography of the property, and the shape of the property.
- (2) **Vacation Status:** Pursuant to the Shasta County Service Area Ordinance, customers with a meter may be charged the applicable standby fee during the months the property is vacant, upon request by the customer, if the property is to receive regular water service for less than three (3) consecutive months per year.

Water Sales to Out-of-District Users (Short-Term Usage): Persons who are not residents or property owners in County Service Area No. 8-Palo Cedro Sewer and Water may purchase water where and when available at the rate of twice the amount charged to regular customers for the same usage in a two-month period. County Service Area No. 8-Palo Cedro Sewer and Water will provide a meter to record water usage upon receipt of a \$500.00 deposit. A permit will be issued outlining the conditions of use.

B. Sewer Rate Schedule:

Basic Bi-monthly Charge Effective November 1, 2018: The basic bi-monthly charge per household equivalent shall be \$54.00.

Ordinance No.
September 18, 2018
Page 3 of 4

Basic Bi-monthly Charge Effective November 1, 2019: The basic bi-monthly charge per household equivalent shall be \$66.00.

Basic Bi-monthly Charge Effective November 1, 2020: The basic bi-monthly charge per household equivalent shall be \$72.00.

Basic Bi-monthly Charge Effective November 1, 2021: The basic bi-monthly charge per household equivalent shall be \$78.00.

For purposes of this Ordinance, one household equivalent will discharge an average wastewater flow of approximately 195 gallons per day into the sanitary sewer system.

Bi-Monthly Standby Charge (Unchanged): \$10.00

A standby charge shall be paid by the owner of each parcel in the service area for which delivery of sewer service is readily available but has not been initiated, whether structures are present on the property or not. The Director of Public Works may waive the monthly standby charge if the Director determines that service is not readily available to a particular parcel. This determination will include factors such as size of the property, the topography of the property, and the shape of the property.

Capital Improvement Fees: For new land uses that will generate wastewater in excess of the wastewater quantities used to establish Palo Cedro Assessment District No. 1982-1, the property owner shall pay a Capital Improvement Fee of \$3,650 for each additional household equivalent based on the proposed zoning or use. Capital improvement fees shall be paid as follows:

Category of Property	Timing of Payments
Land within Palo Cedro Sewer Assessment District No. 1982-1 and land previously annexed to CSA No. 8 and undergoing a land use change.	Prior to issuance of a Use Permit or the recording of final documents for the Zone change or subdivision map.
Land being annexed into CSA No. 8 and not within Palo Cedro Sewer Assessment District No. 1982-1.	Prior to the filing of the LAFCO Certificate of Completion for the annexation to the Service Area.

Capital Improvement Fees shall be deposited into the CSA No. 8 capital improvement fund for future expansion of the system.

Annexation Fees: Property being annexed into the this service area shall pay an annexation fee prior to the filing of the Certificate of Completion by the Shasta County LAFCO in accordance with the following rates:

Ordinance No.
September 18, 2018
Page 4 of 4

Land Zoning Designation from 1980-1981	Fee Per Acre
C-2-P	\$490.50
R-R-BA-1	\$164.00
R-R-BA-2	\$82.00
R-R-BA-5	\$32.80

Annexation Fees shall be deposited into the CSA No. 8 operational fund.

Connection Fees: Owners of structures that did not have operating on-site sewage disposal systems on or before February 4, 1984, shall pay a Connection Fee of \$1,750 per household equivalent prior to connection to the sewage disposal system. Owners of structures that did have operating on-site sewage disposal systems on or before February 4, 1984, shall pay a Connection Fee of \$1,750 per household equivalent in excess of that which was in use in that place on the said date prior to connection to the sewage disposal system. Connection Fees shall be deposited into the CSA No. 8 capital improvement fund for future expansion of the system.

Section 2. This Ordinance supersedes those portions of any prior ordinance or resolution setting rates or fees for County Service Area No. 8-Palo Cedro Water and Sewer.

Section 3. This ordinance shall take effect and be in full force and effect from and after 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 18th day of September 2018, by the Board of Supervisors of the County of Shasta, State of California by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:
LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Scheduled Hearings - Resource Management-9.

SUBJECT:

Resolution adopting General Plan Amendment 18-0001 and Ordinance approving Zoning Amendment ZA18-0002

DEPARTMENT: Resource Management

Supervisory District No. : 4

DEPARTMENT CONTACT: Paul A. Hellman, Director of Resource Management (530) 225-5789

STAFF REPORT APPROVED BY: Paul A. Hellman, Director of Resource Management

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions regarding property in the unincorporated area of Shasta County east of and adjoining the City of Redding in the northwest quadrant of the State Route 299/Old Oregon Trail interchanges area (Assessor Parcel Numbers 076-070-012, 076-070-016, 076-100-018, 076- 060-018 (portion), and 076-100-011): (1) Conduct a public hearing; (2) close the public hearing; (3) adopt a resolution: (a) finding that GPA18-0001 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, (b) approving GPA18-0001 to amend the land use designations on 47.9 acres of property from Commercial (C) and Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)); (4) find that Zoning Amendment (ZA) 18-0002 is not subject to CEQA in accordance with the provisions of Government Code section 65759; and (5) introduce, waive the reading of, and enact ordinance ZA18-0002 rezoning 33.3 acres of property from Interim Rural Residential (IR), Commercial Light Industrial (C-M), and Community Commercial (C-2) to Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS).

SUMMARY

The project site (Area 1) is located in unincorporated Shasta County, east of and adjoining the City of Redding in the northwest quadrant of the State Route 299 (SR-299)/Old Oregon Trail interchange area. The Area 1 application is comprised of five separate parcels which includes a total of 47.9 acres of primarily undeveloped land. (Assessor’s Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; 076-060-018 (portion); and 076-100-011).

This project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps as necessary actions to bring the County’s General Plan into compliance with State Housing Law and a Stipulation for Judgment by the Shasta County Superior Court. This application is necessary for the County to meet its state mandated housing obligations. Denial of the application would require the County to find other properties to designate and rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County’s Housing Element update program at risk.

DISCUSSION

The Planning Commission reviewed this application on August 23, 2018. The Commission took action recommending that the Board of Supervisors approve GPA18-0001 and ZA18-0002 by a vote of 4-0.

The Area 1 application identifies six specific sites (Sites 1-6) as part of the overall Housing Element Rezone Program which originally included a total of 13 sites to be rezoned to the R-3-25 district. The selection of the 13 sites was based on the sites' location within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Additionally, the property owners of these sites voluntarily cooperated with the County and support the project applications.

General Plan & Zoning - The property is designated Commercial (C) and Suburban Residential (SR) by the General Plan Maps and is zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR). The property is located within the Redding Urban Center and South Central Planning Area.

Access & Services - Access to the Area 1 sites are from Collyer Drive (Sites 1-5) and Old Oregon Trail (Site 6). Bella Vista Water District provides water to the area. The Area 1 project sites adjoin the City of Redding's sewer main system along Collyer Drive and Old Oregon Trail. Electricity and natural gas service in the area is provided by Pacific Gas and Electric Company and Waste Management provides solid waste disposal services.

Project Analysis - The Area 1 sites are in close proximity to, and immediately west of Shasta College, east of the future Bethel Church campus, and northeast of Simpson University. Area 1 adjoins the City of Redding's jurisdictional boundary and is within its designated Sphere of Influence (SOI). The City's SOI represents the logical pattern of ultimate development within the City based on the availability of supporting infrastructure. The area is designated by the City of Redding General Plan as Residential Multiple-Family-10 to 20 units per acre, which indicates the area is planned for high density residential development. The County's proposed land use designation and zoning are consistent with the City's anticipated build out of the area.

To provide the required capacity to accommodate affordable housing units as mandated by State housing law, approximately 33.3 acres of undeveloped land on sites 1 through 6 will be rezoned to the R-3-25 district. The potential development of the 33.3-acre site would yield a minimum of 646 multiple-family units based on the realistic capacity of 20 dwelling units per acre and a maximum of 807.5 multiple-family units based on a maximum density of 25 dwelling units per acre. For the purpose of meeting the state mandated housing requirements, the County would only be credited for the 646 dwelling units at the realistic capacity density.

The designs and locations of future developments within the rezone sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed General Plan Land Use Map and Zoning Map Amendments, no specific development proposals are associated with this project. Future multiple-family housing development will be market-driven and will be subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060, and would be undertaken in coordination with the City of Redding.

An area of approximately one acre was identified on site 5 as having slopes exceeding 30 percent. This area is not suitable for multiple-family housing development and has been excluded from the total acreage for the purpose of accounting for potential housing units to meet the County's RHNA. Sites 1 and 3 are currently developed with non-conforming single-family residences and both parcels have recently transferred ownership to a common owner whose express intent is to relocate or remove the residences and develop the sites as high density residential.

Environmental Determination - This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment. Although this project is not subject to CEQA, an initial study is required to determine the environmental effects of the proposed project and to prepare an environmental assessment if as a result of the initial study the County determines that the project may have a significant effect on the environment.

The Planning Division has prepared an initial study in accordance with Government Code section 65759, and determined that the project may have a significant effect on the environment. Therefore, an Environmental Assessment (EA) has been prepared for this application, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR).

ALTERNATIVES

The following alternatives are available:

1. Deny the General Plan and Zoning Map Amendment request;
2. Modify the General Plan and Zoning Amendment boundaries;
3. Continue review of the application for additional information.

None of these alternatives are recommended. The boundaries and resulting acreage of the Area 1 application have been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its legal obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to designate and rezone property and any delay could put these timelines at risk.

The Planning Commission resolution is attached for the Board's consideration.

OTHER AGENCY INVOLVEMENT

This application was reviewed by the referral agencies that review all new development applications. Comments made by those agencies have been incorporated in the project.

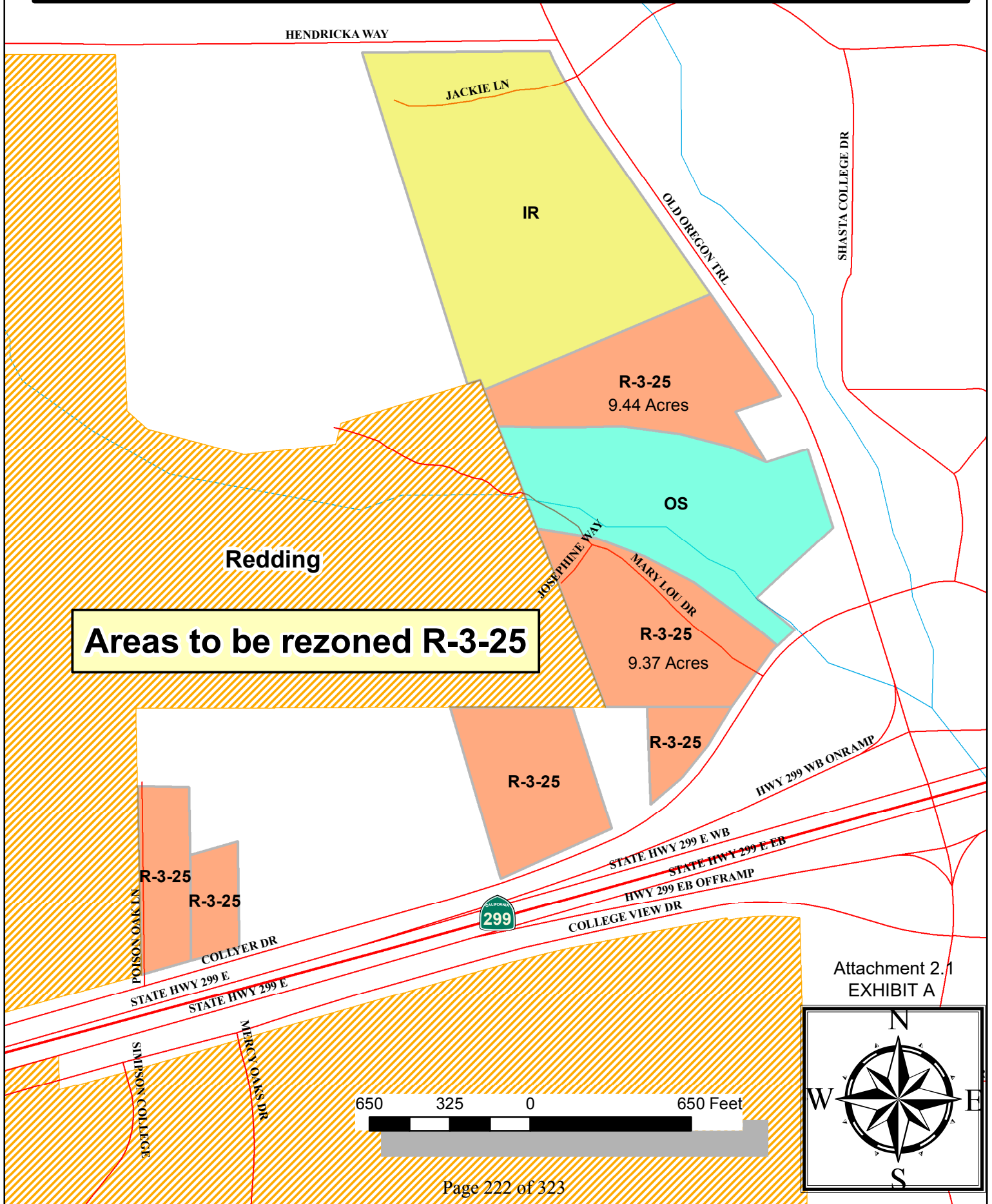
FINANCING

No additional General Fund impact would result from approval of the proposal.

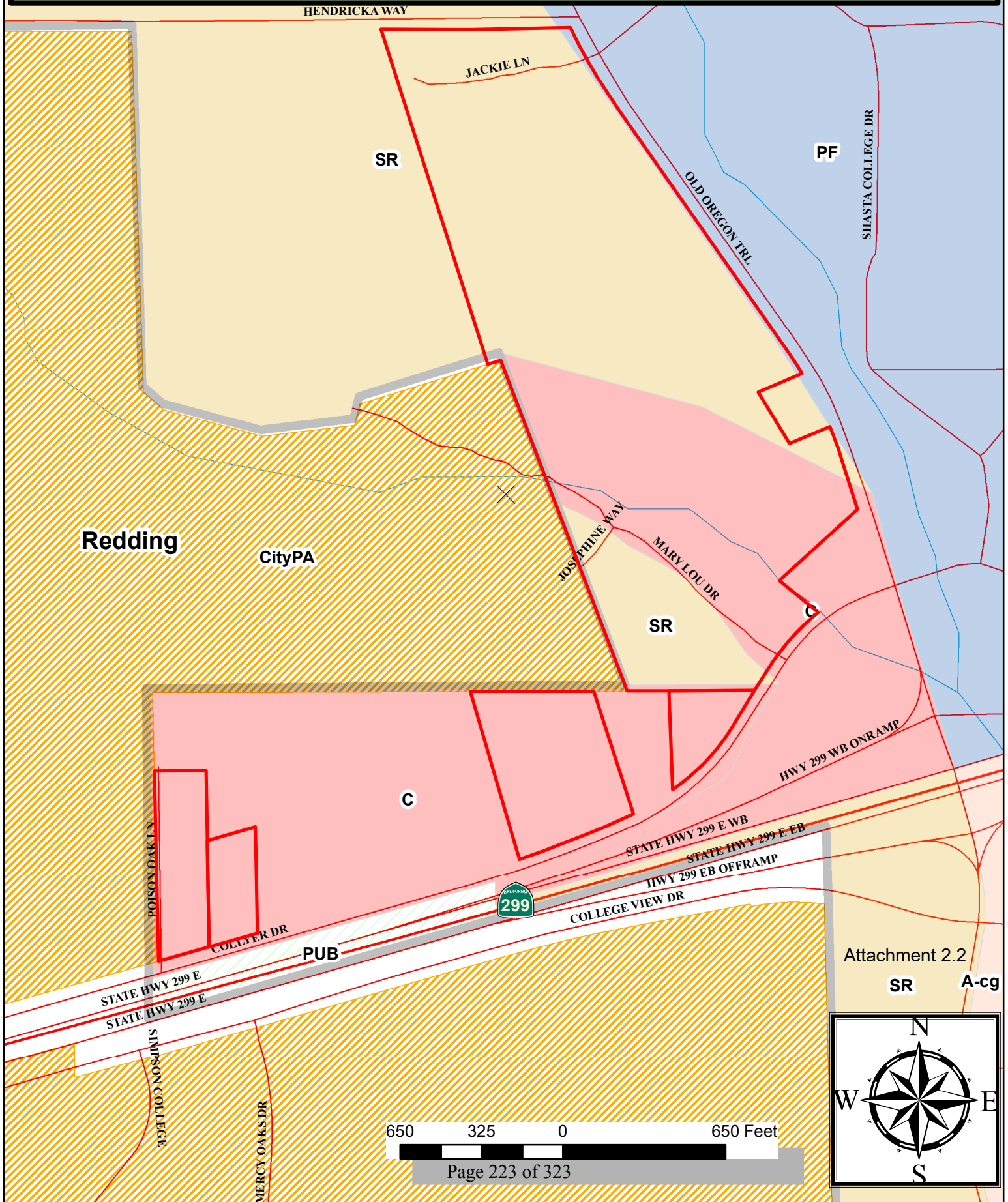
ATTACHMENTS:

Description	Upload Date	Description
Project Location Maps	8/31/2018	Project Location Maps
Planning Commission Staff Report of August 23, 2018	8/31/2018	Planning Commission Staff Report of August 23, 2018
Planning Commission Resolution 2018-018	8/31/2018	Planning Commission Resolution 2018-018
Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)	8/31/2018	Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)
2014-2019 Housing Element Update - Rezone Program Inventory Sites	8/31/2018	2014-2019 Housing Element Update - Rezone Program Inventory Sites
ZA18-0002 Ordinance	9/13/2018	ZA18-0002 Ordinance
GPA 18-0001 Resolution	9/13/2018	GPA 18-0001 Resolution

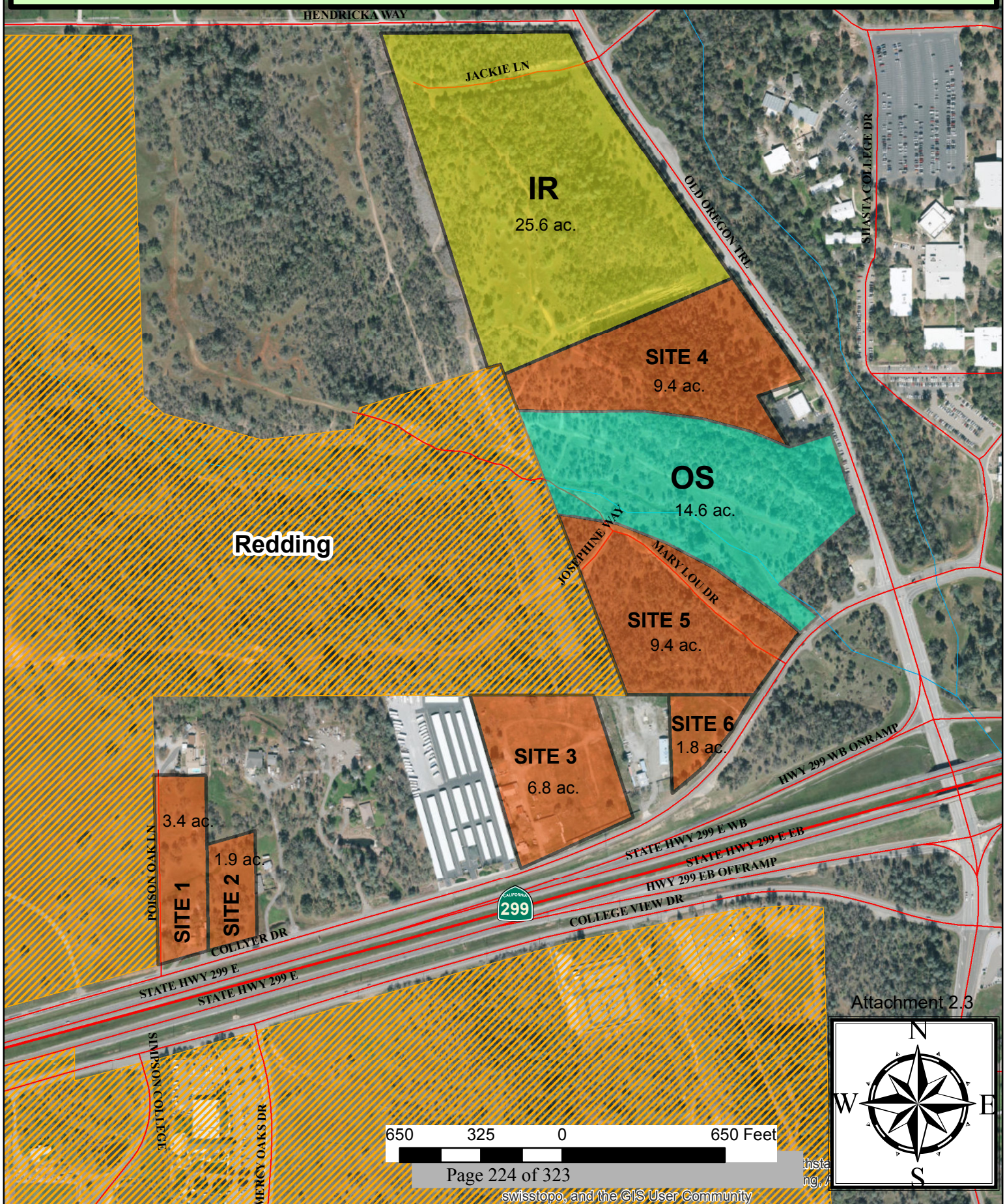
E Redding Area: 299E & Old Oregon Trl.



Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail

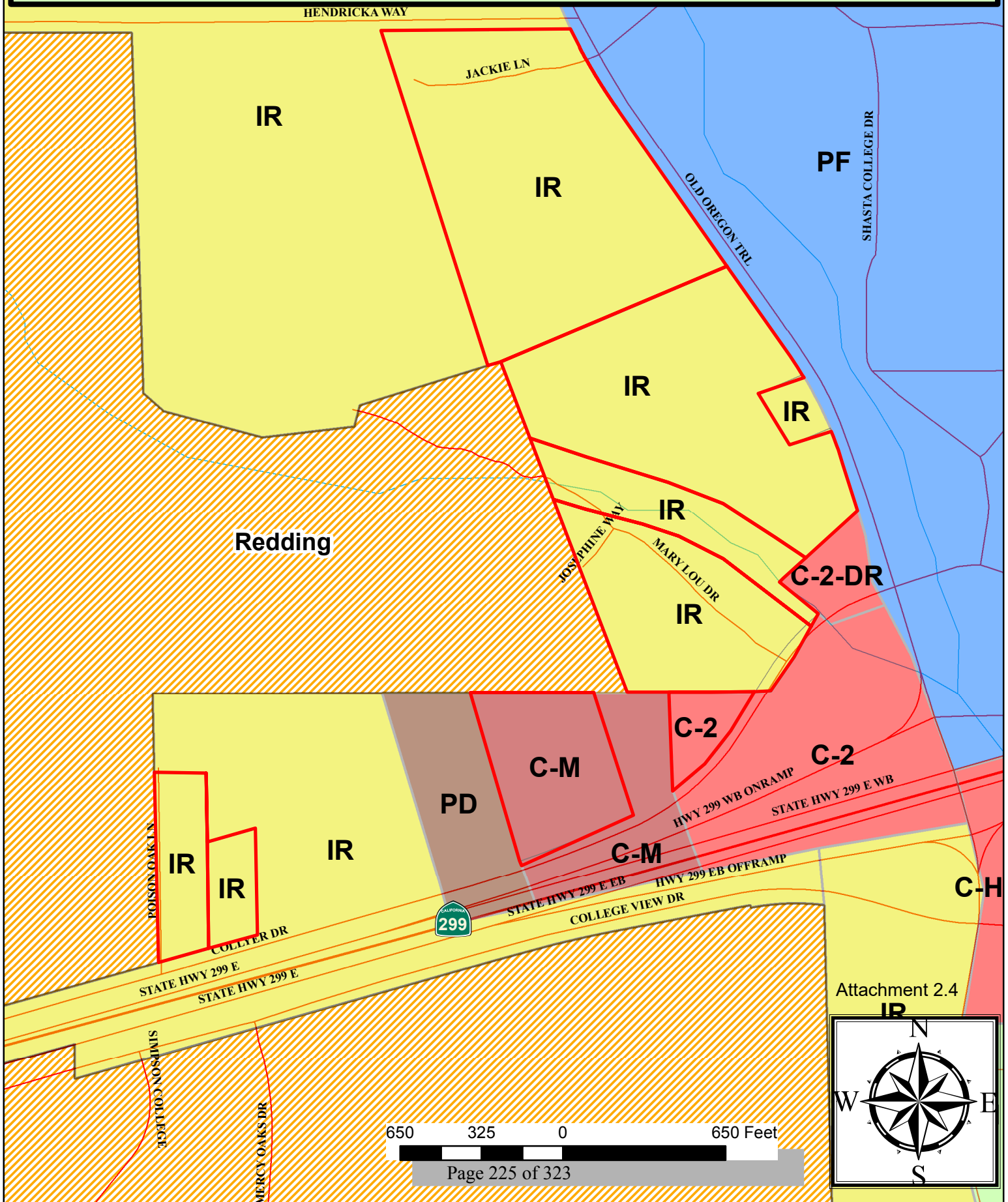


Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail



Attachment 2.3

Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail



REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u>	<u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT GPA18-0001 AND ZONE AMENDMENT ZA18-0002 AREA 1 - EAST REDDING: HIGHWAY 299E & OLD OREGON TRAIL CONTINUED FROM AUGUST 9, 2018		08/23/18	R1

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt a resolution recommending that the Board of Supervisors: a) find GPA18-0001 and ZA18-0002 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any proposed action necessary to comply with court order or judgement to bring an agency's general plan or relevant mandatory elements of the plan into compliance with State Law); b) adopt a resolution approving General Plan Map Amendment GPA18-0001; and c) introduce, waive the reading of and enact an ordinance amending the Zoning Plan maps pursuant to ZA18-0002.

PROJECT SUMMARY: The project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps as necessary actions to bring the County's General Plan into compliance with State Housing Law and a judgement by the Shasta County Superior Court (see Environmental Determination section under Background and Discussion below). The proposed General Plan and Zoning Plan Map amendments are not associated with any proposal for the on-site development of any of the sites.

The project site (Area 1) is one of four separate applications in four separate geographical areas of the unincorporated County totaling 13 sites, within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Collectively, these four projects will change the General Plan land use designation on 61.5 acres to Urban Residential-25 dwelling units per acre (UR(25)), and rezone the same 61.5 acres to Multiple-Family Residential-25 dwelling units per acre (R-3-25).

Area 1 is located in unincorporated Shasta County, east of and adjoining the City of Redding in the northwest quadrant of the State Route 299 (SR-299)/Old Oregon Trail interchange area. Six sites on five separate parcels are included in the Area 1 amendment/rezone project (Table 1), which include a total of 33.3 acres of primarily undeveloped land currently designated Commercial (C) and Suburban Residential (SR) on the General Plan Land Use Maps, and zoned as Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR) on the Zoning Maps. As proposed, Area 1 will be designated UR(25) and rezoned to R-3-25 (33.3 acres), with an additional 14.6 acres zoned Open Space. (Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; 076-060-018 (portion) and 076-100-011).

Table 1. Area 1 Project Information

Site #	Assessor's Parcel #	Current GP/Zoning	Proposed GP/Zoning	Acres
1	076-070-012	C/IR	UR(25)/R-3-25	3.5
2	076-070-016	C/IR	UR(25)/R-3-25	1.9
3	076-100-018	C/C-M	UR(25)/R-3-25	7.3
4	076-060-018*	SR, C/IR	UR(25)/R-3-25	9.4 (portion of parcel)
5	076-060-018*	SR, C/IR	UR(25)/R-3-25	9.4 (portion of parcel)
6	076-100-011	C/C-2	UR(25)/R-3-25	1.8

GPA18-0001 & ZA18-0002 (Area 1)

8/23/18

Page 2

BACKGROUND AND DISCUSSION: The Area 1 sites are in close proximity to, and immediately west of Shasta College, east of the future Bethel Church campus, and northeast of Simpson University. Area 1 adjoins the City of Redding's jurisdictional boundary and is within its designated Sphere of Influence (SOI). The area has been pre-zoned by the City of Redding to Residential Multiple-Family-10 to 20 units per acre (RM 10-20) which indicates the area is planned and zoned for high density residential development. The County's proposed land use designation and zoning are consistent with the City's anticipated build out of the area.

Access & Services – Access to Area 1 sites are from Collyer Drive (Sites 1-5) and Old Oregon Trail (Site 6). Bella Vista Water District provides water to the area. The Area 1 project sites adjoin the City of Redding's sewer main system along Collyer Drive and Old Oregon Trail. Electricity and natural gas service in the area is provided by Pacific Gas and Electric Company and Waste Management provides solid waste disposal services.

The designs and locations of future developments within the rezone sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed General Plan Land Use Map and Zoning Map Amendments, no specific development proposals are associated with this project. Future multiple-family housing development would be subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060, and would be undertaken in coordination with the City of Redding.

An area of approximately one acre was identified on site 5 as having slopes exceeding 30%. This area is not suitable for multiple-housing development and has been excluded from the total acreage for the purpose of accounting for potential housing units to meet the Regional Housing Needs Allocation (RHNA). Sites 1 and 3 are currently developed with non-conforming single-family residences and both parcels have recently transferred ownership to a common owner whose express intent is to relocate or remove the residences and develop the sites as high density residential.

Environmental Determination – This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.

In January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet the unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development. A judgement was rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions that must be completed by the County within a defined timeline. As a result of this judgement, in accordance with Government Code section 65759, CEQA does not apply to GPA18-0001 and Zone Amendment ZA18-0002.

However, the County is required to prepare an initial study to determine the environmental effects of the proposed project and to prepare an environmental assessment if as a result of the initial study the County determines that the project may have a significant effect on the environment. The environmental assessment must substantially conform to the required content of a draft environmental impact report (Government Code section 65759).

The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project may have a significant effect on the environment. Therefore, an Environmental

GPA18-0001 & ZA18-0002 (Area 1)

8/23/18

Page 3 of 4

Assessment (EA) has been prepared, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR). The initial study is attached here for reference. The EA is available for review at the Planning Division Permit Center or at the link provided as an attachment to this report.

Based on the Initial Study, no impacts of less than significant impacts related to Aesthetics, Agricultural Resources, Geology and Soils, Hazards and Hazardous Materials, Mineral Resources, and Recreation are anticipated as a result of the proposed project. As such, these resources are not evaluated as part of the EA (refer to EA Section 9.0, EFFECTS FOUND NOT TO BE SIGNIFICANT and Appendix A, INITIAL STUDY).

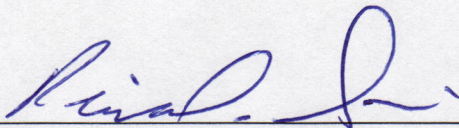
The EA identifies potential impacts that may occur from future development of the rezone sites as a result of approval of GPA18-0001 and ZA18-0002, and provides measures to avoid potentially significant impacts. This EA addresses impacts in the following areas: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, Tribal Cultural Resources, and Utilities and Service Systems. The EA serves as the primary reference document in formulating the recommended conditions of rezone approval.

ALTERNATIVES: This proposed General Plan and Zoning Plan amendment is required to bring the County General Plan into compliance with State housing law and to meet the terms of the court ordered settlement agreement. Therefore, as explained below, the alternatives to the proposed action are limited:

1. Modify the General Plan Map and Zoning Map amendment boundaries.
2. Continue the public hearing to request additional information.
3. Recommend that Board of Supervisors deny the project.

None of these alternatives are recommended. The boundaries and resulting acreage of each rezone area has been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to rezone property and any delay could put the timeline at risk. As indicated throughout the staff report, this General Plan and Zoning Plan amendment is necessary for the County to meet its obligations in a timely manner. Denial of the rezone would require the County to find other properties to rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County's Housing Element update program at risk.

CONCLUSION: Based on the information collected and the analysis completed for this project, staff is of the opinion that the proposed Area 1 Project is consistent with the General Plan policies and zoning standards for the area.



RICHARD W. SIMON, AICP
Director of Resource Management

Staff Author: Kim Hunter, Planning Manager

Copies: Legal Services of Northern California
Jubilee Management Company LLC
Project File

GPA18-0001 & ZA18-0002 (Area 1)

8/23/18

Page 4 of 4

- Attach:
1. Draft Resolution
 2. Vicinity Map
 3. Site Map
 4. General Plan Map
 5. Zone District Map
 6. Proposed General Plan Map
 7. Proposed Zone District Map
 8. Initial Study
 9. EA link: https://www.co.shasta.ca.us/index/drm_index/planning_index.aspx

RESOLUTION NO. 2018-018

**A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS
APPROVE GENERAL PLAN MAP AMENDMENT GPA18-0001 AND ZONING MAP
AMENDMENT ZA18-0002 (COUNTY OF SHASTA)**

WHEREAS, as part of the state housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals (Government Code section 65580); and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, in accordance with Government Code section 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is considered a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state. Default density being the density at which a site is deemed appropriate for development to accommodate lower income households; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet its unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development, resulting in a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, to fulfil its obligations under Program 8 of the most recently adopted 2009-2014 Shasta County Housing Element committed the County to rezone enough land at the default density within the unincorporated area of the County, where water, sewer and other urban services are or will be available, to fully accommodate the County's RHNA obligation for lower income households; and

WHEREAS, to fulfil its obligations to comply with State housing law and the Stipulated Judgement the County has initiated four separate General Plan amendment and rezone projects to re-designate and rezone land to the default density in four separate geographical areas of the

Resolution No. 2018-018

Page 2

unincorporated County, totaling 13 sites and 60.5 acres within designated Town Centers, or adjoining designated Urban Centers, served by or with access to, urban services including community water and sewer; and

WHEREAS, the land area affected by GPA18-0001 and ZA18-0002 consists of six sites on four parcels totaling just over 33 acres of mostly undeveloped land within the City of Redding's Sphere of Influence, and pre-zoned by the City to Residential Multiple Family-ten to twenty units per acre; and

WHEREAS, the subject land is currently designated Commercial (C) and Suburban Residential (SR) by the County General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR) by the Shasta County Zoning Maps; and

WHEREAS, GPA18-0001 and ZA18-0002 designates the subject lands Urban Residential-25 units per acre and rezones the subject lands to Multiple-Family Residential-25 units per acre with an additional 14.6 acres zoned Open Space; and

WHEREAS, duly noticed public hearings to consider GPA18-0001 and ZA18-0002, were held before the Planning Commission on August 9, 2018, which was continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, GPA18-0001 and ZA18-0002 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED by the Shasta County Planning Commission:

1. The foregoing recitals are true and correct and incorporated herein.
2. The Planning Commission makes the following findings with regard to General Plan Amendment GPA18-0001 and Zoning Plan Amendment ZA18-0002:
 - A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to

Resolution No. 2018-018

Page 3

meet the needs of all economic segments of the community, (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local Housing Element as part of its General Plan, (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state.

- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
 - C. GPA18-0001 and ZA18-0002 are necessary actions to bring the County General Plan and the mandatory Housing Element of the Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulated Judgement rendered by Shasta County Superior Court.
 - D. GPA18-0001 and ZA18-0002 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.
 - E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.
 - F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements of the Shasta County General Plan.
3. The Planning Commission recommends that the Shasta County Board of Supervisors take the following actions with regard to GPA18-0001 and ZA18-0002:
- A. Conduct a public hearing.
 - B. Close the public hearing.
 - C. Find GPA18-0001 and ZA18-0002 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any action necessary to bring an agency's

Resolution No. 2018-018

Page 4

- general plan or relevant mandatory elements of the plan into compliance with any court order or judgement).
- D. Adopt a resolution approving the amendments to the Shasta County General Plan Map pursuant to General Plan Amendment GPA18-0001.
 - E. Introduce, waive the reading of and enact an ordinance amending the Shasta County Zoning Map pursuant to Zone Amendment ZA18-0002.

DULY PASSED this 23rd day of August, 2018, by the following vote:

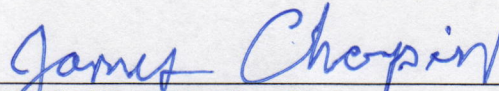
AYES: CHAPIN, KERNS, RAMSEY, WALLNER

NOES:

ABSENT:

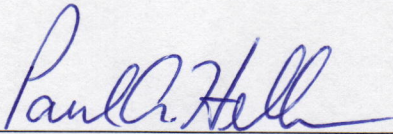
ABSTAIN:

RECUSE: MACLEAN



JAMES CHAPIN, Vice Chairman
Planning Commission
County of Shasta, State of California

ATTEST:



PAUL HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

**SHASTA COUNTY
PLANNING COMMISSION MEETING**

DRAFT

MINUTES

Meeting

Date: August 9, 2018
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:

Tim MacLean	District 2
Jim Chapin	District 1
Steven Kerns	District 3
Roy Ramsey	District 4
Patrick Wallner	District 5

Staff Present:

Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Luis Topete, Associate Planner
Jimmy Zanolli, Shasta County Fire Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note:

All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:

By motion made, seconded (Wallner/Ramsey) and carried by a 4-0 vote, the Planning Commission approved the Minutes of July 12, 2018, as submitted. Commissioner Chapin abstained from voting due to not being in attendance at the July 12, 2018 Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: Chairman MacLean declared a conflict of interest for Item R3 due to his employment association with Sharrah Dunlap Sawyer, Inc., who has completed work on behalf of some of the property owners residing in those areas.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: Variance 18-0003 (Kronick): The applicant has requested approval of a variance from the maximum 15-foot building height limit for residential accessory buildings to construct a 900-square-

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

1 of 7
Page 234 of 323

foot RV garage with a height of 19-feet, 6-inches from the edge of the road easement and a variance from the 20- foot front yard setback requirement in the National Recreation Area, Shasta unit (NRA-S) district. Applicant: John and Charlene Kronick; Assessor's Parcel Number(s): 085-320-032-000; Project Location: Lakehead Area on a 4.14-acre parcel approximately 0.1 miles south of the intersection of O'Brien Mountain Road and Grey Fawn Trail (17528 Grey Fawn Trail); Supervisor District: 4; Recommended Environmental Determination: Categorically Exempt; Planner: Luis Topete, Associate Planner. Simple Majority Vote.

Associate Planner Luis Topete presented the staff report.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Tracy Novogrodsky

Ms. Novogrodsky expressed concern over the proposed building's limited distance from the road easement and potential erosion.

Erik Mickelsen

Mr. Mickelsen expressed concerns about egress from his driveway in the event of a fire, erosion and drainage. He described the steep bank next to the proposed project and his assertion that if the proposed structure were to catch fire, it could fall into Grey Fawn Trail. Commissioner Kerns asked Mr. Mickelsen if his concerns would be addressed if the proposed building was in a different location. Mr. Mickelsen indicated relocating the building to the west side of the property would likely address most concerns.

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Chairman MacLean asked if the applicant or their representative was available and called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns asked Mr. Topete if the applicant would consider moving the structure to the west side. Mr. Topete stated he was unsure without speaking with the applicant. Chairman MacLean asked if the gravel pad was level. Mr. Topete confirmed it was and noted that the project was compliant with fire safety standards. Chairman MacLean asked if most exceptions for setbacks were as extreme as the proposed project. Mr. Topete stated that in his experience they vary. Commissioner Chapin stated he saw no reason to have the building so near the right-of-way of the road when there were several other options for where the project could be located. Commissioner Wallner agreed with this thinking given the limited ingress and egress for the project's proposed location.

At Commissioner Kerns request, Chairman MacLean reopened the public hearing. Commissioner Kerns asked Ms. Novogrodsky if her concerns would be alleviated with respect to fire, escape, and aesthetics if it was possible to move the project to the west and north. Ms. Novogrodsky stated it would.

Chairman MacLean closed the public hearing and asked for feedback from Mr. Simon on the possibility of staff working with the applicant to see if they would consider adjusting the plan. Mr.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

2 of 7
Page 235 of 323

Simon commented that because the applicant was absent and they may have rationale unknown to the Planning Commission, it would be appropriate to consider a continuation.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Variance 18-0003 to the September 13, 2018 Planning Commission meeting to allow staff time to work with the applicant to explore the possibility of another location for the project.

Chairman MacLean left the room.

Ex-parte Communications Disclosures: None.

R3: General Plan Map Amendment GPA18-0001 and Zoning Plan Map Amendment ZA18-0002
Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Plan Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0001 and ZA18-0002: *East Redding - 299 East Corridor/Collyer Drive and Old Oregon Trail* (Area 1) consists of approximately 48 acres currently designated Commercial (C) and Suburban Residential (SR) in the General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR). Area 1 in its entirety would be designated UR(25) and would be rezoned to R-3-25 on 33.3 acres, and Open Space on 14.6 acres. Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; and 076-060-018.

Planning Manager Kim Hunter stated that due to circumstances related to the Carr Fire, additional time was needed to complete necessary documents for the Planning Commission's consideration of Items R3, R4, R5, and R6. Staff recommended the Planning Commission open the public hearing for each item as scheduled, accept all testimony and continue the hearing to a Special Meeting on Thursday, August 23rd.

Vice Chairman Chapin opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Ramsey) and carried 4-0, the Planning Commission continued Item R3 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Chairman MacLean returned to the meeting.

Ex-parte Communications Disclosures: None.

R4 General Plan Map Amendment GPA18-0002 and Zoning Plan Map Amendment ZA18-0003
Consider a proposed amendment to the Shasta County General Plan Land Use Maps and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0002 and ZA18-0003: *North Redding - Old Oasis Road/I-5 Corridor* (Area 2) consists of approximately 52 acres currently designated Suburban Residential (SR) in the General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1) and Restrictive Flood (F-2). Area 2 would be designated UR(25) and rezoned to R-3-25 on 10.2 acres; designated UR on 41.7 acres and rezoned as follows: R-3-10 on 13.1 acres; and Open Space (OS) on 20 acres; the Designated Floodway portion would be unchanged. Assessor's Parcel Number 073-010-006.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

3 of 7
Page 236 of 323

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Michael Elrite

Mr. Elrite expressed concerns about high density housing being placed in a low-density area and increases in crime.

Mose Perizzolo

Mr. Perizzolo stated he didn't think it was a good idea and that there was already a crime problem.

Richard Janssen

Mr. Janssen expressed concern about access, traffic, declining property values, and a crime rate that he noted was already high. He pointed out that numerous high speed chases had occurred in the area.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns inquired about the current size limitation on lots. Mr. Simon stated the property was designated Suburban Residential (SR) and Interim Residential (IR) zoning with a minimum parcel size of 5-acres, until services were brought to the site. The property would be served by City of Redding water and sewer under an existing agreement. The proposed change would be land use designation to Urban Residential with a density of 20-25 units per acre. Commissioner Wallner asked if the City of Redding would be able to serve the property with the increased density. Mr. Simon stated his understanding was that they would, however, he was not aware on whether this would require improvements. Chairman MacLean indicated he understood this item was for a zoning proposal and that there was not a current high density project at this time. Mr. Simon affirmed that was correct.

Commissioner Kerns asked if any analysis had been done on how property values would be affected for build outs in the proposed areas. Mr. Simon responded, noting information was available that indicated arguments on both sides. Mr. Simon noted an environmental analysis (EA) was available to the public through the department's website and at the department and that Planning Manager Kim Hunter was available as a contact. Commissioner Chapin asked how existing infrastructure (road system) would handle new traffic generated for a high density project. Mr. Simon responded any proposed project would be reviewed by Public Works, Environmental Health, and all agencies involved in approving a project, including any mitigation or constraints identified in the environmental assessment, which would be the developer's responsibility to mitigate.

Chairman MacLean reopened the public hearing. Mr. Elrite questioned why there was a proposed change in zoning when there was no current project planned. Mr. Perizzolo noted he hasn't seen the curve on Old Oasis fixed and he re-asserted his concern about traffic. Mr. Janssen asked if he would have the opportunity to address the Planning Commission again at the next meeting. Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Wallner) and carried unanimously, the Planning Commission continued Item R4 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

4 of 7
Page 237 of 323

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DRAFT**Ex-parte Communications Disclosures: None.**

- R5** **General Plan Map Amendment GPA18-0003 and Zoning Plan Map Amendment ZA18-0004**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0003 and ZA18-0004: *Southwest Palo Cedro - Gilbert Drive* (Area 3) consists of 9.8 acres currently designated Commercial (C) in the General Plan and zoned Community Commercial (C-2). Area 3 in its entirety would be designated UR(25), and would be rezoned to R-3-25 on 8 acres, and Open Space on 1.8 acres. Assessor's Parcel Number 059-360-019.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Wallner/Ramsey) and carried unanimously, the Planning Commission continued Item R5 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

- R6** **General Plan Map Amendment GPA18-0004 and Zoning Plan Map Amendment ZA18-0005**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0004 and ZA18-0005: *Southwest Cottonwood/I-5 Corridor* (Area 4) consists of approximately 13 acres currently designated Urban Residential – 8 dwelling units per acre (UR(8)) and zoned Planned Development (PD). Area 4 would be designated UR(25) and rezoned to R-3-25 on 10 acres; designated and zoned Open Space on 1.6 acres; and designated Commercial (C) and rezoned to Community Commercial (C-2) on 1.4 acres. Assessor's Parcel Number: 087-270-031.

Chairman MacLean opened the public hearing.

Speaker's Name**Comments/Concerns/Questions**

Ralph Adams

Mr. Adams expressed concerns about water, drainage, traffic impacts and the devaluation of subdivision houses he had built. He referenced a low-income project in Anderson in which the Anderson Police Department reported seventy-percent of their work was in response to that area. Mr. Adams noted Cottonwood's lack of law enforcement and concerns related to growth.

James Seale

Mr. Seale expressed concern over impacts on schools and water and sewer systems. He questioned where sewer allotments would come from since Cottonwood's system was nearing capacity. Mr. Seale expressed concern over increased traffic on 1st Street. Mr. Seale noted Crowley Gulch floods annually, lack of law enforcement and road access for some of the property zoned Commercial.

PLANNING COMMISSION MEETING MINUTES**August 9, 2018****5 of 7**
Page 238 of 323

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Kayle Spoon

Mr. Spoon asked if there was an existing project. He expressed concern over lack of sidewalks on 1st Street for pedestrians, flood, sewer and traffic issues. He noted the safety issues inherent with the current lack of infrastructure for pedestrians and the existing overpass. Mr. Simon responded that the proposal was a County initiated rezoning, that there was no specific proponent for a project, and that this was an effort to seek out properties that have access to services (primarily water and sewer) with the potential for higher density development should a future project be proposed.

Tom Semingson

Mr. Semingson expressed concern over traffic on 1st Street, the impact of which he believed would render a project unfeasible.

Vickie Wolf

Ms. Wolf asked if a developer proposed a different number of units, would they be allowed to divert from the new zoning. Chairman MacLean responded, noting any landowner could propose a project and that zoning was a guideline for proposals. Ms. Wolfe asked for a definition of uses in C2. Mr. Simon responded and referenced Chapter 17.44 of the Shasta County Zoning Plan.

Mr. Simon noted the County was obligated as an arm of the State to participate in the State's declared housing crisis and that part of the County's obligation was to adopt a Housing Element as part of the General Plan. He further explained the County was required to accommodate a certain number of housing units at various income levels by rezoning properties to allow for potential future development at the default density. To fulfill this obligation, the County is required to rezone properties where it may be found suitable for higher density development. Commissioner Kerns commented the difficulty was meeting the County's obligations under state law. He encouraged the public to stay involved in the process. Commissioners acknowledged public concerns related to the proposed rezones and encouraged continued public input.

Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Kerns) and carried unanimously, the Planning Commission continued Item R6 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

R7

General Plan Amendment GPA13-003 Revised Draft Shasta County 2014-2019 Housing Element

Shasta County completed the Revised Draft 2014-2019 Housing Element Update (Revised Draft) consisting of five Sections as follows: Section I Introduction, Section II Housing Needs Assessment, Section III Housing Constraints, Section IV Regional Housing Needs Allocation, Section V Programs; and ten supporting appendices.

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PLANNING COMMISSION MEETING MINUTES

August 9, 2018

6 of 7
Page 239 of 323

DRAFT

Ms. Hunter noted the Planning Division has completed the Draft 2014-2019 Housing Element. The Revised Draft was released for a 30-day comment period from July 2nd – July 31st. At the end of the review period, one comment letter was received by Legal Services of Northern California. She explained the letter required further review to re-assess the draft language and that staff recommended opening the public hearing, accepting all testimony and continuing the item to a special meeting on August 23rd.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Item R7 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

R8: **Planning Director's Report:** Planning Manager Kim Hunter congratulated Resource Management Director Rick Simon on the occasion of his retirement and his last Planning Commission meeting. She acknowledged his planning career of 30+ years extending from Southern California to the Northstate. She noted his professionalism, kindness, patience, and humor.

Mr. Simon expressed his appreciation to planning staff and the department for their professionalism and dedication. He expressed that it had been a privilege and honor to serve as Secretary to the Planning Commission and his appreciation to the Commission.

Commissioners expressed their gratitude of Mr. Simon's professionalism, availability, responsiveness, kindness, assistance and personableness.

Mr. Simon reported that the Board of Supervisors approved GPA18-0001 and Z17-003 on July 17th.

NON-HEARING ITEMS: None.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 3:47 p.m.

Submitted by:

Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary

Site #	APN	# RZ Acres	Current GP/Zoning	Proposed GP/Zoning	Water	Sewer	Realistic Capacity*	Maximum Capacity**
Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail (33.3 acres total) ¹								
1	076-070-012	3.5	C/IR	UR(25)/R-3-25	BVWD	COR	70	87.5
2	076-070-016	1.9	C/IR	UR(25)/R-3-25	BVWD	COR	38	47.5
3	076-100-018	7.3	C/C-M	UR(25)/R-3-25	BVWD	COR	146	182.5
4	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	188	235
5 ³	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	168	210
6	076-100-011	1.8	C/C-2	UR(25)/R-3-25	BVWD	COR	36	45
646 du at realistic capacity/807.5 du at maximum capacity								
Area 2: North Redding Area: Old Oasis Road/I-5 Corridor (10.2 acres total) ²								
7	073-010-006	2.4	SR/IR	UR(25)/R-3-25	COR	COR	48	60
8	073-010-006	3	SR/IR	UR(25)/R-3-25	COR	COR	60	75
9	073-010-006	3.1	SR/IR	UR(25)/R-3-25	COR	COR	62	77.5
10	073-010-006	1.7	SR/IR	UR(25)/R-3-25	COR	COR	34	42.5
204 du at realistic capacity/255 du at maximum capacity								
Area 3: Southwest Palo Cedro/Gilbert Drive (8 acres total)								
11	059-360-019	4.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	90	112.5
12	059-360-019	3.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	70	87.5
160 du at realistic capacity/200 du at maximum capacity								
Area 4: Southwest Cottonwood/I-5 Corridor -- Site recommended for denial by the Planning Commission on 8/23/18								
13	087-270-031	0	UR-8/PD	UR(25), C/R-3-25, C-2	CWD	CSA 17	0	0
Totals		50.5					1,010	1,263
		Acres					Dwelling Units	Dwelling Units

BVWD=Bella Vista Water District

COR=City of Redding

CWD=Cottonwood Water District

CSD 8=County Community Service District 8

CSD 17=County Community Service District 17

*Realistic Capacity: multiple-family development at a density of 20 dwelling units (du) per acre

**Maximum Capacity: multiple-family development at a density of 25 dwelling units (du) per acre

¹ Located within the COR Sphere of Influence (SOI) which are pre-zoned RM 10-20 (except for portions of 076-060-018 with are zoned RM 6-10)² Located within the COR SOI; Sewer and water service agreements in place³ Site 5 of Area 1 contains a one acre area with slope exceeding 30% which cannot be counted towards the RHNA. This is accounted for in the final total acres and realistic capacity figures.

ORDINANCE NO. 378-

AN ORDINANCE AMENDING ORDINANCE NUMBER 378-, THE ZONING ORDINANCE OF THE COUNTY OF SHASTA, A PORTION OF THE ZONING PLAN (ZONE AMENDMENT 18-0002 – AREA 1 – EAST REDDING: HIGHWAY 299E & OLD OREGON TRAIL)

WHEREAS, notice of a public hearing before the Board of Supervisorst to consider this matter was given in accordance with law; and

WHEREAS, the Board of Supervisors finds that Zone Amendment 18-0002 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court judgement rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency’s general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, the Board of Supervisors held a public hearing on September 18, 2018, to consider adopting this ordinance.

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1. The following described real property is hereby rezoned from the Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR) zone districts to the Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS) zone districts (as shown on Exhibit A). Assessor’s Parcel Numbers 076-070-012, 076-070-016, 076-100-018, 076-060-018, 076-100-011 (2018 Roll). District Map T. 32N., R.4W.-E.

East Redding Area - Located in the unincorporated Shasta County, generally east of and adjoining the City of Redding in the northwest quadrant of the State Route 299 (SR-299)/Old Oregon Trail interchange area.

SECTION 2. This ordinance shall be in full force and effect from and after thirty (30) days after its passage. The clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 18th day of September, 2018 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE

LES BAUGH, Chairman
Board of Supervisors, County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA
APPROVING AN AMENDMENT TO THE SHASTA COUNTY GENERAL PLAN LAND
USE MAPS, GENERAL PLAN AMENDMENT (GPA) 18-0001**

WHEREAS, the Shasta County Department of Resource Management, has brought forth an application to amend the general plan land use designations on 47.9 acres from Commercial (C) and Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)).

WHEREAS, the subject land is currently designated Commercial (C) and Suburban Residential (SR) by the County General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Rural Residential (IR) by the Shasta County Zoning Maps; and

WHEREAS, duly noticed public hearings to consider GPA18-0001 and associated Zone Amendment (ZA) 18-0002, were held before the Planning Commission on August 9, 2018, which was continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, the Planning Commission considered GPA18-0001 at a Special Meeting on August 23, 2018, and after conducting a public hearing recommended approval by the Board of Supervisors; and

WHEREAS, the Board of Supervisors of the County of Shasta, after the public hearing on September 18, 2018, at which time public input was received, considered the above proposal to amend the General Plan Land Use Maps; and

WHEREAS, GPA18-0001 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following environmental findings with regard to GPA18-0001:

- A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community; (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels; (c) preparing and implementing a local Housing Element as part of its General Plan; (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Needs Allocation (RHNA) assigned to the County by the state.
- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
- C. GPA18-0001 and ZA18-0002 are necessary actions to bring the County General Plan and the mandatory Housing Element of the General Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulation for Judgment rendered by the Shasta County Superior Court.

- D. GPA18-0001 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that CEQA does not apply to any action necessary to bring an agency’s general plan or relevant mandatory elements of the plan into compliance with any court order or judgment.
- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.
- F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements of the Shasta County General Plan.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves GPA18-0001, on 47.9 acres in the east Redding area (Assessor’s Parcel Numbers 076-070-012, 076-070-016, 076-100-018, 076-060-018 (portion), and 076-100-011), to amend the general plan land use designations on 33.3 acres from Commercial (C) and Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)) as shown on the attached Exhibit A.

DULY PASSED AND ADOPTED this 18th day of September, 2018, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Scheduled Hearings - Resource Management-10.

SUBJECT:

Resolution approving General Plan Amendment 18-0002 and Ordinance approving Zoning Amendment ZA18-0003

DEPARTMENT: Resource Management

Supervisory District No. : 1

DEPARTMENT CONTACT: Paul A. Hellman, Director of Resource Management (530) 225-5789

STAFF REPORT APPROVED BY: Paul A. Hellman, Director of Resource Management

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions regarding property in the unincorporated area of Shasta County north of and adjoining the City of Redding in the area of Old Oasis Road (portion of Assessor Parcel Number 073-010-006): (1) Conduct a public hearing; (2) close the public hearing; (3) adopt a resolution: (a) finding that GPA18-0002 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759; (b) approving GPA18-0002 to amend the land use designation on 51.9 acres of property from Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)) and Urban Residential (UR); (4) find that Zoning Amendment (ZA) 18-0003 is not subject to CEQA in accordance with the provisions of Government Code section 65759; and (5) introduce, waive the reading of, and enact ordinance ZA18-0003 rezoning 51.9 acres of property from Interim Rural Residential (IR) and Designated Floodway (F-1) to Multiple-Family Residential-25 dwelling units per acre (R-3-25), Multiple-Family Residential-10 dwelling units per acre (R-3-10), Open Space (OS), and Designated Floodway (F-1).

SUMMARY

The project site (Area 2) is located in unincorporated Shasta County, on one undeveloped 51.9-acre parcel that is immediately north and east of the City of Redding's corporate limits. (Assessor's Parcel Number: 073-010-006)

This project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps as necessary actions to bring the County's General Plan into compliance with State Housing Law and a Stipulation for Judgment by the Shasta County Superior Court. This application is necessary for the County to meet its state mandated housing obligations. Denial of the application would require the County to find other properties to designate and rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County's Housing Element update program at risk.

DISCUSSION

The Planning Commission reviewed this application on August 23, 2018. The Commission took action recommending that the Board of Supervisors approve GPA18-002 and ZA18-0003 by a vote of 4-0.

The Area 2 application identifies four specific sites (Sites 7-10) as part of the overall Housing Element Rezone Program which originally included a total of 13 sites to be rezoned to the R-3-25 district. The selection of the 13 sites was based on the site's location within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Additionally, the property owners of these sites voluntarily cooperated with the County and support the project applications.

General Plan & Zoning - The property is designated Suburban Residential (SR) and is zoned Interim Rural Residential (IR) and Designated Floodway (F-1). The Area 2 location is within the Redding Urban Center and South Central Planning Area.

Access & Services - There are three existing access points to the Area 2 project site. Access to the northern portion of the parcel is from Old Oasis Road at the northwestern corner of the property. Access to the southern portion of the site is from Charles Drive (at the southwestern corner) and George Drive (southern property boundary). The City of Redding provides water, sewer service, electricity, and solid waste disposal to the Area 2 project site. Natural gas service in the area is provided by Pacific Gas and Electric Company.

Project Analysis - The Area 2 sites are located west of Interstate 5 (I-5) and south of Old Oasis Road in unincorporated Shasta County, within the City of Redding's Sphere of Influence (SOI). The City's SOI represents the logical pattern of ultimate development within the City based on the availability of supporting infrastructure. Areas to the north of the project site consist of rural single family residential units. Vacant undeveloped land adjoins the site to the east. Land to the south of the proposed project site consists of the partially built out Mountain Lake Industrial Park.

A number of site constraints are present within the Area 2 location which limit the developable area of the parcel. Areas of 100-year and 500-year flood hazards zones along Buckeye Creek are identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps in the northern portion of the parcel. The area of 100-year flood hazard zone is identified by the F-1 district and remains unchanged. To avoid potential development within the 500-year flood hazard zone, the identified area would be rezoned to the Open Space (OS) district. In addition, some natural drainages areas are found on the parcel and steep slopes exceeding 30 percent slopes have been identified and are also within the area that would be rezoned to the OS district.

To provide the required capacity to accommodate affordable housing units as mandated by State housing law, approximately 10.2 acres of undeveloped land (Sites 7 through 10) to the R-3-25 district. The development on the 10.2-acre proposed project site would yield a minimum of 204 multiple-family units based at the realistic capacity of 20 dwelling units (du) per acre and a maximum of 255 multiple-family units based on maximum capacity of 25 dwelling units per acre. For the purpose of meeting the state mandated housing requirements, the County would only be credited for the 204 dwelling units at the realistic capacity density.

The designs and locations of future developments within the Area 2 sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed general plan and zoning amendments, no specific development proposals are associated with this project. Future multiple-family housing development would be subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060, and would be undertaken in coordination with the City of Redding.

Environmental Determination - This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment. Although this project is not subject to CEQA, an initial study is required to determine the environmental effects of the proposed project and to prepare an environmental assessment if as a result of the initial study the County determines that the project may have a significant effect on the environment.

The Planning Division has prepared an initial study in accordance with Government Code section 65759, and determined that the project may have a significant effect on the environment. Therefore, an Environmental Assessment (EA) has been prepared for this application, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR).

The Planning Commission resolution is attached for the Board's consideration.

ALTERNATIVES

The following alternatives are available:

1. Deny the General Plan and Zoning Amendment request;
2. Modify the General Plan and Zoning Amendment boundaries;
3. Continue review of the application for additional information.

None of these alternatives are recommended. The boundaries and resulting acreage of the Area 2 application have been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its legal obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to designate and rezone property and any delay could put these timelines at risk.

OTHER AGENCY INVOLVEMENT

This application was reviewed by the referral agencies that review all new development applications. Comments made by those agencies have been incorporated in the project.

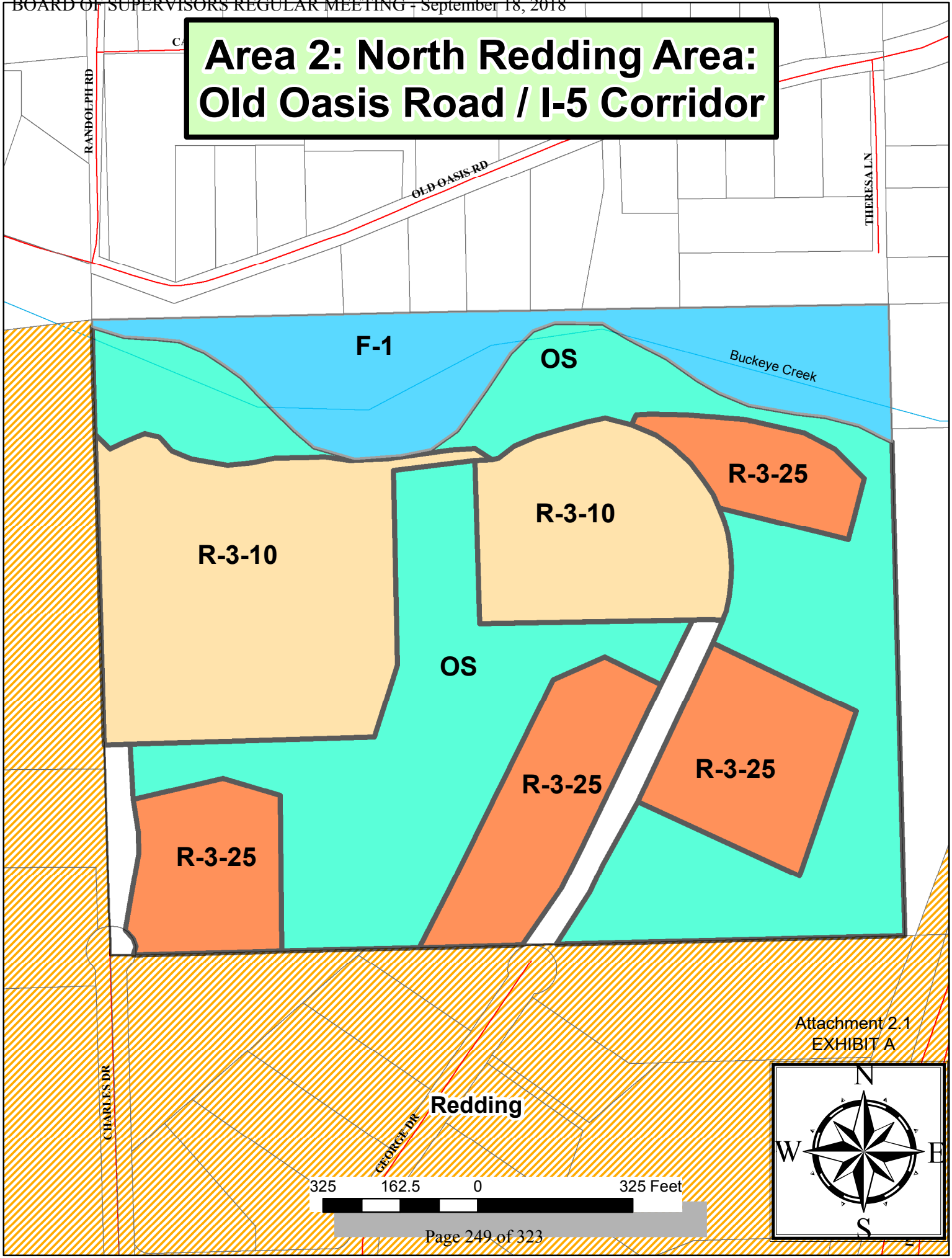
FINANCING

No additional General Fund impact would result from approval of the proposal.

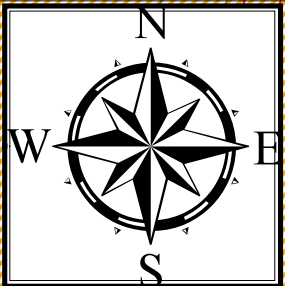
ATTACHMENTS:

Description	Upload Date	Description
Project Location Maps	8/31/2018	Project Location Maps
Planning Commission Staff Report of August 23, 2018	8/31/2018	Planning Commission Staff Report of August 23, 2018
Planning Commission Resolution 2018-018	8/31/2018	Planning Commission Resolution 2018-018
Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)	8/31/2018	Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)
2014-2019 Housing Element Update - Rezone Program Inventory Sites	8/31/2018	2014-2019 Housing Element Update - Rezone Program Inventory Sites
GPA 18-0002 Resolution	9/13/2018	GPA 18-0002 Resolution
ZA18-0003 Ordinance	9/13/2018	ZA18-0003 Ordinance

**Area 2: North Redding Area:
Old Oasis Road / I-5 Corridor**



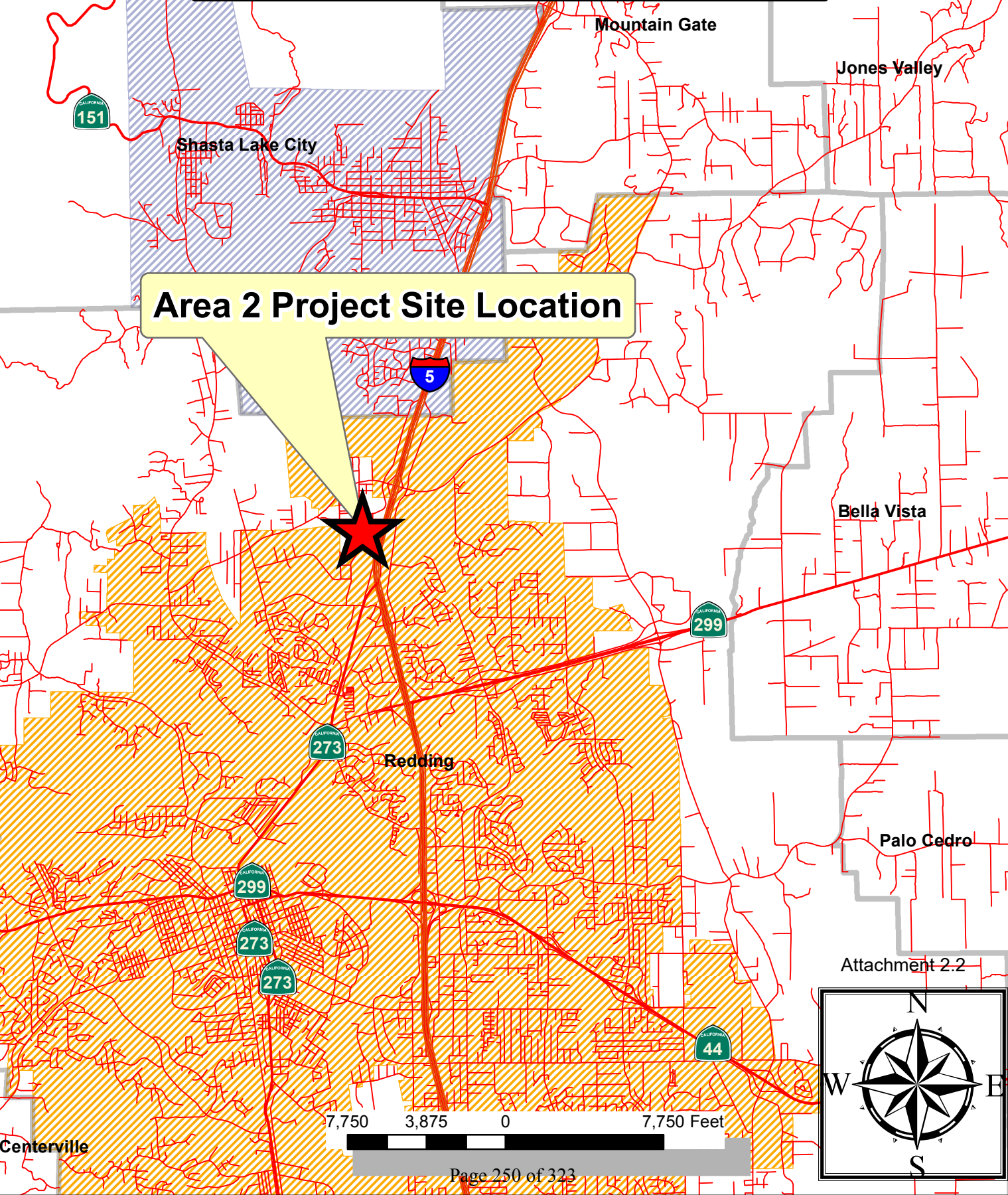
Attachment 2.1
EXHIBIT A



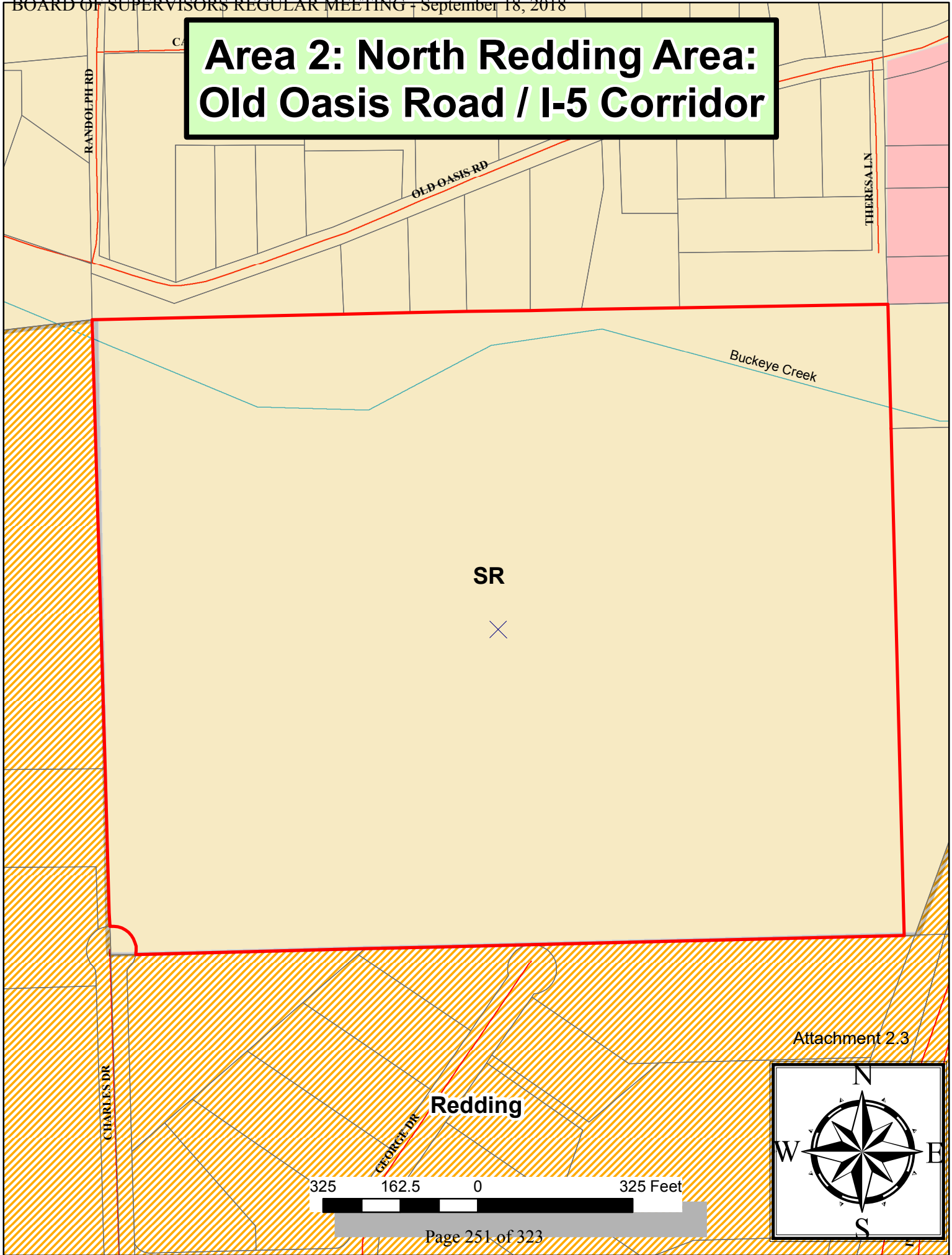
Redding

325 162.5 0 325 Feet

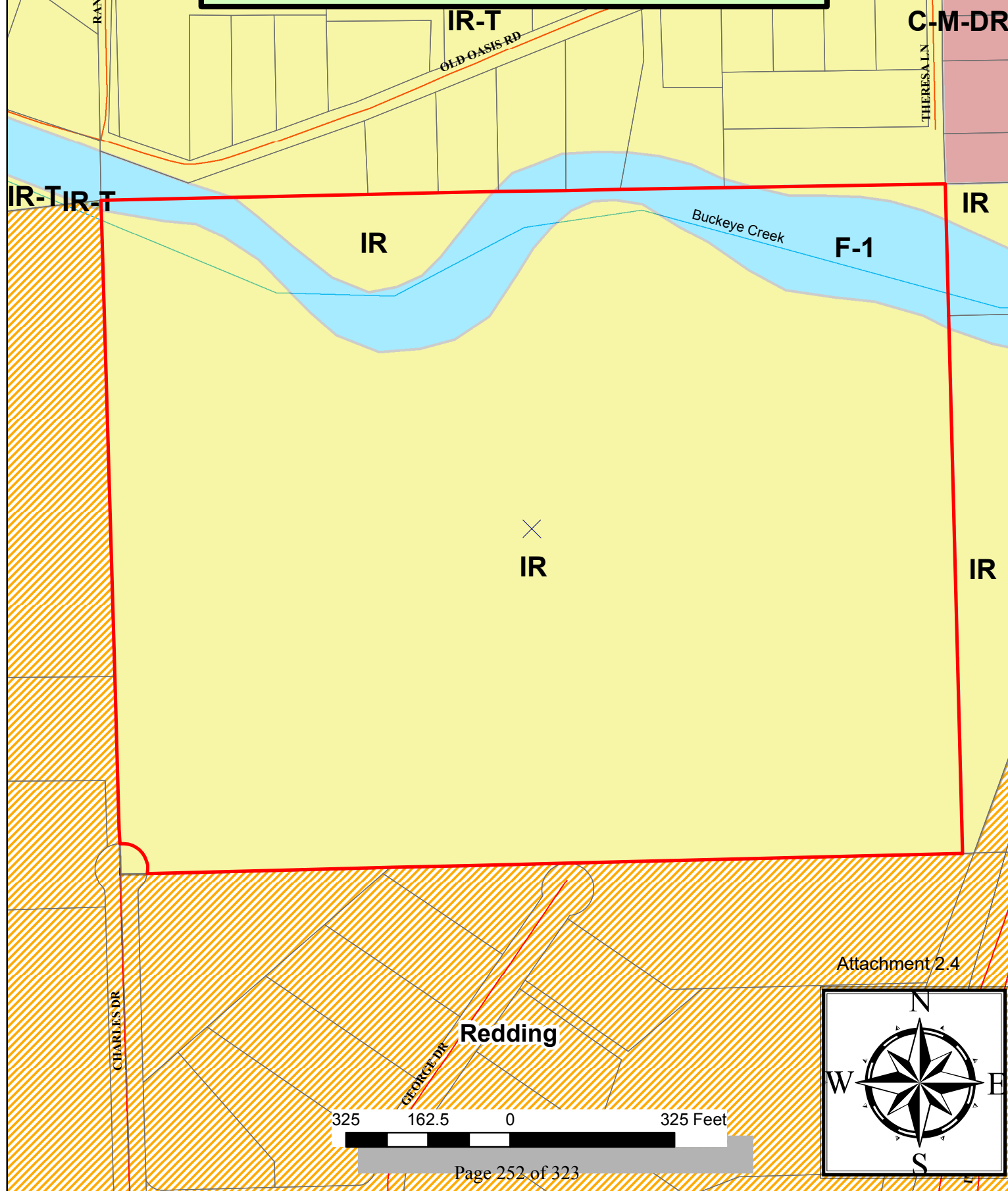
Area 2: North Redding Area: Old Oasis Road / I-5 Corridor



**Area 2: North Redding Area:
Old Oasis Road / I-5 Corridor**



Area 2: North Redding Area: Old Oasis Road / I-5 Corridor



REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u>	<u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT GPA18-0002 AND ZONE AMENDMENT ZA18-0003 AREA 2 - NORTH REDDING: OLD OASIS ROAD/I-5 CORRIDOR CONTINUED FROM AUGUST 9, 2018		08/23/18	R2

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt a resolution recommending that the Board of Supervisors: a) find GPA18-0002 and ZA18-0003 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement); b) adopt a resolution approving GPA18-0002; and c) introduce, waive the reading of and enact an ordinance amending the Zoning Maps pursuant to ZA18-0003.

PROJECT SUMMARY: The project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps to bring the County's General Plan into compliance with State Housing Law and a judgement by the Shasta County Superior Court (see Environmental Determination section under Background and Discussion below). The proposed General Plan and Zoning Plan Map amendments are not associated with any proposal for the on-site development of any of the sites.

This project site (Area 2) is one of four separate projects in four separate geographical areas of the unincorporated County totaling 13 sites, within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Collectively, these four projects will change the General Plan land use designation on 61.5 acres to Urban Residential-25 dwelling units per acre (UR(25)), and rezone the same 61.5 acres to Multiple-Family Residential-25 dwelling units per acre (R-3-25).

Area 2 is located in unincorporated Shasta County immediately north and east of the City of Redding's corporate limits and is comprised of four separate sites (Sites 7 through 10) on one parcel. Area 2 consists of approximately 52-acres currently designated Suburban Residential (SR) in the General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1). As proposed, Area 2 (Table 1) will be designated UR(25) and rezoned to R-3-25 on 10.2 acres; designated UR on 41.7 acres and rezoned as follows: R-3-10 on 13.1 acres; and Open Space (OS) on 20 acres; the Designated Floodway portion would be unchanged. (Assessor's Parcel Number: 073-010-006).

Table 1. Area 2 Project Information

Site #	Current GP/Zoning	Proposed GP/Zoning	Affected Acres	Notes
7	SR/IR	UR(25)/R-3-25	2.4	Required to meet RHNA
8	SR/IR	UR(25)/R-3-25	3.0	Required to meet RHNA
9	SR/IR	UR(25)/R-3-25	3.1	Required to meet RHNA
10	SR/IR	UR(25)/R-3-25	1.7	Required to meet RHNA
--	SR/IR	UR/R-3-10	41.7	Provides for additional future residential uses
--	F-1	UR/F-1	13.1	100-year Flood Hazard Zone
--	SR/IR	UR/OS	20.0	Areas of <30% Slope and 500-year Flood Hazard Zone

GPA18-0002 & ZA18-0003 (Area 2)

8/23/18

Page 2 of 4

BACKGROUND AND DISCUSSION:

Court Order -- On January 22, 2018 Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit pursuant to California Government Code Article 14, Actions or Proceedings (section 65759) with the intent to compel the County to bring its Housing Element into compliance with State Laws and meet the unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development.

A judgement was rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions that must be completed by the County. As a result of this judgement, CEQA does not apply to any discretionary actions that are necessary for the County to bring the General Plan into compliance with State Law, including GPA18-0001 and Zone Amendment ZA18-0002. Should the County not meet the terms of the settlement agreement, judicial action may occur to force substantial compliance in accordance with Government Code Section 65755. Potential substantial compliance measures that could be imposed include suspension of building and planning permits, and the granting of land use entitlements for development projects.

General Plan Amendment/Rezone Sites – The Area 2 sites are located west of Interstate 5 (I-5) and south of Old Oasis Road in unincorporated Shasta County, within the City of Redding's Sphere of Influence (SOI). The City's SOI represents the logical pattern of ultimate development within the City based on the availability of supporting infrastructure. Areas to the north of the project site consist of rural single family residential units. Vacant undeveloped land adjoins the site to the east. Land to the south of the proposed project site consists of the partially built out Mountain Lake Industrial Park.

Access & Services – There are three existing access points to the Area 2 project site. Access to the northern portion of the parcel is from Old Oasis Road at the northwestern corner of the property. Access to the southern portion of the site is from Charles Drive (at the southwestern corner) and George Drive (southern property boundary). The City of Redding provides water, sewer service, electrical and solid waste disposal to the Area 2 project site. Natural gas service in the area is provided by Pacific Gas and Electric Company.

Project Analysis – To accommodate affordable housing units, approximately 10.2 acres of undeveloped land (Sites 7 through 10) to the R-3-25 district. The development on the 10.2-acre proposed project site would yield a minimum of 204 multiple-family units based on 20 dwelling units (du) per acre and a maximum of 255 multiple-family units based on 25 dwelling units per acre.

The designs and locations of future developments within the rezone sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed General Plan Land Use Map and Zoning Map Amendments, no specific development proposals are currently associated with this project. Future multiple-family housing development would occur subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060.

Environmental Determination – The project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement. However, the County is required to prepare an initial study to determine the environmental effects of the proposed project and to prepare an environmental assessment if, as a result of the initial study, the County determines that the project may have a significant effect on the environment. The environmental assessment shall substantially conform to the required content of a draft environmental impact report (Government Code section 65759).

GPA18-0002 & ZA18-0003 (Area 2)

8/23/18

Page 3 of 4

The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project may have a significant effect on the environment. Therefore, an environmental assessment (EA) has been prepared, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR).

Based on the Initial Study, no impacts of less than significant impacts related to Aesthetics, Agricultural Resources, Geology and Soils, Hazards and Hazardous Materials, Mineral Resources, and Recreation are anticipated as a result of the proposed project. As such, these resources are not evaluated as part of the EA (refer to EA Section 9.0, EFFECTS FOUND NOT TO BE SIGNIFICANT and Appendix A, INITIAL STUDY).

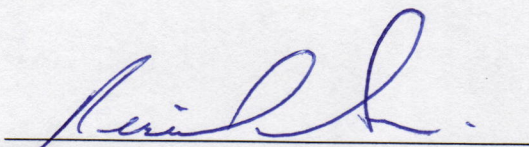
The EA focuses on the changes in the environment (indirect) that could result from approval of GPA18-0002 and ZA18-0003 if full development of the rezone sites were to occur. The EA identifies potential indirect impacts resulting from future build-out and provides measures to avoid potentially significant impacts. This EA addresses impacts in the following areas: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, Tribal Cultural Resources, and Utilities and Service Systems. The EA serves as the primary reference document in formulating the recommended conditions of rezone approval.

ALTERNATIVES: This proposed General Plan and Zoning Plan amendment is required to bring the County General Plan into compliance with State housing law and to meet the terms of the settlement agreement. Therefore, as explained below, the alternatives to the proposed action are limited:

1. Modify the General Plan Map and Zoning Map amendment boundaries.
2. Continue the public hearing to request additional information.
3. Recommend that Board of Supervisors deny the project.

None of these alternatives are recommended. The boundaries and resulting acreage of each rezone area has been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to rezone property and any delay could put the timeline at risk. As indicated throughout the staff report, this General Plan and Zoning Plan amendment is necessary for the County to meet its obligations in a timely manner. Denial of the rezone would require the County to find other properties to rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County's Housing Element update program at great risk.

CONCLUSION: Based on the information collected and the analysis completed for this project, staff is of the opinion that the proposed Area 2 Project is consistent with the General Plan policies and zoning standards for the area.



RICHARD W. SIMON, AICP
Director of Resource Management

Staff Author: Kim Hunter, Planning Manager

GPA18-0002 & ZA18-0003 (Area 2)

8/23/18

Page 4 of 4

Copies: Legal Services of Northern California
Meissner Ernest R III Revocable Trust
Project File

Attach:

1. Draft Resolution
2. Vicinity Map
3. Site Map
4. General Plan Map
5. Zone District Map
6. Proposed General Plan Map
7. Proposed Zone District Map
8. Initial Study EA link: https://www.co.shasta.ca.us/index/drm_index/planning_index.aspx

RESOLUTION NO. 2018-019

**A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS
APPROVE GENERAL PLAN MAP AMENDMENT GPA18-0002 AND ZONING MAP
AMENDMENT ZA18-0003 (COUNTY OF SHASTA)**

WHEREAS, as part of the state housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals (Government Code section 65580); and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, in accordance with Government Code section 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is considered a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state. Default density being the density at which a site is deemed appropriate for development to accommodate lower income households; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet its unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development, resulting in a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, to fulfil its obligations under Program 8 of the most recently adopted 2009-2014 Shasta County Housing Element committed the County to rezone enough land at the default density within the unincorporated area of the County, where water, sewer and other urban services are or will be available, to fully accommodate the County's RHNA obligation for lower income households; and

WHEREAS, to fulfil its obligations to comply with State housing law and the Stipulated Judgement the County has initiated four separate General Plan amendment and rezone projects to re-designate and rezone land to the default density in four separate geographical areas of the

Resolution No. 2018-019

Page 2

unincorporated County, totaling 13 sites and 60.5 acres within designated Town Centers, or adjoining designated Urban Centers, served by or with access to, urban services including community water and sewer; and

WHEREAS, the land area affected by GPA18-0002 and ZA18-0003 consists of four sites on one parcel totaling just over 33 acres of undeveloped land within the City of Redding's Sphere of Influence; and

WHEREAS, the subject land is currently designated Suburban Residential (SR) by the County General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1) by the Shasta County Zoning Maps; and

WHEREAS, GPA18-0002 and ZA18-0003 designates the subject lands Urban Residential and Urban Residential-25 units per acre and rezones the subject lands to Multiple-Family Residential-10 units per acre (13.1 acres), Multiple-Family Residential-25 units per acre (10.2 acres), Open Space (20 acres), with the remaining land zoned as Designated Floodway (F-1); and

WHEREAS, duly noticed public hearings to consider GPA18-0002 and ZA18-0003, were held before the Planning Commission on August 9, 2018, and continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, GPA18-0002 and ZA18-0003 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED by the Shasta County Planning Commission:

1. The foregoing recitals are true and correct and incorporated herein.
2. The Planning Commission makes the following findings with regard to General Plan Amendment GPA18-0002 and Zoning Plan Amendment ZA18-0003:
 - A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community, (b) designating and

Resolution No. 2018-019

Page 3

- maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local Housing Element as part of its General Plan, (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state.
- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
 - C. GPA18-0002 and Z18-0003 are necessary actions to bring the County General Plan and the mandatory Housing Element of the Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulated Judgement rendered by Shasta County Superior Court.
 - D. GPA18-0002 and ZA18-0003 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.
 - E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.
 - F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements of the Shasta County General Plan.
3. The Planning Commission recommends that the Shasta County Board of Supervisors take the following actions with regard to GPA18-0002 and ZA18-0003:
- A. Conduct a public hearing.
 - B. Close the public hearing.
 - C. Find GPA18-0002 and ZA18-0003 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement).

Resolution No. 2018-019

Page 4

- D. Adopt a resolution approving the amendments to the Shasta County General Plan Map pursuant to General Plan Amendment GPA18-0002.
- E. Introduce, waive the reading of and enact an ordinance amending the Shasta County Zoning Map pursuant to Zone Amendment ZA18-0003.

DULY PASSED this 23rd day of August, 2018, by the following vote:

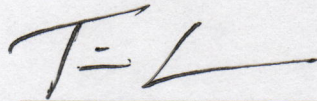
AYES: MACLEAN, CHAPIN, RAMSEY, WALLNER

NOES:

ABSENT:

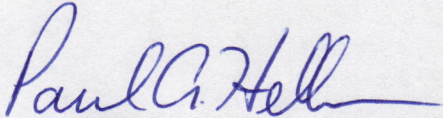
ABSTAIN:

RECUSE: KERNS



TIM MACLEAN, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:



PAUL HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

**SHASTA COUNTY
PLANNING COMMISSION MEETING**

DRAFT

MINUTES

Meeting

Date: August 9, 2018
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:

Tim MacLean	District 2
Jim Chapin	District 1
Steven Kerns	District 3
Roy Ramsey	District 4
Patrick Wallner	District 5

Staff Present:

Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Luis Topete, Associate Planner
Jimmy Zanolli, Shasta County Fire Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note:

All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:

By motion made, seconded (Wallner/Ramsey) and carried by a 4-0 vote, the Planning Commission approved the Minutes of July 12, 2018, as submitted. Commissioner Chapin abstained from voting due to not being in attendance at the July 12, 2018 Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: Chairman MacLean declared a conflict of interest for Item R3 due to his employment association with Sharrah Dunlap Sawyer, Inc., who has completed work on behalf of some of the property owners residing in those areas.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: Variance 18-0003 (Kronick): The applicant has requested approval of a variance from the maximum 15-foot building height limit for residential accessory buildings to construct a 900-square-

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

1 of 7
Page 261 of 323

foot RV garage with a height of 19-feet, 6-inches from the edge of the road easement and a variance from the 20- foot front yard setback requirement in the National Recreation Area, Shasta unit (NRA-S) district. Applicant: John and Charlene Kronick; Assessor's Parcel Number(s): 085-320-032-000; Project Location: Lakehead Area on a 4.14-acre parcel approximately 0.1 miles south of the intersection of O'Brien Mountain Road and Grey Fawn Trail (17528 Grey Fawn Trail); Supervisor District: 4; Recommended Environmental Determination: Categorically Exempt; Planner: Luis Topete, Associate Planner. Simple Majority Vote.

Associate Planner Luis Topete presented the staff report.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Tracy Novogrodsky

Ms. Novogrodsky expressed concern over the proposed building's limited distance from the road easement and potential erosion.

Erik Mickelsen

Mr. Mickelsen expressed concerns about egress from his driveway in the event of a fire, erosion and drainage. He described the steep bank next to the proposed project and his assertion that if the proposed structure were to catch fire, it could fall into Grey Fawn Trail. Commissioner Kerns asked Mr. Mickelsen if his concerns would be addressed if the proposed building was in a different location. Mr. Mickelsen indicated relocating the building to the west side of the property would likely address most concerns.

DRAFT

Chairman MacLean asked if the applicant or their representative was available and called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns asked Mr. Topete if the applicant would consider moving the structure to the west side. Mr. Topete stated he was unsure without speaking with the applicant. Chairman MacLean asked if the gravel pad was level. Mr. Topete confirmed it was and noted that the project was compliant with fire safety standards. Chairman MacLean asked if most exceptions for setbacks were as extreme as the proposed project. Mr. Topete stated that in his experience they vary. Commissioner Chapin stated he saw no reason to have the building so near the right-of-way of the road when there were several other options for where the project could be located. Commissioner Wallner agreed with this thinking given the limited ingress and egress for the project's proposed location.

At Commissioner Kerns request, Chairman MacLean reopened the public hearing. Commissioner Kerns asked Ms. Novogrodsky if her concerns would be alleviated with respect to fire, escape, and aesthetics if it was possible to move the project to the west and north. Ms. Novogrodsky stated it would.

Chairman MacLean closed the public hearing and asked for feedback from Mr. Simon on the possibility of staff working with the applicant to see if they would consider adjusting the plan. Mr.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

2 of 7
Page 262 of 323

Simon commented that because the applicant was absent and they may have rationale unknown to the Planning Commission, it would be appropriate to consider a continuation.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Variance 18-0003 to the September 13, 2018 Planning Commission meeting to allow staff time to work with the applicant to explore the possibility of another location for the project.

Chairman MacLean left the room.

Ex-parte Communications Disclosures: None.

R3: General Plan Map Amendment GPA18-0001 and Zoning Plan Map Amendment ZA18-0002
Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Plan Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0001 and ZA18-0002: *East Redding - 299 East Corridor/Collyer Drive and Old Oregon Trail* (Area 1) consists of approximately 48 acres currently designated Commercial (C) and Suburban Residential (SR) in the General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR). Area 1 in its entirety would be designated UR(25) and would be rezoned to R-3-25 on 33.3 acres, and Open Space on 14.6 acres. Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; and 076-060-018.

Planning Manager Kim Hunter stated that due to circumstances related to the Carr Fire, additional time was needed to complete necessary documents for the Planning Commission's consideration of Items R3, R4, R5, and R6. Staff recommended the Planning Commission open the public hearing for each item as scheduled, accept all testimony and continue the hearing to a Special Meeting on Thursday, August 23rd.

Vice Chairman Chapin opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Ramsey) and carried 4-0, the Planning Commission continued Item R3 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Chairman MacLean returned to the meeting.

Ex-parte Communications Disclosures: None.

R4 General Plan Map Amendment GPA18-0002 and Zoning Plan Map Amendment ZA18-0003
Consider a proposed amendment to the Shasta County General Plan Land Use Maps and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0002 and ZA18-0003: *North Redding - Old Oasis Road/I-5 Corridor* (Area 2) consists of approximately 52 acres currently designated Suburban Residential (SR) in the General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1) and Restrictive Flood (F-2). Area 2 would be designated UR(25) and rezoned to R-3-25 on 10.2 acres; designated UR on 41.7 acres and rezoned as follows: R-3-10 on 13.1 acres; and Open Space (OS) on 20 acres; the Designated Floodway portion would be unchanged. Assessor's Parcel Number 073-010-006.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

3 of 7
Page 263 of 323

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Michael Elrite

Mr. Elrite expressed concerns about high density housing being placed in a low-density area and increases in crime.

Mose Perizzolo

Mr. Perizzolo stated he didn't think it was a good idea and that there was already a crime problem.

Richard Janssen

Mr. Janssen expressed concern about access, traffic, declining property values, and a crime rate that he noted was already high. He pointed out that numerous high speed chases had occurred in the area.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns inquired about the current size limitation on lots. Mr. Simon stated the property was designated Suburban Residential (SR) and Interim Residential (IR) zoning with a minimum parcel size of 5-acres, until services were brought to the site. The property would be served by City of Redding water and sewer under an existing agreement. The proposed change would be land use designation to Urban Residential with a density of 20-25 units per acre. Commissioner Wallner asked if the City of Redding would be able to serve the property with the increased density. Mr. Simon stated his understanding was that they would, however, he was not aware on whether this would require improvements. Chairman MacLean indicated he understood this item was for a zoning proposal and that there was not a current high density project at this time. Mr. Simon affirmed that was correct.

Commissioner Kerns asked if any analysis had been done on how property values would be affected for build outs in the proposed areas. Mr. Simon responded, noting information was available that indicated arguments on both sides. Mr. Simon noted an environmental analysis (EA) was available to the public through the department's website and at the department and that Planning Manager Kim Hunter was available as a contact. Commissioner Chapin asked how existing infrastructure (road system) would handle new traffic generated for a high density project. Mr. Simon responded any proposed project would be reviewed by Public Works, Environmental Health, and all agencies involved in approving a project, including any mitigation or constraints identified in the environmental assessment, which would be the developer's responsibility to mitigate.

Chairman MacLean reopened the public hearing. Mr. Elrite questioned why there was a proposed change in zoning when there was no current project planned. Mr. Perizzolo noted he hasn't seen the curve on Old Oasis fixed and he re-asserted his concern about traffic. Mr. Janssen asked if he would have the opportunity to address the Planning Commission again at the next meeting. Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Wallner) and carried unanimously, the Planning Commission continued Item R4 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

4 of 7
Page 264 of 323

DRAFT

DRAFT**Ex-parte Communications Disclosures: None.**

- R5** **General Plan Map Amendment GPA18-0003 and Zoning Plan Map Amendment ZA18-0004**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0003 and ZA18-0004: *Southwest Palo Cedro - Gilbert Drive* (Area 3) consists of 9.8 acres currently designated Commercial (C) in the General Plan and zoned Community Commercial (C-2). Area 3 in its entirety would be designated UR(25), and would be rezoned to R-3-25 on 8 acres, and Open Space on 1.8 acres. Assessor's Parcel Number 059-360-019.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Wallner/Ramsey) and carried unanimously, the Planning Commission continued Item R5 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

- R6** **General Plan Map Amendment GPA18-0004 and Zoning Plan Map Amendment ZA18-0005**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0004 and ZA18-0005: *Southwest Cottonwood/I-5 Corridor* (Area 4) consists of approximately 13 acres currently designated Urban Residential – 8 dwelling units per acre (UR(8)) and zoned Planned Development (PD). Area 4 would be designated UR(25) and rezoned to R-3-25 on 10 acres; designated and zoned Open Space on 1.6 acres; and designated Commercial (C) and rezoned to Community Commercial (C-2) on 1.4 acres. Assessor's Parcel Number: 087-270-031.

Chairman MacLean opened the public hearing.

Speaker's Name**Comments/Concerns/Questions**

Ralph Adams

Mr. Adams expressed concerns about water, drainage, traffic impacts and the devaluation of subdivision houses he had built. He referenced a low-income project in Anderson in which the Anderson Police Department reported seventy-percent of their work was in response to that area. Mr. Adams noted Cottonwood's lack of law enforcement and concerns related to growth.

James Seale

Mr. Seale expressed concern over impacts on schools and water and sewer systems. He questioned where sewer allotments would come from since Cottonwood's system was nearing capacity. Mr. Seale expressed concern over increased traffic on 1st Street. Mr. Seale noted Crowley Gulch floods annually, lack of law enforcement and road access for some of the property zoned Commercial.

PLANNING COMMISSION MEETING MINUTES**August 9, 2018**

5 of 7
 Page 265 of 323

DRAFT

Kayle Spoon

Mr. Spoon asked if there was an existing project. He expressed concern over lack of sidewalks on 1st Street for pedestrians, flood, sewer and traffic issues. He noted the safety issues inherent with the current lack of infrastructure for pedestrians and the existing overpass. Mr. Simon responded that the proposal was a County initiated rezoning, that there was no specific proponent for a project, and that this was an effort to seek out properties that have access to services (primarily water and sewer) with the potential for higher density development should a future project be proposed.

Tom Semingson

Mr. Semingson expressed concern over traffic on 1st Street, the impact of which he believed would render a project unfeasible.

Vickie Wolf

Ms. Wolf asked if a developer proposed a different number of units, would they be allowed to divert from the new zoning. Chairman MacLean responded, noting any landowner could propose a project and that zoning was a guideline for proposals. Ms. Wolfe asked for a definition of uses in C2. Mr. Simon responded and referenced Chapter 17.44 of the Shasta County Zoning Plan.

Mr. Simon noted the County was obligated as an arm of the State to participate in the State's declared housing crisis and that part of the County's obligation was to adopt a Housing Element as part of the General Plan. He further explained the County was required to accommodate a certain number of housing units at various income levels by rezoning properties to allow for potential future development at the default density. To fulfill this obligation, the County is required to rezone properties where it may be found suitable for higher density development. Commissioner Kerns commented the difficulty was meeting the County's obligations under state law. He encouraged the public to stay involved in the process. Commissioners acknowledged public concerns related to the proposed rezones and encouraged continued public input.

Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Kerns) and carried unanimously, the Planning Commission continued Item R6 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

R7

General Plan Amendment GPA13-003 Revised Draft Shasta County 2014-2019 Housing Element

Shasta County completed the Revised Draft 2014-2019 Housing Element Update (Revised Draft) consisting of five Sections as follows: Section I Introduction, Section II Housing Needs Assessment, Section III Housing Constraints, Section IV Regional Housing Needs Allocation, Section V Programs; and ten supporting appendices.

DRAFT

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

6 of 7
Page 266 of 323

DRAFT

Ms. Hunter noted the Planning Division has completed the Draft 2014-2019 Housing Element. The Revised Draft was released for a 30-day comment period from July 2nd – July 31st. At the end of the review period, one comment letter was received by Legal Services of Northern California. She explained the letter required further review to re-assess the draft language and that staff recommended opening the public hearing, accepting all testimony and continuing the item to a special meeting on August 23rd.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Item R7 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

R8: **Planning Director's Report:** Planning Manager Kim Hunter congratulated Resource Management Director Rick Simon on the occasion of his retirement and his last Planning Commission meeting. She acknowledged his planning career of 30+ years extending from Southern California to the Northstate. She noted his professionalism, kindness, patience, and humor.

Mr. Simon expressed his appreciation to planning staff and the department for their professionalism and dedication. He expressed that it had been a privilege and honor to serve as Secretary to the Planning Commission and his appreciation to the Commission.

Commissioners expressed their gratitude of Mr. Simon's professionalism, availability, responsiveness, kindness, assistance and personableness.

Mr. Simon reported that the Board of Supervisors approved GPA18-0001 and Z17-003 on July 17th.

NON-HEARING ITEMS: None.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 3:47 p.m.

Submitted by:

Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary

Site #	APN	# RZ Acres	Current GP/Zoning	Proposed GP/Zoning	Water	Sewer	Realistic Capacity*	Maximum Capacity**
Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail (33.3 acres total) ¹								
1	076-070-012	3.5	C/IR	UR(25)/R-3-25	BVWD	COR	70	87.5
2	076-070-016	1.9	C/IR	UR(25)/R-3-25	BVWD	COR	38	47.5
3	076-100-018	7.3	C/C-M	UR(25)/R-3-25	BVWD	COR	146	182.5
4	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	188	235
5 ³	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	168	210
6	076-100-011	1.8	C/C-2	UR(25)/R-3-25	BVWD	COR	36	45
646 du at realistic capacity/807.5 du at maximum capacity								
Area 2: North Redding Area: Old Oasis Road/I-5 Corridor (10.2 acres total) ²								
7	073-010-006	2.4	SR/IR	UR(25)/R-3-25	COR	COR	48	60
8	073-010-006	3	SR/IR	UR(25)/R-3-25	COR	COR	60	75
9	073-010-006	3.1	SR/IR	UR(25)/R-3-25	COR	COR	62	77.5
10	073-010-006	1.7	SR/IR	UR(25)/R-3-25	COR	COR	34	42.5
204 du at realistic capacity/255 du at maximum capacity								
Area 3: Southwest Palo Cedro/Gilbert Drive (8 acres total)								
11	059-360-019	4.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	90	112.5
12	059-360-019	3.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	70	87.5
160 du at realistic capacity/200 du at maximum capacity								
Area 4: Southwest Cottonwood/I-5 Corridor -- Site recommended for denial by the Planning Commission on 8/23/18								
13	087-270-031	0	UR-8/PD	UR(25), C/R-3-25, C-2	CWD	CSA 17	0	0
Totals		50.5					1,010	1,263
		Acres					Dwelling Units	Dwelling Units

BVWD=Bella Vista Water District

COR=City of Redding

CWD=Cottonwood Water District

CSD 8=County Community Service District 8

CSD 17=County Community Service District 17

*Realistic Capacity: multiple-family development at a density of 20 dwelling units (du) per acre

**Maximum Capacity: multiple-family development at a density of 25 dwelling units (du) per acre

¹ Located within the COR Sphere of Influence (SOI) which are pre-zoned RM 10-20 (except for portions of 076-060-018 which are zoned RM 6-10)² Located within the COR SOI; Sewer and water service agreements in place³ Site 5 of Area 1 contains a one acre area with slope exceeding 30% which cannot be counted towards the RHNA. This is accounted for in the final total acres and realistic capacity figures.

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA
APPROVING AN AMENDMENT TO THE SHASTA COUNTY GENERAL PLAN LAND
USE MAPS, GENERAL PLAN AMENDMENT (GPA) 18-0002**

WHEREAS, the Shasta County Department of Resource Management, has brought forth an application to amend the general plan land use designation on 10.2 acres from Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR(25)) and on 41.7 acres from Suburban Residential (SR) to Urban Residential (UR).

WHEREAS, the subject land is currently designated Suburban Residential (SR) by the County General Plan, and zoned Interim Rural Residential (IR) and Designated Floodway (F-1) by the Shasta County Zoning Maps; and

WHEREAS, duly noticed public hearings to consider GPA18-0002 and associated Zone Amendment (ZA) 18-0003, were held before the Planning Commission on August 9, 2018, which was continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, the Planning Commission considered GPA18-0002 at a Special Meeting on August 23, 2018, and after conducting a public hearing recommended approval by the Board of Supervisors; and

WHEREAS, the Board of Supervisors of the County of Shasta, after the public hearing on September 18, 2018, at which time public input was received, considered the above proposal to amend the General Plan Land Use Maps; and

WHEREAS, GPA18-0002 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following environmental findings with regard to GPA18-0002:

- A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community; (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels; (c) preparing and implementing a local Housing Element as part of its General Plan; (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Needs Allocation (RHNA) assigned to the County by the state.
- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
- C. GPA18-0002 and ZA18-0003 are necessary actions to bring the County General Plan and the mandatory Housing Element of the General Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulation for Judgment rendered by the Shasta County Superior Court.

- D. GPA18-0002 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that CEQA does not apply to any action necessary to bring an agency’s general plan or relevant mandatory elements of the plan into compliance with any court order or judgment.
- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.
- F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements of the Shasta County General Plan.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves GPA18-0002, on 51.9 acres in the north Redding area (Assessor’s Parcel Number 073-010-006), to amend the general plan land use designation on 10.2 acres from Suburban Residential (SR) to Urban Residential-25 dwelling units per acre (UR (25)) and on 41.7 acres from Suburban Residential (SR) to Urban Residential (UR) as shown on the attached Exhibit A.

DULY PASSED AND ADOPTED this 18th day of September, 2018, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

ORDINANCE NO. 378-

AN ORDINANCE AMENDING ORDINANCE NUMBER 378-, THE ZONING ORDINANCE OF THE COUNTY OF SHASTA, A PORTION OF THE ZONING PLAN (ZONE AMENDMENT 18-0003- AREA 2 – NORTH REDDING: OLD OASIS ROAD/I-5 CORRIDOR)

WHEREAS, notice of a public hearing before the Board of Supervisors to consider this matter was given in accordance with law; and

WHEREAS, the Board of Supervisors finds that Zone Amendment 18-0003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court judgement rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, the Board of Supervisors held a public hearing on September 18, 2018, to consider adopting this ordinance.

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1. The following described real property is hereby rezoned from the Interim Residential (IR) to the Multiple-Family Residential–10 dwelling units per acre (R-3-10), Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS) zone districts with an increased area as Designated Floodway (F-1) zone district (as Shown on Exhibit A). Assessor's Parcel Number 073-010-006 (2018 Roll). District Map T. 32N., R.4W.-D.

North Redding Area - Located in the unincorporated Shasta County, generally north and east of the City of Redding's corporate limits and south of Old Oasis Road west of the Interstate 5 corridor.

SECTION 2. This ordinance shall be in full force and effect from and after thirty (30) days after its passage. The clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 18th day of September 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

LES BAUGH, Chairman
Board of Supervisors, County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Scheduled Hearings - Resource Management-11.

SUBJECT:

Resolution approving General Plan Amendment GPA18-0003 and Ordinance approving Zoning Amendment ZA18-0004

DEPARTMENT: Resource Management

Supervisory District No. : 3

DEPARTMENT CONTACT: Paul A. Hellman, Director of Resource Management (530) 225-5789

STAFF REPORT APPROVED BY: Paul A. Hellman, Director of Resource Management

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Based on comments and input from numerous sources which was received following the Planning Commission meeting on August 23, 2018, the Resource Management Department withdraws its recommendation to approve General Plan Amendment (GPA) 18-0003 which would amend the land use designation on 9.8 acres from Commercial (C) to Urban Residential-25 dwelling units per acre (UR(25)), and Zoning Amendment (ZA) 18-0004 which would rezone 9.8 acres of property from Community Commercial (C-2) to Multiple-Family Residential-25 dwelling units per acre (R-3-25) and Open Space (OS), in the unincorporated area of Shasta County in the Palo Cedro Town Center south of State Route 44 and west of Deschutes Road (Assessor Parcel Number 059-360-019).

SUMMARY

The project site (Area 3) is located in unincorporated Shasta County on one undeveloped 9.8-acre parcel southwest of the intersection of State Highway 44 and west of Deschutes Road in the unincorporated community of Palo Cedro. (Assessor's Parcel Number: 059-360-019).

This project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps as necessary actions to bring the County's General Plan into compliance with State Housing Law and a Stipulation for Judgment by the Shasta County Superior Court. Based on comments and input received since the Planning Commission adopted its resolution, the Resource Management Department withdraws its recommendation that the Board approve this General Plan Amendment and Zoning Amendment. However, as discussed further below, if the Board fails to rezone sufficient property for to meet the needs of the 2014-2019 Housing Element, the Department will have to consider the available options in order to fulfill that requirement.

DISCUSSION

The Planning Commission reviewed this application on August 23, 2018. The Commission took action recommending that the Board of Supervisors approve GPA18-0003 and ZA18-0004 by a vote of 5-0. Since that time, the County has received numerous letters and comments regarding the proposal and based on that input has reconsidered its recommendation and now withdraws its recommendation.

The Area 3 application identified two specific sites (Sites 11-12) as part of the overall Housing Element Rezone Program which originally included a total of 13 sites to be rezoned to the R-3-25 district. The selection of the 13 sites was based on the site's location within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Additionally, the property owners of these sites voluntarily cooperated with the County and support the project applications.

Based on additional information and input received from numerous sources, the Resource Management Department withdraws its County initiated request for a general plan amendment and zoning amendment at this time. However, the County's need to rezone sufficient sites for high density development to meets its obligations under the 2014-2019 Housing Element remains. Should sufficient sites not be rezoned as part of other County initiated projects, the Department will have to consider and identify suitable sites for rezoning that do meet the County's obligations for the 2014-19 Housing Element.

Four separate applications to amend general plan and zoning classifications in four separate geographical areas of unincorporated Shasta County to bring the County's housing element into compliance with State Housing Law and a Stipulation for Judgment by the Shasta County Superior Court were presented to the Planning Commission; three of the four applications were recommended for approval by the Board. As a result of the elimination of one of the four applications, a Zoning Amendment Program (Program H3-J) was added to the draft housing element update to identify and reclassify approximately 4.5 acres of land elsewhere within unincorporated Shasta County. If the Palo Cedro proposal is not approved, then the acreage figure in Program H3-J would be required to be increased from approximately 4.5 to 12.5. With or without the approval of the Palo Cedro proposal, the Resource Management Department will, in the near future, have to identify and process general plan and zoning amendments for additional sites as necessary to comply with Program H3-J. The processing of such general plan and zoning amendments may be required to comply fully with CEQA requirements, which would add substantially to the processing time and expense for such applications. Denial of the Palo Cedro proposal would result in an approximately three-fold increase in the level of effort and expense necessary to comply with the requirements of Program H3-J.

ALTERNATIVES

The following alternatives are available:

- 1. Approve the General Plan and Zoning Amendment request;
- 2. Modify the General Plan and Zoning Amendment boundaries;
- 3. Continue review of the application for additional information.

None of these alternatives are recommended.

OTHER AGENCY INVOLVEMENT

This application was reviewed by the referral agencies that review all new development applications. Comments made by those agencies have been incorporated in the project.

FINANCING

No additional General Fund impact would result from approval of the proposal.

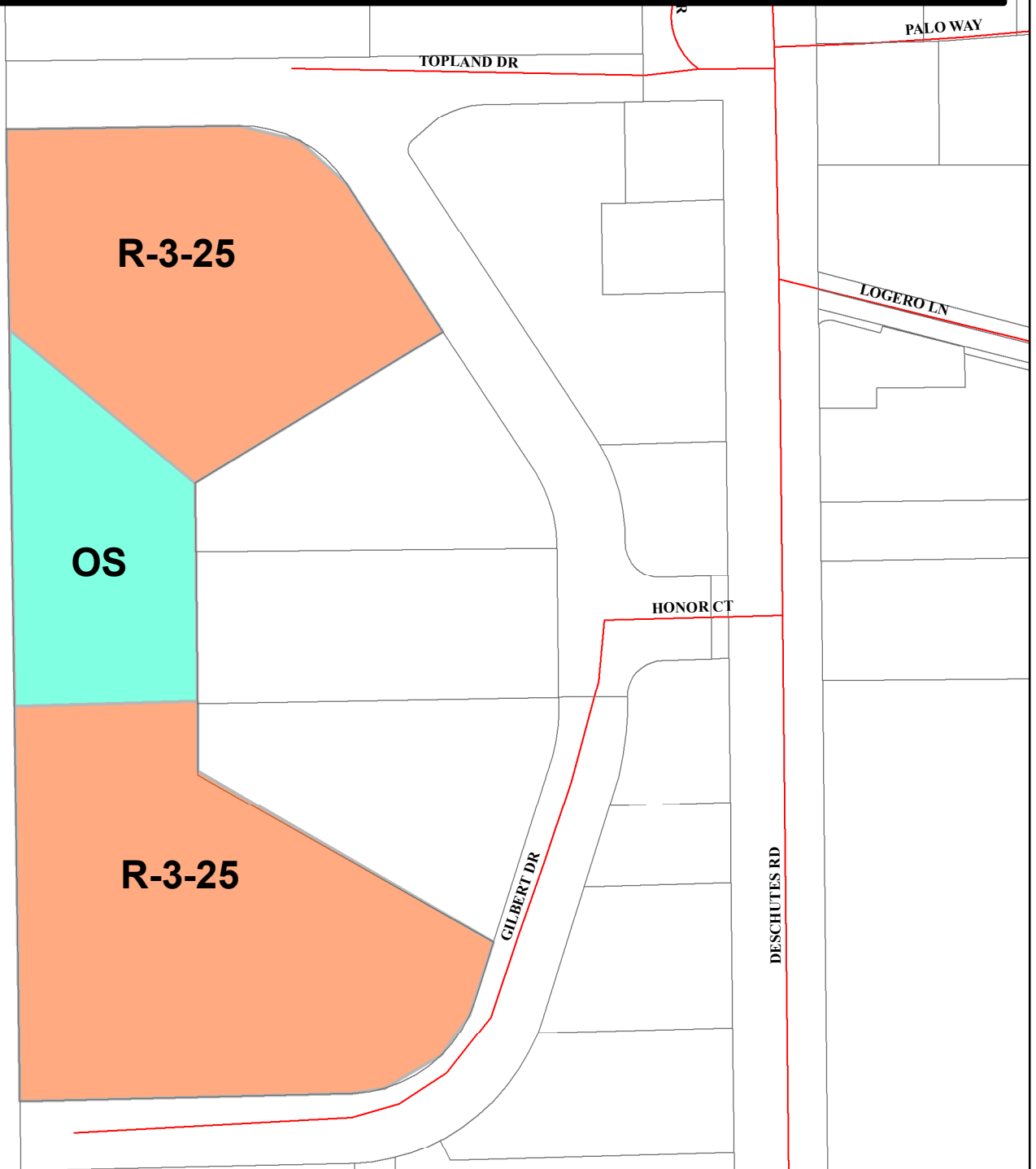
ATTACHMENTS:

Description	Upload Date	Description
Project Location Maps	8/31/2018	Project Location Maps

BOARD OF SUPERVISORS REGULAR MEETING - September 18, 2018

Ordinance for Z18-0004 AREA 3	8/31/2018	Ordinance for Z18-0004 AREA 3
Planning Commission Staff Report of August 23, 2018	8/31/2018	Planning Commission Staff Report of August 23, 2018
Planning Commission Resolution 2018-020	8/31/2018	Planning Commission Resolution 2018-020
Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)	8/31/2018	Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)
2014-2019 Housing Element Update - Rezone Program Inventory Sites	8/31/2018	2014-2019 Housing Element Update - Rezone Program Inventory Sites
Project Resolution	9/11/2018	Project Resolution

Area 3: Southwest Palo Cedro / Gilbert Drive



Attachment 2.1
EXHIBIT A



240 120 0 240 Feet

Area 3: Southwest Palo Cedro / Gilbert Drive

Area 3 Project Site Location

Bella Vista

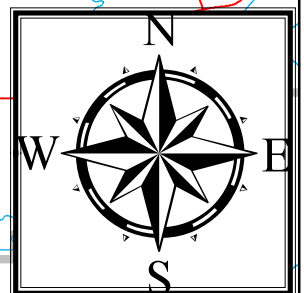
Palo Cedro

Redding

Millville

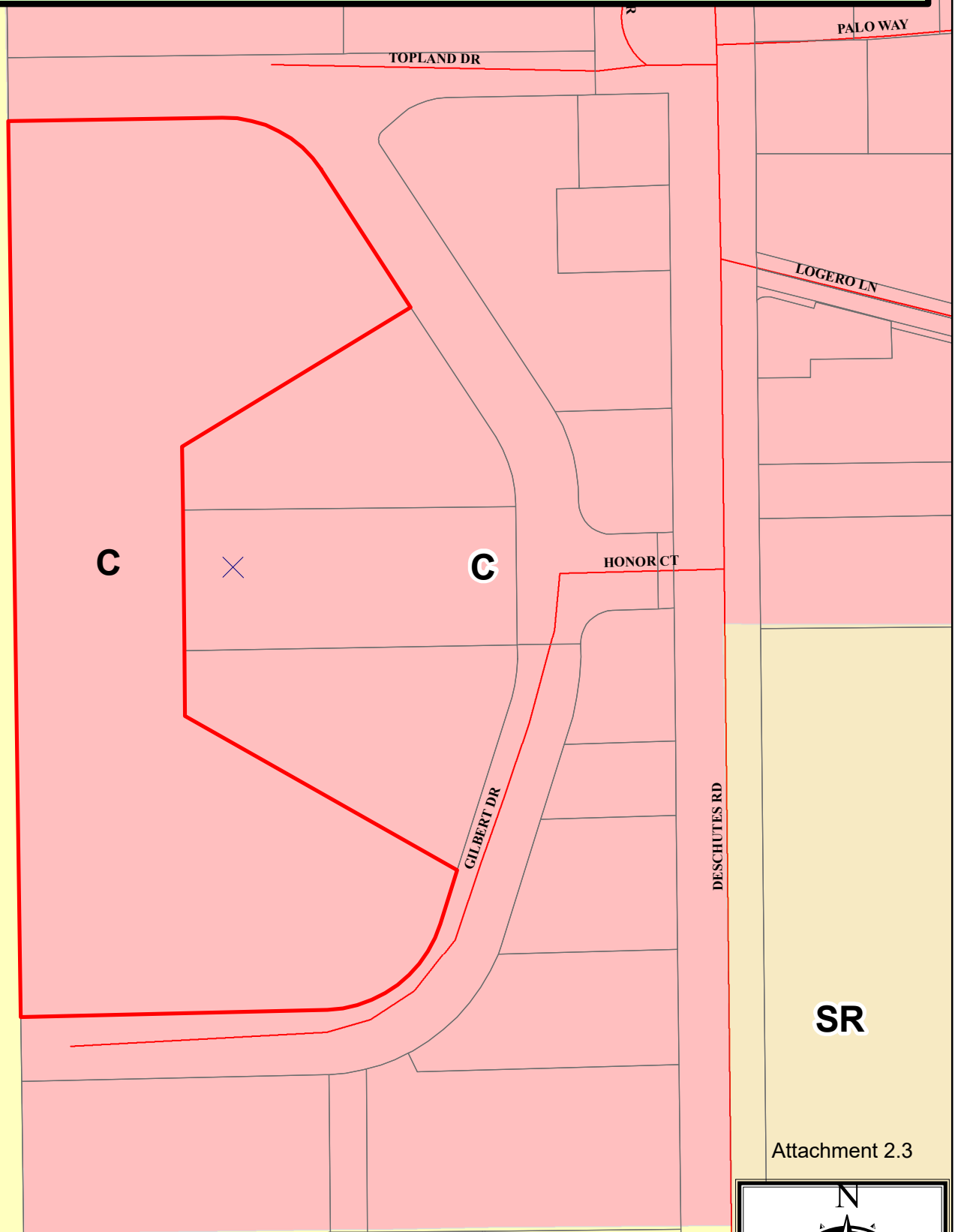
Anderson

Attachment 2.2

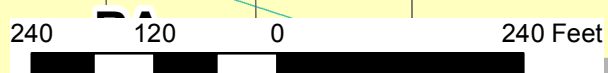


7,800 3,900 0 7,800 Feet

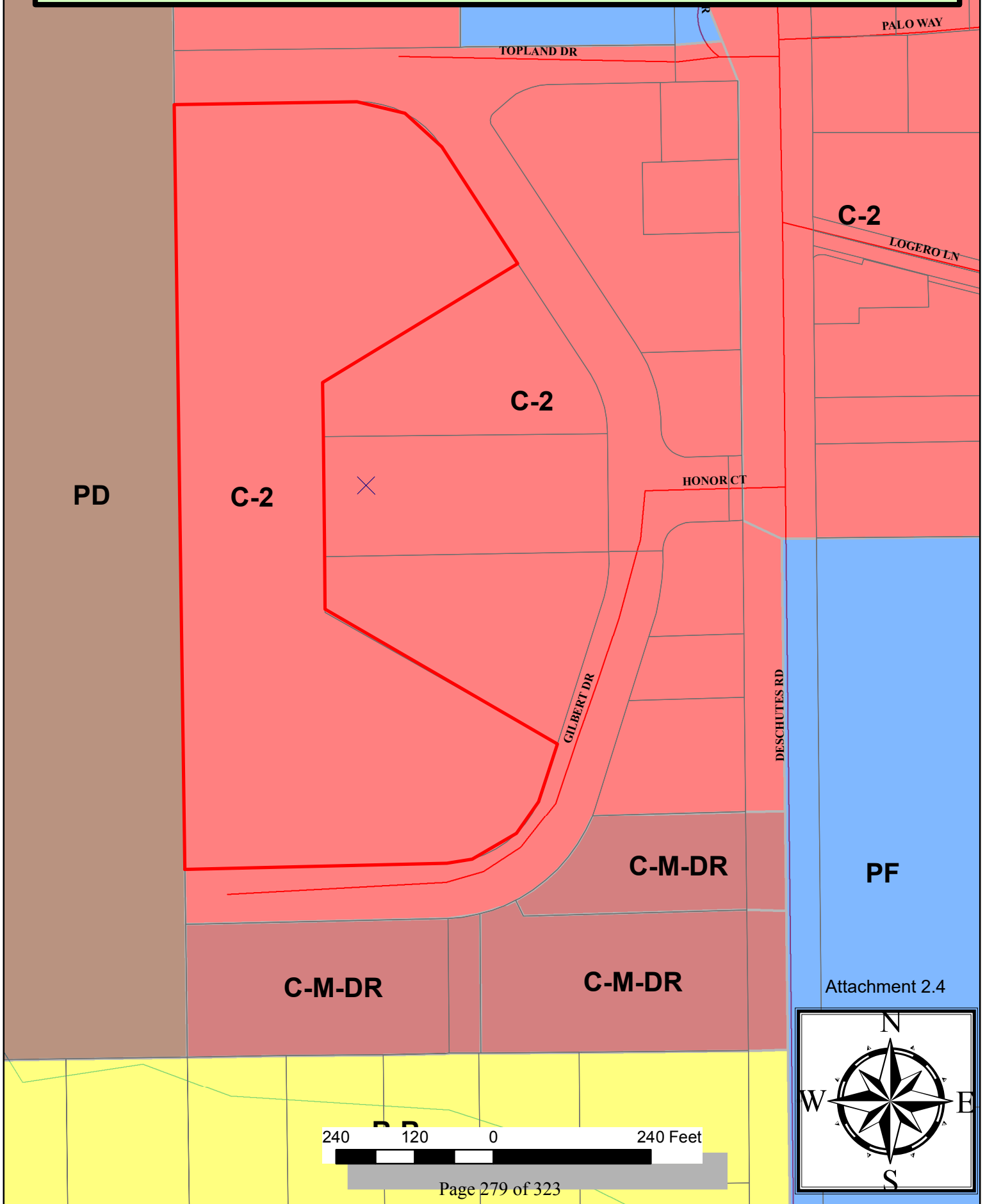
Area 3: Southwest Palo Cedro / Gilbert Drive



Attachment 2.3



Area 3: Southwest Palo Cedro / Gilbert Drive



ORDINANCE NO. 378-_____

AN ORDINANCE AMENDING ORDINANCE NUMBER 378-, THE ZONING ORDINANCE OF THE COUNTY OF SHASTA, A PORTION OF THE ZONING PLAN (ZONE AMENDMENT 18-0004 - AREA 3 – SOUTHWEST PALO CEDRO: GILBERT DRIVE)

WHEREAS, notice of a public hearing before the Board of Supervisors to consider this matter was given in accordance with law; and

WHEREAS, the Board of Supervisors finds that Zone Amendment 18-0004 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, the Board of Supervisors held a public hearing on September 11, 2018, to consider adopting this ordinance.

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1. The following described real property is hereby rezoned from the Community Commercial (C-2) zone district to the Multiple-Family Residential–25 dwelling units per acre (R-3-25) and Open Space (OS) zone district (as shown on Exhibit A). Assessor's Parcel Numbers 059-360-019 (2018 Roll). District Map T. 31N., R.3W.-A.

Palo Cedro Area - Located in the unincorporated Shasta County, generally southwest of the intersection of State Highway 44 and Deschutes Road with access from Gilbert Drive in the community of Palo Cedro.

SECTION 2. This ordinance shall be in full force and effect from and after thirty (30) days after its passage. The clerk shall cause this ordinance to be published as required by law.

DULY PASSED this day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

LES BAUGH, Chairman
Board of Supervisors, County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES

Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u>	<u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT GPA18-0003 AND ZONE AMENDMENT ZA18-0004 AREA 3 - SOUTHWEST PALO CEDRO: GILBERT DRIVE <i>CONTINUED FROM AUGUST 9, 2018</i>		08/23/18	R3

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt a resolution recommending that the Board of Supervisors: a) find GPA18-0003 and ZA18-0004 not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement); b) adopt a resolution approving GPA18-0003; and c) introduce, waive the reading of and enact an ordinance amending the Zoning Maps pursuant to ZA18-0004.

PROJECT SUMMARY: The project is a County initiated application which proposes amendments to the Shasta County General Plan Land Use Maps the County Zoning Maps as necessary actions to bring the County's General Plan into compliance with State Housing Law and a judgement by the Shasta County Superior Court (see Environmental Determination section under Background and Discussion below). The proposed General Plan and Zoning Plan Map amendments are not associated with any proposal for the on-site development of any of the sites.

This project site (Area 3) is one of four separate project applications in four separate geographical areas of the unincorporated County, all of which are served by, or have access to, urban services including community water and sewer. Collectively, these four projects will result a change to the General Plan land use designation on a total of 61.5 acres to Urban Residential – 25 dwelling units per acre (UR(25)), and rezoning the same 61.5 acres to Multiple-Family Residential – 25 dwelling units per acre (R-3-25).

Area 3 is located in unincorporated Shasta County southwest of the intersection of State Highway 44 and Deschutes Road in the unincorporated community of Palo Cedro. Comprised of two separate sites (Sites 11 and 12) on one parcel. Area 3 consists of 9.8 acres currently designated Commercial (C) in the General Plan and zoned Community Commercial (C-2). Area 3 in its entirety would be designated UR(25), and would be rezoned to R-3-25 on 8 acres, and Open Space on 1.8 acres. (Assessor's Parcel Number 059-360-019).

Table 1. Area 3 Project Information

Site #	Current GP/Zoning	Proposed GP/Zoning	Affected Acres	Notes
11	C/C-2	UR(25)/R-3-25	4.5	Required to meet RHNA
12	C/C-2	UR(25)/R-3-25	3.5	Required to meet RHNA
--	C/C-2	UR(25)/OS	1.8	Wetland area

BACKGROUND AND DISCUSSION:

Court Order -- On January 22, 2018 Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit pursuant to California Government Code Article 14, Actions or Proceedings (section 65759) with the intent to compel the County to bring its Housing Element into compliance with State Laws and meet the unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development.

GPA18-0003 & ZA18-0004 (Area 3)

8/23/18

Page 2 of 3

A judgement was rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions that must be completed by the County. As a result of this judgement, CEQA does not apply to any discretionary actions that are necessary for the County to bring the General Plan into compliance with State Law, including GPA18-0001 and Zone Amendment ZA18-0002.

General Plan Amendment/Rezone Sites – The Area 3 site is located in the southwestern area of Palo Cedro and is bounded by the future planned extension of Topland Drive to the north, with the eastern property boundaries adjoining the future extension of Gilbert Drive. Two large undeveloped tracts of land adjoin the site to the west. The surrounding vicinity is comprised largely of commercial and light industrial uses, single-family homes, and some undeveloped areas.

Access & Services – Access to Area 3 is from Gilbert Drive via Honor Court from Deschutes Road. Bella Vista Water District provides water to the area and wastewater disposal is provided by County Service Area No. 8. Electricity and natural gas service in the area is provided by Pacific Gas and Electric Company and Waste Management provides solid waste disposal services.

The designs and locations of future developments within the rezone sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed General Plan Land Use Map and Zoning Map Amendments, no specific development proposals are associated with this project. Future multiple-family housing development would occur subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060.

Environmental Determination – This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement. However, the County is required to prepare an initial study to determine the environmental effects of the proposed project and to prepare an environmental assessment if as a result of the initial study the County determines that the project may have a significant effect on the environment. The environmental assessment shall substantially conform to the required content of a draft environmental impact report (Government Code section 65759).

The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project may have a significant effect on the environment. Therefore, an Environmental Assessment (EA) has been prepared, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR).

Based on the Initial Study, no impacts or less than significant impacts related to Aesthetics, Agricultural Resources, Geology and Soils, Hazards and Hazardous Materials, Mineral Resources, and Recreation are anticipated as a result of the proposed project. As such, these resources are not evaluated as part of the EA (refer to EA Section 9.0, EFFECTS FOUND NOT TO BE SIGNIFICANT and Appendix A, INITIAL STUDY).

The EA focuses on the changes in the environment (indirect) that could result from approval of GPA18-0003 and ZA18-0004 if full development of the rezone sites were to occur. The EA identifies potential indirect impacts resulting from future build-out and provides measures to avoid potentially significant impacts. This EA addresses impacts in the following areas: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, Tribal Cultural Resources, and Utilities and Service Systems. The EA serves as the primary reference document in formulating the recommended conditions of rezone approval.

GPA18-0003 & ZA18-0004 (Area 3)

8/23/18

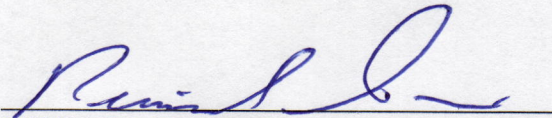
Page 3 of 3

ALTERNATIVES: This proposed General Plan and Zoning Plan amendment is required to bring the County General Plan into compliance with State housing law and to meet the terms of the settlement agreement. Therefore, as explained below, the alternatives to the proposed action are limited:

1. Modify the General Plan Map and Zoning Map amendment boundaries.
2. Continue the public hearing to request additional information.
3. Recommend that Board of Supervisors deny the project.

None of these alternatives are recommended. The boundaries and resulting acreage of each rezone area has been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to rezone property and any delay could put the timeline at risk. As indicated throughout the staff report, this General Plan and Zoning Plan amendment is necessary for the County to meet its obligations in a timely manner. Denial of the rezone would require the County to find other properties to rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County's Housing Element update program at great risk.

CONCLUSION: Based on the information collected and the analysis completed for this project, staff is of the opinion that the proposed Area 3 Project is consistent with the General Plan policies and zoning standards for the area.



RICHARD W. SIMON, AICP
Director of Resource Management

Staff Author: Kim Hunter, Planning Manager

Copies: Legal Services of Northern California
Shasta Forest Properties LLC
Project File

Attach: 1. Draft Resolution
2. Vicinity Map
3. Site Map
4. General Plan Map
5. Zone District Map
6. Proposed General Plan Map
7. Proposed Zone District Map
8. Initial Study
9. EA link: https://www.co.shasta.ca.us/index/drm_index/planning_index.aspx

RESOLUTION NO. 2018-020

**A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS
APPROVE GENERAL PLAN MAP AMENDMENT GPA18-0003 AND ZONING MAP
AMENDMENT ZA18-0004 (COUNTY OF SHASTA)**

WHEREAS, as part of the state housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals (Government Code section 65580); and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, in accordance with Government Code section 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is considered a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state. Default density being the density at which a site is deemed appropriate for development to accommodate lower income households; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet its unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development, resulting in a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, to fulfil its obligations under Program 8 of the most recently adopted 2009-2014 Shasta County Housing Element committed the County to rezone enough land at the default density within the unincorporated area of the County, where water, sewer and other urban services are or will be available, to fully accommodate the County's RHNA obligation for lower income households; and

WHEREAS, to fulfil its obligations to comply with State housing law and the Stipulated Judgement the County has initiated four separate General Plan amendment and rezone projects to re-designate and rezone land to the default density in four separate geographical areas of the

Resolution No. 2018-020

Page 2

unincorporated County, totaling 13 sites and 60.5 acres within designated Town Centers, or adjoining designated Urban Centers, served by or with access to, urban services including community water and sewer; and

WHEREAS, the land area affected by GPA18-0003 and ZA18-0004 consists of two sites on one parcel totaling just over eight acres of undeveloped land; and

WHEREAS, the subject land is currently designated Commercial (C) by the County General Plan, and zoned Community Commercial(C-2) by the Shasta County Zoning Maps; and

WHEREAS, GPA18-0003 and ZA18-0004 designates the subject lands Urban Residential-25 units per acre and rezones the subject lands to Multiple-Family Residential-25 units per acre (8 acres) and Open Space (1.8 acres); and

WHEREAS, duly noticed public hearings to consider GPA18-0003 and ZA18-0004, were held before the Planning Commission on August 9, 2018, and continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, GPA18-0003 and ZA18-0004 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED by the Shasta County Planning Commission:

1. The foregoing recitals are true and correct and incorporated herein.
2. The Planning Commission makes the following findings with regard to General Plan Amendment GPA18-0003 and Zoning Plan Amendment ZA18-0004:
 - A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community, (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local Housing Element as part of its General Plan,

Resolution No. 2018-020

Page 3

- (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state.
 - B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
 - C. GPA18-0003 and ZA18-0004 are necessary actions to bring the County General Plan and the mandatory Housing Element of the Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulated Judgement rendered by Shasta County Superior Court.
 - D. GPA18-0003 and ZA18-0004 are not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.
 - E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.
 - F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0et seq., and with all other elements of the Shasta County General Plan.
3. The Planning Commission recommends that the Shasta County Board of Supervisors take the following actions with regard to GPA18-0003 and ZA18-0004:
- A. Conduct a public hearing.
 - B. Close the public hearing.
 - C. Find GPA18-0003 and ZA18-0004 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement).
 - D. Adopt a resolution approving the amendments to the Shasta County General Plan Map pursuant to General Plan Amendment GPA18-0003.

Resolution No. 2018-020

Page 4

- E. Introduce, waive the reading of and enact an ordinance amending the Shasta County Zoning Map pursuant to Zone Amendment ZA18-0004.

DULY PASSED this 23rd day of August, 2018, by the following vote:

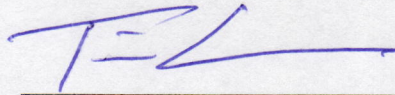
AYES: MACLEAN, CHAPIN, KERNS, RAMSEY, WALLNER

NOES:

ABSENT:

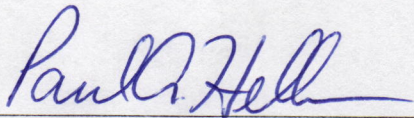
ABSTAIN:

RECUSE:



TIM MACLEAN, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:



PAUL HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

SHASTA COUNTY PLANNING COMMISSION MEETING

DRAFT

MINUTES

Meeting

Date: August 9, 2018
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present:	Tim MacLean	District 2
	Jim Chapin	District 1
	Steven Kerns	District 3
	Roy Ramsey	District 4
	Patrick Wallner	District 5

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Luis Topete, Associate Planner
Jimmy Zanolli, Shasta County Fire Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:
By motion made, seconded (Wallner/Ramsey) and carried by a 4-0 vote, the Planning Commission approved the Minutes of July 12, 2018, as submitted. Commissioner Chapin abstained from voting due to not being in attendance at the July 12, 2018 Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: Chairman MacLean declared a conflict of interest for Item R3 due to his employment association with Sharrah Dunlap Sawyer, Inc., who has completed work on behalf of some of the property owners residing in those areas.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: Variance 18-0003 (Kronick): The applicant has requested approval of a variance from the maximum 15-foot building height limit for residential accessory buildings to construct a 900-square-

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

1 of 7
Page 289 of 323

foot RV garage with a height of 19-feet, 6-inches from the edge of the road easement and a variance from the 20- foot front yard setback requirement in the National Recreation Area, Shasta unit (NRA-S) district. Applicant: John and Charlene Kronick; Assessor's Parcel Number(s): 085-320-032-000; Project Location: Lakehead Area on a 4.14-acre parcel approximately 0.1 miles south of the intersection of O'Brien Mountain Road and Grey Fawn Trail (17528 Grey Fawn Trail); Supervisor District: 4; Recommended Environmental Determination: Categorically Exempt; Planner: Luis Topete, Associate Planner. Simple Majority Vote.

Associate Planner Luis Topete presented the staff report.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Tracy Novogrodsky

Ms. Novogrodsky expressed concern over the proposed building's limited distance from the road easement and potential erosion.

Erik Mickelsen

Mr. Mickelsen expressed concerns about egress from his driveway in the event of a fire, erosion and drainage. He described the steep bank next to the proposed project and his assertion that if the proposed structure were to catch fire, it could fall into Grey Fawn Trail. Commissioner Kerns asked Mr. Mickelsen if his concerns would be addressed if the proposed building was in a different location. Mr. Mickelsen indicated relocating the building to the west side of the property would likely address most concerns.

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Chairman MacLean asked if the applicant or their representative was available and called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns asked Mr. Topete if the applicant would consider moving the structure to the west side. Mr. Topete stated he was unsure without speaking with the applicant. Chairman MacLean asked if the gravel pad was level. Mr. Topete confirmed it was and noted that the project was compliant with fire safety standards. Chairman MacLean asked if most exceptions for setbacks were as extreme as the proposed project. Mr. Topete stated that in his experience they vary. Commissioner Chapin stated he saw no reason to have the building so near the right-of-way of the road when there were several other options for where the project could be located. Commissioner Wallner agreed with this thinking given the limited ingress and egress for the project's proposed location.

At Commissioner Kerns request, Chairman MacLean reopened the public hearing. Commissioner Kerns asked Ms. Novogrodsky if her concerns would be alleviated with respect to fire, escape, and aesthetics if it was possible to move the project to the west and north. Ms. Novogrodsky stated it would.

Chairman MacLean closed the public hearing and asked for feedback from Mr. Simon on the possibility of staff working with the applicant to see if they would consider adjusting the plan. Mr.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

2 of 7
Page 290 of 323

Simon commented that because the applicant was absent and they may have rationale unknown to the Planning Commission, it would be appropriate to consider a continuation.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Variance 18-0003 to the September 13, 2018 Planning Commission meeting to allow staff time to work with the applicant to explore the possibility of another location for the project.

Chairman MacLean left the room.

Ex-parte Communications Disclosures: None.

R3: General Plan Map Amendment GPA18-0001 and Zoning Plan Map Amendment ZA18-0002
Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Plan Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0001 and ZA18-0002: *East Redding - 299 East Corridor/Collyer Drive and Old Oregon Trail* (Area 1) consists of approximately 48 acres currently designated Commercial (C) and Suburban Residential (SR) in the General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR). Area 1 in its entirety would be designated UR(25) and would be rezoned to R-3-25 on 33.3 acres, and Open Space on 14.6 acres. Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; and 076-060-018.

Planning Manager Kim Hunter stated that due to circumstances related to the Carr Fire, additional time was needed to complete necessary documents for the Planning Commission's consideration of Items R3, R4, R5, and R6. Staff recommended the Planning Commission open the public hearing for each item as scheduled, accept all testimony and continue the hearing to a Special Meeting on Thursday, August 23rd.

Vice Chairman Chapin opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Ramsey) and carried 4-0, the Planning Commission continued Item R3 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Chairman MacLean returned to the meeting.

Ex-parte Communications Disclosures: None.

R4 General Plan Map Amendment GPA18-0002 and Zoning Plan Map Amendment ZA18-0003
Consider a proposed amendment to the Shasta County General Plan Land Use Maps and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0002 and ZA18-0003: *North Redding - Old Oasis Road/I-5 Corridor* (Area 2) consists of approximately 52 acres currently designated Suburban Residential (SR) in the General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1) and Restrictive Flood (F-2). Area 2 would be designated UR(25) and rezoned to R-3-25 on 10.2 acres; designated UR on 41.7 acres and rezoned as follows: R-3-10 on 13.1 acres; and Open Space (OS) on 20 acres; the Designated Floodway portion would be unchanged. Assessor's Parcel Number 073-010-006.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

Page 3 of 7
291 of 323

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Michael Elrite

Mr. Elrite expressed concerns about high density housing being placed in a low-density area and increases in crime.

Mose Perizzolo

Mr. Perizzolo stated he didn't think it was a good idea and that there was already a crime problem.

Richard Janssen

Mr. Janssen expressed concern about access, traffic, declining property values, and a crime rate that he noted was already high. He pointed out that numerous high speed chases had occurred in the area.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns inquired about the current size limitation on lots. Mr. Simon stated the property was designated Suburban Residential (SR) and Interim Residential (IR) zoning with a minimum parcel size of 5-acres, until services were brought to the site. The property would be served by City of Redding water and sewer under an existing agreement. The proposed change would be land use designation to Urban Residential with a density of 20-25 units per acre. Commissioner Wallner asked if the City of Redding would be able to serve the property with the increased density. Mr. Simon stated his understanding was that they would, however, he was not aware on whether this would require improvements. Chairman MacLean indicated he understood this item was for a zoning proposal and that there was not a current high density project at this time. Mr. Simon affirmed that was correct.

Commissioner Kerns asked if any analysis had been done on how property values would be affected for build outs in the proposed areas. Mr. Simon responded, noting information was available that indicated arguments on both sides. Mr. Simon noted an environmental analysis (EA) was available to the public through the department's website and at the department and that Planning Manager Kim Hunter was available as a contact. Commissioner Chapin asked how existing infrastructure (road system) would handle new traffic generated for a high density project. Mr. Simon responded any proposed project would be reviewed by Public Works, Environmental Health, and all agencies involved in approving a project, including any mitigation or constraints identified in the environmental assessment, which would be the developer's responsibility to mitigate.

Chairman MacLean reopened the public hearing. Mr. Elrite questioned why there was a proposed change in zoning when there was no current project planned. Mr. Perizzolo noted he hasn't seen the curve on Old Oasis fixed and he re-asserted his concern about traffic. Mr. Janssen asked if he would have the opportunity to address the Planning Commission again at the next meeting. Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Wallner) and carried unanimously, the Planning Commission continued Item R4 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

4 of 7
Page 292 of 323

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DRAFT**Ex-parte Communications Disclosures: None.**

- R5** **General Plan Map Amendment GPA18-0003 and Zoning Plan Map Amendment ZA18-0004**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0003 and ZA18-0004: *Southwest Palo Cedro - Gilbert Drive* (Area 3) consists of 9.8 acres currently designated Commercial (C) in the General Plan and zoned Community Commercial (C-2). Area 3 in its entirety would be designated UR(25), and would be rezoned to R-3-25 on 8 acres, and Open Space on 1.8 acres. Assessor's Parcel Number 059-360-019.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Wallner/Ramsey) and carried unanimously, the Planning Commission continued Item R5 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

- R6** **General Plan Map Amendment GPA18-0004 and Zoning Plan Map Amendment ZA18-0005**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0004 and ZA18-0005: *Southwest Cottonwood/I-5 Corridor* (Area 4) consists of approximately 13 acres currently designated Urban Residential – 8 dwelling units per acre (UR(8)) and zoned Planned Development (PD). Area 4 would be designated UR(25) and rezoned to R-3-25 on 10 acres; designated and zoned Open Space on 1.6 acres; and designated Commercial (C) and rezoned to Community Commercial (C-2) on 1.4 acres. Assessor's Parcel Number: 087-270-031.

Chairman MacLean opened the public hearing.

Speaker's Name**Comments/Concerns/Questions**

Ralph Adams

Mr. Adams expressed concerns about water, drainage, traffic impacts and the devaluation of subdivision houses he had built. He referenced a low-income project in Anderson in which the Anderson Police Department reported seventy-percent of their work was in response to that area. Mr. Adams noted Cottonwood's lack of law enforcement and concerns related to growth.

James Seale

Mr. Seale expressed concern over impacts on schools and water and sewer systems. He questioned where sewer allotments would come from since Cottonwood's system was nearing capacity. Mr. Seale expressed concern over increased traffic on 1st Street. Mr. Seale noted Crowley Gulch floods annually, lack of law enforcement and road access for some of the property zoned Commercial.

PLANNING COMMISSION MEETING MINUTES**August 9, 2018**

5 of 7
 Page 293 of 323

DRAFT

Kayle Spoon

Mr. Spoon asked if there was an existing project. He expressed concern over lack of sidewalks on 1st Street for pedestrians, flood, sewer and traffic issues. He noted the safety issues inherent with the current lack of infrastructure for pedestrians and the existing overpass. Mr. Simon responded that the proposal was a County initiated rezoning, that there was no specific proponent for a project, and that this was an effort to seek out properties that have access to services (primarily water and sewer) with the potential for higher density development should a future project be proposed.

Tom Semingson

Mr. Semingson expressed concern over traffic on 1st Street, the impact of which he believed would render a project unfeasible.

Vickie Wolf

Ms. Wolf asked if a developer proposed a different number of units, would they be allowed to divert from the new zoning. Chairman MacLean responded, noting any landowner could propose a project and that zoning was a guideline for proposals. Ms. Wolfe asked for a definition of uses in C2. Mr. Simon responded and referenced Chapter 17.44 of the Shasta County Zoning Plan.

Mr. Simon noted the County was obligated as an arm of the State to participate in the State's declared housing crisis and that part of the County's obligation was to adopt a Housing Element as part of the General Plan. He further explained the County was required to accommodate a certain number of housing units at various income levels by rezoning properties to allow for potential future development at the default density. To fulfill this obligation, the County is required to rezone properties where it may be found suitable for higher density development. Commissioner Kerns commented the difficulty was meeting the County's obligations under state law. He encouraged the public to stay involved in the process. Commissioners acknowledged public concerns related to the proposed rezones and encouraged continued public input.

Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Kerns) and carried unanimously, the Planning Commission continued Item R6 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

R7

General Plan Amendment GPA13-003 Revised Draft Shasta County 2014-2019 Housing Element

Shasta County completed the Revised Draft 2014-2019 Housing Element Update (Revised Draft) consisting of five Sections as follows: Section I Introduction, Section II Housing Needs Assessment, Section III Housing Constraints, Section IV Regional Housing Needs Allocation, Section V Programs; and ten supporting appendices.

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PLANNING COMMISSION MEETING MINUTES

August 9, 2018

6 of 7
Page 294 of 323

DRAFT

Ms. Hunter noted the Planning Division has completed the Draft 2014-2019 Housing Element. The Revised Draft was released for a 30-day comment period from July 2nd – July 31st. At the end of the review period, one comment letter was received by Legal Services of Northern California. She explained the letter required further review to re-assess the draft language and that staff recommended opening the public hearing, accepting all testimony and continuing the item to a special meeting on August 23rd.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Item R7 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

R8: **Planning Director's Report:** Planning Manager Kim Hunter congratulated Resource Management Director Rick Simon on the occasion of his retirement and his last Planning Commission meeting. She acknowledged his planning career of 30+ years extending from Southern California to the Northstate. She noted his professionalism, kindness, patience, and humor.

Mr. Simon expressed his appreciation to planning staff and the department for their professionalism and dedication. He expressed that it had been a privilege and honor to serve as Secretary to the Planning Commission and his appreciation to the Commission.

Commissioners expressed their gratitude of Mr. Simon's professionalism, availability, responsiveness, kindness, assistance and personableness.

Mr. Simon reported that the Board of Supervisors approved GPA18-0001 and Z17-003 on July 17th.

NON-HEARING ITEMS: None.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 3:47 p.m.

Submitted by:

Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary

Site #	APN	# RZ Acres	Current GP/Zoning	Proposed GP/Zoning	Water	Sewer	Realistic Capacity*	Maximum Capacity**
Area 1: East Redding Area: 299E Corridor/Collyer Drive & Old Oregon Trail (33.3 acres total) ¹								
1	076-070-012	3.5	C/IR	UR(25)/R-3-25	BVWD	COR	70	87.5
2	076-070-016	1.9	C/IR	UR(25)/R-3-25	BVWD	COR	38	47.5
3	076-100-018	7.3	C/C-M	UR(25)/R-3-25	BVWD	COR	146	182.5
4	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	188	235
5 ³	076-060-018	9.4	SR,C/IR	UR(25)/R-3-25	BVWD	COR	168	210
6	076-100-011	1.8	C/C-2	UR(25)/R-3-25	BVWD	COR	36	45
646 du at realistic capacity/807.5 du at maximum capacity								
Area 2: North Redding Area: Old Oasis Road/I-5 Corridor (10.2 acres total) ²								
7	073-010-006	2.4	SR/IR	UR(25)/R-3-25	COR	COR	48	60
8	073-010-006	3	SR/IR	UR(25)/R-3-25	COR	COR	60	75
9	073-010-006	3.1	SR/IR	UR(25)/R-3-25	COR	COR	62	77.5
10	073-010-006	1.7	SR/IR	UR(25)/R-3-25	COR	COR	34	42.5
204 du at realistic capacity/255 du at maximum capacity								
Area 3: Southwest Palo Cedro/Gilbert Drive (8 acres total)								
11	059-360-019	4.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	90	112.5
12	059-360-019	3.5	C/C-2	UR(25)/R-3-25	BVWD	CSA 8	70	87.5
160 du at realistic capacity/200 du at maximum capacity								
Area 4: Southwest Cottonwood/I-5 Corridor -- Site recommended for denial by the Planning Commission on 8/23/18								
13	087-270-031	0	UR-8/PD	UR(25), C/R-3-25, C-2	CWD	CSA 17	0	0
Totals		50.5					1,010	1,263
		Acres					Dwelling Units	Dwelling Units

BVWD=Bella Vista Water District

COR=City of Redding

CWD=Cottonwood Water District

CSD 8=County Community Service District 8

CSD 17=County Community Service District 17

*Realistic Capacity: multiple-family development at a density of 20 dwelling units (du) per acre

**Maximum Capacity: multiple-family development at a density of 25 dwelling units (du) per acre

¹ Located within the COR Sphere of Influence (SOI) which are pre-zoned RM 10-20 (except for portions of 076-060-018 with are zoned RM 6-10)² Located within the COR SOI; Sewer and water service agreements in place³ Site 5 of Area 1 contains a one acre area with slope exceeding 30% which cannot be counted towards the RHNA. This is accounted for in the final total acres and realistic capacity figures.

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA APPROVING AN AMENDMENT TO THE SHASTA COUNTY GENERAL PLAN LAND USE MAPS, GENERAL PLAN AMENDMENT (GPA) 18-0003

WHEREAS, the Shasta County Department of Resource Management, has brought forth an application to amend the general plan land use designation on 9.8 acres from Commercial (C) to Urban Residential-25 dwelling units per acre (UR(25)).

WHEREAS, the subject land is currently designated Commercial (C) by the County General Plan, and zoned Community Commercial (C-2) by the Shasta County Zoning Maps; and

BOARD OF SUPERVISORS REGULAR MEETING - September 18, 2018

WHEREAS, duly noticed public hearings to consider GPA18-0003 and associated Zone Amendment (ZA) 18-0004, were held before the Planning Commission on August 9, 2018, which was continued to August 23, 2018, at which time the Commission received a presentation from staff and considered all written comments and all testimony from agencies and the public; and

WHEREAS, the Planning Commission considered GPA18-0003 at a Special Meeting on August 23, 2018, and after conducting a public hearing recommended approval by the Board of Supervisors; and

WHEREAS, the Board of Supervisors of the County of Shasta, after the public hearing on September 18 2018, at which time public input was received, considered the above proposal to amend the General Plan Land Use Maps; and

WHEREAS, GPA18-0003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following environmental findings with regard to GPA18-0003:

- A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community; (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels; (c) preparing and implementing a local Housing Element as part of its General Plan; (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Needs Allocation (RHNA) assigned to the County by the state.
- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
- C. GPA18-0003 and ZA18-0004 are necessary actions to bring the County General Plan and the mandatory Housing Element of the General Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulation for Judgment rendered by the Shasta County Superior Court.
- D. GPA18-0003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a court order judgment rendered by the Shasta County Superior Court

for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government section 65759, which establish that CEQA does not apply to any action necessary to bring an agency’s general plan or relevant mandatory elements of the plan into compliance with any court order or judgment.

- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study to determine the environmental effects of the project and, as a result of the initial study, has prepared an environmental assessment with content that substantially conforms to the required content of a draft environmental impact report as set forth in Article 9 (commencing with section 15140) of Title 14 of the California Code of Regulations.

F. The proposed amendments to the General Plan and Zoning Maps are consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements of the Shasta County General Plan.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves GPA18-0003, on 9.8 acres in the southwest Palo Cedro area (Assessor’s Parcel Number 059-360-019), to amend the general plan land use designation on 9.8 acres from Commercial (C) to Urban Residential-25 dwelling units per acre (UR(25)) as shown on the attached Exhibit A.

DULY PASSED AND ADOPTED this 18th day of September, 2018, by the Board of Supervisors of the County of Shasta by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE: September 18, 2018

CATEGORY: Scheduled Hearings - Resource Management-12.

SUBJECT:

Resolution approving the 2014-2019 Shasta County Housing Element Update, General Plan Amendment GPA13-003

DEPARTMENT: Resource Management

Supervisory District No. : All

DEPARTMENT CONTACT: Paul A. Hellman, Director of Resource Management (530) 225-5789

STAFF REPORT APPROVED BY: Paul A. Hellman

Vote Required?	General Fund Impact?
Simple Majority Vote	No Additional General Fund Impact

RECOMMENDATION

Take the following actions regarding General Plan Amendment GPA13-003, to submit the Draft 2014-2019 Shasta County Housing Element Update to the California Department of Housing and Community Development (HCD): (1) Conduct a public hearing; (2) close the public hearing; and adopt a resolution: (a) finding that GPA13-003 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759 (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment); and (b) directing the Resource Management Department to submit the Draft 2014-2019 Shasta County Housing Element to HCD for review and comment pursuant to Government Code section 65754(a).

SUMMARY

The State of California requires each city and county to adopt a General Plan consisting of at least seven mandatory elements: Land Use, Open Space, Conservation, Safety, Noise, Transportation, and Housing. Because housing availability is a statewide concern, unlike other elements of the General Plan the Housing Element must be periodically updated in accordance with a timeline prescribed by the State. State requirements for housing elements are more detailed and exacting than for any other general plan elements. The Draft 2014-2019 Shasta County Housing Element Update (Update) was prepared in accordance with all State requirements and addresses the County's housing needs as defined by the State for the 2014-2019 planning period.

The Update is the County's major policy document regarding the development of housing and housing conditions in the unincorporated area and takes into consideration current demographics, housing needs by income group, housing stock and conditions, housing resources, and governmental and non-governmental constraints to housing maintenance, improvement, and development. The County is also required to assess how it is addressing its Regional Housing Needs Allocation (RHNA), as prescribed by the State Department of Housing and Community Development (HCD).

The Shasta County Board of Supervisors must independently approve the Update and HCD must certify it. Once approved and certified, the Update for the 2014-2019 planning period will become part of the County's General Plan. A previous draft of the Update was brought before the Planning Commission on May 11, 2017, and was subsequently submitted to HCD for

review. A response letter received by HCD on July 18, 2017, required significant revisions. The proposed revised Update has been completed in response to the letter received from HCD, the terms of a court-ordered stipulated agreement, comments received from the public as well as changes in State law since 2014. A number of key changes are included in this revised draft in order to bring the County's housing element into compliance with State law. These changes are further explained in the Background and Discussion section of the attached August 23, 2018, Staff Report to the Planning Commission.

After holding a public hearing on August 9, 2018, the Planning Commission continued GPA13-003 to a special meeting held on August 23, 2018. At the special meeting, the commission conducted a public hearing and then took action recommending that, with a recommended change to the draft version, the Board of Supervisors approve GPA13-003.

The Planning Commission resolution is attached for the Board's consideration.

DISCUSSION

As required by State law, the Update identifies residential sites adequate to accommodate a variety of housing types for all income levels; analyzes governmental and non-governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of the existing affordable housing stock; and outlines policies to promote housing opportunities for all persons. The Update consists of five main sections and ten supporting appendices. Refer to the Planning Commission Staff Report for a summary of changes included in the Update and refer to the Planning Division website for the full text of the Update and Appendices at:

https://www.co.shasta.ca.us/index/drm_index/planning_index/plng_general_plan/2014-2019-draft-housing-element

Shasta County is not required to construct or ensure that others construct the housing units prescribed by the RHNA process. Rather, the County must ensure that it is possible for these units to be built by others based on market conditions, demand and available funding, by zoning sufficient land to accommodate the RHNA, and through the implementation of goals, policies and programs of the housing element aimed at reducing constraints to the development of affordable housing. Demonstrating affordability for all income levels is achieved with a default density assigned by the State (minimum of 20 dwelling units per acre). The default density accounts for economies of scale in which case development that would theoretically allow for multi-family housing units to be built and offered on the market without any subsidies or financing assurances and yet be affordable to all income levels.

Pursuant to Government Code Section 65584.09, the County is required to rezone to the default density for the previously identified unmet need carried over from the 2009-2014 Housing Element of 783 very low income units. Beyond rezoning for these 783 units, the County must ensure that there is enough land adequately zoned for the unaccommodated need combined with the current cycle RHNA. With other data analyzed and factored in, this amounts to an additional 323 (245 very low-income units and 78 low-income units) units that must be accommodated through rezoning to the default density.

The Update concludes that, with the associated rezoning efforts (GPA18-0001, GPA18-0002, GPA18-0003, ZA18-0002, ZA18-0003 and ZA18-0004), and the program to rezone enough land to accommodate housing needs of all income levels, the County has an adequate number of sites to meet the 2014-2019 RHNA combined with the previously unaccommodated need from the 2009-2014 housing element cycle.

Environmental Determination – This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment. In January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet the unaccommodated Regional Housing Needs Allocation (RHNA) assigned by the Department of Housing and Community Development. A judgment was rendered by the Shasta County Superior Court for a Stipulation for Judgment in accordance with the terms of a settlement agreement that includes actions that must be completed by the County within a defined timeline. As a result of this judgment, in accordance with Government Code section 65759, CEQA does not apply to GPA13-003. However, the County is required to prepare an initial study to determine the environmental effects of the proposed project. The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project would not have a

significant effect on the environment. The Housing Element is a policy document which does not approve any actual development projects which could have an effect on the environment.

If approved, the 2014-2019 Housing Element Update will be forwarded to HCD for a 45-day review and comment period pursuant to Government Code section 65754(a). Any required revisions, if necessary, will be made based on these HCD comments and the Housing Element will be submitted to the Planning Commission and Board of Supervisors for final adoption. Following final adoption, the Housing Element will be sent to HCD for certification.

ALTERNATIVES

The following alternatives are available:

- 1. Do not approve the Draft 2014-2019 Housing Element Update; failure to approve a housing element that meets State requirements would jeopardize the County’s ability to meet requirements set forth by the settlement agreement as a result of the court-ordered Stipulation for Judgment and could also render the County ineligible for certain housing-related grant programs.
- 2. Modify the Draft 2014-2019 Housing Element Update; substantive modifications could potentially require referral back to the Planning Commission and delay review of the revised draft by HCD. A delay could foreclose the County’s ability to pursue grant applications that are due in December and could cause the County to violate requirements of the settlement agreement as a result of the court-ordered Stipulation for Judgment;
- 3. Continue the public hearing to request additional specific information.

OTHER AGENCY INVOLVEMENT

The preparation of the Draft 2014-2019 Housing Element Update was a collaborative effort involving several Shasta County departments along with private and public agencies which have a direct interest in community development and housing programs and the development of affordable and adequate housing for various income households and special needs groups. For a complete list of participants, see Appendix D. This revised draft incorporates comments and guidance from HCD, comments from the public, and the terms of the court-ordered settlement agreement. Staff has also prepared brief responses to comments received by the County on the Draft 2014-2019 Housing Element Update, see Appendix F.

FINANCING

The timely adoption and certification of the Draft 2014-2019 Housing Element Update will maintain the County’s eligibility for a number of housing-related grants. Because the County is behind schedule, it is important to complete the public review and adoption process as soon as possible and before the next round of grant applications for housing-related funding come due in December 2018.

ATTACHMENTS:

Description	Upload Date	Description
Planning Commission Staff Report of August 23, 2018	8/31/2018	Planning Commission Staff Report of August 23, 2018
Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)	8/31/2018	Planning Commission Draft Minutes of August 9, 2018 (Cont. the Item)
Planning Commission Resolution 2018-022	8/31/2018	Planning Commission Resolution 2018-022
Board of Supervisors Resolution	9/4/2018	Board of Supervisors Resolution

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u>	<u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT 13-003 2014-2019 HOUSING ELEMENT UPDATE <i>CONTINUED FROM AUGUST 9, 2018</i>		08/23/2018	R5

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt Resolution 2018-022 recommending that the Board of Supervisors: a) find GPA13-003 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759 (CEQA does not apply to any proposed action necessary to comply with court order or judgement to bring an agency's general plan or relevant mandatory elements of the plan into compliance with State Law); b) adopt a resolution approving GPA13-003.

PROJECT SUMMARY: The Revised Draft Housing Element updates the current Housing Element found in the Shasta County General Plan. The State of California requires each city and county to adopt a General Plan consisting of at least seven elements: Land Use, Open Space, Conservation, Safety, Noise, Transportation and Housing. Unlike other elements of the General Plan, which may be updated at the jurisdiction's discretion, and because housing availability is a statewide concern, the Housing Element must be updated in accordance with a timeline prescribed by the State. State requirements for Housing Elements are more detailed and exacting than for any other General Plan element. California Government Code sections 65580 through 65589 require that Housing Elements contain:

- An assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs;
- A statement of the community's goals, quantified objectives, and policies relevant to the maintenance, improvement, and development of housing; and
- A program that sets forth a 5-year schedule of actions that the local government is undertaking or intends to undertake to implement the policies to achieve the goals and objectives of its Housing Element.

Shasta County's current certified Housing Element covers the planning period from 2009-2014. The Housing Element update (5th cycle update) covers a five year period from 2014-2019 and includes: 1) an analysis of both the constraints that may impact housing development as well the resources available to facilitate it, 2) a summary of past accomplishments from the County's 2009-2014 Housing Element, and 3) goals, policies, and implementation programs to achieve the County's share of the regional housing needs for the 2014-2019 planning period. The California Department of Housing and Community Development (HCD) must review and the Shasta County Board of Supervisors must independently approve this Housing Element. Once approved, the updated 5th Cycle Housing Element for the 2014-2019 planning period becomes part of the County's General Plan. A previous draft of this Housing Element update was brought before the Planning Commission on May 11, 2017 and was subsequently submitted to HCD for review. A response letter received by HCD on July 18, 2017 required significant changes to the previous version. This Revised Draft Housing Element update has been completed in response to the letter received from HCD, the terms of a court-ordered stipulated agreement, and comments received from the public. A number of key changes are included in this revised draft in order to bring Shasta County's Housing Element into compliance with State law. These changes are further explained in the Background and Discussion section.

GPA13-003

8/23/18

Page 2 of 6

BACKGROUND AND DISCUSSION: As required by state law, the draft 2014-2019 Housing Element update identifies residential sites adequate to accommodate a variety of housing types for all income levels; analyzes governmental and non-governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of the existing affordable housing stock; and outlines policies to promote housing opportunities for all persons. The Revised Draft consists of five main sections and ten supporting appendices as follows, with a summary of changes to each main section in the Revised Draft. Refer to the Planning Division website for the full text of the Revised Draft and Appendices at: https://www.co.shasta.ca.us/index/drm_index/planning_index/plng_general_plan/2014-2019-draft-housing-element

Section I: Introduction

- The housing Element is specifically identified as section 7.3 of the County General Plan.
- Reorganized to better convey how each section of the Revised Draft is tied to State housing element law.
- Cites recent legislation affecting housing and how the Revised Draft complies with the law.
- Cites the County's current assigned Regional Housing Needs Assessment (RHNA) and explains that the County must also accommodate the RHNA carried over from the previous Housing Element.
- Explains the County's program to amend the General Plan and Zoning Plan and rezone land to accommodate the County's RHNA for lower income households.
- Updates the public participation program.

Section II: Housing Needs Assessment

- Includes a section on data collection and methodology that identifies the primary sources for Shasta County demographic and housing data as HCD's Shasta County 2014 Housing Element Data Package, US Census, American Community Survey, California Department of Finance, California Employment Development Department, and others identified in the document.
- Updates and revises various tables and statistics to reflect the primary data.
- Updates and revises references to programs to reflect the revised organization numbering in the Revised Draft.
- Expands and updates the narrative in the Female Heads of Households, Persons with Disabilities and Farmworkers sections.
- Explains the County's program providing for Emergency Shelters in the Commercial-Light Industrial zone district.
- Explains the addition of the mobile home park conversion provisions added to the Zoning Plan.
- Adds new manufactured homes on vacant residential lots as an affordable housing option based on data and analysis.
- Updates numbers on County-provided housing assistance through housing Choice Vouchers, Veterans Housing Vouchers and Down Payment Assistance.
- Includes updated numbers for the County's RHNA.

Section III: Housing Constraints

- Updates statistics on available land for residential development based on data and analysis.
- Updates potential residential density tables and programs designed to reduce housing development constraints consistent with recommended amendments to the Zoning Plan and General Plan.
- Explains recent recommended amendments to the General Plan and Zoning Plan related to Planned

GPA13-003

8/23/18

Page 3 of 6

Development zones, Density Bonus provisions, Agricultural Worker and Employee, Single Room Occupancy in Boarding Houses, and Reasonable Accommodation.

- Adds an explanation of the environmental review process under the California Environmental Quality Act (CEQA) and Native American Consultation requirements as potential constraints to housing development in the County.
- Provides more detailed explanation of the various permit approval procedures and associated costs, includes the process for requesting and granting Reasonable Accommodation.
- Provides a detailed breakdown of the estimated total costs of new home construction and manufactured home installation based on data and analysis.
- Combines the Housing Resources Section into Section III and expands the narrative with reference to Housing Element programs designed to reduce constraints, and educate the public on what is available.

Section IV: Achieving Regional Housing Needs Allocation

- Updates text and tables related to the RHNA to include the carryover from the previous housing element as well as the credits toward meeting the County's RHNA through units built according to income level and the remaining unmet need.
- Refers to Appendix B for supporting data and analyses.

Section V: Housing Plan

- Reformats Objectives and Policies (Section A) to be consistent with General Plan format.
- Refers to and summarizes the General Plan amendments recommended in GPA18-001.
- Reformats, eliminates, updates and consolidates programs for the 2014-2019 planning period.
- Adds an "objective" and timetable to each program with a quantifiable objective where feasible.

Included in the document are the following appendices:

- Appendix A is an evaluation of the previous Housing Element.
- Appendix B contains the residential land inventories and supporting information related to the developing the Housing Capacity Analysis.
- Appendix C contains the Public Works Department's Fee Schedule.
- Appendix D documents the people and organizations who were contacted as part of this Housing Element update.
- Appendix E summarizes amendments made to the Zoning Plan, Zoning Map and other sections of the General Plan to comply with State housing law and to implement the previous Housing Element.
- Appendix F Public Participation Program.
- Appendix G Emergency Shelters Land Capacity Analysis.
- Appendix H Public Property Analysis.
- Appendix I Multiple Listing Services House Sales Information.
- Appendix J Shasta County Resource Guide.

A critical component of HCD's review of the Housing Element is the local jurisdiction's policies and programs to accommodate its RHNA. HCD allocates and distributes the RHNA to each jurisdiction. The State assigned RHNA covering the 5th Cycle of the Housing Element (January 1, 2014 - June 30, 2019) is as shown below by the following income categories:

GPA13-003

8/23/18

Page 4 of 6

- 189 Units - Very Low - Households with incomes that do not exceed 50% of the median family income within the County. (This category includes and is combined with the Extremely-Low income category for households with incomes that do not exceed 30% of the median family income).
- 117 Units - Low - Households with incomes greater than 50% but less than 80% of the median family income within the County.
- 128 Units - Moderate - Households with incomes greater than 80% but less than 120% of the median family income within the County.
- 321 Units - Above Moderate - Households with incomes greater than 120% of the median family income within the County.

The RHNA for Shasta County incorporates objectives as follows:

1. Increases the housing supply and the mix of housing types, tenure, and affordability in all cities and Counties within the region in an equitable manner.
2. Promotes infill development and socioeconomic, equity, and the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.
3. Encourages an improved balance between jobs and housing.

Shasta County is not required to construct or ensure that others construct the housing units prescribed by the RHNA process. Rather, the County is to ensure that it is possible for these units to be built by others based on market conditions, demand and available funding, by zoning sufficient land to accommodate the RHNA, and through the implementation of goals, policies and programs of the Housing Element aimed at reducing constraints to the development of affordable housing.

The Housing Element is not a development project per se, nor does it allow or commit the County to a particular course of action relative to any specific development project in the future. The Housing Element update includes programs that are designed to create an environment within the County conducive to development of housing for all income groups.

In May of 2017, a prior draft version of the Housing Element update was submitted to the HCD for review following a public workshop before the Planning Commission. HCD responded with a letter in July of 2017 that identified an extensive list of necessary revisions to comply with State housing element law. The current draft is being presented for review after being revised in response to HCD's comments and guidance, public comments received during the review period, and to comply with the terms of a judgement rendered by the Shasta County Superior Court in accordance with a settlement agreement with Legal Services of Northern California and The Public Interest Law Project. The settlement agreement includes specific actions related to the Housing Element update that must be completed by the County within a defined timeline which are included in this revised draft.

Pursuant to Government Code Section 65584.09, the County is required to rezone for the previously identified unmet need carried over from the 2009-2014 Housing Element RHNA of 783 very low income units. Additionally, The County must determine the unaccommodated housing needs from the 2009-2014 Housing Element by evaluating what has been constructed and what previously identified adequate sites are still available. In addition to those units, some key programs that were not completed, will carry over to the 2014-2019 planning cycle for addressing the overall housing needs of the County which have not been met. Some key changes for this current update are listed below:

- Unmet Housing Needs. The County had an assigned RHNA number of 970 very low-income units from the 2009-2014 planning period. The unaccommodated need from that planning period is 64 very low-

GPA13-003

8/23/18

Page 5 of 6

income units and 520 low-income units. In addition to the RHNA for the 2014-2019 Housing Element Update, the County needs to demonstrate that it has adequate sites to accommodate these very low and low-income units. This amounts to a total housing need of 253 very low-income units and 637 low-income units when the current RHNA and the carryover from the previous RHNA are combined.

- Default Density. The County's default density is a minimum of 20-units per acre because it is located within a Metropolitan Statistical Area (MSA) with a population of less than two million. The Revised Draft refers to the County's recently adopted General Plan and the Zoning Plan amendments increasing maximum residential density on sites identified in the Housing Element for affordable housing from 16 to 25 as necessary to meet the density requirements established by the State. Emergency Shelters, Transitional Housing and Supportive Housing. Housing Element Law specifically requires zoning for emergency shelters under Government Code Section 65583 as a result of requirements established by Senate Bill 2. The County's rezone program addresses this requirement in Z17-003 by allowing emergency shelters by right in the commercial-Light Industrial zone and allowing transitional and supportive housing in residential zones subject to the same requirements as other residential uses. The Revised Draft acknowledges this.

Other Changes in Housing Element Law – Recent changes to State Housing Element Law have occurred since 2014 and must also be addressed. Senate Bill 812 modified Government Code Section 65583 to require the analysis of the special housing needs of persons with developmental disabilities. This analysis asks jurisdictions to include an estimate of the number of persons with developmental disabilities, an assessment of the housing need, and a discussion of potential resources. The Revised Draft includes the necessary discussion and analysis, and acknowledges the addition of Reasonable Accommodation provisions in Chapter 17.100 of the Zoning Plan recommended in Z17-003.

Other key items in the 2014-2019 Housing Element Update – In addition to the changes in the Revised Draft described above, the following are important components of the 2014-2019 update:

- The County administered a comprehensive survey targeting agencies, organizations, advocates and the public to gain a deeper understanding of resident housing needs, available programs and effectiveness of existing policy at addressing affordable housing, homelessness and special needs housing in the County. The Planning Commission held two public workshops and two noticed public hearings on the program to amend the General Plan and Zoning Plan in accordance with the 2009-2014 Housing Element, and the Board of Supervisors approved the proposed amendments following its own public hearing.
- The Revised Draft updated population, household characteristics, housing stock, housing cost, and housing need information based on current data and analysis in support of the revised housing needs calculation in the Revised Draft.
- The Revised Draft updated the land use inventory, including the availability of undeveloped land suitable for housing for all income levels and shows how this inventory addresses the combined 2014-2019 RHNA and the carryover from the 2009-2014 Housing Element.
- Consolidated programs to focus on those with the most impact that can be implemented.
- The 2014-2019 Housing Element Update concludes that with the approval of the rezone program underway, the County has an adequate number of sites to meet the 2014-2019 Regional Housing Needs Allocation and the carryover from the 2009-2014 Housing Element.

Environmental Determination – This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.

GPA13-003

8/23/18

Page 6 of 6

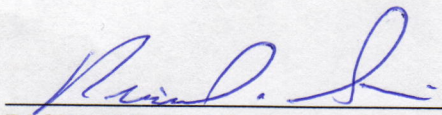
In January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet the unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development. A judgement was rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions that must be completed by the County within a defined timeline. As a result of this judgement, in accordance with Government Code section 65759, CEQA does not apply to GPA13-003. However, the County is required to prepare an initial study to determine the environmental effects of the proposed project. The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project would not have a significant effect on the environment.

ALTERNATIVES: The following alternatives are available:

1. Recommend one or more modifications to the 2014-2019 Housing Element.
2. Continue the public hearing to request additional information.

NEXT STEPS: Staff will forward the Planning Commission's recommendation to the Board of Supervisors. The Board will conduct a public hearing and render its decision on GPA13-003. When approved, the Revised Draft Housing Element will be forwarded to HCD for a 45-day review and comment period. Any required revisions will be made based on HCD comments and the Revised Housing Element will be submitted to the Planning Commission and Board for final adoption. Following final adoption the Housing Element will be sent to HCD for certification.

CONCLUSION: The 2014-2019 Housing Element was a collaborative effort involving several Shasta County departments along with private and public agencies which have a direct interest in community development and housing programs, and the development of affordable and adequate housing for various income households and special needs groups. For a complete listing of participants, see Appendix D. This Revised Draft incorporates the 2017 comments from HCD, comments from the public and the terms of the court-ordered settlement agreement. The timely adoption of an updated Housing Element which meets State requirements will maintain the County's eligibility for a number of State and Federal housing-related grants. Because the County is behind schedule it is important to complete the public review and adoption process as soon as possible and before the next round of grant applications for housing-related funding come due in December 2018.



RICHARD W. SIMON, AICP
Director of Resource Management

Staff Author: David Schlegel, AICP, Associate Planner

Copies: Legal Services of Northern California
Project File

Attach: 1. Draft Resolution
2. Initial Study Link: <https://www.co.shasta.ca.us/docs/libraries/resource-management-docs/staff-reports/2018/august/august-23-2018-special-mtg/2014-2019-he-initial-study.pdf>
3. Housing Element Link (Located Below Update of General Plan Housing Element):
https://www.co.shasta.ca.us/index/drm_index/planning_index.aspx

SHASTA COUNTY PLANNING COMMISSION MEETING

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MINUTES

Meeting

Date: August 9, 2018
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present:	Tim MacLean	District 2
	Jim Chapin	District 1
	Steven Kerns	District 3
	Roy Ramsey	District 4
	Patrick Wallner	District 5

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Luis Topete, Associate Planner
Jimmy Zanotelli, Shasta County Fire Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:
By motion made, seconded (Wallner/Ramsey) and carried by a 4-0 vote, the Planning Commission approved the Minutes of July 12, 2018, as submitted. Commissioner Chapin abstained from voting due to not being in attendance at the July 12, 2018 Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: Chairman MacLean declared a conflict of interest for Item R3 due to his employment association with Sharrah Dunlap Sawyer, Inc., who has completed work on behalf of some of the property owners residing in those areas.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: Variance 18-0003 (Kronick): The applicant has requested approval of a variance from the maximum 15-foot building height limit for residential accessory buildings to construct a 900-square-

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

1 of 7
Page 308 of 323

foot RV garage with a height of 19-feet, 6-inches from the edge of the road easement and a variance from the 20- foot front yard setback requirement in the National Recreation Area, Shasta unit (NRA-S) district. Applicant: John and Charlene Kronick; Assessor's Parcel Number(s): 085-320-032-000; Project Location: Lakehead Area on a 4.14-acre parcel approximately 0.1 miles south of the intersection of O'Brien Mountain Road and Grey Fawn Trail (17528 Grey Fawn Trail); Supervisor District: 4; Recommended Environmental Determination: Categorically Exempt; Planner: Luis Topete, Associate Planner. Simple Majority Vote.

Associate Planner Luis Topete presented the staff report.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Tracy Novogrodsky

Ms. Novogrodsky expressed concern over the proposed building's limited distance from the road easement and potential erosion.

Erik Mickelsen

Mr. Mickelsen expressed concerns about egress from his driveway in the event of a fire, erosion and drainage. He described the steep bank next to the proposed project and his assertion that if the proposed structure were to catch fire, it could fall into Grey Fawn Trail. Commissioner Kerns asked Mr. Mickelsen if his concerns would be addressed if the proposed building was in a different location. Mr. Mickelsen indicated relocating the building to the west side of the property would likely address most concerns.

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Chairman MacLean asked if the applicant or their representative was available and called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns asked Mr. Topete if the applicant would consider moving the structure to the west side. Mr. Topete stated he was unsure without speaking with the applicant. Chairman MacLean asked if the gravel pad was level. Mr. Topete confirmed it was and noted that the project was compliant with fire safety standards. Chairman MacLean asked if most exceptions for setbacks were as extreme as the proposed project. Mr. Topete stated that in his experience they vary. Commissioner Chapin stated he saw no reason to have the building so near the right-of-way of the road when there were several other options for where the project could be located. Commissioner Wallner agreed with this thinking given the limited ingress and egress for the project's proposed location.

At Commissioner Kerns request, Chairman MacLean reopened the public hearing. Commissioner Kerns asked Ms. Novogrodsky if her concerns would be alleviated with respect to fire, escape, and aesthetics if it was possible to move the project to the west and north. Ms. Novogrodsky stated it would.

Chairman MacLean closed the public hearing and asked for feedback from Mr. Simon on the possibility of staff working with the applicant to see if they would consider adjusting the plan. Mr.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

2 of 7
Page 309 of 323

Simon commented that because the applicant was absent and they may have rationale unknown to the Planning Commission, it would be appropriate to consider a continuation.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Variance 18-0003 to the September 13, 2018 Planning Commission meeting to allow staff time to work with the applicant to explore the possibility of another location for the project.

Chairman MacLean left the room.

Ex-parte Communications Disclosures: None.

R3: **General Plan Map Amendment GPA18-0001 and Zoning Plan Map Amendment ZA18-0002**
Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Plan Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0001 and ZA18-0002: *East Redding - 299 East Corridor/Collyer Drive and Old Oregon Trail* (Area 1) consists of approximately 48 acres currently designated Commercial (C) and Suburban Residential (SR) in the General Plan, and zoned Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR). Area 1 in its entirety would be designated UR(25) and would be rezoned to R-3-25 on 33.3 acres, and Open Space on 14.6 acres. Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; and 076-060-018.

Planning Manager Kim Hunter stated that due to circumstances related to the Carr Fire, additional time was needed to complete necessary documents for the Planning Commission's consideration of Items R3, R4, R5, and R6. Staff recommended the Planning Commission open the public hearing for each item as scheduled, accept all testimony and continue the hearing to a Special Meeting on Thursday, August 23rd.

Vice Chairman Chapin opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Ramsey) and carried 4-0, the Planning Commission continued Item R3 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Chairman MacLean returned to the meeting.

Ex-parte Communications Disclosures: None.

R4 **General Plan Map Amendment GPA18-0002 and Zoning Plan Map Amendment ZA18-0003**
Consider a proposed amendment to the Shasta County General Plan Land Use Maps and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0002 and ZA18-0003: *North Redding - Old Oasis Road/I-5 Corridor* (Area 2) consists of approximately 52 acres currently designated Suburban Residential (SR) in the General Plan, and zoned Interim Residential (IR) and Designated Floodway (F-1) and Restrictive Flood (F-2). Area 2 would be designated UR(25) and rezoned to R-3-25 on 10.2 acres; designated UR on 41.7 acres and rezoned as follows: R-3-10 on 13.1 acres; and Open Space (OS) on 20 acres; the Designated Floodway portion would be unchanged. Assessor's Parcel Number 073-010-006.

Chairman MacLean opened the public hearing.

Speaker's Name

Comments/Concerns/Questions

Michael Elrite

Mr. Elrite expressed concerns about high density housing being placed in a low-density area and increases in crime.

Mose Perizzolo

Mr. Perizzolo stated he didn't think it was a good idea and that there was already a crime problem.

Richard Janssen

Mr. Janssen expressed concern about access, traffic, declining property values, and a crime rate that he noted was already high. He pointed out that numerous high speed chases had occurred in the area.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Commissioner Kerns inquired about the current size limitation on lots. Mr. Simon stated the property was designated Suburban Residential (SR) and Interim Residential (IR) zoning with a minimum parcel size of 5-acres, until services were brought to the site. The property would be served by City of Redding water and sewer under an existing agreement. The proposed change would be land use designation to Urban Residential with a density of 20-25 units per acre. Commissioner Wallner asked if the City of Redding would be able to serve the property with the increased density. Mr. Simon stated his understanding was that they would, however, he was not aware on whether this would require improvements. Chairman MacLean indicated he understood this item was for a zoning proposal and that there was not a current high density project at this time. Mr. Simon affirmed that was correct.

Commissioner Kerns asked if any analysis had been done on how property values would be affected for build outs in the proposed areas. Mr. Simon responded, noting information was available that indicated arguments on both sides. Mr. Simon noted an environmental analysis (EA) was available to the public through the department's website and at the department and that Planning Manager Kim Hunter was available as a contact. Commissioner Chapin asked how existing infrastructure (road system) would handle new traffic generated for a high density project. Mr. Simon responded any proposed project would be reviewed by Public Works, Environmental Health, and all agencies involved in approving a project, including any mitigation or constraints identified in the environmental assessment, which would be the developer's responsibility to mitigate.

Chairman MacLean reopened the public hearing. Mr. Elrite questioned why there was a proposed change in zoning when there was no current project planned. Mr. Perizzolo noted he hasn't seen the curve on Old Oasis fixed and he re-asserted his concern about traffic. Mr. Janssen asked if he would have the opportunity to address the Planning Commission again at the next meeting. Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Wallner) and carried unanimously, the Planning Commission continued Item R4 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

PLANNING COMMISSION MEETING MINUTES

August 9, 2018

4 of 7
Page 311 of 323

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DRAFT**Ex-parte Communications Disclosures: None.**

- R5** **General Plan Map Amendment GPA18-0003 and Zoning Plan Map Amendment ZA18-0004**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0003 and ZA18-0004: *Southwest Palo Cedro - Gilbert Drive* (Area 3) consists of 9.8 acres currently designated Commercial (C) in the General Plan and zoned Community Commercial (C-2). Area 3 in its entirety would be designated UR(25), and would be rezoned to R-3-25 on 8 acres, and Open Space on 1.8 acres. Assessor's Parcel Number 059-360-019.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Wallner/Ramsey) and carried unanimously, the Planning Commission continued Item R5 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

- R6** **General Plan Map Amendment GPA18-0004 and Zoning Plan Map Amendment ZA18-0005**
 Consider a proposed amendment to the Shasta County General Plan Land Use Map and related County Zoning Map as part of the 2014-2019 Housing Element Update program to bring the County's General Plan Housing Element into compliance with State Housing Law. GPA18-0004 and ZA18-0005: *Southwest Cottonwood/I-5 Corridor* (Area 4) consists of approximately 13 acres currently designated Urban Residential – 8 dwelling units per acre (UR(8)) and zoned Planned Development (PD). Area 4 would be designated UR(25) and rezoned to R-3-25 on 10 acres; designated and zoned Open Space on 1.6 acres; and designated Commercial (C) and rezoned to Community Commercial (C-2) on 1.4 acres. Assessor's Parcel Number: 087-270-031.

Chairman MacLean opened the public hearing.

Speaker's Name**Comments/Concerns/Questions**

Ralph Adams

Mr. Adams expressed concerns about water, drainage, traffic impacts and the devaluation of subdivision houses he had built. He referenced a low-income project in Anderson in which the Anderson Police Department reported seventy-percent of their work was in response to that area. Mr. Adams noted Cottonwood's lack of law enforcement and concerns related to growth.

James Seale

Mr. Seale expressed concern over impacts on schools and water and sewer systems. He questioned where sewer allotments would come from since Cottonwood's system was nearing capacity. Mr. Seale expressed concern over increased traffic on 1st Street. Mr. Seale noted Crowley Gulch floods annually, lack of law enforcement and road access for some of the property zoned Commercial.

PLANNING COMMISSION MEETING MINUTES**August 9, 2018**

5 of 7
 Page 312 of 323

DRAFT

Kayle Spoon

Mr. Spoon asked if there was an existing project. He expressed concern over lack of sidewalks on 1st Street for pedestrians, flood, sewer and traffic issues. He noted the safety issues inherent with the current lack of infrastructure for pedestrians and the existing overpass. Mr. Simon responded that the proposal was a County initiated rezoning, that there was no specific proponent for a project, and that this was an effort to seek out properties that have access to services (primarily water and sewer) with the potential for higher density development should a future project be proposed.

Tom Semingson

Mr. Semingson expressed concern over traffic on 1st Street, the impact of which he believed would render a project unfeasible.

Vickie Wolf

Ms. Wolf asked if a developer proposed a different number of units, would they be allowed to divert from the new zoning. Chairman MacLean responded, noting any landowner could propose a project and that zoning was a guideline for proposals. Ms. Wolfe asked for a definition of uses in C2. Mr. Simon responded and referenced Chapter 17.44 of the Shasta County Zoning Plan.

Mr. Simon noted the County was obligated as an arm of the State to participate in the State's declared housing crisis and that part of the County's obligation was to adopt a Housing Element as part of the General Plan. He further explained the County was required to accommodate a certain number of housing units at various income levels by rezoning properties to allow for potential future development at the default density. To fulfill this obligation, the County is required to rezone properties where it may be found suitable for higher density development. Commissioner Kerns commented the difficulty was meeting the County's obligations under state law. He encouraged the public to stay involved in the process. Commissioners acknowledged public concerns related to the proposed rezones and encouraged continued public input.

Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Kerns) and carried unanimously, the Planning Commission continued Item R6 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

Ex-parte Communications Disclosures: None.

R7

General Plan Amendment GPA13-003 Revised Draft Shasta County 2014-2019 Housing Element

Shasta County completed the Revised Draft 2014-2019 Housing Element Update (Revised Draft) consisting of five Sections as follows: Section I Introduction, Section II Housing Needs Assessment, Section III Housing Constraints, Section IV Regional Housing Needs Allocation, Section V Programs; and ten supporting appendices.

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PLANNING COMMISSION MEETING MINUTES

August 9, 2018

6 of 7
Page 313 of 323

DRAFT

Ms. Hunter noted the Planning Division has completed the Draft 2014-2019 Housing Element. The Revised Draft was released for a 30-day comment period from July 2nd – July 31st. At the end of the review period, one comment letter was received by Legal Services of Northern California. She explained the letter required further review to re-assess the draft language and that staff recommended opening the public hearing, accepting all testimony and continuing the item to a special meeting on August 23rd.

Chairman MacLean opened the public hearing. There being no speakers, the public hearing was closed.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission continued Item R7 to a Special Meeting on Thursday, August 23, 2018 at 2:00 p.m.

R8: **Planning Director's Report:** Planning Manager Kim Hunter congratulated Resource Management Director Rick Simon on the occasion of his retirement and his last Planning Commission meeting. She acknowledged his planning career of 30+ years extending from Southern California to the Northstate. She noted his professionalism, kindness, patience, and humor.

Mr. Simon expressed his appreciation to planning staff and the department for their professionalism and dedication. He expressed that it had been a privilege and honor to serve as Secretary to the Planning Commission and his appreciation to the Commission.

Commissioners expressed their gratitude of Mr. Simon's professionalism, availability, responsiveness, kindness, assistance and personableness.

Mr. Simon reported that the Board of Supervisors approved GPA18-0001 and Z17-003 on July 17th.

NON-HEARING ITEMS: None.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 3:47 p.m.

Submitted by:

Jessica Cunningham-Pappas, Staff Services Analyst II
Recording Secretary

RESOLUTION NO. 2018-022

**A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS
APPROVE GENERAL PLAN AMENDMENT GPA13-003 (COUNTY OF SHASTA)**

WHEREAS, the State of California requires all local jurisdictions to adopt a Housing Element and to revise this document as appropriate, but not less than, every five years as one of seven mandated elements required in the General Plan; and

WHEREAS, the Shasta County General Plan establishes goals and policies that recognize the importance of housing and so the County has prepared a draft 2014-2019 Housing Element in accordance with the requirements of State housing element law (Government Code sections 65580 *et seq.*); and

WHEREAS, the 2014-2019 Housing Element has been prepared, consisting of General Plan Amendment GPA13-003, and contains goals, policies, programs, and quantified objectives to meet projected housing needs to comply with the California Government Code Sections 66580-65589.8; and

WHEREAS, as part of the state housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals; and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, on May 11, 2017, the Planning Commission held a noticed public workshop to receive comments on a draft of the 2014-2019 Housing Element which was submitted to the Department of Housing and Community Development for review on May 17, 2017; and

WHEREAS, based on the comments received from the Department of Housing and Community Development on July 18, 2017, the draft 2014-2019 Housing Element was extensively revised and the County initiated amendments to the General Plan and Zoning Plan deemed necessary to comply with State housing law; and

Resolution No. 2018-022

Page 2

WHEREAS, on October 11, 2017, the Planning Commission held a noticed public hearing on proposed amendments to the Zoning Plan Z17-003 required to comply with State housing law and receive public comment and continued that hearing to a later date upon the determination that further amendments were needed; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet its unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development, resulting in a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, on February 8, 2018, May 10, 2018 and June 14, 2018, the Planning Commission held noticed public workshops on proposed housing element related amendments to the Zoning Plan (Z17-003) and the General Plan (GPA18-001); and

WHEREAS, a noticed 30-day review of the Draft Housing Element occurred from July 2, 2018 to July 31, 2018; and

WHEREAS, on July 12, 2018, the Planning Commission held a noticed public workshop on the revised Draft 2014-2019 Housing Element; and

WHEREAS, on July 17, 2018, the Board of Supervisors held a noticed public hearing on the recommended housing related text amendments and adopted a resolution pursuant to General Plan Amendment GPA18-001 and enacted an ordinance pursuant to Zone Amendment Z17-003; and

WHEREAS, on July 24, 2018, the Board of Supervisors, held a noticed public workshop to receive an update from the Planning Division staff and accept public comment on the revised draft 2014-2019 Housing Element; and

WHEREAS, on August 9, 2018, the Planning Commission held a noticed public hearing to consider formal public comments on the Housing Element update process and a recommendation to the Board of Supervisors to adopt the 2014-2019 Housing Element as revised based on the comments and guidance from the Department of Housing and Community Development and continued that public hearing to a Special Meeting on August 23, 2018; and

WHEREAS, the Planning Commission held a public hearing at the continued Special Meeting on August 23, 2018 and is recommending a change to GPA13-003 to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle; and

Resolution No. 2018-022

Page 3

WHEREAS, GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED by the Shasta County Planning Commission:

1. The foregoing recitals are true and correct and incorporated herein.
2. The Planning Commission makes the following findings with regard to General Plan Amendment GPA13-003:
 - A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community, (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local Housing Element as part of its General Plan, (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state.
 - B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the state.
 - C. GPA13-003 is a necessary action to bring the County General Plan and the mandatory Housing Element of the Plan into compliance with State housing law, the prior adopted Shasta County Housing Element and the Stipulated Judgement rendered by Shasta County Superior Court.
 - D. GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgement rendered by the Shasta County Superior Court for a Stipulation for Judgement on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.

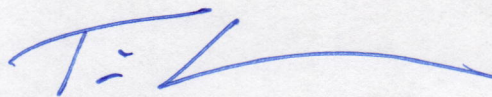
Resolution No. 2018-022

Page 4

- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations.
 - F. The proposed 2014-2019 Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, is consistent with Government Code Sections 65580-65589.8; and
 - G. The proposed 2014-2019 Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the 2014-2019 Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, is consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements and the objectives and policies of the Shasta County General Plan.
3. The Planning Commission recommends that the Shasta County Board of Supervisors take the following actions with regard to GPA13-003:
- A. Conduct a public hearing.
 - B. Close the public hearing.
 - C. Find GPA13-003 is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement).
 - D. Adopt a resolution approving the Shasta County 2014-2019 Housing Element, as amended.

DULY PASSED this 23rd day of August, 2018, by the following vote:

AYES: MACLEAN, CHAPIN, KERNS, RAMSEY, WALLNER
NOES:
ABSENT:
ABSTAIN:
RECUSE:

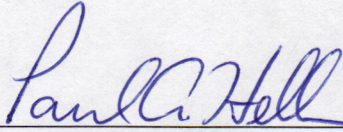


TIM MACLEAN, Chairman
Planning Commission
County of Shasta, State of California

Resolution No. 2018-022

Page 5

ATTEST:



PAUL A. HELLMAN, Secretary
Planning Commission
County of Shasta, State of California

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA FINDING THE PROPOSED AMENDMENT TO THE SHASTA COUNTY GENERAL PLAN, DRAFT 2014-2019 SHASTA COUNTY HOUSING ELEMENT UPDATE, GENERAL PLAN AMENDMENT GPA13-003, SUBSTANTIALLY COMPLIES WITH STATE HOUSING LAW AND DIRECTING THE DEPARTMENT OF RESOURCE MANAGEMENT TO SUBMIT THE DRAFT 2014-2019 SHASTA COUNTY HOUSING ELEMENT UPDATE TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW AND COMMENT

WHEREAS, the State of California requires all local jurisdictions to adopt a Housing Element and to revise this document as appropriate, but not less than every five years as one of seven mandated elements of a jurisdiction's General Plan; and

WHEREAS, the Shasta County General Plan establishes goals and policies that recognize the importance of housing and so the County has prepared the Draft 2014-2019 Shasta County Housing Element Update (Housing Element) in accordance with the requirements of State housing element law (Government Code sections 65580 *et seq.*); and

WHEREAS, the Housing Element has been prepared, consisting of General Plan Amendment GPA13-003, and contains goals, policies, programs, and quantified objectives to meet projected housing needs to comply with California Government Code Sections 66580-65589.8; and

WHEREAS, as part of the State housing law the legislature found, among other findings, that (1) the availability of housing is of vital statewide importance, (2) local governments, such as Shasta County, have the responsibility to facilitate the improvement and development of housing adequate to meet the needs of all economic segments of the community, (3) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels is essential to achieving the state's housing goals; and

WHEREAS, the intent of the state's housing law, among others, is to (1) assure that the County recognizes its responsibility to contribute to attaining the state's housing goal, (2) assure that the County prepares and implements a local Housing Element as part of its General Plan, (3) recognize that the County is best capable of determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the Regional Housing Need Allocation (RHNA) assigned to the County by the state (Government Code section 65581); and

WHEREAS, on May 11, 2017, the Planning Commission held a noticed public workshop to receive comments on the Housing Element which was submitted to the Department of Housing and Community Development (HCD) for review on May 17, 2017; and

WHEREAS, based on the comments received from HCD on July 18, 2017, the Housing Element was extensively revised and the County initiated amendments to the General Plan Land Use Maps and Zoning Maps deemed necessary to comply with State housing law; and

WHEREAS, in January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its housing element into compliance with State Law and meet its unaccommodated Regional Housing Needs Allocation (RHNA) assigned by HCD, resulting in a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment in accordance with the terms of a settlement agreement that includes actions, including the rezoning of land to the default density, that must be completed by the County within a defined timeline; and

WHEREAS, a noticed 30-day review of the Housing Element occurred from July 2, 2018, to July 31, 2018; and

WHEREAS, on July 12, 2018, the Planning Commission held a noticed public workshop on the Housing Element; and

WHEREAS, on July 24, 2018, the Board of Supervisors, held a noticed public workshop to receive an update from Planning Division staff and accept public comment on the Housing Element; and

WHEREAS, on August 9, 2018, the Planning Commission held a duly noticed public hearing to consider formal public comments on the Housing Element and a recommendation to the Board of Supervisors to approve the Housing Element as revised based on the comments and guidance from HCD and continued that public hearing to a Special Meeting on August 23, 2018; and

WHEREAS, the Planning Commission held a public hearing at the continued Special Meeting on August 23, 2018, and is recommending a change to GPA13-003 to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle; and

WHEREAS, GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment; and

WHEREAS, in accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations which determined that there would be no significant environmental effects that result from implementation of the Housing Element.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following findings with regard to GPA13-003:

- A. State housing law, as codified in Government Code section 65580 et seq., requires that Shasta County assist in attaining the state's housing goal by, among other actions: (a) facilitating the improvement and development of housing adequate to meet the needs of all economic segments of the community, (b) designating and maintaining a supply of land that is suitable, feasible and available for the development of housing to meet the housing need for all income levels, (c) preparing and implementing a local housing element as part of its General Plan, (d) determining what is needed for the County to contribute to the attainment of the state's housing goal in a manner compatible with the state's housing goal and the RHNA assigned to the County by the state.
- B. In accordance with Government Code 65583.2(c)(3)(B)(iii) and the United States Census, Shasta County is designated a "suburban jurisdiction" and is assigned a "default density" of twenty residential units per acre by the State.
- C. GPA13-003 is a necessary action to bring the Shasta County General Plan and the mandatory housing element into compliance with State housing law, the 2009-2014 Shasta County Housing Element, and the Stipulation for Judgment rendered by the Shasta County Superior Court.
- D. GPA13-003 is not subject to the California Environmental Quality Act (CEQA) pursuant to a judgment rendered by the Shasta County Superior Court for a Stipulation for Judgment on June 29, 2018, which expressly incorporates the provisions of Government Code section 65759, which establish that the California Environmental Quality Act (CEQA) does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgment.
- E. In accordance with the provisions of Government Code section 65759, the County has prepared an initial study with content that substantially conforms to the required content of an initial study as set forth in subdivision (c) of Section 15080 of Title 14 of the California Code of Regulations which has determined that implementation of the Housing Element will not have a significant effect on the environment.
- F. The proposed Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, substantially complies with the requirements of Government Code Sections 65580-65589.8; and

- G. The proposed Housing Element, as amended to delete Area 4 of the proposed rezone program and add program H3-J in Section V of the Housing Element to require that the County complete rezoning of properties in the future to meet the RHNA for the current cycle, is consistent with the objectives and policies in the Community Development Group, Chapter 7.0 et seq., and with all other elements and the objectives and policies of the Shasta County General Plan.

BE IT FURTHER RESOLVED that the Shasta County Board of Supervisors authorizes the Director of Resource Management to make minor grammatical and format changes to the Housing Element, as may be necessary prior to printing, which would not change or affect adopted goals, objectives, policies, or programs, and directs that the Housing Element be sent to HCD for their review and comment pursuant to Government Code section 65754(a).

DULY PASSED AND ADOPTED this 11th day of September, 2018 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy