

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28th day of June, 2011, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Comstock. A moment of silence was dedicated to Samira Sickels, who was killed in an automotive accident in Middletown last week. Following the moment of silence, County Counsel Anita Grant led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-32, with the exception of Consent Agenda Items C-27, which was taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on June 21, 2011.

Adopted Resolution No. 2011-100, pertaining to tax revenue exchange between the County of Lake and County Services Area #7 - Bonanza Springs (Wisely Annexation).

Adopted Resolution No. 2011-101, accepting conveyance of real property, located in Clearlake Park, CA (APN 036-301-290).

Adopted Resolution No. 2011-102, amending Resolution No. 2010-164, to amend the Adopted Budget for FY 2010-11 by making various adjustments to Budget Unit 2101 - Trial Court.

Adopted Resolution No. 2011-103, approving the final subdivision map for Cobb Vista Subdivision (SD 06-14).

Approved Agreement between the County of Lake and Bettina Woelbling, in the amount of \$15,000, for FY 2011-2012, for adult literacy services, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for wraparound mental health services, in the amount of \$220,752, for FY 2011-2012, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Edgewood Center for Children & Families, for specialty mental health services, for a maximum amount of \$120,000, for FY 2011-2012, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for Transitional Age Youth (TAY) Peer Support Program, for a maximum amount of \$20,000, for FY 2011-2012, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for MHSA Transitional Age Youth (TAY) Drop-In Center, for a maximum amount of \$50,000, for FY 2011-2012, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Modesto Residential Living Center, for adult residential care services, for a maximum amount of \$130,000, for FY 2011-2012, and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Sten-Tel Transcription Services, for transcription services, for an increase of \$2,000, for FY 2010-2011, and authorized the Chair to sign.

Approved Agreement between the County of Lake and North Valley Behavioral Health, for a maximum amount of \$213,300, for Fiscal Year 2011/12, and authorized the Chair to sign.

(a) Approved Budget Transfer B-354 in the amount of \$13,000, Budget Unit 4014, from Professional and Specialized Services to Capital Assets-Office Equipment; and (b) Approved Amendment to Agreement between the County of Lake and Anasazi Software, Inc., for FY 2010-2011, for an increase of \$26,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Casa Pacifica Centers for Children and Families, for FY 2011-2012 specialty mental health centers, for a maximum amount of \$65,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and First 5 Lake Commission for FY 2011-2012 Mother-Wise Program (Post Partum Depression Initiative) services, in the amount of \$42,500, and authorized the Chair to sign.

Waived Travel Policy requirements and approve payment of late travel claims submitted by Linda Morris, Maria Vidal and Terry Rooney, per the Mental Health Director's memorandum dated June 16, 2011.

Approved Second Amendment to the Agreement between the County of Lake and North Valley Behavioral Health, LLC, for specialty mental health services, for an increase of \$40,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Clover Valley House, Adult Residential Facility (ARF), in the amount of \$65,000, for FY 2011-12 residential support services, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Hallis CPA, in the amount of \$10,000, for FY 2011-12 cost report preparation services, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Manzanita House, Adult Residential Facility (ARF), in the amount of \$125,000, for FY 2011/12 residential support services, and authorized the Chair to sign.

Approved Agreement between the County of Lake and San Sousee, Adult Residential Facility (ARF), in the amount of \$115,000, for FY 2011/12 residential care services, and authorized the Chair to sign.

Adopted Resolution No. 2011-104, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated March 18, 2011 (Middletown Decorative Lighting Project, Bid No. 11-07).

Awarded Bid No. 11-15 to Bouthillier's Construction, for Elk Mountain Road PM 8.6 Storm Damage Repair Project in Lake County, CA, in the amount of \$196,359.75, and authorized the Chair to sign the Notice of Award and the Agreement.

Approved Plans and Specifications for Orchard Shores Pavement Rehabilitation in Lake County, CA, and authorized the Public Works Director/Assistant Purchasing Agent to advertise for bids.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2011

Awarded Bid No. 10-04 to Bouthillier's Construction, for Elk Mountain Road Improvements MPM 27.00 to 27.19 in Lake County, CA, in the amount of \$293,593.50, and authorized the Chair to sign the Notice of Award and the Agreement.

Consent Agenda Item C-27 - (a) Approve Budget Transfer B-345 from Budget Unit 2202 Central Dispatch, Professional Services, to Budget Unit 2704-OES Capital Assets, in the amount of \$25,000; and Budget Transfer B-346 from Inventory Items and Fixed Assets/Equipment to Object Code 62.74-Capital Assets-Equipment, in the amount of \$108,012, to purchase digital mobile radios; (b) Award bid for 58 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$42,918.72; (c) Award bid for 55 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$45,394.80; (d) Award bid for 27 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$14,172.57; and (e) Award bid for 57 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$29,919.87 - This item was pulled from the Consent Agenda and taken up later in the day.

Approved the Joint Powers Agreement between the County of Lake and the County of Napa (Workforce Investment Act/Napa-Lake Workforce Investment Area), and authorized the Chair to sign.

Approved Professional Services Agreement between the County of Butte and the County of Lake for the provision of the Northern California Partnership for Safe and Stable Families FY 2010-2011 and authorized the Chair to sign the Agreement and the Assurance of Compliance with the Butte County DESS Nondiscrimination in State and Federally Assisted Programs.

Approved Annual Renewal of Veterans Subvention Program Contract and Medi-Cal Cost Avoidance Program Certificate, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Plans and Specifications for Lake County Sanitation District Southeast Regional Wastewater System, Force Main and Lift Station Project, Bid No. 11-21, and authorized the Special Districts Administrator/Assistant Purchasing Agent to advertise for bids.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2011-105, accepting conveyance of real property located in Lucerne, California (APN 033-057-110).

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Allison Mewborn presented one canine currently available for adoption.

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

Extra #1 - Consideration of proposed Loan Agreement between the County of Lake and Lake One-Stop, in an amount not to exceed \$80,000 - On motion of Supervisor Rushing and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: Staff became aware of the need for this loan agreement after the posting of the agenda, and it is necessary for the Board to consider this item before the next scheduled Board meeting.

Social Services Director Carol Huchingson presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Loan Agreement between the County of Lake and Lake One-Stop, in an amount not to exceed \$80,000, and authorized the Chair to sign.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), directed staff to draw funds from the Special Projects budget unit in the Fiscal Year 2011/2012 budget, to finance the agreement.

Extra #2 - Consideration of request to waive the normal sealed bid process for Consent Agenda Item C-27 - On motion of Supervisor Rushing and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: This request was inadvertently omitted from the Consent Agenda and must be considered by the Board before consideration of Consent Agenda Item C-27, which must be considered by the Board before the next meeting, in order to qualify for the appropriate grant funds.

County Administrative Officer Kelly Cox presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the normal sealed bid process, based on a finding that the sealed bid process would provide no benefit to the County, inasmuch as the Sheriff's Office obtained competitive written informal bids that fulfill the spirit and intent of the Purchasing Ordinance.

BACK TO #1 - CONSENT AGENDA ITEM C-27 - (a) Approve Budget Transfer B-345 from Budget Unit 2202 Central Dispatch, Professional Services, to Budget Unit 2704-OES Capital Assets, in the amount of \$25,000; and Budget Transfer B-346 from Inventory Items and Fixed Assets/Equipment to Object Code 62.74-Capital Assets-Equipment, in the amount of \$108,012, to purchase digital mobile radios; (b) Award bid for 58 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$42,918.72; (c) Award bid for 55 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$45,394.80; (d) Award bid for 27 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$14,172.57; and (e) Award bid for 57 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$29,919.87 - (a) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Budget Transfer B-345 from Budget Unit 2202 Central Dispatch, Professional Services, to Budget Unit 2704-OES Capital Assets, in the amount of \$25,000; and Budget Transfer B-346 from Inventory Items and Fixed Assets/Equipment to Object Code 62.74-Capital Assets-Equipment, in the amount of \$108,012, to purchase digital mobile radios, and authorized the Chair to sign.

(b) On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded bid for 58 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$42,918.72

(c) On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded bid for 55 NX700H Kenwood digital mobile radios to Advanced Communications in the amount of \$45,394.80

(d) On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded bid for 27 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$14,172.57

(e) On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded bid for 57 NX200K Kenwood digital portable radios to Precision Wireless in the amount of \$29,919.87.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2011

BACK TO #3 - Extra #3 - Consideration of request to accept letter of resignation from County Clerk/Auditor-Controller Pam Cochrane, and to direct staff to begin the recruitment process - On motion of Supervisor Brown and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: The Board became aware of Ms. Cochrane's intended resignation after the posting of today's agenda and action is required before the next scheduled Board meeting in order to provide direction to the Human Resources Department.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), accepted the letter of resignation and authorized the Chair to sign a letter of appreciation to Ms. Cochrane, thanking her for her 31 years of service to the County of Lake.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), directed the Human Resources Department to immediately begin an open recruitment process to fill the pending vacancy due to Ms. Cochrane's retirement.

Extra #4 - Consideration of appointment of members to the Lake County Agricultural Grievance Committee - On motion of Supervisor Brown and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: The recruitment of members to this committee was not resolved until after the posting of the current agenda and the need to make the necessary appointments and allow the committee to move forward requires immediate Board discussion and/or consideration prior to the next meeting.

On motion of Supervisors Rushing and Brown and by vote of the Board (5 ayes), appointed Thurston Williams, Jim Leonardis, Diane Henderson, Paul Lauenroth and a UC Extension representative to the Agricultural Grievance Committee.

CITIZEN'S INPUT - Ron Rose and Debra Watson spoke regarding the permitting process to install a coffee kiosk at 2598 South Main Street.

Gene Renner spoke regarding illegal signage.

Charlie Banks-Altracruz spoke regarding building relationships between the County and Robinson Rancheria.

Public Works Director Scott DeLeon introduced newly hired Water Resources Program Coordinator Gary Hanson, who spoke.

4. **ITEM A-5 - 9:15 A.M. - HEARING - Discussion/consideration of Intention to change the name of two existing named roads in Lucerne (Thirteenth Avenue and Hotel Road to "Castle Drive")** - Redevelopment Analyst Alan Flora was present.

County Administrative Officer Kelly Cox presented the staff report.

Chair Comstock opened the public hearing and Lourdes Theusen spoke and recommended the name of the street be changed to "The Castle Drive". No one else was present wishing to speak and the public hearing was closed.

No Board action was taken on this item and the matter will be brought back to the Board at a future date.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Sanitation District.

5. **ITEM A-6 - 9:30 A.M. - (a) PUBLIC HEARING - Discussion/consideration of proposed Ordinance amending Section 706A of the Sewer Use Ordinance pertaining to sewer system capacity fees for connections to the Northwest Regional Wastewater Collection System; and (b) PUBLIC HEARING - Discussion/consideration of proposed Ordinance amending Section 706B of the Sewer Use Ordinance pertaining to inflationary adjustment determined by the Engineering News Record-Construction Cost Index** - (a) Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger presented the staff report.

Chair Comstock opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Director Rushing and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

On motion of Director Rushing and by vote of the Board (5 ayes), advanced the ordinance two weeks, to July 12, 2011.

(b) Ms. Coppinger presented the staff report.

Chair Comstock opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Director Rushing and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

On motion of Director Rushing and by vote of the Board (5 ayes), advanced the ordinance two weeks, to July 12, 2011.

The Board of Directors of the Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.

6. **ITEM A-7 - 9:45 A.M. - Consideration of request for the waiver of fees, in the amount of \$864, for the minor use permit and building permit for the installation of a sign for the Upper Lake Cemetery District** - Community Development Director Rick Coel was present.

Upper Lake Cemetery District Board President Valarie Duncan presented the request.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the permit fees associated with this project.

After a brief recess, the Board reconvened into Regular Session at 10:27 a.m.

7. **ITEM A-8 - Carried over from June 14, 2011 - 10:00 A.M. - Presentation of Annual Report of the Clear Lake Advisory Committee** - Public Works Director Scott DeLeon was present.

Clear Lake Advisory Committee Chair Melissa Fulton presented the report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Cheri Holden, Betsy Cawn, Mike Dunlap, Anna Ravenwood, Sarah Ryan, Harvest Steadman and Buck Bouker. No one else was present wishing to speak and the public input portion of this item was closed.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2011

This item was informational only. No Board action was taken on this item.

8. **ITEM A-9 - 10:30 A.M. - PUBLIC HEARING - Discussion/consideration of proposed Ordinance amending gate fees to be charged to Lakeport Disposal at the Eastlake Landfill for solid waste disposal** - Deputy Public Services Director Caroline Chavez presented the staff report.

Chair Comstock opened the public hearing and the following people spoke: Joe Butcher, Margaret Silveira and Craig Butcher. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

On motion of Supervisor Farrington and by vote of the Board (5 ayes), advanced the ordinance two weeks, to July 12, 2011.

The Board of Supervisors convened concurrently as the Board of Directors of the Lake County Sanitation District.

9. **ITEM A-10 - 10:45 A.M. - Discussion/consideration of proposed Joint Powers Authority formation for project financing of the Southeast Regional Wastewater Collection System, Force Main and Pump Station Project** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Mr. Dellinger presented the staff report.

Chair Comstock didn't even ask if anyone was present wishing to speak and Joan Moss spoke. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Smith offered Resolution No. 2011-106, and it was passed by roll call vote (5 ayes).

Director Smith offered Resolution No. 2011-107, and it was passed by roll call vote (5 ayes).

The Board of Supervisors and the Board of Directors of the Lake County Sanitation District adjourned and convened as the Lake County Housing Commission. Commissioner Deborah Figueroa was present.

10. **ITEM A-12 - 11:30 A.M. - Discussion/consideration of request to sign proposed HUD-50077-CR: Civil Rights Certification Form** - Social Services Director Carol Huchingson presented the staff report.

On motion of Commissioner Rushing and by vote of the Board (6 ayes), approved HUD-50077-CR: Civil Rights Certification Form, and authorized the Chair to sign.

11. **ITEM A-13 - 11:35 A.M. - Consideration of proposed Agreement between the County of Lake and Lindsey and Company for Section 8 Housing Choice Voucher Program accounting services, in the amount of \$6000, for Fiscal Years 2011-2013** - Social Services Director Carol Huchingson presented the staff report.

On motion of Commissioner Smith and by vote of the Board (6 ayes), approved the Agreement between the County of Lake and Lindsey and Company for Section 8 Housing Choice Voucher Program accounting services, in the amount of \$6000, for Fiscal Years 2011-2013, and authorized the Chair to sign.

The Lake County Housing Commission adjourned and reconvened as the Board of Supervisors.

After a lunch recess, the Board reconvened into Regular Session at 1:30 p.m.

12. **ITEM A-11 - 11:00 A.M. - Update on the 2011 Road Maintenance and Improvement Projects** - Chair Comstock announced this item would be carried over two weeks, to July 12, 2011.

13. **ITEM A-16 - Discussion/consideration of request for out of state travel for Animal Control Officer Allison Mewborn to Durango, Colorado, from August 21 through August 27, 2011, to attend Equine Investigators Academy** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved out of state travel for Animal Control Officer Allison Mewborn to Durango, Colorado, from August 21 through August 27, 2011, to attend Equine Investigators Academy.

14. **ITEM A-17 - Discussion/consideration of a proposed ordinance adding Article XXVI to Chapter 2 of the Lake County Code regarding alternative procedures for the leasing or licensing of County real property (SECOND READING)** - Supervisor Brown offered Ordinance No. 2951, and it was passed by roll call vote (5 ayes).

15. **ITEM A-15 - Supervisors' weekly calendar, travel and reports** - There was Board consensus to cancel the July 5, 2011 Board of Supervisors meeting.

16. **ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA** - Chair Comstock announced there would be no negotiations today.

17. **ITEM A-14 - Continued from June 13, 2011 - 1:30 P.M. - CLOSED SESSION - Public Employee Disciplinary Appeal No. EDA 2011-01, Government Code Section 54957** - Chair Comstock announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board of Supervisors adjourned at 6:45 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board