

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 8, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 8th day of November, 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. Following a moment of silence, many of our local Veterans 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-13.

Approved Minutes of the Board of Supervisors meeting held on November 1, 2011.

Adopted Proclamation honoring all Veterans on Veterans Day 2011.

Adopted Proclamation commending Dave Perry for his years of service to the County of Lake.

Approved and adopted Lake County Economic Development Marketing Strategic Plan for FY 2011-2013, as presented to the Board on November 1, 2011.

Adopted Lease Agreement between the County of Lake and Modern Building Systems, Inc., for a 5-year lease of a 10'x32' modular building for use as a medical clinic, in the total amount of \$12,500 (payable at \$210 per month), and authorized the Chair to sign.

Approved First Amendment to the Agreement between the County and Remi Vists, Inc. for FY 2011-12 specialty mental health services, for a total amount not to exceed \$129,000, and authorized the Chair to sign.

Approved Consultant Agreement between the County of Lake and Winzler & Kelly for mechanical engineering services to produce an HVAC Systems Study for the Courthouse (funded by PG&E Grant)

Adopted Resolution No. 2011-175, appointing Directors of certain Special District Boards in lieu of holding a General District Election on November 8, 2011.

Approved Project Agreement between the County of Lake and the California Department of Parks and Recreation, for off-highway motor vehicle recreation enforcement, in the amount of \$33,860, and authorized the Sheriff to sign.

Approved Second Amendment to Agreement between the County of Lake and Lexipol, LLC, for Daily Training Bulletins, on-line training services, in the amount of \$4,860, and authorized the Sheriff to sign.

(a) Approved FY 2011-12 Emergency Management Performance Grant application (\$137,032 for Budget Unit 2704 - Emergency Services, and authorized the County Administrative Officer and Chair to sign; and (b) Adopted Governing Body Resolution No. 2011-176.

Sitting as the Lake County Local Board of Equalization, (a) Accepted Stipulation Change in Assessments for Lakeport Parkside LLC, on land (APNs 025-741-010-000; 025-741-090-000; 025-731-150-000; 025-741-040-000; 025-741-100-000; 025-731-160-000; 025-731-060-000; 025-741-050-000; 025-741-110-000; 025-731-170-000; 025-741-060-000; 025-741-120-000; 025-741-080-000 and 025-741-130-000), for a change in the value of the land from \$45,000 to \$18,500 for the 2010/2011 tax year; (b) Accepted Stipulation Change in Assessment for Lakeport Parkside LLC, on land (APN 025-441-430-000) for a change in the value of the land from \$28,000 to \$12,000 for the 2010/2011 tax year; (c) Accepted Stipulation Change in Assessment for Lakeport Parkside LLC, on land (APN 005-030-510-000) for a change in the value of the land from \$399,000 to \$334,500 for the 2010/2011 tax year; (d) Accepted Stipulation Change in Assessment for Lakeport Parkside LLC, on improvements (APN 025-731-090-000) for a change in the value of the improvements from \$225,000 to \$215,000 for the 2010/2011 tax year; (e) Accepted Stipulation Change in Assessment for Lakeport Parkside LLC, on improvements (APN 025-741-140-000) for a change in the value of the improvements from \$224,900 to \$215,000 for the 2010/2011 tax year; and (f) Accepted Stipulation Change in Assessment for Lakeport Parkside LLC, on improvements (APN 025-731-080-000) for a change in the value of the improvements from \$325,000 to \$245,000 for the 2010/2011 tax year.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2011-177, determining that planning and administrative expenses are necessary for the production, improvement or preservation of low and moderate income housing.

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-4 - Current Construction Projects - Contract Change Orders:**

Change Order No. 1 - Hot Mix Asphalt Overlay on Bottle Rock Road - Bid No. 10-22, Federal Project No. HSIPL-5914(056) - This change order addresses additional work, including: Raising the existing metal beam guard railing and installing weed control mat under the existing metal beam guardrail.

Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. 1 - Hot Mix Asphalt Overlay on Bottle Rock Road - Bid No. 10-22, Federal Project No. HSIPL-5914(056), for an increase of \$24,342.17, Argonaut Constructors, and authorized the Chair to sign.

Change Order No. 1 - Morgan Valley Road PM 8.81 to 8.84 Bid No. 10-12, Federal Project No. ER 4402 (020) - This change order addresses the balancing of Final In-Place quantities.

Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order No. 1 - Morgan Valley Road PM 8.81 to 8.84 Bid No. 10-12, Federal Project No. ER 4402 (020), for an increase of \$606, Granite Construction Company, and authorized the Chair to sign.

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Change Orders No. 1, 2 and 3 - Orchard Shores Subdivision Pavement Rehabilitation - These change orders address an increase of thickness of the HMA leveling course from 1' to 1 ½" to provide a more stable and durable wear course, the performance of additional drainage and pavement work on the Highway 20 entrance, and the balancing of the final in-place quantities.

Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Change Orders No. 1, 2 and 3, for a total project increase of \$95,816.65, and authorized the Chair to sign the Change Orders.

CITIZEN'S INPUT - Frank Parker spoke regarding the Veterans Justice Outreach Program.

Cherie Holden spoke regarding the upcoming Lake County Trails meeting, sponsored by the Sierra Club, Lake Chapter.

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

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - (a) Protest hearing for proposed increase of water charges and fees for Assessment Districts 9-1 and 9-3 (South Lakeport, Lands End, Holiday Cove, Reeves Point and Big Valley Rancheria); and (b) Consideration of proposed Ordinance amending the charges and fees for Assessment Districts 9-1 and 9-3** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Mr. Dellinger gave 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 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 one week, to November 15, 2011.

5. **ITEM A-8 - 10:00 A.M. - Presentation of Proclamation commending Dave Perry for his years of service to the County of Lake** - Supervisor Brown read the Proclamation into the record and presented it to Captain Chris Macedo.

6. **ITEM A-6 - 9:40 A.M. - Presentation of Proclamation honoring all Veterans on Veterans Day 2011** - Chair Comstock read the Proclamation into the record and presented it to Assistant Veterans Officer Bob Penny, who spoke.

Many Veterans were present.

7. **ITEM A-10 - (a) Consideration of proposed Resolution to allocate an Assistant Chief Probation Officer and eliminate a vacant Deputy Probation Officer I/II/III position; and (b) Consideration of request to direct the Human Resources Department to immediately begin an open recruitment for the Assistant Chief Probation Officer position** - Interim Probation Officer Steve Buchholz and County Administrative Officer Kelly Cox presented the staff report.

(a) Supervisor Rushing offered Resolution No. 2011-178, and it was passed by roll call vote (5 ayes).

(b) On motion of Supervisor Brown and by vote of the Board (5 ayes), directed the Human Resources Department to immediately begin an open recruitment for the Assistant Chief Probation Officer position.

8. **ITEM A-13 - Consideration of proposed Governing Body Resolution (required for certification of Homeland Security grants); and request to authorize the Chair or County Administrative Officer to sign the Assurances** - Captain Chris Macedo presented the staff report.

An amendment was made to the proposed Resolution, adding approval of the County Administrative Officer.

Supervisor Farrington offered Resolution No. 2011-179, as amended, and it was passed by roll call vote (5 ayes).

9. **ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance adding Article Seven to Chapter Seven of the Lake County Code to provide support for Public, Educational and Governmental (PEG) Cable Television Access Facilities** - Deputy County Administrative Officer Kelly Cox presented the staff report.

Chair Comstock opened the public hearing and the following people spoke: Vince Metzger and Amaryllis Gudmunson. No one else was present wishing to speak and the public hearing was closed.

This item was continued five weeks, to December 13, 2011, at 9:30 a.m.

After a brief recess, the Board reconvened into Regular Session at 10:45 a.m.

10. **ITEM A-11 - Consideration of the following appointments: Mental Health Board** - This item was continued to later in the day.

11. **ITEM A-12 - Consideration of proposed decision in the matter of the Grievance of the Lake County Correctional Officers Association (8-hour shift change)** - County Counsel Anita Grant presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and Edwina Young spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Smith and Brown NO), approved the decision, authorized the Chair to sign and denied the grievance.

- BACK TO #10 - ITEM A-11 - Consideration of the following appointments: Mental Health Board** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Marti McCarthy to the Mental Health Board, Member-at-Large category, for a term to expire January 1, 2013.

12. **ITEM A-9 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Supervisor Rushing as Special Alternate for the November 10, 2011 meeting of the EMC.

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13. **ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA 2. Public Employee Performance Evaluation: Title: County Counsel and 3. Conference with Legal Counsel: (a) Existing Litigation pursuant to Government Code Section 54956.9 (a): Reynolds v. County of Lake (b) Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (b): Receipt of tort claim from James Beland - Chair Comstock announced the Board would now go into Closed Session for the reasons stated on the agenda.**

The Board reconvened into Regular Session with no action taken at 12:35 p.m.

There being no further business, the Board of Supervisors adjourned at 12:35 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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