

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 17, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 17th day of April, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, 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 Brown. After a moment of silence, Chair Brown led the salute to the flag of the United States of America.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-8, with the exception of Consent Agenda Item C-6, which will be taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on April 10, 2012.

Adopted Proclamation designating the month of April, 2012, as Child Abuse Prevention Month.

Adopted Proclamation congratulating Ruth and Dennis Darling on their achievement of IGA International Retailer of the Year Award.

Adopted Proclamation designating the month of April, 2012, as Alcohol Awareness Month

Adopted Resolution No. 2012-36, amending Resolution No. 2012-19, establishing position allocations for Fiscal Year 2011-2012, Budget Unit No. 4011, Public Health (adding one (1) 0.50 FTE Nurse Practitioner/Physician's Assistant position).

Consent Agenda Item C-6 - Approve Agreement between the County of Lake and Redwood Children's Services, for FY 2011-2012 specialty mental health services, in the amount of \$71,300, and authorize the Chair to sign - This item was pulled from the agenda for correction of a typographical error. It will be taken up immediately following the Consent Agenda.

Sitting as the Board of Directors of the Lake County Air Quality Management District, adopted Resolution No. 2012-37, authorizing participation in "Year 14" Carl Moyer Program, and authorizing the APCO (Air Pollution Control Officer) to submit grant application and sign program documents.

Sitting as the Board of Directors of the Lake County Sanitation District, (a) approved Easement Deed and directed Clerk to certify for recordation (APN 039-332-19 - Jeffrey and Cathy Wilder), and approved Right of Way Agreement between the County of Lake and Jeffrey and Cathy Wilder for the construction of the wastewater force main sanitary sewer line; and authorized the Chair to sign agreement.

Consent Agenda Item C-6 - Approve Agreement between the County of Lake and Redwood Children's Services, for FY 2011-2012 specialty mental health services, in the amount of \$71,300, and authorize the Chair to sign - The correct amount of the contract was corrected.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Redwood Children's Services, for FY 2011-2012 specialty mental health services, in the amount of \$150,000, and authorized the Chair to sign.

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

Extra #1 - Pursuant to Government Code Section 54957, subd. (b)(1), Public Employment: Chief Probation Officer; Leave of Absence - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved taking up this item as an extra in Closed Session.

This item was taken up for the following reason: Staff has become aware of an issue concerning the Chief Probation Officer which requires discussion and consideration by the Board before the next meeting. It was previously understood the matter was under the jurisdiction of the Superior Court, but on April 13, 2012, the Court determined the issue to be within the County's discretion.

This item will be taken up later in the day.

3. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

Change Order #1 - Lampson Field Airport, Lake County, Replace Airport Rotating Beacon, Bid No. 12-01 - Public Works Director Scott De Leon presented the staff report.

This change order addresses removing Technical Provisions (TP) Section 1001-2.7, "PAINT" from the contract.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Change Order #1 - Lampson Field Airport, Lake County, Replace Airport Rotating Beacon, Bid No. 12-01, for a decrease of \$2,000, and authorized the Chair to sign.

4. **ITEM A-12 - Advanced from April 10, 2012 - Consideration of proposed Ordinance amending Article 1 Section 5-f.2 of Chapter 5 of the Lake County Code relating to the sale, use and display of fireworks in the unincorporated areas of the County of Lake (SECOND READING)** - Supervisor Farrington offered Ordinance No. 2971, and it was passed by roll call vote (5 ayes).
5. **ITEM A-13 - Consideration of request to approve out of state travel for Environmental Health Specialist III Pheakdey Preciado to attend the National Association of County and County Health Officials (NACCHO) training, April 23-27, 2012, in Alexandria, Virginia** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved out of state travel for Environmental Health Specialist III Pheakdey Preciado to attend the National Association of County and County Health Officials (NACCHO) training, April 23-27, 2012, in Alexandria, Virginia.
6. **ITEM A-5 - 9:10 A.M. - PUBLIC HEARING - Discussion/consideration of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Investigator** - Captain Chris Macedo presented the staff report.

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

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On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the application to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Investigator.

7. **ITEM A-16 - Consideration of proposed Third Amendment to Agreement between the County of Lake and Crestwood Behavioral Health for FY 2011-2012 specialty mental health services, for an increase of \$150,000** - Mental Health Director Kristy Kelly presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Third Amendment to Agreement between the County of Lake and Crestwood Behavioral Health for FY 2011-2012 specialty mental health services, for an increase of \$150,000, and authorized the Chair to sign.

8. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the month of April, 2012, as Child Abuse Prevention Month** - Supervisor Farrington read the Proclamation into the record and presented it to Child Abuse Prevention Council Chair Joan Reynolds, who spoke.

Many members of the Children's Council were present.

9. **ITEM A-7 - 9:20 A.M. - Presentation of Proclamation congratulating Ruth and Dennis Darling on their achievement of IGA International Retailer of the Year Award** - Supervisor Comstock read the Proclamation into the record and presented it to Ruth and Dennis Darling, who spoke.

10. **ITEM A-8 - 9:25 A.M. - Presentation of Proclamation designating the month of April, 2012, as Alcohol Awareness Month** - Supervisor Comstock read the Proclamation into the record and presented it to Mental Health Director Kristy Kelly and Alcohol and Other Drug Services Program Coordinator Jim Gessner, who spoke.

11. **ITEM A-9 - 9:30 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Section 14-56.3 of Article II of the Lake County Code to add Other Safety Positions as an Established Unit** - Human Resources Director Kathy Ferguson presented the staff report.

Chair Brown opened the public hearing and the following people spoke: Greg Scott, Mary Ella Davidson, Teddie Walker and Wendy Parsons. 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 April 24, 2012.

12. **ITEM A-14 - Consideration of proposed Budget Transfer in the amount of \$45,000, for ancillary services, charged to the Public Defender budget** - Chair Brown recused himself, citing the appearance of a conflict of interest, and was absent at 9:56 a.m.

The gavel was passed to Vice Chair Smith.

Chief Deputy Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Budget Transfer B-184, from Budget Unit 7999 - Contingencies, for ancillary services - Public Defender, in the amount of \$45,000, and authorized the Chair to sign.

After a brief recess, the Board reconvened into Regular Session at 10:10 a.m. Chair Brown was present.

The gavel was returned to Chair Brown.

13. **ITEM A-15 - Consideration of bid award for purchase of tables, benches, receptacles for Mt. Konocti Park** - Public Services Director Caroline Chavez presented the staff report.

This item was continued for two weeks, to May 1, 2012, to allow for additional research.

14. **ITEM A-10 - 9:45 A.M. - Consideration of proposed Resolution expressing support for proposed Berryessa Snow Mountain National Conservation Area** - Bureau of Land Management Field Manager Rich Burns and Tuleyome Executive Director Sara Husby were present.

Ms. Husby gave the presentation.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Ed Robey, Victoria Brandon, Bobby Dutcher and Bill Redick. No one else was present wishing to speak and the public input portion of this item was closed.

The proposed Resolution was amended, at the request of Supervisor Smith, to add the words, "as it applies to Lake County".

Supervisor Rushing offered Resolution No. 2012-38, as amended, and it was passed by roll call vote (5 ayes).

15. **ITEM A-11 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved out of County travel for Supervisor Rushing to attend the Marymount College Board of Trustees meeting meeting on June 4, 2012, in Rancho Palos Verdes, CA. (Amending last weeks approval to include County payment of travel expenses).

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved out of County travel for Supervisor Farrington to attend the Sustainable Communities Conference, May 2 and 3, 2012, in Santa Rosa, CA.

16. **ITEM A-17 AND EXTRA #1 - 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: DSA, LCCOA and DDAA** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 11:59 a.m. and took the following action:

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved a leave of absence for Chief Probation Officer Daniel Hurst through May 21, 2012, with no further leave requests to be granted because further leave would create an undue hardship to the County in that it is a critical public safety management position and because accommodation in the form of leave is not effective.

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There being no further business, the Board of Supervisors adjourned at 12:00 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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