

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 14, 2012**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 14<sup>th</sup> day of February, 2012, there being present Supervisors Jim Comstock, Denise Rushing, Anthony Farrington and Rob Brown, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Smith was absent all day.

The meeting was called to order at 9:00 a.m. by Chair Brown. A moment of silence was dedicated to the memory of Jim Swatts. Following the moment of silence, Mike Riley 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 (4 ayes, Supervisor Smith ABSENT), approved Consent Agenda items C-1 through C-8.

Approved Minutes of the Board of Supervisors meeting held on February 7, 2012.

Adopted Resolution No. 2012-18, amending Resolution No. 2011-125, establishing position allocations for Fiscal Year 2011-2012, Budget Unit No. 2602, Building and Safety (delete one (1) Grading & Stormwater Inspector allocation and add (1) Grading & Stormwater Inspector I/II allocation).

Adopted Resolution No. 2012-19, amending Resolution No. 2011-125, establishing position allocation for Fiscal Year 2011-2012, Budget Unit No. 4011, Public Health (deleting one (1) Registered Nurse/LVN I/II position and adding one (1) LVN I/II-Registered Nurse-Community Health Nurse I/II-Public Health Nurse I/II position).

(a) Accepted Irrevocable Offer of Dedication for roadway and public utility purposes (a portion of APN 115-011-10 - Lido Martocchio and Denise Martocchio and Chris Tulley and Paula Tulley), located at 9035 Rockys Road, Loch Lomond; and directed Clerk to certify for recordation; and (b) accepted Irrevocable Offer of Dedication for roadway and public utility purposes (a portion of APN 011-068-72 - Danny Prather and Joni Prather), located at 8650 Harrington Flat Road, Loch Lomond; and directed Clerk to certify for recordation.

Approved request to waive 900 hour limit for the following extra help employees: Sheriff/Marine Patrol: Jim Campbell, Dane Hayward, Robert Piveronas and Lloyd Wells, Sheriff/Court Security: Wes Frey, James Everhart and Duayne Emis, Interim OES Coordinator Willie Sapeta, and Jail Cook June Wolter.

Authorized destruction of Fingerprint Records dated prior to and including December 31, 1991, Closed Civil Records dated January 1, 2008 through December 31, 2009, Department Time Sheets for Fiscal Years prior to and including 2003-2004, and Expenditure Records for Fiscal Years prior to and including 2003-2004, with the exception of inventory items and fixed asset records and Budget Unit 2704 - Office of Emergency Services, per Sheriff's memorandum dated December 7, 2011.

Sitting as the Board of Directors of the Lake County Sanitation District, (a) approved Easement Deed and directed Clerk to certify for recordation (APN 039-462-54 - Phyllis Arnerich and John Arnerich), and approved Right of Way Agreement between the County of Lake and Phyllis Arnerich and John Arnerich for the construction of the wastewater force main sanitary sewer line; and (b) approved Easement Deed and directed Clerk to certify for recordation (APN 041-372-15 - Patricia Carolyne Canzian), and approved Right of Way Agreement between the County of Lake and Patricia Carolyne Canzian for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign both agreements.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Easement Deed and directed Clerk to certify for recordation (APN 041-372-35 - Sandra Boorn), and approved Right of Way Agreement between the County of Lake and Sandra Boorn for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign.

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

The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.

**Extra #1 - 2:30 P.M. - Assessment Appeal Hearings:**

**John Michael Ure - Application No. 109-2010 - 21165 Highway 175, Middletown, CA (APN 024-441-190-000); and Susan & Richard Kennedy - Application No. 49-2010 - 300 Park Way, Lakeport, CA (APN 028-031-710-000)** - On motion of Member Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved taking up this item as an extra.

This item was taken up for the following reason: These items were inadvertently omitted from the agenda. Staff did not realize this error until after an erratum could be published. Because they are noticed and timed items, the Board must take them up before the next meeting.

This item will be taken up later in the day.

The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.

**PUBLIC INPUT** - Victoria Brandon presented an update regarding an upcoming Berryessa Snow Mountain National Conservation Area Town Hall Meeting on February 23, 2012.

Joan Moss spoke regarding the Brown Act.

Elizabeth Larson also spoke regarding the Brown Act.

3. **ITEM A-5 - 9:10 A.M. - Presentation of donation to the Highland Springs Volunteer Group in support of their efforts to maintain the trails of Highland Springs** - Public Works Director Scott De Leon was present.

Sierra Club President Cheri Lee Glenn Holden presented the donation to the Highland Springs Volunteer Group.

4. **ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Consideration of proposed naming of a certain existing unnamed road in the County of Lake (Cascio Way)** - Public Works Director Scott De Leon and County Surveyor Gordon Haggitt presented the staff report.

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

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the naming of a certain existing unnamed road in the County of Lake (Cascio Way).

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5. **ITEM A-13 - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of proposed Budget Transfer B-102, from Budget Unit 2301 Fixed Assets, in the amount of \$1,277 for the purchase of video surveillance cameras; and (c) Consideration of request to authorize the Sheriff-Coroner/Assistant Purchasing Agent to issue a purchase order to Polestar Computers, in the amount of \$28,277, for the purchase and installation of video surveillance cameras at the Hill Road Jail** - Undersheriff Pat Turturici and Lt. Jason Findley presented the staff report.

This item was continued to later in the day.

6. **ITEM A-14 - Consideration of request to waive Travel Policy requirements and approve payment of late travel claims, per the Sheriff's memorandum dated January 31, 2012** - On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), waived the Travel Policy requirements and approved payment of late travel claims, per the Sheriff's memorandum dated January 31, 2012.

**BACK TO #5 - ITEM A-13 - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of proposed Budget Transfer B-102, from Budget Unit 2301 Fixed Assets, in the amount of \$1,277 for the purchase of video surveillance cameras; and (c) Consideration of request to authorize the Sheriff-Coroner/Assistant Purchasing Agent to issue a purchase order to Polestar Computers, in the amount of \$28,277, for the purchase and installation of video surveillance cameras at the Hill Road Jail** - Chair Brown asked if anyone was present wishing to speak and Greg Scott spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County.

(b) On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved Budget Transfer B-102, from Budget Unit 2301 Fixed Assets, in the amount of \$1,277 for the purchase of video surveillance cameras.

(c) On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Smith ABSENT), authorized the Sheriff-Coroner/Assistant Purchasing Agent to issue a purchase order to Polestar Computers, in the amount of \$28,277, for the purchase and installation of video surveillance cameras at the Hill Road Jail.

7. **ITEM A-7 - 9:25 A.M. - Consideration of Proposition 1B Amended Candidate Project List** - Public Works Director Scott De Leon and Assistant Public Works Director Lars Ewing were present.

Supervisor Farrington recused himself and was absent at 9:35 a.m.

Mr. De Leon presented the staff report.

Chair Brown asked 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.

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Smith and Farrington ABSENT), approved the Proposition 1B Amended Candidate Project List, as presented.

Supervisor Farrington was present at 10:05 a.m.

8. **ITEM A-12 - Consideration of Sheriff's request for legal representation pursuant to Government Code Section 31000.6** - Sheriff Francisco Rivero presented his request.

This item was continued to later in the day.

After a brief recess, the Board reconvened into Regular Session at 10:28 a.m.

9. **ITEM A-8 - 9:45 A.M. - CLOSED SESSION - Public Employee Disciplinary Appeal No. EDA 2012-01, Government Code Section 54957** - Chair Brown announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session at 10:52 a.m. with no action taken.

10. **ITEM A-15 - 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 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9(a): Friends of Cobb Mountain v. County of Lake** - Chair Brown 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 11:01 a.m.

**BACK TO #9 - ITEM A-8 - 9:45 A.M. - CLOSED SESSION - Public Employee Disciplinary Appeal No. EDA 2012-01, Government Code Section 54957** - 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 11:47 a.m. and took the following action:

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), made the intended decision to deny EDA 2012-01, and directed staff to prepare Findings of Fact.

**BACK TO #10. ITEM A-15 - 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 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9(a): Friends of Cobb Mountain v. County of Lake** - Chair Brown 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 12:05.

After a lunch recess, the Board reconvened into Regular Session at 1:32 p.m.

**BACK TO #8 - ITEM A-12 - Consideration of Sheriff's request for legal representation pursuant to Government Code Section 31000.6** - Sheriff Francisco Rivero and Lt. Chris Macedo were present.

After a brief recess, the Board reconvened into Regular Session at 2:00 p.m.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 14, 2012**

The Board of Supervisors adjourned and reconvened as the Lake County Local Board of Equalization.

The gavel was passed to Lake County Local Board of Equalization Chair Farrington.

**11. ITEM A-9 - 1:30 P.M. - Assessment Appeal Hearing:**

**Gaye Allen - Application No. 30-2010 - 9655 Mountain Meadow Way, Kelseyville, CA (APN 115-009-040-000)** - At the appellant's request, this item was withdrawn.

On motion of Member Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), dismissed the appeal, without prejudice.

**12. ITEM A-10 - 2:00 P.M. Assessment Appeal Hearing:**

**Julie Kaufman - Application No. 155-2010 - 2616 Withington Way, Lakeport, CA (APN 015-012-150-000)** - Chief Deputy Assessor-Recorder Debbie Olson was present.

The appellant was not present.

Chair Farrington confirmed the appellant had been properly notified of the hearing.

On motion of Member Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), denied the appeal, without prejudice.

After a brief recess, the Lake County Local Board of Equalization reconvened into Regular Session at 2:30 a.m.

**BACK TO #2 - ITEM A-3 - Extra #1 - 2:30 P.M. - Assessment Appeal Hearings:**

**John Michael Ure - Application No. 109-2010 - 21165 Highway 175, Middletown, CA (APN 024-441-190-000)** - Chief Deputy Assessor-Recorder Debbie Olson was present.

The appellant was not present.

Chair Farrington confirmed the appellant had been notified of the hearing.

On motion of Member Brown and by vote of the Board (5 ayes), denied the appeal, without prejudice.

**Susan & Richard Kennedy - Application No. 49-2010 - 300 Park Way, Lakeport, CA (APN 028-031-710-000)** - Chief Deputy Assessor-Recorder Debbie Olson was present.

The appellant was not present.

Chair Farrington confirmed the appellant had been notified of the hearing.

On motion of Member Brown and by vote of the Board (5 ayes), denied the appeal, without prejudice.

The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.

The gavel was returned to Chair Brown.

After a brief recess, the Board reconvened at 2:47 p.m.

**BACK TO #8 - ITEM A-12 - Consideration of Sheriff's request for legal representation pursuant to Government Code Section 31000.6** - This item was continued one week, to February 21, 2012.

There being no further business, the Board of Supervisors adjourned at 2:48 p.m.

KELLY F. COX  
Clerk of the Board

\_\_\_\_\_  
Chair - Lake County Board of Supervisors

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board