

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

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 19, 2012**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19<sup>th</sup> day of June, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, 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. Following a moment of silence, Interim County Administrative Officer Matt Perry 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-15.

Approved Minutes of the Board of Supervisors meeting held on June 12, 2012.

Approved First Amendment to Agreement between the County of Lake and Anthony Wong, DVM, an increase of \$7800, for veterinary services, and authorized the Animal Control Director to sign.

Adopted Resolution No. 2012-66, establishing a fund for Other Post Employment Benefits (OPEB).

**Carried over from June 12, 2012** - Authorized the Clerk of the Board to provide notice to Kelseyville Unified School District that the County of Lake will not authorize issuance of Tax and Revenue Anticipation Notes on behalf of the district, pursuant to Government Code Section 53853.

Approved Agreement between the County of Lake and Dazzling Janitorial for FY 2012-2013 janitorial services, in the amount of \$11,700, and authorized the Chair to sign.

Adopted Resolution No. 2012-67, approving Public Health's application to the California Department of Public Health for the Supplemental Nutrition Assistance Program Education Program (SNAP-ED) for Federal Fiscal Years 2012 through 2016.

Approved Agreement between the County of Lake and Manzanita House for FY 2012-13 residential support services, for a maximum amount of \$120,000, and authorized the Chair to sign.

Approved Third Amendment to the Agreement between the County of Lake and Milhous Children's Services, for FY 2011-12 specialty mental health services, for an increase of \$11,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and San Sousee for FY 2012-13 residential support services, for a maximum amount of \$115,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Modesto Residential Living Center for FY 2012-13 residential support services, for a maximum amount of \$100,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Crestwood Behavioral Health for FY 2012-13 for FY 2012-13 adult mental health services, for a maximum amount of \$500,000 (\$300,000 for mental health rehabilitation center facilities, \$85,000 for skilled nursing facilities and \$115,000 for adult residential placements), and authorized the Chair to sign.

Approved Budget Transfer B-309, from Professional Services, in the amount of \$29,726, for the engineering construction support for the Landfill Gas System Project, and to purchase blueprint copies, and authorized the Chair to sign.

Adopted Resolution No. 2012-68, authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the California Department of Transportation for an Airport Improvement Program Matching Grant and designating the Public Works Director as Sponsor's official representative.

Adopted Resolution No. 2012-69, to appropriate unanticipated revenue (\$33,860 from the Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division for the purchase of two (2) 2012 Honda XR650LLC motorcycles, one enclosed cargo trailer, miscellaneous riding equipment and for fuel and training).

Approved advanced step hiring of Area Agency on Aging (AAA) Program Coordinator John (Mike) Parkinson, due to applicant's extraordinary qualifications (5<sup>th</sup> step salary range).

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Ben Cheek presented one canine currently available for adoption.
3. **ITEM A-12 - Consideration of proposed Ordinance amending Chapter 2 of the Lake County Code to amend various provisions of the Purchasing Code (SECOND READING)** - Supervisor Smith offered Ordinance No. 2974, and it was passed by roll call vote (5 ayes).
4. **ITEM A-13 - Consideration of proposed Ordinance amending Chapter 3 of the Lake County Code pertaining to the abatement of unmanaged, neglected and abandoned pear and apple trees (SECOND READING)** - Supervisor Smith offered Ordinance No. 2975, and it was passed by roll call vote (5 ayes).
5. **ITEM A-19 - Consideration of proposed Ordinance amending Article IX of Chapter Fifteen of the Lake County Code relating to the inspection program for all water vessels launched in Lake County (SECOND READING)** - Supervisor Smith offered Ordinance No. 2976, and it was passed by roll call vote.
6. **ITEM A-20 - Continued from June 12, 2012 - Consideration of proposed Resolution amending Resolution No. 2011-125 establishing position allocations for Fiscal Year 2011-2012, Budget Unit No. 4012, Health Services Administration (adding one Business Software Analyst position)** - This position allocation request was integrated into the proposed FY 2012-13 budget and so this item was removed from the agenda.

No Board action was taken on this item.

**PUBLIC INPUT** - Bonnie Goodwin spoke regarding the anticipated effect the incoming Marymount College will have on the community of Lucerne.

Gary Tosser spoke regarding the water supply in CSA #20.

Thomas Allen Green spoke regarding a submitted letter of complaint.

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The Board of Supervisors adjourned and convened as the Lake County Air Quality Management District Board of Directors.

7. **ITEM A-14 - Presentation of Summary of Rainwater Sampling on April 10, 2012** - Air Pollution Control Officer Doug Gearhart presented the staff report.

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

8. **ITEM A-15 - (a) Consideration of proposed Memorandum of Understanding between the Lake County Air Quality Management District and the California Air Resource Board to implement and enforce regulations to reduce methane emissions from municipal solid waste landfills; and (b) Consideration of request to authorize funding this program by implementing a time and materials charge to the Public Services Department** - Air Pollution Control Officer Doug Gearhart and Public Services Director Caroline Chavez were present.

Mr. Gearhart presented the staff report.

(a) On motion of Director Comstock and by vote of the Board (5 ayes), approved and authorized the Air Pollution Control Officer to sign the Memorandum of Understanding with the California Air Resources Board to implement and enforce regulations to reduce methane emissions from municipal solid waste landfills.

(b) On motion of Director Comstock and by vote of the Board (5 ayes), authorized funding the program per CCR 95473, by implementing a time and materials charge to the Public Services Department for costs of implementing and enforcing this regulatory program.

9. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Consideration of the proposed FY 2012-13 Lake County Air Quality Management District Budget; and consideration of request for Board direction on various policy issues** - Air Pollution Control Officer Doug Gearhart presented the staff report.

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

(a) On motion of Director Smith and by vote of the Board (5 ayes), approved the FY 12/13 LCAQMD Budget.

(b) On motion of Director Smith and by vote of the Board (5 ayes), stated its position of continued opposition to any further state subvention cuts to local Air Districts.

The Lake County Air Quality Management District Board of Directors adjourned and reconvened as the Board of Supervisors.

10. **ITEM A-6 - 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4829.10 - 2863 Carson Way, Nice, CA (APN 031-072-32 - Tucker)** - Community Development Director Rick Coel was sworn in by the Clerk and presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), confirmed the assessment of \$4,829.10, for nuisance abatement on property located at 2863 Carson Way, Nice, CA (APN 031-072-32 - Tucker), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

11. **ITEM A-7 - 9:45 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$9,570.76 - 12800 Bottle Rock Road, Cobb, CA (APNs 011-068-45 & 43 - HSBC Bank USA National Assoc.)** - Community Development Director Rick Coel was sworn in by the Clerk and presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), confirmed the assessment of \$9,570.76, for nuisance abatement on property located at 12800 Bottle Rock Road, Cobb, CA (APNs 011-068-45 & 43 - HSBC Bank USA National Assoc.), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

12. **ITEM A-16 - Consideration of proposed Agreement between the County of Lake and the Lake County Office of Education - Healthy Start, for the Probation Family-Pro (PFP) Program** - Chief Probation Officer Rob Howe presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and the Lake County Office of Education - Healthy Start, for the Probation Family-Pro (PFP) Program, and authorized the Chair to sign.

13. **ITEM A-18 - Consideration of Agreement between the County of Lake and Kleinfelder West Inc., for geotechnical services on the Socrates Mine Road Storm Repair Project** - Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Kleinfelder West Inc., for geotechnical services on the Socrates Mine Road Storm Repair Project, and authorized the Chair to sign.

14. **ITEM A-17 - Consideration of proposed Resolution approving the applications for grant funds for the FAA Airport Improvement Program and designating the Public Works Director as Sponsor's (County's) official representative** - Public Works Director Scott De Leon and Assistant Public Works Director Lars Ewing were present.

Mr. Ewing presented the staff report.

Supervisor Farrington offered Resolution No. 2012-70, and it was passed by roll call vote (5 ayes).

15. **ITEM A-8 - 10:00 A.M. - (a) Update from BI Incorporated relative to Lake County Realignment Implementation process; and (b) Consideration of proposed Agreement between the County of Lake and BI Incorporated for FY 2012-13** - (a) Chief Probation Officer Rob Howe presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Dr. Bob Gardner and Lori Carter-Runyon. No one else was present wishing to speak and the public input portion of this item was closed.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and BI Incorporated for FY 2012-13, and authorized the Chair to sign.

16. **ITEM A-9 - 10:30 A.M. - Consideration of proposed sales tax measure to provide funding for lake related programs** - Registrar of Voters Diane Fridley and Public Works Director Scott De Leon were present.

Supervisor Farrington introduced the item.

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Chair Brown asked if anyone was present wishing to speak and Anna Ravenwood spoke. No one else was present wishing to speak and the public input portion of the item was closed.

This item was continued one week, to June 26, 2012, at 11:00 a.m.

After a brief recess, the Board reconvened into Open Session at 11:20 a.m.

17. **ITEM A-11 - (a) Consideration of Fiscal Year 2012-13 Recommended Budget; (b) Consideration of proposed Resolution establishing FY 2012-13 position allocations to conform to the Recommended Budget; and (c) Consideration of requests for authorization to purchase Capital Assets and fill positions prior to final adoption of the Budget** - Health Services Director Jim Brown was present.

Interim County Administrative Officer Matt Perry presented the staff report.

(a) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Fiscal Year 2012-13 Recommended Budget.

(b) Supervisor Smith offered Resolution No. 2012-71, and it was passed by roll call vote (5 ayes).

(c) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the requests for authorization to purchase Capital Assets and fill positions prior to final adoption of the Budget, per staff memorandum dated June 13, 2012.

18. **ITEM A-21 - 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, DDAA 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9: (a) Rogers v. County of Lake, et al.; and (b) EEOC Complaints of F. Rivero and M. Morshed** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Open Session at 12:19 p.m. and took the following action:

In the matter of Rogers v. County of Lake, on motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Settlement Agreement, noting it will result in no monetary expenditure by the County, and authorized the Chair to sign.

There being no further business, the Board of Supervisors adjourned at 12:20 p.m.

MATT PERRY  
Clerk of the Board

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Chair - Lake County Board of Supervisors

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