

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 27, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 27th day of November, 2012, there being present Supervisors Jim Comstock, 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. 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 Judge John Golden. Following the moment of silence, Supervisor Comstock led the salute to the flag of the United States of America.

1. **ITEM A-1 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved Consent Agenda items C-1 through C-10.

Approved Minutes of the Board of Supervisors meetings held on November 6 (carried over from November 13, 2012) and 13, 2012.

Approved First Amendment to Agreement between the County of Lake and Redwood Children's Services for children and youth enrolled in the Lake County WRAP Program for specialty mental health services (adding family therapy), with no increase to maximum amount, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for FY 2012-13 Medi-Cal specialty mental health services, in an amount not to exceed \$100,000, and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Redwood Creek Community Living Center for FY 2012-13 residential support services, for an increase of \$30,000, and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Hilltop Recovery Services for FY 2012-13 residential support services, for an increase of \$22,000, and authorized the Chair to sign.

Adopted Resolution No. 2012-145, to appropriate unanticipated revenue from Lake County Office of Education in support of Health Services Dental Disease Prevention Program for FY 2012-13.

Approved advanced step hiring of Nurse Practitioner Donna Farmer, due to applicant's extraordinary qualifications (5th step salary range).

Adopted Resolution No. 2012-146, temporarily prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs (Community Holiday Tree Lighting, Hartmann Road, Hidden Valley Lake, on December 8, 2012, from 4:00 p.m. to 9:00 p.m.).

(a) Authorized the Social Services Director/Assistant Purchasing Agent to issue purchase order to Kathy Fowler Chrysler Jeep Dodge, in the amount of \$20,974.92 for one 2013 Dodge Grand Caravan; and (b) Authorized the Social Services Director/Assistant Purchasing Agent to issue purchase order to Kathy Fowler Chevrolet, in the amount of \$22,635.65 for one 2013 Chevrolet Malibu (as approved in the 2012-13 approved Budget).

Sitting as the Lake County Air Quality Management District Board of Directors, adopted Resolution No. 2012-147, amending Resolution No. 2012-107 establishing position allocations for Fiscal Year 2012-2013, Budget Unit No. 8799, Air Quality Management District (deleting one (1) FTE Air Quality Specialist/Senior Air Quality Specialist and add one (1) 0.60 FTE Air Quality Specialist/Senior Air Quality Specialist).

2. **ITEM A-15 - Advanced from November 13, 2012 - Consideration of proposed Ordinance amending Chapter Three of the Lake County Code concerning the Commercial Weighing and Measuring Device Program and the annual registration fees for inspection and testing of weighing and measuring devices (SECOND READING)** - Supervisor Comstock offered Ordinance 2980, and it was passed by roll call vote (4 ayes, Supervisor Smith ABSENT).

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

Extra Item #1 - Consideration of request to perform emergency repairs to pump facilities in Reclamation District 2070 - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved taking up this item as an extra.

This item qualifies as an extra for the following reason: Staff became aware of a flood watch warning for Lake County after the posting of the agenda. Due to the likelihood of flooding in the Reclamation District, there is a need for the Board to consider emergency repairs to the pump station at the south end of Reclamation District 2070 before the next meeting.

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

Water Resources Director Scott DeLeon presented the staff summary.

On motion of Director Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), directed staff to make the necessary emergency repairs immediately.

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

PUBLIC INPUT - CJ LeBrun spoke regarding IHSS wages.

Carol Cole-Lewis thanked the County for its development of the Mt. Konocti Park.

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Consideration of request for General Plan Amendment (GPAP 12-03) of two parcels from Rural Lands and Resource Conservation to Rural Residential and Resource Conservation and a Rezone (12-03) from "RL-SC-WW-FF" Rural Lands-Scenic Waterway-Floodway Fringe to "RR-B5 (5 acre)-SC-WW-FF" Rural Residential-Special Lot Size (5 acre)-Scenic Waterway-Floodway Fringe; project applicants are Alex Straessle and Harry Zabel and Nancy Zabel; located at 12609 and 12625 Elk Mountain Road, Upper Lake, CA (APNs 022-004-01 & 02)** - Community Development Director Rick Coel and Associate Planner Michalyn DelValle were present.

Ms. DelValle presented the staff report.

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

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On motion of Supervisor Farrington and by vote of the Board (3 ayes, Supervisor Rushing NO, and Supervisor Smith ABSENT), found on the basis of Initial Study No. 12-17 prepared by the Planning Division that the General Plan Amendment and Rezone as applied for by Alex Straessle and Harry and Nancy Zabel will not have a significant effect on the environment and, therefore, adopted a negative declaration with the findings set forth in the Board memorandum dated October 23, 2012.

Supervisor Farrington offered Resolution No. 2012-148, and it was passed by roll call vote (3 ayes, Supervisor Rushing NO and Supervisor Smith ABSENT).

Supervisor Farrington offered Ordinance No. 2981, and it was passed by roll call vote (3 ayes, Supervisor Rushing NO and Supervisor Smith ABSENT).

5. **ITEM A-6 - 9:35 A.M. - Consideration of request for Board direction regarding the reorganization of crisis services - Behavioral Health Director Kristy Kelly presented the staff report.**

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Joan Moss, Captain Chris Macedo. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus of support for (a) delegating the placements of those with private insurance or Medicare to the emergency rooms; and (b) to allow staff to explore the authorization of telepsychiatry services provided by the hospital(s) to write 5150s.

The department's request for Board direction regarding the cessation of routine crisis response between the hours of 2 to 8 a.m. was continued to a future date to allow for further interdepartmental dialogue via the Mental Health Board.

6. **ITEM A-9 - Carried over from November 13, 2012 - 10:30 A.M. - Consideration of request for conceptual approval to enter into negotiations with Aramark for the provision of food services at the Lake County Jail and Juvenile Hall facilities - Undersheriff Pat Turturici and Administrative Manager MaryBeth Strong were present.**

Undersheriff Turturici presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Jim Hendrickson and Joan Moss. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus for approval, in concept, to obtain additional information from Aramark for the provision of food services at the Lake County Jail and Juvenile Hall facilities.

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

7. **ITEM A-10 - Carried over from November 13, 2012 - 11:00 A.M. - (a) Consideration of request for waiver of Construction Traffic Road Fees for Robert Cramer; and (b) Consideration of request for waiver of Construction Traffic Road Fees for Melvin and Lynn Goos - Public Works Director Scott DeLeon presented the staff summary.**

(a) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), denied the waiver of Construction Traffic Road fees for Robert Cramer.

(b) Public Works Director Scott DeLeon presented the staff summary.

Lynn Goos presented her request to the Board.

On motion of Supervisor Farrington and by vote of the Board (4 ayes), denied the waiver of Construction Traffic Road fees for Melvin and Lynn Goos.

8. **ITEM A-14 - Carried over from November 13, 2012 - Consideration of policy regarding media releases and release of public information - Interim County Administrative Officer Matt Perry presented the staff report.**

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

In the section titled Spokesperson, an amendment was made to the policy, adding the word "immediately" to the following sentence: The spokesperson shall immediately notify the County Public Information Officer (PIO) of any contact with the media on any issues of a non-routine nature.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved as amended, the policy regarding media releases and release of public information.

9. **ITEM A-17 - (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 request to authorize Sheriff/Coroner/Asst. Purchasing Agent to issue a purchase order to Baker Distributing Inc., for replacement HVAC units for the Lake County Jail/Hill Road facility - Undersheriff Pat Turturici and Captain Chris Macedo were present.**

Capt. Macedo presented the staff report.

(a) On motion of Supervisor Comstock 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 Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), authorized the Sheriff/Coroner/Asst. Purchasing Agent to issue a purchase order to Baker Distributing Inc., for replacement HVAC units for the Lake County Jail/Hill Road facility, in the amount of \$19,688.42, contingent upon completion of the rebate application timeline requirements.

10. **ITEM A-11 - 11:15 A.M. - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding is not appropriate due to acquisition of equipment from a sole source vendor; and (b) Consideration of request to approve purchase of C-IV tech refresh upgrades and hardware support from the County of San Bernardino; and (c) Consideration of request to authorize the Social Services Director/Asst. Purchasing Agent to issue a purchase order to the County of San Bernardino, in the amount of \$70,622, for C-IV tech refresh upgrades and hardware support for existing equipment - Social Services Director Carol Huchingson presented the staff report.**

(a) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), waived the formal bidding process and made a determination that competitive bidding is not appropriate due to acquisition of equipment from a sole source vendor.

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(b) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved purchase of C-IV tech refresh upgrades and hardware support from the County of San Bernardino.

(c) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT) authorized the Social Services Director/Asst. Purchasing Agent to issue a purchase order to the County of San Bernardino, in the amount of \$70,622, for C-IV tech refresh upgrades and hardware support for existing equipment.

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

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

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

11. ITEM A-12 - 1:30 P.M. Assessment Appeal Hearing:

Chief Deputy Assessor-Recorder Debbie Olson was sworn in by the Clerk.

Assessor-Recorder Doug Wacker was present.

Velloo Family 2008 Trust - Application No. 92-2010 - 21016 Highway 29, Middletown, CA (APN 024-491-070-000) (Carried over from November 6, 2012) - Neither the owner nor agent were present.

Assistant Clerk of the Board Mireya Turner confirmed timely notification.

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

Gilbert & Dewitt Land Co., LLC - Application No. 151-2010 - 4485 Lakeshore Boulevard, Lakeport, CA (APN 029-121-520-000) - Neither the owner nor agent were present.

Assistant Clerk of the Board Mireya Turner confirmed timely notification.

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

James Lynch - Application No. 200-2010 - Pillsbury Homesite #14, Pillsbury, CA (APN 981-000-877-000/860-000-095-000) - This appeal was withdrawn by the appellant.

No Board action was taken on this appeal.

Kmart Corporation - Application No. 174-2010 - 2019 South Main Street, Lakeport, CA (APN 005-045-400-000) - Chief Deputy Assessor-Recorder Debbie Olson reported a waiver/extension of this appeal had been received.

No Board action was taken on this appeal.

Twin Oaks Vineyards, LLC. - Application No. 63-2010 - 14670 East State Highway 20, Clearlake Oaks, CA (APN 006-560-270-000) - This appeal was withdrawn by the appellant.

No Board action was taken on this item.

Wells Fargo Bank NA - 1055 Second Street, Lakeport, CA (APN 025-082-030-000) - Neither the owner nor agent were present.

Assistant Clerk of the Board Mireya Turner confirmed timely notification.

On motion of Member Brown and by vote of the Board (4 ayes, Member Smith ABSENT), 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.

12. ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Chapter 13 of the Ordinance Code of the County of Lake pertaining to replacement of the courtesy notification process, establishing a request for hearing procedures and adding additional provisions for cost recovery - Community Development Director Rick Coel presented the staff report.

Chair Brown opened the public hearing and Joan Moss spoke. 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 (4 ayes, Supervisor Smith ABSENT), 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 (4 ayes, Supervisor Smith ABSENT), advanced the ordinance one week, to December 4, 2012.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), found the ordinance text amendment is exempt from CEQA because it falls within Categorical Exemption Class 8.

13. ITEM A-8 - 10:00 A.M. - (a) Presentation of update regarding 2012 Code Enforcement activities; and (b) Consideration of request for Board direction regarding 2013 Code Enforcement priorities - (a) Community Development Director Rick Coel presented the update.

(b) 2013 Code Enforcement priorities will focus on areas of high visibility, such as highway corridors, the Luceme area surrounding Marymount College and routes to areas of major commercial activity. Abandoned houses will also remain a high priority for the upcoming year.

The Board took no action on this item.

14. ITEM A-16 - Consideration of proposed footwear policy for Community Development Department Inspection staff - Community Development Director Rick Coel presented the staff report.

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There was Board consensus to support the footwear policy, in concept, and direct the Human Resource Department to begin the meet and confer process.

BACK TO #13 - ITEM A-8 - 10:00 A.M. - (a) Presentation of update regarding 2012 Code Enforcement activities; and (b) Consideration of request for Board direction regarding 2013 Code Enforcement priorities - There was Board consensus to approve the 2013 Code Enforcement priorities, as presented.

15. ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA, LCCOA and LCEA 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator: (a) Agency Negotiator: Carol Huchingson and F. Buchanan (b) Employee Organization: California United Homecare Workers Union Local 4034 - Chair Brown announced there was no need to go into Closed Session today.

There being no further business, the Board of Supervisors adjourned at 2:20 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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