

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 6, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 6th day of November, 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, Assistant Clerk of the Board Mireya Turner 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-15, with the exception of Consent Agenda C-12, which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meetings held on October 16 and 23, 2012.

(a) Adopted Proclamation designating the month of November 2012 as In-Home Supportive Services Caregiver Recognition Month; and (b) Adopted Certificates of Commendation to Riley Casler, Sam Cunningham, Michael Stevens, Zack Tichava and Cori Van Eck for their achievements at the Special Olympics Northern California Powerlifting Regional Competition.

Adopted Resolution No. 2012-140, approving grant contract with Petsmart Charities and appropriating unanticipated revenue to Budget Unit 2703 and 2711, Animal Care & Control, to fund Community Cat Spay/Neuter Project for the Kelseyville area (95451).

Adopted Resolution No. 2012-141, appointing Directors of certain special district boards in lieu of holding a General District Election on November 6, 2012.

Adopted Resolution No. 2012-142, appointing Directors to the East Lake Resource Conservation District.

Approved Amendment to Konocti Unified School District Conflict of Interest Code and Policies, pursuant to district's approval on August 1, 2012.

Approved First Amendment to Agreement between the County of Lake and County of Del Norte, for Bar-O-Boys Ranch Placement (clarifying language of total compensation as \$50,000 in any one fiscal year), and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Jack Olof), and authorized the Chair to Sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Tom's Aircraft Enterprises), and authorized the Chair to Sign.

Approved First Amendment to Agreement between the County of Lake and Quincy Engineering, Inc., for engineering services for replacement of the St. Helena Creek Bridge, No. 14C-0072, at Hilderbrand Drive near Middletown, for an increase of \$3,500 (for one additional plat and legal description), and authorized the Chair to sign.

Approved Maintenance Agreement between the County of Lake and CityWatch, for upgrades to the Emergency Notification System, in the amount of \$10,900, and authorized the Chair to sign.

Consent Agenda Item C-12 - Approve California Emergency Management Agency FY 2012 Grant Assurances, and authorize the Interim County Administrative Officer to sign - This item was removed from the Consent Agenda and was taken up later in the day.

Sitting as the Lake County Air Quality Management Board of Directors, authorized the Air Pollution Control Officer to sign and submit the FY 2012-13 Subvention Applications and FY 2011-12 Year End Financial Report to the California Air Resources Board.

Sitting as the Lake County Sanitation District Board of Directors, approved Easement Deed and directed Clerk to certify for recordation (APN 039-472-16 - Angelena Hoerle), and approved Right of Way Agreement between the County of Lake and the Angelena Hoerle for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign agreement.

Sitting as the Lake County Watershed Protection District Board of Directors, approved Amendment One to Agreement between the Lake County Watershed Protection District and GHD, Inc., for professional services for Phase III Site Remediation - 7950 Reclamation Road, Upper Lake and Phase I Environmental Site Assessment - 24 Parcels, and authorized the Chair to sign.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Care and Control Officer Ben Cheek presented one canine currently available for adoption.
3. **ITEM A-5 - 9:10 A.M. - (a) Presentation of Proclamation designating the month of November 2012 as In-Home Supportive Services Caregiver Recognition Month; and (b) Presentation of Certificates of Commendation to Riley Casler, Sam Cunningham, Michael Stevens, Zack Tichava and Cori Van Eck for their achievements at the Special Olympics Northern California Powerlifting Regional Competition** - (a) Supervisor Rushing read the Proclamation into the record and presented it to Social Services Director Carol Hutchinson. Members of the IHSS Advisory Committee and Social Services staff were present.

(b) Supervisor Brown read the Certificates of Commendation into the record and presented them to Riley Casler, Sam Cunningham, Michael Stevens, Zack Tichava and Cori Van Eck. Many Special Olympics coaches were present.
4. **ITEM A-6 - 9:15 A.M. - Consideration of request to remove Nuisance Animal Abatement Orders, located at 22430 East Road, Middletown, CA (Justin Milne and Amanda Glover - Bella and Bruno)** - Animal Care and Control Director Bill Davidson, Justin Milne and Amanda Glover were present.

Mr. Davidson presented the staff report.

Mr. Milne and Ms. Glover spoke.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), contingent on maintenance of insurance, removed the Nuisance Animal Abatement Orders, located at 22430 East Road, Middletown, CA (Justin Milne and Amanda Glover - Bella and Bruno).

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5. **ITEM A-7 - 9:30 A.M. - Consideration of recommendation by the Lake County Fish and Wildlife Advisory Committee to provide \$2,736 to the High Sierra Volunteer Trail Crew, to support their 2012 illicit cannabis grows clean up efforts in the Mendocino National Forest** - Fish and Wildlife Advisory Committee member Victoria Brandon presented this item.

Chair Brown asked if anyone was present wishing to speak and Cheri Holden 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 (5 ayes), approved the expenditure of \$2,736 to the High Sierra Volunteer Trail Crew, to support their 2012 illicit cannabis grows clean up efforts in the Mendocino National Forest.

6. **ITEM A-15 - (a) Consideration of request to waive the Consultant Selection Process; (b) Consideration of request to approve proposal from Nacht & Lewis for an Adult Detention Facility Needs Assessment Study for the Lake County Jail/Hill Road Facility** - Undersheriff Pat Turturici, Lt. Jason Finley and Lt. Chris Macedo were present.

Undersheriff Turturici presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Joan Moss and John Brosnan. 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 (5 ayes), waived the Consultant Selection Process, finding that a situation threatening the public health or safety exists, making time of the essence in obtaining consultant/contractor services.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), directed staff to move forward on negotiations for an Adult Detention Facility Needs Assessment Study for the Lake County Jail/Hill Road Facility, with Criminal Research as the Prime Contractor and Nacht and Lewis as the Subcontractor, and with the understanding that the Prime Contractor would be prohibited from bidding on the construction of the project, and to return the proposed Agreement to the Board for its consideration at a future date.

7. **ITEM A-8 - 9:45 A.M. - Consideration of proposed Lease Agreement between the County of Lake and the Middletown Senior Citizens, Inc.** - Deputy County Administrative Officer Jeff Rein presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Jacque Spiker and Mike Parkinson. 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 (5 ayes), approved the Lease Agreement between the County of Lake and the Middletown Senior Citizens, Inc., and authorized the Chair to sign.

8. **ITEM A-9 - 9:50 A.M. - Consideration of request to allocate funding to acquire satellite images of Clear Lake and its watershed** - Water Resources Director Scott DeLeon was present.

Supervisor Rushing introduced this item.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Jim Steele, Holly Harris, Joan Moss, Mike Dunlap and Chuck Lamb. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to bring a recommendation regarding the preferred imagery dates, types and area for its consideration.

9. **ITEM A-10 - 10:00 A.M. - Presentation regarding funding options available for environmental restoration of damage due to the Wye fires** - Natural Resources Conservation Service District Conservationist Korinn Woodard made the presentation to the Board.

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

10. **ITEM A-14 - Consideration of request for letter of support of a Research Authorization (RA) permit through the State Department of Pesticide Regulation, for testing trials of granular form of aquatic weed herbicides "Navigate" and "Harpoon" in the waters of Clear Lake** - Water Resources Director Scott DeLeon gave the staff presentation.

Chair Brown asked if anyone wanted to speak and the following people spoke: Betsy Cawn, Joan Moss, Sarah Ryan, Mike Dunlap and John Brosnan. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), authorized a letter of support of a Research Authorization (RA) permit through the State Department of Pesticide Regulation, for testing trials of granular form of aquatic weed herbicides "Navigate" and "Harpoon" in the waters of Clear Lake, and directed staff to present a testing plan to the Board for its approval before any tests are conducted.

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

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

Velloo Family 2008 Trust - Application No. 92-2010 - 21016 Highway 29, Middletown, CA (APN 024-491-070-000) - Assessor-Recorder Doug Wacker, Chief Deputy Assessor-Recorder Debbie Olson and Auditor Appraiser Peter Kriz were sworn in by the Clerk.

Neither the owner, nor agent were present.

On motion of Member Comstock and by vote of the Board (5 ayes), postponed this appeal two weeks, to November 27, 2012, at 1:30 p.m.

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

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

12. **ITEM A-11 - 10:30 A.M. - (a) Discussion/consideration regarding process and funding of real property projects: Middletown Sheriff Substation and Clearlake Oaks Sheriff Substation; and (b) Consideration of request for staff direction regarding the development of a policy regarding the leasing and purchasing of real property** - Undersheriff Pat Turturici and Lt. Chris Macedo were present.

Deputy Administrative Officer Alan Flora present the staff update.

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Chair Brown asked if anyone was present wishing to speak and the following people spoke: Olga Martin-Steele and John Brosnan. 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 (5 ayes), directed staff to make needed improvements to the Clearlake Oaks Visitor Center, to enable establishment of the Sheriff's substation, while continuing to consider options for a permanent location for the substation in the future.

There was Board consensus to direct staff to work with the Lake County Chamber of Commerce regarding the necessary amendments to the Agreement between the County of Lake and the Lake County Chamber of Commerce to operate the Clearlake Oaks Visitor Center.

There was Board consensus to request the Sheriff's department postpone further construction on the Middletown Sheriff Substation, pending staff development of a policy regarding the leasing, purchasing and renovating of real property, with the understanding that all appropriated funds for the projects would remain in place.

There was further Board consensus to request the Sheriff's department work with the Interim County Administrative Officer Matt Perry, Deputy Administrative Officer Alan Flora and Buildings and Grounds staff regarding completion of the Lakeport project.

13. **ITEM A-16 - Consideration of appointment of Interim Central Dispatch Manager** - Undersheriff Pat Turturici and Lt. Chris Macedo were present.

Lt. Macedo presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Kellie Green-Kashin as Interim Central Dispatch Manager, effective November 7, 2012, at the first step of the salary range.

14. **ITEM A-17 - Consideration of proposed Addendum One to Agreement between the County of Lake and Sentinel Offender Services, LLC, for electronic monitoring services** - Undersheriff Pat Turturici, Lt. Chris Macedo and Lt. Jason Finley were present.

Lt. Finley presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Addendum One to Agreement between the County of Lake and Sentinel Offender Services, LLC, for electronic monitoring services, and authorized the Chair to sign.

15. **ITEM A-18 - (a) Consideration of request to approve purchase of fixed assets: 10 Glock 17 duty weapons, 12 Glock 34 SWAT weapons, 10 Glock 17 magazines, 1 Model 40-XS .308W tactical weapon, 1 Mark 4, Leupold scope and 12 TREK 5.56mm suppressors; and (b) Consideration of request to award bids to All State Police Equipment Co. in the amount of \$6565.10, LC Action Police Supply in the amount of \$8,461.61, ProForce Law Enforcement in the amount of \$2,643.11, and GemTech in the amount of \$5624.55** - Chair Brown announced this item would be carried over one week, to November 13, 2012.

- BACK TO #1 - Consent Agenda Item C-12 - Approve California Emergency Management Agency FY 2012 Grant Assurances, and authorize the Interim County Administrative Officer to sign** - Lt. Chris Macedo presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the California Emergency Management Agency FY 2012 Grant Assurances, and authorized the Interim County Administrative Officer to sign.

16. **ITEM A-19 - 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. Public Employee Performance Evaluations: Titles: County Counsel Health Services Director/Veterans Services Director 3. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9 (a): Fowler v. County of Lake, et al. 4. Conference with Legal Counsel: Significant exposure to litigation pursuant to subdivision (b)(2)(c) of Government Code 54956.9: One potential case** - 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 3:57 p.m.

There being no further business, the Board of Supervisors adjourned at 3:58 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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