

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

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 11, 2012**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 11<sup>th</sup> day of September, 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. A moment of silence was dedicated to the memories of Joe Totorica, and the victims and survivors of the 9/11 terrorist attacks. Following the moment of silence, Chief Mike Stone 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-9, with the exception of Consent Agenda Item C-9, which will be taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on September 4, 2012.

Adopted Proclamation designating September 2012 as Alcohol and Drug Addiction Recovery Month

Approved First Amendment to the Agreement between the County of Lake and Mary McMillan, MFT, for FY 2012-13 mental health services for youth placed at Lake County Juvenile Hall, for a decrease of \$10,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Edgewood Center for Children & Families for FY 2012-13 specialty mental health services, for an amount not to exceed \$92,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and the County of Shasta for implementing, training and accessing Assessments.com risk needs assessment web based software, (term of agreement January 1, 2012 through December 31, 2012), in the amount of \$5176.36, and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Northwest Biosurvey for environmental services for the Bridge Arbor Bikeway Project, for an increase of \$3,000, and authorized the Chair to sign.

Approved Easement Deed and direct Clerk to certify for recordation (APN 002-025-35 - Marvin Conley, Jr.), and approve Right of Way Agreement between the County of Lake and Marvin Conley, Jr. for the Elk Mountain Road Storm Damage Repair Project, and authorized the Chair to sign the agreement.

Sitting as the Kelseyville County Water Works District #3 Board of Directors, approved Easement Deed and directed Clerk to certify for recordation (APN 008-064-65 - Ralph Delaney), and approved Right of Way Agreement between the County of Lake and Ralph Delaney for the Bell Hill Water Line Improvement Project, and authorized the Chair to sign the agreement.

**Consent Agenda Item C-9 - Approve Easement Deed and direct Clerk to certify for recordation (APN 039-482-42 - Catherine Quinn and Dominic Quinn), and approve Right of Way Agreement between the County of Lake and Catherine Quinn and Dominic Quinn for the Bell Hill Water Line Improvement Project, and authorize the Chair to sign the agreement** - A typographical error was corrected regarding the project name.

Sitting as the Lake County Sanitation District Board of Directors, approved Easement Deed and directed Clerk to certify for recordation (APN 039-482-42 - Catherine Quinn and Dominic Quinn), and approved Right of Way Agreement between the County of Lake and Catherine Quinn and Dominic Quinn for the Southeast System Lift Station & Force Main Project, and authorized the Chair to sign the agreement.

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-4 - Current Construction Projects - Contract Change Orders:**

Change Order No. 3 - Soldier Pile Retaining Wall on Socrates Mine Road PM 1.84 - This change order addresses the balancing of in-place quantities.

Public Works Director Scott DeLeon presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Change Order No. 3 - Soldier Pile Retaining Wall on Socrates Mine Road PM 1.84, for an increase of \$5,645, Bouthillier's Construction, and authorized the Chair to sign.

**PUBLIC INPUT** - CalFire Unit Chief Tim Streblov and Team 4 Incident Commander Eric Hoffman presented an update on the fire fighting activities on the Scotts Fire.

Cheri Holden presented a video about Highland Springs Tules.

4. **ITEM A-5 - 9:15 A.M. - Consideration of Protest of proposed Notice of Non-Renewal, Williamson Act Contract 68-21; property located at 1275 Merritt Road, Lakeport (APN 008-045-35 - Virginia Vovchuk and Gabriel Vovchuk)** - This appeal was withdrawn at the request of the appellant.

5. **ITEM A-6 - Continued from November 8, December 13, 2011, August 21 and 28, 2012 - 9:30 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance adding Article Seven to Chapter Seven of the Lake County Code to provide support for Public, Educational and Governmental (PEG) Cable Television Access Facilities** - Deputy Administrative Officer Jeff Rein and County Counsel Anita Grant presented the staff report.

Chair Brown opened the public hearing and the following people spoke: Joyce Overton, Paul Mathewson, Dante DeAmici, Eileen Geiser, Alan Markowski, Joan Moss, Beth Hyman and Marilyn Johnson. No one else was present wishing to speak and the public hearing was closed.

There was Board consensus to direct staff to request an opinion from the Attorney General regarding the Board's authority to approve this ordinance, in light of Proposition 26 restrictions.

After a brief recess, the Board reconvened into Regular Session at 10:58 a.m.

6. **ITEM A-8 - 10:15 A.M. - Consideration of proposed letter in opposition of Senate Bill 1221 (Lieu) regarding the ban on the use of dogs while hunting bear or bobcat** - Mishewal Wappo Tribal Chair Scott Gabaldon presented the request to the Board.

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On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved sending a letter to Governor Brown in opposition of Senate Bill 1221 (Lieu) regarding the ban on the use of dogs while hunting bear or bobcat, and authorized the Chair to sign.

7. **ITEM A-7 - 10:00 A.M. - Presentation on status of Medi-Cal Managed Care in the Lake County** - Health Services Director Jim Brown and County Health Officer Karen Tait, MD were present.

Mr. Brown presented the staff report.

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

8. **ITEM A-11 - Consideration of request for authorization of Out-of-County travel for non-County employees, to attend the California Memorial Project event in Ukiah on September 17, 2012** - Behavioral Health Director Kristy Kelly presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Out-of-County travel for non-County employees, to attend the California Memorial Project event in Ukiah on September 17, 2012.

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

**Extra #1 - Consideration of request to award bid for Central Dispatch Server and Network Infrastructure upgrade** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved taking up this item as an extra.

This item was taken up for the following reason: System malfunctions have been occurring due to the age of computer components, as well as an excess amount of stored data. The malfunctions have recently become severe and staff requests the immediate consideration of the Board.

Capt. Chris Macedo presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), awarded bids to Development Group in the amount of \$10,625.40, to Berkeley Communications in the amount of \$60,574.03 and to Lilien Systems, LLC, in the amount of \$44,408.70, and authorized the Sheriff/Asst. Purchasing Agent to issue purchase orders.

10. **ITEM A-10 - 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 2. Public Employee Performance Evaluation: Title: Interim County Administrative Officer 3. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9 (a) - (a) Rivero v. Lake County Board of Supervisors, et al. - Case No. CV 411638; and (b) Application of Pacific Gas and Electric Company for Approval of Modifications to its SmartMeter Program (CPUC Applications 11-03-014; 11-03-015; 11-07-020)** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

Supervisor Rushing announced she would recuse herself for Item 3(b).

The Board reconvened into Regular Session with no action taken at 12:50 p.m.

There being no further business, the Board of Supervisors adjourned at 12:50 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