

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 16, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16th day of April, 2013, there being present Supervisors Jim Comstock, Denise Rushing, Anthony Farrington, Rob Brown and Jeff Smith, 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 Smith. A moment of silence was dedicated to the victims of the Boston Marathon explosions. Following the moment of silence, Supervisor Rushing 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 (5 ayes), approved Consent Agenda items C-1 through C-10, with the exception of Consent Agenda Item C-7, which was taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on April 9, 2013.

(a) Adopted Proclamation designating the week of April 14-20, 2013 as National Public Safety Telecommunications Week; and (b) Adopted Proclamation designating April 2013 as National County Government Month.

Approved Grant Agreement between the County of Lake and American Society for the Prevention of Cruelty to Animals (ASPCA), in the amount of \$10,000 for FY 2013-14 spay/neuter services for community cats (including those within the City limits of Clearlake), and authorized the Animal Care and Control Director to sign.

Approved First Amendment to Agreement between the County of Lake and Jeri Owens, MD, for specialty mental health services, for an increase of \$47,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Dazzling Janitorial for janitorial services at the Lakeport Branch, in the amount of \$10,200, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Allvest Information Services, Inc., dba Assessment.com, for access to web-based juvenile and adult assessment software package, maintenance, consulting and staff training services, through December 31, 2015, for a total amount of \$17,820, and authorized the Chair to sign.

Consent Agenda Item C-7 - Approve Agreement between the County of Lake and PropertyRoom.com for public auction services for unclaimed property, and authorize the Sheriff to sign - This item was removed from the Consent Agenda and carried over to later in the day.

Sitting as the Lake County Air Quality District Board of Directors, adopted Resolution No. 2013-30, canceling a portion of the LCAQMD Small Business Assistance Program Reserve and transferring the funds into FY 12/13 LCAQMD Fund No. 299 Budget Unit 8799 (\$449.84 to provide agricultural operations assistance with annual LCAQMD permit fees through the Agricultural Assistance Program).

Sitting as the Lake County Sanitation District Board of Directors, approved Easement Deed and directed Clerk to certify for recordation (APN 014-160-10 - Pablo Polanco and Marveli Polanco), and approved Right of Way Agreement between the County of Lake and Pablo Polanco and Marveli Polanco for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign agreement.

Sitting as the Lake County Sanitation District Board of Directors, accepted dedication and conveyance of mainline sewer extension for purpose of providing sewer service to property located at 22223 South State Highway 29, Middletown (APN 014-005-08 -Middletown Rancheria Band of Pomo Indians), 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 Kyle O'Brien presented one canine currently available for adoption.
3. **ITEM A-5 - 9:10 A.M. - (a) Presentation of Proclamation designating the week of April 14-20, 2013 as National Public Safety Telecommunications Week; and (b) Presentation of Proclamation designating April, 2013 as National County Government Month** - (a) Supervisor Brown read the Proclamation into the record and presented it to Supervising Communications Officer Cricket Jensen and Captain Chris Macedo, who spoke.

(b) Supervisor Rushing read the Proclamation into the record and presented it to Human Resources Director Kathy Ferguson and Captain Chris Macedo, who spoke.

4. **ITEM A-6 - 9:15 A.M. - Consideration of policy on use of County property for special events** - Public Services Director Caroline Chavez and Parks Superintendent Dana Smalley were present.

Supervisor Brown introduced this item.

Ms. Chavez and Mr. Smalley spoke.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Greg Scott, Kevin Henderson, Adam Bruch, Eric Johnson, CJ LeBrun, Joan Moss and Julie Kelley. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus that preseason softball practice does not qualify as a special event and therefore insurance is not to be required to conduct practice sessions at the County park ballfields.

There was further Board consensus to direct Public Services staff to work with the Softball Association Board of Directors to develop an annual pre-season meeting protocol to discuss the upcoming softball season and determine ways the County and Lake County Adult Softball Association can work cooperatively regarding field maintenance and any other related issues prior to April 1st of each year.

After a brief recess, the Board reconvened concurrently as the Board of Supervisors and the Lake County Sanitation Board of Directors at 10:25 a.m. Supervisor Brown was absent.

5. **ITEM A-9 - Consideration of declaration of local emergency regarding Lakeside Heights landslide** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Copping were present.

Mr. Dellinger presented the staff report.

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On motion of Director and Supervisor Farrington and by vote of the Boards (4 ayes, Director/Supervisor Brown ABSENT), approved the Proclamation declaring a local emergency and requesting that the Governor proclaim a state of emergency and request a Presidential declaration.

The Lake County Sanitation District Board of Directors adjourned and continued as the Board of Supervisors.

Supervisor Brown was present at 10:37 a.m.

6. **ITEM A-7 - 9:30 A.M. - Consideration of proposed agreements between the County of Lake and ExecuTime for automated time reporting payroll system** - Auditor-Controller/County Clerk Cathy Saderlund presented the staff report.

This item was continued one week, to April 23, 2013.

7. **ITEM A-12 - (a) Consideration of request to waive formal bidding process; and (b) Consideration of request to authorize the purchase of 2-2013 XR650 Honda dual purpose motorcycles with accessories for the Off Highway Vehicle (OHV) Enforcement Program** - Captain Chris Macedo presented the staff report.

(a) On motion of Supervisor Comstock and by vote of the Board (5 ayes), waived the formal bidding process, finding it would serve no economic benefit.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the purchase of 2-2013 XR650 Honda dual purpose motorcycles with accessories for the Off Highway Vehicle (OHV) Enforcement Program, and authorized the Sheriff/Assistant Purchasing Agent to issue a purchase order to Hillside Honda, in the amount of \$15,377.34.

8. **ITEM A-14 - Approve out of state travel for two Detectives to attend the 2013 Clan Lab Certification Training School No. 66 at the Clandestine Laboratory Training and Research Center in Quantico, Virginia from April 23-26, 2013** - Captain Chris Macedo presented the staff report.

This item was amended to a request travel for a single Detective.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved out of state travel for Detective Luke Bingham to attend the 2013 Clan Lab Certification Training School No. 66 at the Clandestine Laboratory Training and Research Center in Quantico, Virginia from April 23-26, 2013.

- BACK TO #1 - Consent Agenda Item C-7 - Approve Agreement between the County of Lake and PropertyRoom.com for public auction services for unclaimed property, and authorize the Sheriff to sign** - Captain Chris Macedo presented the staff report.

This item was continued to a future date.

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

9. **ITEM A-11 - Consideration of appointments to the following: Lake County Air Quality Management District Hearing Board** - On motion of Director Farrington and by vote of the Board (5 ayes), appointed James Harvey to the Lake County Air Quality Management District Hearing Board, for a term to expire May 4, 2016.

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

10. **ITEM A-10 - Consideration of proposed budget transfers from the contingencies account in the Geothermal Resource Royalties fund and from General Fund contingencies to the Clear Lake Water Quality Improvement accounts** - Water Resources Director Scott DeLeon was present.

County Administrative Officer Matt Perry presented the staff report.

Chair Smith 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 Rushing and by vote of the Board (5 ayes), approved Budget Transfers B-228 (\$125,000 from Contingencies-Geothermal Resource Royalties) and B-229 (\$31,383-Contingencies-General Fund), to the Clear Lake Water Quality Improvements accounts, and authorized the Chair to sign.

11. **ITEM A-13 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Michael Fowler and Emily Ford v. County of Lake, et al., Case No. CV412464 3. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(d)(2)(e)(1): One potential claim** - Chair Smith 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 11:44 a.m.

There being no further business, the Board of Supervisors adjourned at 11:44 a.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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