

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 9, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 9th 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 9:02 a.m. by Chair Smith. Following a 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 (5 ayes), approved Consent Agenda items C-1 through C-6.

Approved Minutes of the Board of Supervisors meeting held on April 2, 2013.

(a) Adopted Proclamation designating April 2013 as Child Abuse Prevention Month; and (b) Adopted Certificates of Appreciation of the Marymount California University students for community service.

Adopted Resolution No. 2013-28, accepting Road Right of Way relinquished by the State of California (portions of Wardlaw Street - County Road No. 117A, Calistoga Street - State Highway 29, and adjoining State Right of Way, Middletown).

Adopted Resolution No. 2013-29, approving Right of Way Certification for the rehabilitation of three County roads - Federal Project No. RPSTPL-5914(055) (Gaddy Lane, Kelseyville, Soda Bay Road, Kelseyville and Butts Canyon Road, Middletown).

Approved Encroachment Permit for NorCal Boat and Ski Club for boat and ski races on Clear Lake during 2013, and authorized the Chair to sign.

Waived 900 hour limit for extra help AAA Director/Staff Services Analyst II Janice Hubbell.

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

Extra #1 - Consideration of request to increase the authorization for costs of Geotechnical Investigation and remedies to Lakeside Heights subdivision landslide - Supervisor Brown announced a conflict with this item and would abstain.

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Brown ABSTAIN), approved taking up this item as an extra, determining an emergency situation exists.

This item was taken up as an extra for the following reason: The situation at Lakeside Heights has continues to deteriorate at a rapid rate. RGH Consultants has made several recommendations that must be considered by the Board immediately.

PUBLIC INPUT - CJ LeBrun spoke regarding In Home Supportive Services (IHSS).

4. **ITEM A-5 - 9:10 A.M. - Carried over from April 2, 2013 - (a) Presentation of Certificates of Commendation to Lt. Chris Chwiakowski, Deputy Nick La Velle, EMT Laura Carr, Doug Arnold and Frank Haas for their lifesaving efforts during a water rescue; and (b) Presentation of Proclamation designating April 2013 as Child Abuse Prevention Month** - (a) Supervisor Brown read the Certificates of Commendation and presented them to Lt. Chris Chwiakowski, Deputy Nick La Velle, EMT Laura Carr, Doug Arnold and Frank Haas.

(b) Supervisor Rushing read the Proclamation into the record and presented it to Lake County Child Abuse Prevention Council Joan Reynolds, who spoke. Many members of the Children's Council were present.

5. **ITEM A-6 - Continued from November 8, December 13, 2011, August 21, 28, and September 11, 2012 - 9:15 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** - County Counsel Anita Grant presented the staff report.

Chair Smith opened the public hearing and the following people spoke: Denise Loustalot, Ed Robey, Jimmy Rickle, Gina Fortino Dickson, Joan Philippe, Sean Swatosh, Dante D'Amici and Jon Nelson. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Comstock and Brown NO), waived the reading of the ordinance, as amended, to be read in title only (Clerk so did) and directed staff to research the options available to the Board for rescission of the ordinance, if desired.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Comstock and Brown NO), advanced the ordinance two weeks, to April 23, 2013.

6. **ITEM A-7 - 9:45 A.M. - Presentation of Employee Service Awards** - Chair Smith presented a five-year certificate to Sheriff Francisco Rivero.

The following employees received pen/pencil sets for ten years of service: Willuetta Anderson - Sheriff-Coroner, Edward Baskett - Social Services, Angela Bell - Sheriff-Central Dispatch, Susan Bennett - Public Services, Silvia Castro - Public Works, Ming-Chao Chang - County Counsel, Timothy Colcleaser - Public Services-Buildings & Grounds, Angela Curry - Social Services, William DeAndrade - Social Services, Denise Doukas - Health Services-Public Health, Charlene Ellis - Health Services-Public Health, Jason Findley - Sheriff-Jail, Carole Ford - Behavioral Health, John Gregore - Sheriff-Coroner, Steven Hajik - Agriculture, Ronald Harpster - Special Districts Administration, Vicki Hays - First Five Lake, Linda Keegan - Social Services, Nathan Knight - Information Technology, Linda Lake - Public Services-Museum, Joseph Mattos - Public Works-Roads, Nancy McCarrick - Sheriff-Coroner, Valerie Mick - Social Services, Steven Phillips - Public Works, Sandra Redshaw - Behavioral Health, Michelle Rodriguez - Community Development-Planning, Diane Stevenson-Monman - Assessor-Recorder, Laverne Trueblood - Probation, Patricia Trujillo - Behavioral Health, Rachel Vallerga - District Attorney, Julie Vargo - Child Support Services, Maria Vidal - Behavioral Health-AODS and Phyllis Woodworth - Human Resources.

The following employees received clocks for fifteen years of service: Hank Comstock - Sheriff-Jail, Andrew Davidson - Sheriff-Coroner, Sandra Davis - Social Services, Tracy Davis - District Attorney, Emil Devinscenzi - Sheriff-Coroner, Irwin Feldman - Library, John Geib - Social Services, Pati Giumelli - Social Services, Robin Hauff - Sheriff-Jail, Jane Hixson - Social Services,

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 9, 2013

Deanna Klier - Child Support Services, Kelly Larsen - Behavioral Health, Christopher McVey - Probation-Juvenile Hall, Vincent Monreal - Sheriff-Jail, Sylvia Pascoe - Sheriff-Jail, Ronald Peavey - Social Services, Robert Penny - Veterans Services, Jerald Pfann - Sheriff-Coroner, Rosio Santana - Child Support Services, Kathleen Sidener - Social Services, Jacqueline Smythe - Behavioral Health, Wanda Soliz - Sheriff-Jail, Kathleen Weiner - Social Services, Jeremy Wichlaz - Sheriff-Jail, Kenneth Williams - Health Services-Environmental Health and Craig Woodworth - District Attorney.

The following employees received keepsake boxes for twenty years of service: Janette Campbell - Public Services, Joseph Cardono - Special Districts and Susan Kronos - District Attorney.

The following employees received photo crystals for twenty-five years of service: Todd Mansell - Public Works, Valerie Schweifler - Health Services-Environmental Health, Thomas Smythe - Water Resources and Rosemary Townsend - Sheriff-Jail.

The following employees received County seal paperweights for thirty-five years of service: Robert Bridges - County Counsel and Diane Fridley - Registrar of Voters.

Supervisor Brown was absent at 10:00 a.m.

BACK TO #3 - Extra #1 - Consideration of request to increase the authorization for costs of Geotechnical Investigation and remedies to Lakeside Heights subdivision landslide - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Randall Fitzgerald, Debra Viggiano 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 to direct staff to prepare a resolution declaring a local emergency for Board consideration at the April 16, 2013 meeting.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), authorized an increase of \$55,030 to the Agreement between the County of Lake and RGH Consultants, costs to be shared by North West Regional Sewer System and North Lakeport Water System, and directed staff to initiate discussions with the Lakeside Heights Home Owners Association and Property Management Company regarding sharing costs for long term methods of controlling the movement of the hillside.

Supervisor Brown was present at 10:58 a.m.

7. **ITEM A-8 - 10:00 A.M. - Consideration of recommendation to award funding for Department of Fish and Wildlife's field equipment and for the Lake County Department of Water Resources** - Fish and Wildlife Advisory Board Chair Greg Giusti presented the recommendation.

The Fish and Wildlife Advisory Board recommends the award of \$6000 to the California Department of Fish and Wildlife for eight trail cameras and one night-vision monocular, and \$1000 to the Lake County Department of Water Resources to support the zebra/quagga mussel prevention program.

Chair Smith asked if anyone was present wishing to speak and Water Resources Director Scott DeLeon spoke. 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), awarded \$6000 to the Department of Fish and Wildlife's field equipment and \$1000 to the Lake County Department of Water Resources.

8. **ITEM A-10 - Consideration of appointments to the following: Countywide Parks and Recreation Advisory Board and In Home Supportive Services (IHSS) Advisory Committee** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Michelle Deem to the Countywide Parks and Recreation Advisory Board, for a term to expire January 1, 2015.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Farrington and Brown ABSTAIN) appointed Helen Finnie to the In Home Supportive Services (IHSS) Public Authority Advisory Committee, for a term to expire January 1, 2015.

9. **ITEM A-11 - Consideration of options to appoint interim County Librarian and authorize recruitment** - County Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Kathy Jansen as interim County Librarian, effective May 2, 2013, at Step 5.

10. **ITEM A-12 - Consideration of request to extend travel authorization for George Speake, Project Manager for the Middle Creek Marsh Restoration Project** - Water Resources Director Scott DeLeon presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), extended travel authorization for George Speake, Project Manager for the Middle Creek Marsh Restoration Project.

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. Public Employee Performance Evaluation: Title: Information Technology Director 3. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Cerda v. County of Lake, et al. 4. 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** - Supervisor 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 12:35 p.m.

There being no further business, the Board of Supervisors adjourned at 12:35 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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