

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 12<sup>th</sup> day of February, 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. A moment of silence was dedicated to the memory of Max Mulder. 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 (5 ayes), approved Consent Agenda items C-1 through C-5, with the exception of Consent Agenda Items C-1 and C-4, which were taken up immediately following the Consent Agenda and later in the day.

**Consent Agenda Item C-1 - Approve Minutes of the Board of Supervisors meeting held on February 5, 2013** - This item was taken up later in the day.

Approved First Amendment to Agreement between the County of Lake and First 5 Lake Commission for the FY 2012-13 Mother-Wise Program (for an increase of \$9,650), and authorized the Chair to sign.

Approved Indemnification Agreement between the County of Lake and Regina Legoski to allow emergency vehicles and certain members of the public to pass over a portion of her property known as APNs 003-047-05 and 003-047-07, due to an emergency situation caused by flooding of Scotts Valley and Eickhoff Roads, and authorized the Chair to sign.

**Consent Agenda Item C-4 - Approve First Amendment to Agreement between the County of Lake and Ruzicka Associates for engineering services for CSA #2 - Spring Valley Water System Improvement Project (an increase of \$83,387), and authorize the Chair to sign** - This item was taken up directly following the Consent Agenda.

Approved First Amendment to Memorandum of Understanding, Integrated Regional Water Management Plan for the Westside Subregion of the Sacramento River Funding Area (authorizing coordinated submission of grant application), and authorized the Chair to sign.

**Consent Agenda Item C-4 - Approve First Amendment to Agreement between the County of Lake and Ruzicka Associates for engineering services for CSA #2 - Spring Valley Water System Improvement Project (an increase of \$83,387), and authorize the Chair to sign** - Supervisor Farrington cited a perceived conflict and recused himself from consideration of this item.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSTAIN), approved the First Amendment to Agreement between the County of Lake and Ruzicka Associates for engineering services for CSA #2 - Spring Valley Water System Improvement Project (an increase of \$83,387), 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.

**PUBLIC INPUT** - Citing a conflict, Supervisors Farrington and Brown were absent at 9:09 a.m.

CJ LeBrun spoke regarding In Home Supportive Services (IHSS) employee turnover.

Hazel White spoke regarding IHSS workers.

Randy Taylor spoke regarding IHSS workers.

Supervisors Farrington and Brown were present at 9:18 a.m.

3. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Consideration of proposed ordinance amending Article VI of Chapter Fifteen of the Lake County Code restricting the operation of bicycles, skateboards, scooters, roller skates and in-line skates on certain County property** - Public Services Director Caroline Chavez introduced Deputy Public Services Director Jeff Rein.

Mr. Rein presented the staff report.

This item was continued to a future date, to allow for amendments to be made by staff.

4. **ITEM A-13 - Advanced from February 5, 2013 - Consideration of proposed Ordinance establishing a fee schedule for Driving-Under-The-Influence Programs (SECOND READING)** - Supervisor Comstock offered Ordinance No. 2983, and it was passed by roll call vote (5 ayes).

5. **ITEM A-11 - Consideration of appointments to the following: Lake County/City Areawide Planning Council (APC)** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Marsha Wharff to the Lake County/City Areawide Planning Council (APC), Member-at-Large category.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), appointed Chuck Leonard to the Lake County/City Areawide Planning Council (APC), Member-at-Large category.

6. **ITEM A-14 - (a) Consideration of request for Board direction regarding the continuance of the Energy Watch Partnership; and (b) Consideration of request for Board direction regarding departmental priorities, staffing and service levels** - Community Development Director Rick Coel and Senior Planner Emily Gonsalves were present.

Mr. Coel and Ms. Gonsalves presented the staff report.

Chair Smith asked if anyone was present wishing to speak and Betsy Cawn spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) There was Board consensus to continue the Energy Watch Partnership.

(b) There was Board consensus to direct staff to work with the Administrative Office regarding staffing issues.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2013**

7. **ITEM A-6 - 10:00 A.M. - (a) Presentation of the Annual Treasurer's Report; and (b) consideration of request to approve the annual delegation of investment authority to Treasurer-Tax Collector Sandra Shaul, pursuant to Government Code 53607** - (a) Treasurer-Tax Collector Sandra Shaul and PSM Asset Management Senior Managing Consultants Sarah Meacham and Carlos Oblites presented the Annual Treasurer's Report.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the annual delegation of investment authority to the Office of the Treasurer-Tax Collector, pursuant to Government Code 53607.

8. **ITEM A-12 - (a) Presentation of Mid-Year Budget Review; and (b) Consideration of proposed Resolution amending the FY 2012-13 Adopted Budget and the position allocation for selected budget units** - County Administrative Officer Matt Perry, Public Services Director Caroline Chavez and Water Resources Director Scott DeLeon were present.

(a) Mr. Perry presented the Mid-Year Budget Review.

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

(b) Supervisor Comstock offered Resolution No. 2013-12, and it was passed by roll call vote (4 ayes, Supervisor Farrington NO).

After a brief recess, the Board reconvened into Regular Session at 12:01 p.m. Supervisor Brown was absent, and present at 12:02 p.m.

9. **ITEM A-7 - 10:45 A.M. - Consideration of proposed Agreement between the County of Lake and Aramark Correctional Services, LLC., for food services at the Lake County Jail and Juvenile Hall facilities** - Chair Smith announced this item would be carried over to a future date.

10. **ITEM A-8 - Carried over from February 5, 2013 - 11:15 A.M. - Consideration of recommendation regarding departmental structure of the Office of Emergency Services** - County Administrative Officer Matt Perry and Captain Chris Macedo were present.

Mr. Perry presented the staff report.

Chair Smith asked if anyone was present wishing to speak and Greg Scott 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 recommendation of the County Administrative Office to move the Office of Emergency Services incrementally to the Administrative Office.

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-9 - 11:30 A.M. Assessment Appeal Hearing:**

**Barry Shaffer - Application No. 316-2010 - 65 Konocti Avenue, Lakeport, CA (APN 025-573-040-000)** - Assessor-Recorder Doug Wacker and Chief Deputy Assessor-Recorder Debbie Olson were present.

Mr. Wacker presented the Board with an update.

On motion of Member Brown and by vote of the Board (5 ayes), accepted Stipulation Change in Assessments for Barry Shaffer, on land (APNs 025-573-040-000, 990-060-228-000 and 991-060-228-000), for a change in value of the Land from \$40,000 to \$35,000 and in value of the Improvements, from \$20,000 to \$10,000, for a total assessed value of \$45,000 for the 2009-10 tax year.

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

The gavel was returned to Chair Smith.

12. **ITEM A-15 - Consideration of proposed agreement with consultant to assist in preparation of application for Proposition 84 grant funds for the Middle Creek Restoration Project** - Water Resources Director Scott DeLeon presented the staff report.

On motion of Director Rushing and by vote of the Board (5 ayes), approved the Agreement between the Lake County Watershed Protection District and Stratus Consulting Inc., in an amount not to exceed \$14,000, to assist in preparation of application for Proposition 84 grant funds for the Middle Creek Restoration Project, and authorized the Chair to sign.

- BACK TO #1 - Consent Agenda Item C-1 - Approve Minutes of the Board of Supervisors meeting held on February 5, 2013**

- On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Minutes of the Board of Supervisors meeting held on February 5, 2013, and authorized the Chair to sign.

13. **ITEM A-16 - 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. 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 3. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(a): Jensen and Larson v. Lake County Sheriff's Office, et al. 4. Public Employee Performance Evaluation: Title: Agricultural Commissioner** - 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 1:37 p.m.

There being no further business, the Board of Supervisors adjourned at 1:37 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