

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 8, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 8<sup>th</sup> day of January, 2013, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Comstock was absent.

The meeting was called to order at 9:00 a.m. by Chair Brown.

The Board adjourned at 9:01 a.m. and reconvened into Regular Session at 9:36 a.m. Supervisor Comstock was present.

Following a moment of silence, Supervisor Brown led the salute to the flag of the United States of America.

- ITEM A-1 - 9:00 A.M. - (a) Administer Oath of Office to District 1, District 4, and District 5 Supervisors (b) Election of Chair of the Board of Supervisors and Vice-Chair of the Board of Supervisors for 2013; (c) Election of Representative and Alternate to the Regional Council of Rural Counties (RCRC); and to the RCRC affiliate joint powers authority CRHMFA Homebuyers Fund (CHF) Boards of Directors; (d) Election of Chair and Vice-Chair of the Lake County Local Board of Equalization for 2013; and (e) Election of Chair and Vice-Chair of the Lake County In-Home Supportive Services Public Authority Board of Directors for 2013** - (a) Auditor-Controller Cathy Saderlund administered the Oath of Office to Supervisors Comstock, Farrington and Brown.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), appointed Supervisor Smith as Chair and Supervisor Rushing as Vice Chair for the Board of Supervisors for 2013.

The gavel was passed to Chair Smith.

(c) On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Supervisor Farrington as Representative and Supervisor Comstock as Alternate to the 2013 Regional Council of Rural Counties (RCRC); and to the 2013 RCRC affiliate joint powers authority CRHMFA Homebuyers Fund (CHF) Boards of Directors.

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

(d) On motion of Member Brown and by vote of the Board (5 ayes), appointed Member Farrington as Chair and Member Rushing as Vice Chair of the Lake County Local Board of Equalization.

The Lake County Local Board of Equalization adjourned and reconvened as the Lake County In-Home Support Services Public Authority Board of Directors.

(e) Directors Farrington and Brown announced they had a conflict of interest with this portion of the item and were absent at 9:45 a.m.

On motion of Director Comstock and by vote of the Board (3 ayes, Supervisors Farrington and Brown ABSENT), appointed Director Smith as Chair and Director Rushing as Vice Chair of the Lake County In-Home Support Services Public Authority Board of Directors.

The Lake County In-Home Support Services Public Authority Board of Directors adjourned and reconvened as the Board of Supervisors.

Supervisors Farrington and Brown were present at 9:48 a.m.

- ITEM A-2 - 9:05 A.M. - Appoint/reappoint members of the Lake County Planning Commission and administer Oath of Office** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), appointed Joe Sullivan to the Planning Commission, District 1, for a term to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), reappointed Bob Malley to the Planning Commission, District 2, for a term to expire January 1, 2015.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), reappointed Olga Martin-Steele to the Planning Commission, District 3, for a term to expire January 1, 2015.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Don Deuchar to the Planning Commission, District 4, for a term to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), reappointed Gil Schoux to the Planning Commission, District 5, for a term to expire January 1, 2015.

- ITEM A-4 - 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.

- ITEM A-3 - 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.

Approved Minutes of the Board of Supervisors meeting held on December 18, 2012.

Approved Subordination, Non-Disturbance and Attornment Agreement and Estoppel Certificate for property located at 6302 13<sup>th</sup> Avenue, Lucerne, leased for the Behavioral Health Department, and authorized the Chair to sign.

Approved Letter of Support for the Golden Bear Broadband (GBB) Limited Liability Corporation's Regional Middle Mile Infrastructure (RMMI) application to the California Advanced Services Fund (CASF) for broadband infrastructure deployment funds, and authorized the Chair to sign.

Approved request to waive 900 hour limit for extra-help Park Maintenance Worker Jon Littrell.

(a) Adopted Resolution No. 2013-01, amending Resolution No. 2012-106 to amend the Adopted Budget for FY 2012-13 by adjusting revenues and appropriations in Budget Unit 2205 - Sheriff - Marine Patrol; (b) Awarded bid #13-5b to River Marine Sales and Service, in the amount of \$28,669.18, for the purchase of one 18' Alumaweld Stryker Sport boat; and (c) Authorized the Sheriff/Asst. Purchasing Agent to issue purchase order.

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**BACK TO #2 - ITEM A-2 - 9:05 A.M. - Appoint/reappoint members of the Lake County Planning Commission and administer Oath of Office** - Auditor-Controller Cathy Saderlund administered the Oath of Office to Planning Commissioner Joe Sullivan.

5. **ITEM A-7 - 9:25 A.M. - (a) Consideration of request to waive the Policy regarding automated voicemail systems; and (b) Consideration of request to approve the development of an automated voicemail system for the Animal Care and Control Department** - Animal Care and Control Director Bill Davison presented the staff report.

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

This item was continued four weeks, to February 5, 2013, at 10:00 a.m.

6. **ITEM A-8 - 9:40 A.M. - Consideration of proposed Agreement between the County of Lake and SCS Engineers for engineering services for the Eastlake Landfill Gas Recovery System** - Public Services Director Caroline Chavez presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), based on the findings presented in the staff memorandum dated December 26, 2012, waived the Consultant Selection Process, finding it would be of no economic benefit to the County, approved the proposed Agreement between the County of Lake and SCS Engineers for engineering services for the Eastlake Landfill Gas Recovery System, and authorized the Chair to sign.

7. **ITEM A-9 - 9:50 A.M. - (a) Consideration of proposed Agreement between the County of Lake and Blue Water Satellite for image analysis of Clear Lake and its watershed; and (b) Consideration of request for Board direction regarding the creation of a "Technical Advisory Group" (TAG) to determine the images to be analyzed** - Water Resources Director Scott De Leon presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Chuck Lamb, Betsy Cawn, Phil Murphy, and Jim Steele. 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) approved the Agreement between the County of Lake and Blue Water Satellite for image analysis of Clear Lake and its watershed, Blue Water Satellite, Inc., for a total amount not to exceed \$43,200, and pending the incorporation of the proposal into the County's standard contract format and approval by County Counsel, authorized the Water Resources Director to sign.

After a brief recess, the Board reconvened into Regular Session at 11:30 a.m.

8. **ITEM A-10 - 10:05 A.M. - Consideration of request for Board direction regarding efficacy of current coordination of inter-facility ambulance communications** - Health Services Director Jim Brown and County Health Official Karen Tait, MD were present.

After an introduction by Mr. Brown, Dr. Tait presented the staff report.

Chair Smith asked if anyone was present wishing to speak and David Santos spoke. 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 research the previous task force components and as appropriate, re-create this committee to review the current ambulance ordinance and develop potential amendments in order to address the use and oversight of inter-facility transfer centers.

9. **ITEM A-11 - 10:20 A.M. - (a) Consideration in concept of lease agreement between the County of Lake and Kelseyville Unified School District for the Gard Street School Campus, located at 3955 Gard Street, Kelseyville for use by the Child Support Services Department; and (b) Consideration of appointments to negotiation team for lease agreement** - Child Support Services Director Gail Woodworth and Deputy Administrative Officer Alan Flora were present.

Mr. Flora presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Dave McQueen, Carol Hays and Nancy Ruzicka.

This item was continued to later in the day.

10. **ITEM A-17 - Consideration of request for Board determination under Anti-Nepotism Policy regarding appointment of Correctional Officer** - Undersheriff Pat Turturici and Captain Chris Macedo were present.

Capt. Macedo presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), based on the findings presented by staff, waived the Anti-Nepotism Policy regarding appointment of Correctional Officer Travis Brooks.

After a lunch recess, the Board reconvened at 1:45 p.m.

- BACK TO #9 - ITEM A-11 - 10:20 A.M. - (a) Consideration in concept of lease agreement between the County of Lake and Kelseyville Unified School District for the Gard Street School Campus, located at 3955 Gard Street, Kelseyville for use by the Child Support Services Department; and (b) Consideration of appointments to negotiation team for lease agreement** - Chair Smith asked if anyone was present wishing to speak and Nancy Ruzicka spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved in concept, exploring options to relocate Child Support Services, including leasing the Gard Street Campus from the Kelseyville Unified School District.

(b) On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Supervisor Brown, County Administrative Officer Matt Perry, Child Support Services Director Gail Woodworth and Deputy Administrative Officer Alan Flora to the negotiation team for a possible lease agreement with Kelseyville Unified School District.

11. **ITEM A-15 - (a) Consideration to appoint Supervisor Farrington to the Marymount College Long Range Planning Advisory Committee; and (b) Consideration of request to approve travel and reimbursement for Supervisor Farrington to attend Marymount College Long Range Planning Advisory Committee Annual Meeting** - Supervisor Farrington introduced the item.

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(a) On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Brown NO), appointed Supervisor Farrington to the Marymount College Long Range Planning Advisory Committee, and approved travel and reimbursement for Supervisor Farrington to attend the Marymount College Long Range Planning Advisory Committee Annual Meeting, in San Pedro, CA, on January 10, 2013. The Board requested Supervisor Farrington contact Marymount College to ensure their awareness of the public access restrictions now imposed on the Planning Advisory Committee due to the appointment of an elected official.

**12. ITEM A-13 - Consideration of Chairman's recommended 2013 committee assignments for members of the Board of Supervisors** - Chair Smith presented the item.

Amendments were made to the assignments.

There was consensus to direct staff to research appointment options for the following boards: In Home Supportive Services Public Authority, Public, Education and Government (PEG) Channel and North Coast Opportunities (NCO). This portion of the item was continued one week, to January 15, 2013.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the 2013 committee assignments for the Board of Supervisors, as amended.

**13. ITEM A-14 - Consideration of the following appointments: Animal Care and Control Advisory Board, Audit Committee, Countywide Parks and Recreation Advisory Board, Emergency Medical Care Committee, Fish and Wildlife Advisory Committee, Glenbrook Cemetery District Board, Hartley Cemetery District Board, Kelseyville Cemetery District Board, Lake County Child Care Planning Council, Law Library Board, Library Advisory Board, Lower Lake Cemetery District Board, Maternal, Child, Adolescent Health (MCAH) Advisory Board, Mental Health Board, Middletown Cemetery District Board, Public Defender Advisory Board, Solid Waste Task Force, Spring Valley CSA #2 Advisory Board, Vector Control District Board** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Susan Cannon, DVM (District 4), Victoria Chamberlin (Member at Large), Grant Murray (District 3), Nora Star (District 5) and Paula Werner (District 1), to the Animal Control Advisory Board, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Ronald Nagy to the Audit Committee, for a term to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Lyndon Ernst (District 3), Charlotte Griswold (District 2), Charles Hart (District 1) and Thomas Nixon (District 5), to the Countywide Parks and Recreation Advisory Board, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Mary Brown (Hospitals), David Fromer (Consumer-Interested Group), Keith Hoyt (Consumer-Interested Group), Bob Ray (Fire Department) and Willie Sapeta (Fire Department), to the Emergency Medical Care Committee, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Victoria Brandon (Conservation Organization), Greg Giusti (Wildlife Preservation Organization) and Edwin Groves (District 5) to the Fish and Wildlife Advisory Committee, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Steven Barnes, Kari Donley and Paul Osserman to the Glenbrook Cemetery District, for terms to expire January 1, 2017.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Toni Lewis, Audrey Lindeblad and Patricia McIvor to the Hartley Cemetery District, for terms to expire January 1, 2017.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Paul Lauenroth, Michael Powers and Shirley Saderlund to the Kelseyville Cemetery District, for terms to expire January 1, 2017.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Angela Cuellar to the Child Care Planning and Development Council, for a term to expire on January 1, 2016.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Bob Bridges and Dennis Fordham to the Law Library Board of Trustees, for a term to expire January 1, 2014.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Jo Bennett (District 2), Sally David (District 3), Irehne Dishman (District 4) and Ellen Sommers (District 5), to the Library Advisory Board, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Eric Bortfeld to the Lower Lake Cemetery District, for a term to expire January 1, 2017.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Helaine Christensen, Marta Fuller, RN, Thomas Jordan, Deborah Keith and John Pavoni to the Maternal, Child and Adolescent Health (MCAH) Advisory Board, for a term to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Linda Diehl-Dams to the Middletown Cemetery District, for a term to expire on January 1, 2017.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Duane Furman (General Public), Cameron Reeves (Attorney) and Donna Spellman (General Public), to the Public Defender Oversight Committee, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Jacqueline Armstrong to the Solid Waste Management Task Force, for a term to expire January 1, 2015.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Mark Currier, Toni Field, Robert Hendrickson, James McDole, Bryan Rudow and Edward Smith to the Spring Valley CSA #2 Advisory Board, for terms to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Rob Bostock to the Vector Control District Board, for a term to expire January 1, 2015.

**14. ITEM A-16 - Consideration of proposed Certification Statement regarding Composition of LPC Membership** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Certification Statement regarding Composition of LPC Membership, and authorized the Chair to sign.

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15. **ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry and J. Hammond and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Public Employee Performance Evaluations: Titles: County Librarian and Human Resource Director 3. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9, subd. (b)(1)(c): Claim of the City of Lakeport 4. Employee Disciplinary Appeal EDA 2013-01 - 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 3:08 p.m.

There being no further business, the Board of Supervisors adjourned at 3:09 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