

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

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

The Honorable Board of Supervisors of Lake County, California, met in regular session this 9th day of July, 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. Following a moment of silence, Supervisor Farrington 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-12.

Approved Minutes of the Board of Supervisors meeting held on June 25, 2013.

Adopted Proclamation designating 2013 as The Year of the Child.

Approved out of state travel for Officer Kyle O'Brien to attend the Equine Investigators Academy in Durango, Colorado, between August 18-24, 2013 (training funded by Code 3 Associates).

Approved Agreement between County of Lake and Hilltop Recovery Services for FY 2013-14 residential treatment services, for a maximum amount of \$40,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for FY 2013-14 Transitional Age Youth Peer Support Program, for a maximum amount of \$25,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services for FY 2013-14 specialty mental health services, for a total amount of \$450,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Edgewood Center for Children and Families for FY 2013-14 specialty mental health services, for a total amount of \$92,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Manzanita House for FY 2013-14 residential support services, for a total amount of \$100,000, and authorized the Chair to sign.

Adopted Resolution No. 2103-74, approving the First Amendment to the Standard Agreement between the County of Lake and the California Department of Alcohol and Drug Programs for the period between July 1, 2010 through June 30, 2014 (extending the term of the agreement through June 30, 2014, and a reimbursement increase of \$559,568, and authorizing the Behavioral Health Director to sign).

Approved Budget Transfer BT- 001 reallocating money from Account 1.11 - Permanent Salaries to 1.12 - Extra Help in BU 4010 Environmental Health to provide for continued employment of extra help Hazardous Materials Specialist I Teale Love.

Adopted Resolution No. 2013-75, approving application for funding from the California Department of Resources Recycling and Recovery (CalRecycle) for the Used Oil Payment Program (OPP).

Approved Agreement between the County of Lake and Sierra Air Helicopters for FY 2013-14 marijuana reconnaissance services, for a total amount of \$15,000, 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 - Dennis Rollins spoke invited the Supervisors to the upcoming Grillin' on the Green fundraiser for the Westside Community Park.

3. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating 2013 as The Year of the Child** - Supervisor Comstock read the proclamation into the record and presented it to Tom Jordan, who spoke.

4. **ITEM A-18 - Continued from June 4, 11 and 18, 2013 - Consideration of appointment of Treasurer-Tax Collector** - Chair Smith announced this item would be carried over to a future date.

5. **ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance establishing County of Lake Health Services as a member of the existing Partnership HealthPlan of California Commission** - Health Services Director Jim Brown presented the staff report.

Chair Smith opened the public hearing and Behavioral Health Director Kristy Kelly spoke. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

On motion of Supervisor Comstock and by vote of the Board (5 ayes), advanced the ordinance one week, to July 16, 2013.

6. **ITEM A-19 - Consideration of items relative to Office of Emergency Services: (a) Appointment of Supervisor Brown as Chair of Disaster Council; and (b) Amendment of Emergency Operations Plan to designate location of Emergency Operations Center** - Health Services Director Jim Brown was present.

County Administrative Officer Matt Perry 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 the item was closed.

(a) On motion of Supervisor Comstock and by vote of the Board (5 ayes), appointed Supervisor Brown as the Chair of the Disaster Council.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), amended the Emergency Operations Plan to designate the Health Services Building as the location of the Emergency Operations Center, with the Public Services Building as the secondary location.

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

7. **ITEM A-17 - Consideration of appointments to the following boards/committees: Emergency Medical Care Committee, Heritage Commission, Upper Putah Creek Watershed Watermaster Advisory Committee** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Yvonne Fuqua and Adam Thoman to the Emergency Medical Care Committee, for terms to expire on January 1, 2015.
- On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Sunol Grayhorse to the Heritage Commission, for a term to expire January 1, 2015.
8. **ITEM A-7 - 9:30 A.M. - Consideration of request for funding for the Water Resources Department to construct and distribute artificial substrates throughout Clear Lake for early detection monitoring for mussels** - Fish and Wildlife Advisory Committee Chair Greg Giusti presented the request.
- Chair Smith asked if anyone was present wishing to speak and the following people spoke: Water Resources Director Scott De Leon, Betsy Cawn, Marv Butler and Milos Leubner. No one else was present wishing to speak and the public input portion of the item was closed.
- On motion of Supervisor Comstock and by vote of the Board (5 ayes), awarded funding in the amount of \$1300 from the Lake County Fish and Wildlife Advisory Committee fund to Water Resources Department to construct and distribute artificial substrates throughout Clear Lake for early detection monitoring for mussels.
9. **ITEM A-8 - 9:45A.M. - PUBLIC HEARING - Discussion/consideration of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Investigator** - Captain Chris Macedo presented the staff report.
- Chair Smith opened the public hearing. No one was present wishing to speak and the public hearing was closed.
- On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the grant application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Investigator.
10. **ITEM A-20 - Consideration of Board position on AB 145 (Perea) transferring the State's Drinking Water Program from the California Department of Public Health to the State Water Resources Control Board** - Supervisor Rushing introduced this item.
- On motion of Supervisor Rushing and by vote of the Board (5 ayes), took a position of opposition to AB 145, directed Special Districts or Administrative staff to send letters on the Board's behalf to the Senate Committee on Health and our state representatives.
11. **ITEM A-9 - 9:50 A.M. - (a) Consideration of request to award bid for Nice-Lucerne Cutoff Rehabilitation; and (b) Consideration of request to award bid for Lakeshore Boulevard rehabilitation** - Public Works Director Scott De Leon and Deputy Public Works Director Lars Ewing presented the staff report.
- (a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), awarded Bid No. 12-15, Nice-Lucerne Cutoff Rehabilitation, to Granite Construction Company, in the amount of \$657,900.50, and authorized the Chair to sign the Notice of Award.
- (b) On motion of Supervisor Farrington and by vote of the Board (5 ayes), awarded Bid No. 13-08, Construction of Pavement Rehabilitation on Lakeshore Boulevard, to Granite Construction Company, in the amount of \$843,928.50, and authorized the Chair to sign the Notice of Award.
12. **ITEM A-10 - 10:00 A.M. - HEARING - Nuisance Abatement of 5320 & 5323 Jamie Lane, Kelseyville, CA (APNs 088-031-04 & 088-031-03 - Milos Leubner)** - Community Development Director Rick Coel, Milos Leubner and Joan Moss were sworn in by the Clerk.
- Mr. Leubner requested a continuance of this item.
- There was Board consensus to take up this item today.
- Mr. Coel presented the staff report.
- Mr. Leubner gave testimony.
- 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 the item was closed.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), upheld the Notice of Nuisance and Order to Abate dated June 4, 2013, for nuisance conditions at 5320 and 5323 Jamie Lane, Kelseyville, CA, and authorized staff to abate the excessive open and outdoor storage nuisance conditions if not voluntarily abated by July 22, 2013, and further authorized staff to immediately abate the excess number of marijuana plants found to be in violation of Lake County Ordinance 2978, all costs associated with this abatement case shall become a charge against the property.
- The Board of Supervisors adjourned and convened as the Lake County Watershed Protection District Board of Directors.
13. **ITEM A-11 - 10:30 A.M. - (a) Consideration of the Westside Sacramento Integrated Regional Water Management Plan; and (b) Consideration of the proposed Memorandum of Understanding for the implementation of the Westside Sacramento Integrated Regional Water Management Plan** - Water Resources Director Scott De Leon, Water Resources Engineer Tom Smythe and Program Coordinator Gary Hansen were present.
- Mr. De Leon presented the staff report.
- Chair Smith asked if anyone was present wishing to speak and the following people spoke: Betsy Cawn and Joan Moss. No one else was present wishing to speak and the public input portion of this item was closed.
- (a) Director Rushing offered Resolution No. 2103-76, and it was passed by roll call vote (5 ayes).
- (b) On motion of Director Rushing and by vote of the Board (5 ayes), approved the Memorandum of Understanding for the implementation of the Westside Sacramento Integrated Regional Water Management Plan, and authorized the Chair to sign.
14. **ITEM A-12 - 11:00 A.M. - Consideration of current septic system inspection scheduling challenges, the effect on local construction and development, and options for improvement of response time** - Chair Smith announced this item would be carried over to a future date.

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

15. **ITEM A-21 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, S. Harry, M. Perry, A. Flora and C. Shaver; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Conference with real property negotiator (a) Property located at: 3980 Gard Street, Kelseyville (APN 024-081-01) (b) Negotiating Parties: For County: Supervisor Rob Brown, Child Support Services Director Gail Woodworth, County Administrative Officer Matt Perry and Deputy County Administrative Officer Alan Flora For seller: Kelseyville Unified School District representatives (c) Under Negotiation: Lease terms 3. 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 4. Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - Rivero v. Lake County Board of Supervisors** - Chair Smith announced the Board would go into Closed Session after a brief recess.

The Board reconvened into Regular Session with no action taken at 11:37 a.m.

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

The gavel was passed to Local Board of Equalization Chair Farrington.

16. **ITEM A-13 - 11:20 A.M. - Consideration of scheduling of Assessment Appeal Hearings and notification procedures** - Assessor-Recorder Doug Wacker and Chief Deputy Assessor-Recorder Debbie Olson were present.

Mr. Wacker presented the item to the Board.

There was Board consensus to schedule assessment appeal hearings at the discretion of the Clerk of the Board and the Chair, schedule multiple appeals per meeting and to adjust the notification procedure to require confirmation of attendance by the appellant no less than three weeks prior to the hearing.

17. **ITEM A-14 - 11:40 A.M. - Consideration of appeal of Vicious Animal Abatement Order (Boscoe - 300 Park Way, Lakeport, CA - Rebecca Navarro)** - Animal Care and Control Director Bill Davidson, Animal Care and Control Officer Kyle O'Brien and Nehemiah White, Rebecca Navarro, Marleen Bomia, Rebecca Navarro, Paul Kolb, Jeff Zern, Juanita Greaves and Michael Umbrello were sworn in by the Clerk.

Officers O'Brien and White presented the staff summary.

Ms. Bomia and Ms. Navarro gave testimony.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Paul Kolb, Jeff Zern, Juanita Greaves and Michael Umbrello. No one else was present wishing to speak and the public input portion of this item was closed.

An amendment was made to the Order to allow for Bosco to leave the property so long as he was controlled by both leash and muzzle.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), upheld the Vicious Animal Abatement Order, as amended.

18. **ITEM A-15 - 1:30 P.M. Assessment Appeal Hearing:**

Lester Sommerville - Application No. 26-2011 - 15569 Joseph Trail, Lower Lake, CA (APN 122-053-150-000) - Chair Smith announced this appeal had been withdrawn by the appellant and would not be taken up today.

There being no further business, the Board of Supervisors adjourned at 12:44 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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