

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 14, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 14th day of May, 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 9:03 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 (4 ayes, Supervisor Brown ABSENT), approved Consent Agenda items C-1 through C-8, with the exception of Consent Agenda Items C-3 and C-4. Consent Agenda Item C-3 was carried over two weeks, to May 28, 2013. Consent Agenda Item C-4 was removed from the Consent Agenda and taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on May 7, 2013.

(a) Adopted Proclamation designating the week of May 12-18, 2013, as Police Officers Week; (b) Adopted Proclamation designating the week of May 12-18, 2013 as Safe Boating Week; and (c) Adopted Proclamation designating the month of May 2013 as Mental Health Month.

Consent Agenda Item C-3 - Approve plans and specifications for construction Clearlake Oaks Senior Center, and authorize the County Administrative Officer/ Purchasing Agent to advertise for bids - This item was carried over two weeks, to May 28, 2013.

Consent Agenda Item C-4 - Adopt Resolution approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an Animal Damage Control Program for the County of Lake - This item was removed from the Consent Agenda and taken up later in the day.

Adopted Resolution No. 2013-44, approving the Standard Agreement between the County of Lake and Partnership Health Plan for behavioral health services and authorizing the Director of Behavioral Health to sign the agreement.

Waived 900 hour limit for extra help Park Maintenance Worker Chris Taylor.

Approved job description and salary grade (A12) of Facility Caretaker.

Waived 900 hour limit for extra help Eligibility Worker II Joanne Ruddock.

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.

BACK TO #1 - CONSENT AGENDA ITEM C-4 - Consent Agenda Item C-4 - Adopt Resolution approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an Animal Damage Control Program for the County of Lake - After discussion, this item was continued two weeks, to April 28, 2013, at 9:30 a.m.

This item was taken up again later in the day.

PUBLIC INPUT - Clearlake City Council Member Jeri Spitler spoke regarding the past process of the incorporation of the City of Clearlake.

3. **ITEM A-5 - 9:10 A.M. - (a) Presentation of Proclamation designating the week of May 12-18, 2013, as Police Officers Week; (b) Presentation of Proclamation designating the week of May 12-18, 2013 as Safe Boating Week; and (c) Presentation of Proclamation designating the month of May 2013 as Mental Health Month** - (a) Supervisor Brown read the Proclamation into the record and presented it to Undersheriff Pat Turturici and Captain Chris Macedo, who spoke.

(b) Supervisor Farrington read the Proclamation into the record and presented it to Coast Guard Auxiliary Public Affairs Officer Dorothy Delope, who spoke. Finance Officer Dan Fish and Division Captain White also spoke.

(c) Supervisor Rushing read the Proclamation into the record and presented it to Behavioral Health Director Kristy Kelly spoke. Mental Health Team Leader June Wilson-Clarkin and Michael Chamberlain also spoke.

4. **ITEM A-7 - 9:25 A.M. - (a) Update on Lakeside Heights Subdivision; (b) Consideration of recommendations for continued response; and (c) Consideration of proposed safety regulations in response to the local emergency** - Public Works Director Scott DeLeon, Captain Chris Macedo, Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Supervisor Brown declared a conflict and was absent at 9:33 a.m.

(a) Captain Macedo and Mr. Dellinger presented the update to the Board.

(b) Chair Smith asked if anyone was present wishing to speak and the following people spoke: Randall Fitzgerald, Joan Moss and Janice Kropa. No one else was present wishing to speak and the public input portion of this item was closed.

No Board action was taken on this portion of the item.

(c) No Board action was taken on this portion of the item.

Supervisor Brown was present at 10:28 a.m.

5. **ITEM A-6 - 9:15 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4,057.71 - 16744 Hofacker Lane, Lower Lake, CA (APN 122-221-08 - Jesse McGuire)** - Community Development Director Rick Coel was sworn in by the Clerk.

Neither the property owner nor representation was present.

Mr. Coel presented the staff report.

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On motion of Supervisor Comstock and by vote of the Board (5 ayes), confirmed the assessment of \$4,057.71, for nuisance abatement on property located at 16744 Hofacker Lane, Lower Lake, CA (APN 122-221-08 - Jesse McGuire), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

BACK TO #1 - CONSENT AGENDA ITEM C-4 - Consent Agenda Item C-4 - Adopt Resolution approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an Animal Damage Control Program for the County of Lake - Agricultural Commissioner Steve Hajik and USDA-APHIS-Wildlife Services District Supervisor Mark Ono were present.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved taking up this item again.

After a brief recess, the Board reconvened into Regular Session at 10:46 a.m.

Supervisor Comstock offered Resolution No. 2013-45, and it was passed by roll call vote (5 ayes).

6. **ITEM A-8 - Continued from November 8, December 13, 2011, August 21, 28, September 11, 2012, April 9 and 23, 2013 - 9:30 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 (THIS ITEM WILL BE CARRIED OVER TO JUNE 18, 2013, AT 9:45 A.M.)** - This item was carried over to June 18, 2013, at 9:45 a.m.

7. **ITEM A-9 - 9:45 A.M. - PUBLIC HEARING - Consideration of proposed Resolution approving Resolutions and Capital Fire Facility and Equipment Plans submitted by Lake County Fire Agencies and updating the Lake County Capital Fire Facility and Equipment Plan** - Senior Administrative Analyst Kevin Ingram presented the staff report.

Chair Smith opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Brown offered Resolution No. 2013-46, and it was passed by roll call vote (5 ayes).

8. **ITEM A-10 - 10:00 A.M. - Consideration of coordinated all-agency response to last year's Wye and Walker fires, and recommendations to prepare for the upcoming fire season** - Captain Chris Macedo, Social Services Director Carol Huchingson, County Health Officer Karen Tait, MD, Lakeport Fire District Chief Ken Wells, Kelseyville Fire District Chief Mike Stone and Northshore Fire District Chief Jay Beristianos were present.

Capt. Macedo and Chief Wells presented an update to the Board.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Greg Scott, Carol Huchingson and Karen Tait, MD. No one else was present wishing to speak and the public input portion of this item was closed.

This item was informational only. No Board action was taken on this item.

9. **ITEM A-12 - Advanced from May 7, 2013 - Consideration of proposed Ordinance amending Article I of Chapter 6 of the Lake County Code relating to emergency organization and functions (SECOND READING)** - Supervisor Comstock offered Ordinance No. 2986, and it was passed by roll call vote (5 ayes).

10. **ITEM A-13 - Carried over from April 23 and May 7, 2013 - Consideration of proposed Resolution authorizing the Chair to sign a Notice of Completion for the Middletown Library/Senior Center** - Chair Smith announced this item would be carried over one week, to May 21, 2013.

11. **ITEM A-16 - Consideration of proposed Findings of Fact and decision in the appeal of Friends of Cobb Mountain - AB 13-01** - County Counsel Anita Grant presented the staff report.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing NO), approved the Findings of Fact and authorized the Chair to sign.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing NO), denied the appeal.

12. **ITEM A-14 - Consideration of proposed letter regarding allocation of Proposition 39 funds** - This item was carried over one week, to May 21, 2013.

13. **ITEM A-15 - Consideration of proposed letter of opposition to Assembly Bill AB 52 (Gatto) Native Americans: California Environmental Quality Act** - Community Development Director Rick Coel presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Sarah Ryan, Paula Britton, Joan Moss, Batsulwin Brown and Public Works Director Scott DeLeon. No one else was present wishing to speak and the public input portion of this item was closed.

There was consensus to direct staff to bring to the Board for its consideration a list of suggestions the Board can forward to the California State Assembly for modifications to AB 52 which have local tribal support.

14. **ITEM A-17 - Consideration of request to authorize out of state travel for Senior Domestic Violence Advocate Kerri Smith and one non-county employee to attend the Office on Violence Against Women (OVW) Advocacy Conference for GTEAP Grantees in New Orleans, LA on June 25-27, 2013** - District Attorney Don Anderson and Senior Domestic Violence Advocate Kerri Smith presented the item.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), authorized out of state travel for Senior Domestic Violence Advocate Kerri Smith and one non-county employee to attend the Office on Violence Against Women (OVW) Advocacy Conference for GTEAP Grantees in New Orleans, LA on June 25-27, 2013.

15. **ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, S. Harry, M. Perry, and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Public Employee Performance Evaluation: Title: Public Works and Water Resources Director Community Development Director (Carried over from May 7, 2013)** - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

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The Board reconvened into Regular Session with no action taken at 1:50 p.m.

There being no further business, the Board of Supervisors adjourned at 1:50 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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