

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 15, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 15<sup>th</sup> day of October, 2013, there being present Supervisors Jim Comstock, Anthony Farrington, Rob Brown and Jeff Smith, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Rushing was absent all day.

The meeting was called to order at 9:00 a.m. by Chair Smith. After 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 Rushing ABSENT), approved Consent Agenda items C-1 through C-5.

Approved Minutes of the Board of Supervisors meeting held on October 8, 2013.

Adopted Proclamation celebrating the success of the 2013 Konocti Challenge.

Approved Escrow Agreement between the County of Lake and Randy Hill Construction, Inc., for security deposits in lieu of retention for the Clearlake Oaks Senior Center Project, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Virginia Cerenio for FY 2013-14 General Education teaching services to incarcerated individuals at the Lake County/Hill Road Facility, in the amount of \$5,000, and authorized the Chair to sign.

Approved advanced step salary appointment (Career Salary Step) for extra help Eligibility Worker II Phyllis Murphey.

2. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

**Change Order #1 - Chippewa South CSA** - This change order addresses the balancing of actual in-place quantities.

Public Works Director Scott DeLeon presented the staff report.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved Change Order #1 - Chippewa South CSA, for an increase of \$3,765, Helmer & Sons, Inc., and authorized the Chair to sign.

3. **ITEM A-6 - 9:15 A.M. - Presentation of Quarterly Report Committee** - At request of the committee, this item was carried over three weeks, to November 5, 2013.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation celebrating the success of the 2013 Konocti Challenge** - Supervisor Farrington read the proclamation into the record and presented it to Ride Director Jennifer Strong, who spoke.

5. **ITEM A-14 - Consideration of appointments to the following: Clearlake Advisory Committee, In Home Support Services (IHSS) Public Authority Advisory Committee, Law Library Board of Trustees, Partnership Health Plan of California Commission, Upper Lake Cemetery District Board of Trustees** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), appointed Sonya Franson to the Clear Lake Advisory Committee, Habitat & Ecology category, for a term to expire on January 1, 2015.

On motion of Supervisor Farrington and by vote of the Board (3 ayes, Supervisor Rushing ABSENT, Supervisor Brown ABSTAIN), appointed Toxie Bryon Stanbro (Disabled Consumer) and Diane Trudeau (Provider) to the In Home Support Services (IHSS) Public Authority Advisory Committee, term to expire January 1, 2015.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), appointed Shanda Harry to the Law Library Board of Trustees, term to expire January 1, 2014.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), appointed Dr. Karen Tait and Joan Reynolds, for terms to expire October 15, 2015 and October 15, 2017, respectively.

Consideration of appointments to the Upper Lake Cemetery District Board of Trustees was carried over one week, to October 22, 2013.

6. **ITEM A-15 - (a) Consideration of request to waive formal bidding process, determining no economic benefit to the County; (b) Consideration of request to purchase twelve (12) Special Weapons and Tactics (SWAT) team vests, and authorize the Sheriff/Assistant Purchasing Agent to issue a purchase order to LPS Tactical and Personal Security Supply for \$51,345.60** - At request of Supervisor Brown, this item was carried over one week, to October 22, 2013.

7. **ITEM A-7 - 9:30 A.M. - Status report on aftermath of the 2012 Wye and Walker fires** - Cal Fire Chief Jim Wright presented an update to the Board.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: John Daniels, Lake County Fire Chief Willie Sapeta and Conrad Colbrandt. 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.

8. **ITEM A-16 - 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, subd. (d)(1) - LACOSAN v. Choy 4. Conference with Legal Counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9, subd. (d)(1) - Cocco v. Fetzer, et al.** - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board of Supervisors reconvened into Regular Session at 10:10 a.m. with no action taken.

9. **ITEM A-8 - 10:00 A.M. - (a) Consideration of proposed Contract between the County of Lake and Lucerne Alpine Seniors, Inc. for health-related senior support services in the amount of \$10,182; (b) Consideration of proposed Contract between the County of Lake and Middletown Senior Citizens, Inc. for health-related senior support services in the amount of \$8,148; (c) Consideration of proposed Contract between the County of Lake and Highlands Senior Service Center, Inc., for health-related senior support services in the amount of \$18,849; (d) Consideration of proposed Contract between the County of Lake and Live Oak Senior Center for health-related senior support services, in the amount of \$11,758; (e) Consideration of proposed Contract between the County of Lake and Lakeport Senior Center, Inc., for health-related senior support services, in the amount of \$10,618; (f) Consideration of proposed Contract between the County of Lake and Kelseyville Seniors, Inc., to provide basic operating expenses in the amount of \$2,000; (g) Consideration of proposed Contract between the County of Lake and Senior Support Services to provide basic operating expenses, in the amount of \$1,000; (h) Consideration of proposed Lease Agreement between the County of Lake and Senior Support Services, Inc., for FY 2013-2014 use of 9460 Mendenhall, Upper Lake (rent free in lieu of an equivalent cash match toward operations of the AAA)** - Social Services Director Carol Huchingson presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Linda Burton, Rae Eby-Carl, Pat Grabham and John Daniels. 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 (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Lucerne Alpine Seniors, Inc. for health-related senior support services in the amount of \$10,182, and authorized the Chair to sign.

(b) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Middletown Senior Citizens, Inc. for health-related senior support services in the amount of \$8,148, and authorized the Chair to sign.

(c) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Highlands Senior Service Center, Inc., for health-related senior support services in the amount of \$18,849, and authorize the Chair to sign.

(d) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Live Oak Senior Center for health-related senior support services, in the amount of \$11,758, and authorized the Chair to sign.

(e) On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Lakeport Senior Center, Inc., for health-related senior support services, in the amount of \$10,618, and authorized the Chair to sign.

(f) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Kelseyville Seniors, Inc., to provide basic operating expenses in the amount of \$2,000, and authorized the Chair to sign.

(g) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Contract between the County of Lake and Senior Support Services to provide basic operating expenses, in the amount of \$1,000, and authorize the Chair to sign.

(h) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Lease Agreement between the County of Lake and Senior Support Services, Inc., for FY 2013-2014 use of 9460 Mendenhall, Upper Lake (rent free in lieu of an equivalent cash match toward operations of the AAA), and authorized the Chair to sign.

10. **ITEM A-9 - 10:15 A.M. - (a) Consideration of appointment of County Veteran Services Officer; (b) Consideration of transfer of Veteran Services Office to Health Services Department, and (c) Consideration of other associated actions** - Health Services Director Jim Brown presented the update to the Board.

(a) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), appointed Robert Penny as the County Veteran Services Officer.

(b) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the transfer of the Veteran Services Office to the Health Services Department.

(c) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), directed the Human Resources Director to begin immediate recruitment of the Assistant Veteran Services Officer.

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the change in allocation in Budget Unit BU 5321, to reflect one County Veteran Services Officer (Note: The Board returned to this portion of the item after the break).

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), authorized the Chair to sign a Special Certificate of Compliance for FY 13/14, which provides funds to cover these changes and increase services.

Supervisor Comstock offered Resolution No. 2013-113, amending Resolution No. 2013-95 to amend the Adopted Budget for FY 2013-14 by adjusting revenues and appropriations in Budget Unit 5321 - Veteran Services, and it was passed by roll call vote (4 ayes, Supervisor Rushing ABSENT).

After a brief recess, the Board reconvened into Regular Session at 10:40 a.m.

(b) Supervisor Comstock offered Resolution No. 2013-114, amending Resolution No. 2013-96 establishing position allocations for Fiscal Year 2013-2014, Budget Unit No. 5321, Veteran Services Office.

11. **ITEM A-10 - 10:30 A.M. - Consideration of proposed permit of Mercy Air Services to operate an air ambulance within Lake County** - Health Services Director Jim Brown, County Health Officer Karen Tait, MD, North Coast Emergency Medical Services Executive Director Larry Karsteadt and Mercy Air Representative Bill Baker were present.

Mr. Brown presented the staff report to the Board.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Lake County Fire Chief Willie Sapeta, Anna Blair, Conrad Colbrandt, Lakeport Fire Chief Ken Wells and Emergency Medical Services Committee Chair Bob Ray. No one else was present wishing to speak and the public input portion of this item was closed.

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County Counsel Anita Grant advised the Board as to the guidelines within Article 9 of Chapter 9 of the Lake County Code, pertaining to the permitting process of air ambulance companies.

This item was continued four weeks, to November 12, 2013, at 9:15 a.m. to allow the Emergency Medical Care Committee to prepare its recommendation for the Board, and for Supervisors Smith and Brown to meet with fire personnel.

12. **ITEM A-11 - 10:45 A.M. - Consideration of submittal of application for the funding of a jail expansion project at the Hill Road Correctional Facility through SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program and appropriation of funds for local cash match** - Deputy County Administrative Officer Alan Flora, Undersheriff Pat Turturici, Captain Chris Macedo and Administrative Manager Mary Beth Strong were present.

Mr. Flora presented the staff report.

Supervisor Comstock offered Resolution No. 2013-115, authorizing the Lake County Sheriff's Office to submit a grant application and proposal for proposal for SB 1022 construction of adult local criminal justice facilities, and it was passed by roll call vote (4 ayes, Supervisor Rushing ABSENT).

Supervisor Comstock offered Resolution No. 2013-116, amending Resolution No. 2013-95 to amend the Adopted Budget for FY 2013-14 by cancelling obligated fund balance in fund 194 and transferring funds for the SB 1022 Jail Expansion Project to appropriate money for local matching funds, and it was passed by roll call vote (4 ayes, Supervisor Rushing ABSENT).

After a lunch recess, the Board reconvened into Regular Session at 1:32 p.m.

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.

13. **ITEM A-12 - 1:30 P.M. Assessment Appeal Hearing:**

**Tyree and Ella Mills - Application 191-2011 - 16143 18<sup>th</sup> Avenue, Clearlake, CA (APN 042-323-270-000)** - On motion of Member Smith and by vote of the Board (3 ayes, Members Rushing and Brown ABSENT), denied the appeal, without prejudice.

**Jon Woodard - Application No. 197-2011 - 10255 South State Highway 29, Lower Lake, CA (APN 012-028-170-000)** - On motion of Member Smith and by vote of the Board (3 ayes, Members Rushing and Brown ABSENT), denied the appeal, without prejudice.

**Arvind Sodhani - Application Nos. 204-2011 & 205-2011 - 8313 Paradise Lagoon Drive & 8283 Paradise Lagoon Drive, Lucerne, CA (APNs 060-323-020-000 & 060-323-010-000)** - This appeal was withdrawn at the request of the appellant.

**Sylvan Stenge - Application Nos. 222-2011, 223-2011 & 224-2011 - 10089 Fairway Drive, 4677 Hawaina Way & 10623 Edgewater Drive, Kelseyville, CA (APNs 043-573-150-000, 043-381-020-000 & 043-442-080-000)** - On motion of Member Smith and by vote of the Board (3 ayes, Supervisors Rushing and Brown ABSENT), denied the appeal, without prejudice.

**Gail Dailey - Application No. 161-2011 - 3757 Johnson Court, Lakeport, CA (APN 028-121-380-000)** - This appeal was withdrawn at the request of the appellant.

**Peter & Elaine Simon - Application Nos. 105-2011, 106-2011, 107-2011, 108-2011 & 109-2011 - 12605, 12593, 12580, 12599 & 12607 Lake shore Drive, Clearlake, CA (APNs 037-241-500-000, 037-242-390-000, 037-241-550-000, 037-242-380-000 & 037-241-510-000)** - This appeal was withdrawn at the request of the appellant.

**Wayne Chatoff - Application No. 152-2011 - 8805 Paradise Beach Drive, Glenhaven, CA (APN 060-350-230-000)** - This appeal was withdrawn at the request of the appellant.

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

The gavel was returned to Chair Smith.

There being no further business, the Board of Supervisors adjourned at 1:39 p.m.

MATT PERRY  
Clerk of the Board

Chair - Lake County Board of Supervisors

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board