

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 22, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22nd day of October, 2013, there being present Supervisors Jim Comstock, Rob Brown and Denise Rushing, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisors Smith and Farrington were absent.

The meeting was called to order at 9:00 a.m. by Vice Chair Rushing. After a moment of silence, Supervisor Brown 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 (3 ayes, Supervisors Smith and Farrington ABSENT), approved Consent Agenda items C-1 through C-9, with the exception of C-1, which was taken up later in the day.

Consent Agenda C-1 - Approve Minutes of the Board of Supervisors meeting held on October 15, 2013 - At Supervisor Rushing's request, this item was removed from the Consent Agenda and taken up later in the day.

Adopted Proclamation designating the week of October 20-26, 2013 as Red Ribbon Week.

Waived Article II.D in the Mental Health Board Bylaws (requiring the attendance of three meetings before a potential member can seek appointment), until all five public member positions are filled.

Approved Agreement between the County of Lake and BI Inc., for FY 2013-14 Day Reporting Center (DRC) services, at a rate of \$53,000 per month, total amount not to exceed \$636,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Quincy Engineering for engineering services for the replacement of Dry Creek Road Bridge, Middletown, CA, amount not to exceed \$307,000, and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Westgate Petroleum), and authorized the Chair to Sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Lake Aero Styling & Repair), and authorized the Chair to Sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Steve's Aircraft), and authorized the Chair to Sign.

Sitting as the Lake County Air Quality Management District Board of Directors, authorized Air Pollution Control Officer to sign and submit to the California Air Resources Board, the FY 2012-13 Year-End Financial Report and FY 2013-14 Subvention Applications.

2. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

Extra #1 - Consideration of request to appoint a Board member to attend the Air Resource Board meeting on October 24, 2013 - On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Smith and Farrington ABSENT), approved taking up this item as an extra, determining the matter had come to staff's attention after the posting of the agenda and must be considered before the next meeting.

The Board of Supervisors adjourned and convened as the Lake County Air Quality Management District Board of Directors.

Air Pollution Control Officer Doug Gearhart presented the staff report.

Chair Smith was present at 9:08 a.m.

The gavel was passed to Chair Smith.

On motion of Director Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized the Air Pollution Control Officer to represent the Board at the Air Resource Board meeting and to present a letter from the Board of Directors, and authorized all Directors to sign.

- BACK TO #1 - CONSENT AGENDA ITEM C-1 - Approve Minutes of the Board of Supervisors meeting held on October 15, 2013** - On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisor Farrington ABSENT, Supervisor Rushing ABSTAIN), approved the Minutes of the Board of Supervisors meeting held on October 15, 2013.

3. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the week of October 20-26, 2013 as Red Ribbon Week** - Supervisor Comstock read the proclamation into the record and presented it to Behavioral Health Director Kristy Kelly, who spoke.

4. **ITEM A-6 - 9:15 A.M. - Presentation of FY 2012-13 Lake Family Resource Center Annual Report** - Lake Family Resource Center Executive Director Gloria Flaherty presented the report to the Board.

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

5. **ITEM A-14 - Carried over from October 15, 2013 - Consideration of appointments to the following: Area 1 Developmental Disabilities Board, Emergency Medical Care Committee, Upper Lake Cemetery District Board of Trustees** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), appointed Brandi Hamilton to the Area 1 Developmental Disabilities Board, term to expire January 1, 2016.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), appointed James Dowdy to the Emergency Medical Care Committee, Fire Department category, for a term to expire January 1, 2015.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), re-appointed Pat Beristianos to the Upper Lake Cemetery District, term to expire January 1, 2017.

The Lake County Sanitation District Board of Directors convened to serve concurrently with the Board of Supervisors.

Supervisor and Director Brown was absent at 9:25 a.m.

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6. **ITEM A-7 - 9:25 A.M. - Consideration to request to convert \$49,020 of loan (approved on April 23, 2013) to grant to the customers within the Northwest Regional Wastewater System for the purpose of completing the sewer re-location project in Lakeside Heights** - Special Districts Utility Systems Compliance Coordinator Jan Coppinger presented the staff report.

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

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Farrington and Brown ABSENT), approved the conversion of \$49,020 of loan to grant to the customers within the Northwest Regional Wastewater System for the purpose of completing the sewer re-location project in Lakeside Heights.

On motion of Director Comstock and by vote of the Board (3 ayes, Directors Farrington and Brown ABSENT), approved the conversion of \$49,020 of loan to grant to the customers within the Northwest Regional Wastewater System for the purpose of completing the sewer re-location project in Lakeside Heights.

The Lake County Sanitation District Board of Directors adjourned and continued as the Board of Supervisors.

Supervisor Brown was present at 9:45 a.m.

7. **ITEM A-8 - 9:30 A.M. - (a) Presentation of FY 2012-13 Court Appointed Special Advocate (CASA) Annual Report; and (b) Consideration of proposed Agreement between the County of Lake and CASA for FY 2013-14 advocacy services** - (a) CASA Executive Director Sheryn Hildebrand presented the annual report to the Board.

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

Supervisor Farrington was present at 9:53 a.m.

(b) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and CASA for FY 2013-14 advocacy services, in the amount of \$5,000, and authorized the Chair to sign.

8. **ITEM A-9 - 9:45 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance establishing a fee schedule for Driving-Under-the-Influence Programs** - Behavioral Health Director Kristy Kelly 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 Brown 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 Brown and by vote of the Board (5 ayes), advanced the ordinance two weeks, to November 5, 2013.

9. **ITEM A-10 - 10:00 A.M. - Consideration of proposed Lake County Comprehensive Economic Development Strategy** - At staff request, this item was carried over two weeks, to November 5, 2013, at 10:15 a.m.

10. **ITEM A-15 - Presentation of Company Nurse Telephone Triage Program** - County Counsel Anita Grant presented the staff report.

There was Board consensus to direct County Counsel to move forward with this program.

11. **ITEM A-11 - 10:15 A.M. - Workshop regarding a proposed lake sales tax measure to provide funding for lake-related programs** - Water Resources Director Scott DeLeon presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: George Speake, Suzanne Lyons, Simon Kish, Michael Johnson, Victoria Brandon, Monica Rosenthal, MaryAnn McQueen, Phil Murphy, Olga Martin-Steele, Joan Moss, Melissa Fulton and Mark Currier. 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 revise the ordinance to clearly designate the Watershed Protection District as the recipient of the anticipated revenue and to develop a draft expenditure plan for FY 2015, based on historical revenue.

This item was continued for two weeks, to November 5, 2013, at 10:30 a.m.

Supervisor Brown was absent at 11:49 a.m., present at 12:00 p.m. and absent at 12:18 p.m.

12. **ITEM A-19 - 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** - Chair Smith announced there would be no need to convene in Closed Session today.

13. **ITEM A-17 - Continued from September 17, 2013 - (a) Consideration of request to approve purchase of three vehicles utilizing the State vehicle purchase contract: One (1) 2014 Ford F-250 4x4 Crew Cab Pickup, and Two (2) 2014 Ford F150 Supercab Pickups, to replace vehicles used by the Narcotics Task Force, Marine Patrol and Enforcement; and (b) Consideration of request to authorize Sheriff/ Assistant Purchasing Agent to issue purchase order, total amount of \$82,095.66, to Downtown Ford** - At the request of the Sheriff's department, this item was carried over two weeks, to November 5, 2013.

14. **ITEM A-18 - Continued from October 15, 2013 - (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 the request of the Sheriff's department, this item was carried over two weeks, to November 5, 2013.

After a lunch recess, the Board reconvened into Regular Session at 1:32 p.m. Supervisors Farrington and Brown were absent.

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15. **ITEM A-16 - Consideration of proposed Agreement between the County of Lake and HF&H Consultants, LLC, to update the Refuse and Construction Vehicle Impact Study** - Public Works Director Scott DeLeon presented the staff report.

Supervisor Farrington was present at 1:33 pm.

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved the Agreement between the County of Lake and HF&H Consultants, LLC, to update the Refuse and Construction Vehicle Impact Study, total amount \$12,500, and authorized the Chair to sign.

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

Frank Bauer - Application 216-2011 - 11091 Oak Street, Clearlake, CA (APN 050-921-060-000) - At appellant's request, this appeal was postponed.

James Peracca - Application No. 188-2011 - 18747 Hidden Valley Lake Road, Hidden Valley Lake, CA (APN 141-062-100-000) - On motion of Member Comstock and by vote of the Board (4 ayes, Member Brown ABSENT), denied the appeal, without prejudice.

Hidden Valley Lake Association - Application Nos. 235-2011 through 246-2011 - 17384 Deerhill Road, 21100 Powderhorn Road, 19746 Donkey Hill Road, 19455 Mountain Meadow South, 17581 Greenridge Road, 16099 Conestoga Road, 19595 Old Creek Road, 18157 North Shore Drive, 19642 Donkey Hill Road, 18330 Grizzly Court, 15603 Eagle Rock Road & 18480 Northshore Drive, Hidden Valley Lake, CA (APNs 142-353-040-000, 141-552-080-000, 142-451-080-000, 141-673-050-000, 142-074-100-000, 142-291-010-000, 141-633-010-000, 142-054-080-000, 141-401-100-000, 141-411-070-000, 142-402-210-000 & 142-101-170-000) - These appeals were withdrawn by the appellant.

Mark Shiozaki - 85-2011 - Application No. 85-2011 - 16395 Tee Road, Cobb, CA (APN 050-631-110-000) - On motion of Member Comstock and by vote of the Board (4 ayes, Member Brown ABSENT), denied the appeal.

Judith Luchsinger - Application Nos. 201-2011 through 203-2011 - 382, 386 & 384 15th Street, Lakeport, CA (APNs 026-191-240-000, 026-191-260-000 & 026-191-250-000) - These appeals were withdrawn by the appellant.

Korinn Smith - Application No. 195-2011 - 2869 Keeling Avenue, Lakeport, CA (APN 028-221-160-000) - This appeal was withdrawn by the appellant.

Mark Kittredge - Application Nos. 211-2011 through 213-2011, - 14134 Chesnut Lane, 12632 Shoreview Drive & 14167 Chesnut Lane, Clearlake Oaks, CA (APNs 351-161-050-000, 035-701-240-000 & 351-151-170-000) - On motion of Member Smith and by vote of the Board (4 ayes, Member Brown ABSENT), denied the appeal.

Judith Bellig - Application No. 185-2011 - 2100 Eastlake Drive, Kelseyville, CA (APN 044-182-080-000) - This appeal was withdrawn by the appellant.

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

There being no further business, the Board of Supervisors adjourned at 1:45 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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