

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MARCH 18, 2014

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18th day of March, 2014, there being present Supervisors Jim Comstock, Jeff Smith, Anthony Farrington, Rob Brown and Denise Rushing, 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 Rushing. A moment of silence was dedicated to the memory of Don Ellis. Following the moment of silence, Supervisor Smith 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-20, with the exception of Consent Agenda Items C-15 and C-19, which were taken up immediately following.

Approved Minutes of the Board of Supervisors meetings held on March 4, 2014.

Adopted Proclamation designating the week of March 16-22, 2014 as National Surveyors Week in Lake County.

Approved Second Amendment to Agreement between the County of Lake and Kappe+Du Architects for professional services, to include construction support services at the Lucerne Castle, an increase of \$3,500, and authorized the Chair to sign.

Adopted Resolution No. 2014-36, amending Resolution No. 2013-95 to amend the FY 2013-14 Adopted Budget by adjusting appropriations to provide for a one-time healthcare stipend to qualified employees.

Approved and accept \$10,000 grant from the American Society for the Prevention of Cruelty to Animals (ASPCA) for the Pitbull Spay/Neuter Program, term to expire September 6, 2014, and authorized the Animal Care & Control Director to sign the Grant Agreement.

Approved out of state travel for Animal Control Officer Nehemiah White to attend Equine Investigators Academy Level II, in Durango, Colorado, between May 19-24, 2014 (50% of tuition price, \$775, to be paid by Code 3 Associates).

(a) Waived Section 1.4 F of the County Travel Policy regarding timely submission of travel claims; and (b) Approved travel reimbursement claims for two staff members, total amount \$178.90, as recommended in staff memorandum dated February 24, 2014.

Adopted Resolution No. 2014-37, approving increase of Petty Cash Fund for the Lake County Behavioral Health Department (an increase from \$300 to \$400 total).

Waived 900-hour limit for extra help Victim Advocate I Tatsuhiro Suzuki.

Adopted Resolution No. 2014-38, amending Resolution No. 2013-96 establishing position allocations for Fiscal Year 2013-2014, Budget Unit No. 4011, Public Health (delete one (1) Community Health Nurse III allocation; delete four (4) LVN I/II - Registered Nurse - Community Health Nurse I/II - Public Health Nurse I/II - Public Health Nurse I Trainee - Public Health Nurse II Trainee allocations; add five (5) LVN I/II Registered Nurse - Community Health Nurse I/II/III - Public Health Nurse I/II - Public Health Nurse I Trainee - Public Health Nurse II Trainee allocations; delete one (1) Public Health Nurse I/II allocation; add two (2) Public Health Nurse I Trainee - Public Health Nurse II Trainee - Public Health Nurse I/II; add an asterisk (*) next to the allocation for Public Health Nurse IV as follows "**Position to be eliminated upon the next vacancy"; delete one (1) Office Aide/Office Assistant I/II allocation at next vacancy; and add one (1) Business Software Analyst allocation).

Approved Letter in Support of AB 2704 to increase State Subvention to County Veteran Services Offices and authorized the Chair to sign. (This item was taken up again later for the correction of a typographical error).

Approved Leave of Absence for Registrar of Voters Diane Fridley, from March 13, 2014 through June 5, 2014, and authorized the Chair to sign.

Approved Agreement between County of Lake and California Skateparks for design and engineering of the Kelseyville Community Skatepark, amount not to exceed \$45,100, and authorized the Chair to sign.

Adopted Resolution of Intention No. 2014-39, to name a certain existing unnamed road in the County of Lake (Poppy Lane), and schedule a public hearing for Tuesday, April 15, 2014, at 9:30 A.M.

Consent Agenda Item C-15 - (a) Waive formal bidding process, determining no economic benefit to the County; and (b) Authorize purchase of three vehicles (one 2014 ½ ton, 4x4 Dodge Ram truck for Planning, and one 2014 ¾ ton 4x4 Dodge Ram truck and one 2014 ¾ ton Dodge Ram Truck for Animal Care & Control); and (c) Authorize the Public Works Director/Asst. Purchasing Agent to issue a purchase order for \$23,425 under the statewide contract and a purchase order to Kathy Fowler in the amount of \$53,136 - At Supervisor Farrington's request, this item was removed from the Consent Agenda and taken up immediately following.

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

Adopted Resolution No. 2014-40, changing mileage in County Maintained Road System.

Adopted Resolution No. 2014-41, temporarily prohibiting parking and authorizing the removal of vehicles and ordering the Department of Public Works to post signs (April 12, 2014, from 9:00 a.m. to 11:30 a.m. on Hartmann Road, from Hidden Valley Road to Bowcher Lane).

Consent Agenda Item C-19 - (a) Authorize purchase of three 2014 Subaru Forester automobiles; and (b) Authorize the Social Services Director/Asst. Purchasing Agent to issue a purchase order to Elk Grove Auto in the amount of \$82,310.62 - At Supervisor Farrington's request, this item was removed from the Consent Agenda and taken up immediately following.

(a) Authorized purchase of 120 Microsoft Office Professional Plus licenses for departmental network computers; and (b) Authorized the Social Services Director/Asst. Purchasing Agent to issue a purchase order to CompuCom, in the amount of \$40,188.

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Consent Agenda Item C-15 - (a) Waive formal bidding process, determining no economic benefit to the County; and (b) Authorize purchase of three vehicles (one 2014 ½ ton, 4x4 Dodge Ram truck for Planning, and one 2014 ¾ ton 4x4 Dodge Ram truck and one 2014 ¾ ton Dodge Ram Truck for Animal Care & Control); and (c) Authorize the Public Works Director/Asst. Purchasing Agent to issue a purchase order for \$23,425 under the statewide contract and a purchase order to Kathy Fowler in the amount of \$53,136 - Supervisor Farrington declared a conflict and recused himself.

(a, b & c) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSTAIN), waived the formal bidding process, determining no economic benefit to the County, authorized the purchase of three vehicles (one 2014 ½ ton, 4x4 Dodge Ram truck for Planning, and one 2014 ¾ ton 4x4 Dodge Ram truck and one 2014 ¾ ton Dodge Ram Truck for Animal Care & Control); and authorized the Public Works Director/Asst. Purchasing Agent to issue a purchase order for \$23,425 under the statewide contract and a purchase order to Kathy Fowler in the amount of \$53,136.

Consent Agenda Item C-19 - (a) Authorize purchase of three 2014 Subaru Forester automobiles; and (b) Authorize the Social Services Director/Asst. Purchasing Agent to issue a purchase order to Elk Grove Auto in the amount of \$82,310.62 - Social Services Director Carol Huchingson presented the staff report.

Supervisor Brown suggested departments work with the Public Works -Fleet Maintenance Superintendent during the due diligence phase of any future automobile purchases (No Board action was taken on this suggestion).

Supervisor Farrington suggested the Board consider a policy on the purchase of domestic vs. foreign vehicles (No Board action was taken on this suggestion).

(a & b) On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington NO), authorized purchase of three 2014 Subaru Forester automobiles and authorized the Social Services Director/Asst. Purchasing Agent to issue a purchase order to Elk Grove Auto in the amount of \$82,310.62.

PUBLIC INPUT - Dr. Michael Brophy presented an update regarding Marymount California University - Lucerne Castle campus.

Dante D'Amici spoke regarding the Public, Education and Government (PEG) Channel Board of Directors.

2. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the week of March 16-22, 2014 as National Surveyors Week in Lake County** - Supervisor Brown read the proclamation into the record and presented it to County Surveyor Gordon Haggitt, who spoke.

Many public and private surveyors were present.

3. **ITEM A-6 - 9:15 A.M. - Presentation of Employee Service Awards** - Supervisor Rushing presented certificates and awards to the following County employees:

5-year certificate: Animal Care & Control Director Bill Davidson

Certificate and pen/pencil sets for 10 year employees: Brian Cowdrey - Special Districts Administration, Dean Hall - Sheriff/Coroner, Deborah Blankenship - Health Services/Public Health, Danae Bowen - Community Development, Diana Starbuck - Social Services, Douglas Gearhart - Air Quality Management District, Elizabeth Knight - Air Quality Management District, James Pitman - Behavioral Health/Alcohol and Other Drug Services, James Scott - Health Services/Environmental Health, Jan Sanders - Sheriff/Jail, John Spriet - Special Districts Administration, Julia Gray - Behavioral Health and Stephanie Wilson - Behavioral Health.

Certificate and clock for 15 year employees: Amanda Yocham - Behavioral Health, Beverly Mangué - Social Services, Cynthia Chisholm - Social Services, Gloria Martínez - Special Districts Administration, James Halle - Public Works/Roads, Janice Cook - Library, Lucas Bingham - Sheriff/Coroner and Margaret Anderson - Social Services.

Certificate and keepsake box for 20 year employees: Carolyn Cook - Health Services/Public Health, Jean Bowers - Social Services, Jim Brown - Health Services, Mary Dietz - Health Services/Public Health and Stacey Hayes - Sheriff/Jail.

Certificate and engraved crystal paperweight for 25 year employees: Kurt Ackerman - Public Works, Nancy Clement - Assessor-Recorder, Robert Quiett - Special Districts Administration and Virginia DeVries - Library.

Certificate and blue wave crystal paperweight for 30 year employee: JoAnne Hines - Administrative Office.

Certificate and etched crystal paperweight for 35 year employees: Dennis Ostini - Sheriff/Coroner and Sandy Thompson - Assessor-Recorder.

The Board of Supervisors adjourned and convened as the Lake County Board of Housing Commissioners. Deborah Figueroa was present.

4. **ITEM A-7 - 9:30 A.M. - Consideration of appointment to the Board of Housing Commissioners** - Social Services Director Carol Huchingson presented the staff report.

On motion of Commissioner Brown and by vote of the Board (5 ayes), reappointed Deborah Figueroa to the Board of Housing Commissioners, for a term to expire December 31, 2015.

Supervisor Farrington declared a conflict with the next item and was absent at 9:40 a.m.

5. **ITEM A-8 - Continued from January 28 and March 4, 2014 - 9:45 A.M. - (a) Consideration of Compliance Review pursuant to Minor Use Permit (MUP 06-63); and (b) Consideration of staff request for Board direction regarding land use conflicts and amendments to MUP 06-63** - Community Development Director Rick Coel presented the staff report.

There was Board consensus to not re-open the public input portion of this item. After several minutes of deliberation, the Board requested input from the applicant.

Permit holder representative Mary Jane Fagalde and Joanne Van Eck notified the Board of their intention to withdraw their Use Permit.

After a brief recess, the Board reconvened into Regular Session at 11:05 a.m. Upon advice from County Counsel, the Board re-opened public input.

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Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Diane Bajada, Glenn Benjamin, Ken McCarty, Dana D'Arico, Anna Ravenwood and Huia Pope. No one else was present wishing to speak and the public input portion of this item was closed.

Community Development Director Rick Coel suggested additional amendments to the Minor Use Permit.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the amendments to MUP 06-63 as shown in staff memorandum dated March 12, 2014, Attachment A, along with the Events Management Plan as shown in Attachment B and including the amendments recommended by staff.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized staff to approve the Zoning Permit application to convert the Hardship Guest House to an Agricultural Family Dwelling for use by family members to reside in and assist in the farming and ranching operations, contingent on a positive inspection by staff of the structure.

The Board of Supervisors adjourned and convened as the Lake County IHSS Public Authority.

Member Farrington was present at 11:30 a.m.

Member Brown cited a conflict and was absent at 11:30 a.m.

6. **ITEM A-15 - Consideration of proposed Memorandum of Understanding (MOU) between the Lake County In Home Supportive Services (IHSS) Public Authority and the California United Homecare Workers Union (CUHW), Local 4034** - Social Services Director Carol Huchingson presented the staff report.

Member Smith offered Resolution No. 2014-42, and it was passed by roll call vote (4 ayes, Member Brown ABSENT).

7. **ITEM A-16 - Consideration of request to California Department of Social Services (CDSS) for a change in the IHSS Public Authority rate, as proposed in the above listed MOU between the Lake County IHSS Public Authority and the CUHW Local 4034** - Social Services Director Carol Huchingson presented the staff report.

On motion of Member Comstock and by vote of the Board (4 ayes, Member Brown ABSENT), approved the request to California Department of Social Services (CDSS) for a change in the IHSS Public Authority rate, as proposed in the above listed MOU between the Lake County IHSS Public Authority and the CUHW Local 4034.

The Lake County IHSS Public Authority adjourned and reconvened as the Board of Supervisors.

Supervisor Brown was present at 11:37 a.m.

8. **ITEM A-9 - 10:15 A.M. - Consideration of property donation to the City of Clearlake for the Dam Road Extension Project** - Public Works Director Scott DeLeon presented the staff report.

There was consensus to direct staff to estimate the value without an independent appraisal and to move forward with negotiations with the City of Clearlake, presenting the option of a property exchange to expand the parking lot onto South Civic Center Drive.

9. **ITEM A-13 - Consideration of proposed Letter of Support of AB 2205 Mammals: Use of dogs to pursue bears and bobcats** - Supervisor Brown introduced this item.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Jim Steele, William Ketchins and Marv Butler. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Letter of Support of AB 2205 Mammals: Use of dogs to pursue bears and bobcats, with copies to be sent to our state representatives and Governor Brown, and authorized the Chair to sign.

10. **ITEM A-10 - 10:30 A.M. - (a) Consideration of request to waive the formal bidding process, determining no economic benefit; (b) Consideration of request to make adjustments to Budget Unit 2110 - District Attorney; and (c) Consideration of request to purchase one 3-D Laser Scanning System** - District Attorney Don Anderson and Chief District Attorney Investigator Craig Woodworth presented the staff report.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Lakeport Police Chief Brad Rasmussen, Jim Steele and Greg Scott. 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), waived the formal bidding process, determining no economic benefit.

(b) Supervisor Brown offered Resolution No. 2014-43, and it was passed by roll call vote (5 ayes).

(c) The Board directed that a purchase agreement be submitted in the near future for the Board's consideration.

11. **ITEM A-12 - Consideration of appointments to the following: Acting Registrar of Voters, Kelseyville Cemetery District** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed John Traphagan to the Kelseyville Cemetery District, for a term to expire January 1, 2018.

This item was continued to later in the day.

12. **ITEM A-14 - Consideration of request to waive Use Permit and Variance Application Fees for Verizon Wireless, Spring Valley Lake Cellular Site** - Community Development Director Rick Coel presented the staff report.

There was Board consensus to direct staff to draft a letter of appreciation to Verizon Wireless for its installation of the Spring Valley Lake Cellular Tower.

- BACK TO #11 - ITEM A-12 - Consideration of appointments to the following: Acting Registrar of Voters, Kelseyville Cemetery District** - Chief Deputy Registrar of Voters Maria Valadez was present.

On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Maria Valadez Interim Registrar of Voters.

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BACK TO #1 - CONSENT AGENDA ITEM C-11 - Approve Letter in Support of AB 2704 to increase State Subvention to County Veteran Services Offices and authorized the Chair to sign - On motion of Supervisor Brown and by vote of the Board (5 ayes), re-opened Item A-1 - Approval of the Consent Agenda.

County Administrative Officer Matt Perry corrected the letter to be in support of AB 2703, not AB 2704, as stated in the agenda.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approve the Letter in Support of AB 2703 to increase State Subvention to County Veteran Services Offices and authorized the Chair to sign.

13. **ITEM A-17 - 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 and LCSEA 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator: (a) Agency Negotiator: Carol Huchingson and F. Buchanan (b) Employee Organization: California United Homecare Workers Union AFSCME/SEIU Local 4034 3. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Coakley v. County of Lake, et al. 4. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9(d)(1): Estate of Hatfield v. Trujillo, et al. 5. Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code Section 54956.39(d)(1): Lakeside Heights HOA, et al. v. County of Lake** - Chair Rushing stated the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 2:01 p.m. and took the following action:

On motion of Supervisor Farrington and by vote of the Board (5 ayes), having approved on January 14, 2014, the settlement in the matter of the Estate of Hatfield v. County of Lake, et al., as to the named employee of Lake County Behavioral Health and as to the County of Lake as the employer in the amount of \$15,000, approved the Consent to Settle Agreement, and authorized the Chair to sign.

The Board reconvened into Closed Session at 2:03 p.m.

The Board reconvened into Regular Session with no action taken at 2:15 p.m.

There being no further business, the Board of Supervisors adjourned at 2:15 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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