COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, June 16, 2015 | **9:00 AM** | **Board Chambers**

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Farrington. County Administrative Officer Matt Perry, County Counsel Anita Grant, and Asst. Clerk of the Board Alicia Flores were present, along with the following Supervisors:

Present: 5 - Supervisor Comstock, Supervisor Smith, Supervisor Brown, Supervisor Steele and Chair Farrington

2. Moment of Silence

Supervisor Brown dedicated the moment of silence to Mary Renfro.

3. Pledge of Allegiance

Led by Victoria Brandon.

4. Presentation of Animals at the Animal Care and Control Shelter

Animal Care and Control was not present.

5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

There were no items to consider.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

Consent Agenda items 7.1 and 7.5 were pulled at the request of Mike Dunlap and taken up later in the day.

7.1 (a) Approve Work and Financial Plan between Lake County and USDA Animal and Plant Health Inspection Service (APHIS-WS) for July 1, 2015 - June 30, 2016, in the amount of $97,421 and authorize the Chair to sign; and (b) Adopt Resolution Approving a Cooperative Agreement with the US Department of Agriculture to provide an animal damage control program for the County of Lake.

This item was pulled at the request of Mike Dunlap and taken up later in the day.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Mike Dunlap and Phil Murphy. No one else present wished to speak and the public input portion of the item was closed.

This item was continued to June 23, 2015 at 10:00 a.m.

7.2 Approve out of state travel for Selena Craine to attend the Equine Investigators Academy in Durango, Colorado August 24-29, 2015.

7.3 (a) Approve attached budget transfer in budget unit 1123 - Assessor, transferring $22,000 from account 01-11 to account 62-71, and (b) Waive the competitive bidding process pursuant to Section 2-38.5 of the County Code to purchase MEGABYTE, personal property tax module.

7.4 Adopt Resolution Establishing 2015-2016 Appropriations Limit- County and Special Districts.

Enactment No: Resolution No. 2015-80

7.5 Approve First Amendment to the Agreement between County of Lake and Manzanita House for Adult Residential Support Services for Fiscal Year 2014-15, an increase of $17, 425 for a new contract maximum of $117,425, and authorize the Chair to sign.

This item was pulled at the request of Mike Dunlap and taken up later in the day.

Behavioral Health Director Linda Morris, Deputy Behavioral Health Director Kevin Thompson, and Behavioral Health Fiscal Manager Manuel Orozco presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Casse Forczek and Joan Moss. No one else present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Steele, and by vote of the Board, approved the first amendment to the agreement between County of Lake and Manzanita House for Adult Residential Support Services for Fiscal Year 2014-15, an increase of $17,425, for a new contract maximum of $117,425, and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

7.6 Approve Agreement between County of Lake and Westview Healthcare Center for FY 2014-15 Specialty Mental Health Services and Adult Residential Support Services in the amount of $30,000, and authorize the Chair to sign.

7.7 Approve Second Amendment to the Agreement between County of Lake and Edgewood Center for Children and Families for FY 2014-15 Specialty Mental Health Services, an increase of $15,000 for a new contract maximum of $20,000, and authorize the Chair to sign.

7.8 Approve First Amendment to the Agreement between County of Lake and San Sousee for FY 2014-15 Adult Residential Support, an increase of $33,482 for a new contract maximum of $133,482, and authorize the Chair to sign.

7.9 Approve First Amendment to Agreement between County of Lake and Remi Vista, Inc. for FY 2014-15 Specialty Mental Health Services, a decrease of $53,000 for a new contract maximum of $22,000, and authorize the Chair to sign.

7.10 Approve Third Amendment to the Agreement between County of Lake and North Valley Behavioral Health, LLC for FY 2014-15 inpatient psychiatric emergency services, an increase of $40,000 for a new contract maximum of $348,000, and authorize the Chair to sign.

7.11 Approve Second Amendment to the Agreement between County of Lake and California Psychiatric Transitions for FY 2014-15 Mental Health Services, an increase of $43, 984 for a new contract maximum of $193,984, and authorize the Chair to sign.

7.12 Approve out of state travel for Child Support Director, Gail Woodworth to attend the Western Interstate Child Support Enforcement Council (WICSEC) Annual Training Conference in Fort Worth, Texas, September 13-17, 2015.

7.13 Waive 900-hour limitation for Extra Help District Attorney Investigator Aide, Robert McPherson.

7.14 Approve Advanced Step Hiring of Erika Nosera, at Fifth Step for Public Health Nurse III.

7.15 Adopt Resolution to Appropriate Unanticipated Revenue for the County of Lake Health Services Department in the Amount of $900.00 in Support of the County's Certified Unified Program Agency (CUPA) and Authorize the Director of Health Services to sign the Grant Agreement.

Enactment No: Resolution No. 2015-81

7.16 Approve Agreement between the County of Lake and Virginia Cerenio for FY 2015-16 General Education teaching services for incarcerated individuals at the Lake County Jail with payment made from the Inmate Welfare Trust Fund 2215, in the amount of $12,000 per year and authorize the Chair to sign.

7.17 Approve Agreement between County of Lake and SunRidge Systems, Inc, for FY 2014-15 support services of law enforcement software suite, in the amount of $28,866, and authorize the Chair to sign.

7.18 Approve Contract between Lake County Department of Social Services and Glenn County Health and Human Services Agency for FY 2015-16 Child Welfare Services/Case Management System (CWS/CMS), in the amount of $15,824, and authorize Social Services Director to sign.

7.19 Approve Request for Late Travel Claim in the amount of $75.82 for Celeste Feldman, Social Worker III in Adult Services.

7.20 (Sitting as the Lake County Sanitation District, Board of Directors) - Approve Agreement by and between the Habematolel Pomo of Upper Lake and the Lake County Sanitation District for the Acquisition through Negotiations and/or Eminent Domain Proceedings of Real Property which is Necessary to the Construction of a Sewage Collection System, in the amount of $10,000, and authorize the Special Districts Administrator to sign on behalf of the Lake County Sanitation District.

7.21 (Sitting as the Lake County Sanitation District, Board of Directors) - Adopt Resolution Declaring Intent to Adopt a Resolution of Public Use and Necessity (Habematolel Pomo Sewer Force Main Project) and Authorize the Chair to Sign.

Enactment No: Resolution No. 2015-82

7.22 (Sitting as the Lake County Sanitation District, Board of Directors) - Approve Easement Deed for Habematolel Sewer Mainline Extension Project, APN 004-003-260 and authorize the Chair to sign.

7.23 (a) Approve Agreement between County of Lake and Ruzicka Associates for Engineering Services for South Main Street/Soda Bay Road Water System, in the amount of $5,142, and authorize the Chair to sign; and (b) Approve Agreement between County of Lake and Archeological Services, Inc. for Archeological Services for South Main Street/Soda Bay Road Water System, in the amount of $13,117.61, and authorize the Chair to sign.

7.24 Authorize distribution of excess proceeds in the amount of $102,649.12 from Tax Defaulted Land Sale #153 held February 22, 2013.

7.25 ADDENDUM: Award Bid for Ackley Road at Manning Creek Bridge Replacement Project near Lakeport, CA Bid No. 15-01, to Granite Construction Company, in the amount of $727,365.00 and authorize the Chair to sign Agreement and Notice of Award.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.25, with the exception of items 7.1 and 7.5. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

8. Timed Items

8.1 9:05 A.M. - Public Input

Public Input: Victoria Brandon.

8.2 9:15 A.M. - (SECOND READING) - Consideration of an Ordinance Authorizing the Implementation of a Community Choice Aggregation Program for electrical power purchase, including renewable energy, for residents and businesses in the unincorporated area of Lake County.

County Administrative Officer Matt Perry presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Roy Stahl, Peter Rumble, Victoria Brandon, Gary Mondfrans, Gigi Stahl, Richard Burk, Phil Murphy, and Mike Dunlap. No one else present wished to speak and the public input portion of the item was closed.

County Counsel Anita Grant suggested deleting the first two sentences of Section 2: Findings and Purpose.

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

On motion of Supervisor Brown, and by vote of the Board (5 ayes), advanced the Ordinance to June 23, 2015, at 10:30 a.m.

8.3 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of $4,854.08, for 5900 East State Highway 20, Lucerne, CA (APN 034-422-20 - Paul E. Lodge and Glenda A. Lodge)

This item was pulled from the agenda due to an error in the title and will be brought back at a later date.

8.4 9:35 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of $10,279.08, for 3354 Sunset Terrace, Lucerne, CA (APN 034-341-22 - Donald Bradshaw & Mercedes Bradshaw)

Community Development Director Richard Coel was sworn in by the Clerk. Donald and Mercedes Bradshaw were not present, nor was a representative.

Community Development Director Richard Coel presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Steele, and by vote of the Board, confirmed the assessment of $10,279.08 for nuisance abatement on property located at 3354 Sunset Terrace Lucerne, CA, also known as Assessors Parcel Number 034-341-22, and owned by Donald & Mercedes Bradshaw and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of $10,279.08 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

8.5 9:40 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of $10,439.19, for 10337 Pinewood Way, Whispering Pines, CA (APN 050-261-16 - Joan Fontaine)

Community Development Director Richard Coel and Joan Moss were sworn in by the Clerk. Neither Joan Fontaine nor a representative were present.

Community Development Director Richard Coel presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and Joan Moss spoke. No one else present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Brown, and by vote of the Board, confirmed the assessment of $10,439.19 for nuisance abatement on property located at 10337 Pinewood Way, Whispering Pines CA, also known as Assessors Parcel Number 050-261-16, and owned by Joan Renee Fontaine, and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of $10,439.19 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

8.6 9:45 A.M. - Consideration of (a) Pest Master Services appeal of recommended contract award to Clean Lakes, Inc.; and (b) Contract for 2015 Aquatic Vegetation Management Program between the County of Lake and Clean Lakes Inc., in the amount of $209,116.67 and authorize the Water Resources Director to sign.

Public Works Director Scott DeLeon presented the item to the Board. Dennis Yows and Helen Voker from Pest Master Services were present and spoke on this item as well.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Eli Kursh and Phil Murphy. No one else present wished to speak and the public input portion of the item was closed.

a) On motion of Supervisor Smith, and by vote of the Board, denied the appeal of Pest Master Services of recommended contract award to Clean Lakes, Inc. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

b) On motion of Supervisor Comstock, and by vote of the Board, approved the contract for 2015 Aquatic Vegetation Management Program between the County of Lake and Clean Lakes Inc., in the amount of $209,116.67, and authorized the Water Resources Director to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, and Farrington
Absent: Supervisor Brown

8.7 10:00 A.M. - Consideration of Resolution Affirming the Need for and Requesting Additional Assistance for the County of Lake to Prevent Real Estate and Mortgage Fraud.

Chair Farrington presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Robert Sommerton, Casse Forczek, and Larry Anderson. No one else present wished to speak and the public input portion of the item was closed.

There was Board consensus to place an item on the agenda in July to allow an expert witness to give a presentation on this issue.

Supervisor Steele offered the Resolution and it was passed by roll call vote (4 ayes, Supervisor Brown absent).

8.8 11:00 A.M. - Matt Cate, Executive Director of the California State Association of Counties (CSAC), update on CSAC activities to your Board.

Chair Farrington introduced the item to the Board. Matt Cate, Executive Director of the California State Association of Counties (CSAC), gave his presentation to the Board.

This item was informational only. No action was taken by the Board.

8.9 11:30 A.M. - (a) Consideration of Fiscal Year 2015-16 Recommended Budget; (b) Consideration of proposed Resolution establishing FY 2015-16 position allocations to conform to the Recommended Budget; and (c) Consideration of requests for authorization to purchase Capital Assets and fill positions prior to final adoption of the Budget.

County Administrative Officer Matt Perry presented the item to the Board.

The following department heads answered questions of the Board: Sheriff Brian Martin, Public Works Director Scott DeLeon, Social Services Director Carol Huchingson, and County Librarian Christopher Veach.

Chair Farrington asked if anyone present wished to speak and Betsy Cawn spoke. No one else present wished to speak and the public input portion of the item was closed.

a) On motion of Supervisor Comstock, and by vote of the Board, approved the Recommended Budget for Fiscal Year 2015-16. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

b) Supervisor Comstock offered the Resolution and it was passed by roll call vote (5 ayes).

c) On motion of Supervisor Comstock, and by vote of the Board, approved the requests for authorization to purchase specific Capital Assets and fill specific positions prior to adoption of the Final Budget. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

There was Board consensus to conceptually approve the creation of a Janitorial Supervisor position and Deputy Sheriff Trainee classifications and directed the Human Resources Director to complete the meet and confer process, if necessary.

Enactment No: Resolution No. 2015-84

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of letter to Governor Brown encouraging support of an appropriation of $1 million in the State Budget to support water quality improvement projects for Clear Lake.

County Administrative Officer Matt Perry presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the letter to Governor Brown encouraging support of an appropriation of $1 million in the State Budget to support water quality improvement projects for Clear Lake. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

9.3 Consideration of the Following Appointments:
Fish and Wildlife Advisory Committee
Kelseyville Cemetery District Board of Trustees
Lake County IHSS Public Authority Advisory Committee

a) On motion of Supervisor Steele, and by vote of the Board, appointed Jeffery Ford to the Fish and Wildlife Advisory Committee. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

b) On motion of Supervisor Brown, and by vote of the Board, appointee Richard Feiro to the Kelseyville Cemetery District Board of Trustees. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

c) On motion of Supervisor Steele, and by vote of the Board, appointed Leslie Wilson to the Lake County IHSS Public Authority Advisory Committee. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

9.4 Consideration of letter of support for Hydrilla Eradication Program.

Chair Farrington presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the letter of support for Hydrilla Eradication Program. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Steele and Farrington

Absent- Supervisors: 1 - Brown

9.5 Consideration of Approval of Revisions to County Personnel Rules 1503 Sick Leave.

Human Resources Director Kathy Ferguson presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the revisions to County Personnel Rules 1503 Sick Leave. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Steele and Farrington

Absent- Supervisors: 1 - Brown

9.6 Consideration of Resolution Amending Resolution No. 2015-21 Establishing Salaries and Benefits for Management Employees for July 1, 2014 to December 31, 2016.

Human Resources Director Kathy Ferguson presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

Supervisor Comstock offered the Resolution and it was passed by roll call vote (4 ayes, Supervisor Brown absent).

Enactment No: Resolution No. 2015-85

9.7 Consideration of Resolution Amending Resolution No. 2015-50 Establishing Salaries and Benefits for Employees Assigned to the Confidential Unit, Section B, for July 1, 2014 to December 31, 2016.

Human Resources Director Kathy Ferguson presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

Supervisor Comstock offered the Resolution and it was passed by roll call vote (4 ayes, Supervisor Brown absent).

Enactment No: Resolution No. 2015-86

9.8 Consideration of Resolution Amending Resolution No. 2015-19 Establishing Salaries and Benefits for Employees Assigned to the Confidential Unit, Section A for July 1, 2014 to December 31, 2016.

Human Resources Director Kathy Ferguson presented the item to the Board.

Chair Farrington asked if anyone present wished to speak. No one present wished to speak and the public input portion of the item was closed.

Supervisor Comstock offered the Resolution and it was passed by roll call vote (4 ayes, Supervisor Brown absent).

Enactment No: Resolution No. 2015-87

9.9 ADDENDUM: Consideration of Out-of -State Travel for Water Resources Director Scott DeLeon to Washington, D.C. June 24-26, 2015 to accept an award at the second annual Congressional Reception and Awards Program, in cooperation with the Co-Chairs of the Congressional Invasive Species Caucus.

Chair Farrington presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and Betsy Cawn spoke. No one else present wished to speak and the public input portion of the item was closed.

On motion of Supervisor Brown, and by vote of the Board, approved the out-of-state travel for Water Resourses Director Scott DeLeon to Washington, D.C. June 24-26, 2015 to accept an award at the second annual Congressional Reception and Awards Program, in cooperation with the Co-Chairs of the Congressional Invasive Species Caucus. The motion carried by the following vote:

Ayes- Supervisors: 5 - Comstock, Smith, Brown, Steele and Farrington

10. Closed Session

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry, K. Ferguson, and J. DeHaan; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Public Employee Evaluations
Title: County Librarian

10.3 Conference with Legal Counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Bond v. Martin, et al

10.4 Conference with Legal Counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Lakeside Heights HOA v. County of Lake

The Board reconvened into Regular Session at 3:15 p.m. having taken no action.

11. Adjournment

There being no further business, the Board adjourned at 3:15 p.m.

MATT PERRY
Clerk of the Board

By: ______________________________
Alicia M. Flores
Assistant Clerk of the Board

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Chair - Lake County Board of Supervisors