COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, September 23, 2014 | **9:00 AM** | **Board Chambers**

1. Call to Order

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

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

2. Moment of Silence

3. Pledge of Allegiance

Led by Supervisor Comstock.

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

There were no animals available to present.

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

There were no items.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders to present.

7. Approval of the Consent Agenda

7.1 Adopt Resolution Authorizing the Deputy County Administrative Officer to Sign a Notice of Completion for Work Performed Under Agreement for the Lucerne Hotel Elevator Project.

7.2 Approve Lakeport Fire Protection District's Resolution (1415-03) Ratifying Conflict of Interest Code, Pursuant to District's Approval on August 12, 2014.

7.3 Approve Agreement between the County of Lake and Marta Fuller, for FY 2014-15 Dental Health Education and Prevention Services, in the amount of $15,000, and authorize the Chair to sign.

7.4 Approve the Purchase of Four (4) Compactor Wheels, in the Amount of $60,500 including shipping and Authorize the Public Services Director to Issue a Purchase Order to MACPACTOR Inc. for Said Wheels.

7.5 Adopt Resolution by Governing Body of County Service Area #22, Mt. Hannah Water System Authorizing Lake County Special Districts to Enter into a Funding Agreement and Designating Authority to Sign a Funding Agreement and Related Documents for Funding Under the Public Water System Drought Emergency Response Program.

On motion of Supervisor Smith, and by vote of the Board, Consent Agenda items 7.1-7.5 were approved. The motion carried by the following vote:

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

7.6 (Sitting as the Kelseyville County Waterworks District #3 Board of Directors) - Award Bid for One (1) New Backhoe to All American Rentals and Authorize Special Districts Administrator to Issue a Purchase Order, in the Amount of $103,510.00, for Said Equipment.

Special Districts Administrator Mark Dellinger and Compliance Specialist Jan Coppinger presented the item.

Chair Rushing asked if there was anyone present wishing to speak on this item. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Brown, and by vote of the Board, awarded the bid for one (1) new backhoe to All American Rentals and authorized the Special District Administrator to issue a purchase order in, in the amount of $103,510, for said equipment. The motion carried by the following vote:

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

8. Timed Items

8.1 9:05 A.M. - Public Input

There was no public input.

8.2 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of $5,699.64, for 12514 Foothill Boulevard, Clearlake Oaks, CA (APN 035-141-36 - Hector Cardenas and Aiko Katzumiayala)

Community Development Director Rick Coel was sworn in by the Clerk. Neither the owner nor representation was present. Mr. Coel presented the staff report.

Chair Rushing asked if there was anyone present wishing to speak. There was no one present who wished to speak and the public input portion of this item was closed.

On motion of Supervisor Brown, and by vote of the Board, confirmed the assessment of $5,699.64 for nuisance abatement on property located at 12514 Foothill Blvd, Clearlake Oaks CA, also known as Assessor's Parcel Number 035-141-36, and owned by Hector Cardenas and Aiko Katzumiayala be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of $5,699.64 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

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

8.3 9:45 a.m. - (Sitting as the Air Quality Management District Board of Directors) - a) Consideration of Option to Purchase Agreement for Real Property located at 2617 South Main St., Lakeport, and b) Adopt Resolution Amending Resolution 2014-111 Adopting the Budget for FY 2014-15 by Cancelling Reserves and Appropriating Funds for Purchase of Said Building.

County Administrative Officer Matt Perry presented the item; Air Pollution Control Officer Doug Gearhart was also present. County Counsel Anita Grant asked to confirm her request for additional language in the Option to Purchase Agreement. After review, she noted it had been incorporated. Chair Rushing asked if there was anyone present wishing to speak on this item and the following person spoke: Larry Anderson. No one else present wished to speak and the public input portion of this item was closed.

Supervisor Farrington offered Resolution No. 2014-116 Amending Resolution 2014-111 Adopting Budget for FY 2014-15 by Cancelling Reserves and Appropriating Funds for Purchase of Said Building, and it was passed by roll call vote (5 ayes).

On motion of Supervisor Farrington, and by vote of the Board, approved the Option to Purchase Lease Agreement and approved spending up to $10,000 for an ALTA survey of the property. The motion carried by the following vote:

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

8.4 10:00 A.M. - (Sitting as Lake County Sanitation Board of Directors) - (a) Consideration of Proposed Agreement with Absolute Aeration, LLC to Install Sludge Removal Equipment at Southeast Regional Water Treatment Plant; (b) Consideration of Budget Transfer to transfer $400,000 from account 23.79 - Professional Services Projects- Outside to account 61.60 Buildings and Improvements in BU 8354 - LACOSAN - Southeast.

Special Districts Administrator Mark Dellinger and Compliance Specialist Jan Coppinger presented the item. Blue Frog Patented Technology representatives Grace Corbino and Bill Brick were also present.

Ms.Corbino gave a presentation of Blue Frog's biological process.
Chair Rushing asked if there was anyone present wishing to speak on this item and the following people spoke: Jim Steele and Joan Moss. No one else present wished to speak and public input portion of this item was closed.

On motion of Director Comstock, and by vote of the Board, (a) Waived competitive bidding requirement pursuant to County Code Section 2-38.5 due to Absolute Aeration being the sole source Vendor, and Approved the Agreement between the County of Lake and Absolute Aeration, LLC to Install Sludge Removal Equipment at Southeast Regional Water Treatment Plant; and (b) Approved Budget Transfer to transfer $400,000 from account 23.79 - Professional Services Projects- Outside to account 61.60 Buildings and Improvements in BU 8354 - LACOSAN - Southeast. The motion carried by the following vote:

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

8.5 1:00 P.M. - ASSESSMENT APPEAL HEARING - (Sitting as the Lake County Local Board of Equalization) - Marva Brandt - Application No(s). 43-2012, 6750 Wilson Rd., Kelseyville, CA (APN 007-014-090); 44-2012, 6504 Plunkett Lane, Kelseyville, CA (APN 007-012-060); 45-2012, 1810 Eastlake Dr., Kelseyville, CA (APN 044-164-100)

This Assessment Appeal was Withdrawn by the appellant.

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of Options to Address Shortfall in Library Fund Operating Budget and Assigning Library to Provide Visitor Information Services.

County Administrative Officer Matt Perry presented the item; Librarian Christopher Veach was present.

Chair Rushing asked if there was anyone present wishing to speak on this item and the following people spoke: Jim Steele, Anell Durham, Barbara Christwitz, Randy Sutton, Conrad Colbrandt, Shirley Dutcher, Lora Hudson, Ellen Summers, Joan Moss, and Ed Robey.

On motion of Supervisor Smith, assigned the Library to provide visitor information services such as answering the toll-free telephone line and keeping statistics of said calls, monitoring and responding to email inquiries (info@lakecountyca.gov) and mailing information upon request; with the transition of such services to start October 7, 2014 to allow for training and overlap of services with existing Visitor Information Center; and transferring $53,000 of General Fund money to the Library's budget to avoid cancelling Library Fund reserves and to provide an increase in the Library's postage budget, Specific budget adjustments will be incorporated into the mid-year budget adjustments in January 2015. The motion carried by the following vote:

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

9.3 Consideration of Response from the Board of Supervisors to the FY 2013-14 Grand Jury Report.

County Administrative Officer Matt Perry presented the item to the Board. After initial review of the response, the Board gave direction to add language addressing the following: 1) the Board has previously considered many of the recommendations and found that they are too costly to implement given the County's budget constraints, and 2) the development fee waiver policy is reviewed each December. This item will be brought back to the Board for approval later today to incorporate the recommended language.

Later in the day, County Administrative Officer Matt Perry presented the revised response to the Grand Jury report.

On motion of Supervisor Smith, and by vote of the Board, approved the Grand Jury response as amended. The motion carried by the following vote:

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

9.4 Consideration of County Employee Health Plans - EIA Health, Dental, Vision, and Life Renewal for 2015.

Kathy Ferguson presented the item.

On motion of Supervisor Comstock, seconded by Supervisor Farrington, the Report was approved. The motion carried by the following vote:

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

9.5 (a) Consideration of naming landlord as additonal insured; and (b) Approval of Lease Agreement between Lake County Social Services and Penna Realty Property Management.

Social Services Director Carol Huchingson and County Counsel Anita Grant presented the item. Chair Rushing asked if there was anyone present wishing to speak. No one present wished to speak.

On motion of Supervisor Comstock, and by vote of the Board, authorized the Director of Social Services to sign the lease agreement between Lake County Social Services and Penna Realty Property Management, with an additional indemnification clause to be written into the agreement as approved by County Counsel. The motion carried by the following vote:

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

9.6 Consideration of Resolution Authorizing Approval of Memorandum of Understanding between California Department of Social Services and Lake County Department of Social Services/Child Welfare Services and Lake County Probation to Participate in the California Title IV-E Child Welfare Waiver Demonstration Project.

Social Services Director Carol Huchingson presented the item, Deputy Director Social Services Kathy Maes, Chief of Probation Rob Howe and Chief Deputy Probation Officer Terri Rivera were also present.

Chair Rushing asked if there was anyone present wishing to speak on this item. There was no one present wishing to speak and public input was closed.

Supervisor Farrington offered Resolution 2014-117 Authorizing Approval of MOU between California Department of Social Services and Lake County Department of Social Services and Lake County Probation to participate in the California Title IV-E Child Welfare Waiver Demonstration Project, and it was passed by roll call vote (5 ayes).

This item was reopened later in the day to ensure all actions that may be required by the State were met.

On motion of Supervisor Comstock, and by vote of the Board, approved the Memorandum of Understanding between California Department of Social Services and Lake County Department of Social Services/Child Welfare Services and Lake County Probation Department. The motion carried by the following vote:

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

10. Closed Session

Chair Rushing announced the Board would now go into Closed Session for the reasons stated on the agenda.

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

10.2 Conference with Legal Counsel: Decision whether to initiate litigation pursuant to Gov. Code Sec. 54956.9 (d)(4)

11. Adjournment

The Board reconvened into Regular Session at 12:11 p.m. with no action taken.
There being no further business, the Board of Supervisors adjourned at 12:11 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