



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Draft BOARD OF SUPERVISORS

---

Tuesday, August 5, 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 of the Board Alicia Flores were present, along with the following Supervisors:*

*Present: Supervisor Comstock, Supervisor Smith, Supervisor Farrington, Supervisor Brown, and Supervisor Rushing.*

### 2. Moment of Silence

### 3. Pledge of Allegiance

*Led by Alicia Flores.*

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

*Animal Care and Control Officer Nolan presented one canine currently available for adoption.*

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

*Extra #1 - Conference with Legal Counsel - Existing Litigation pursuant to Government Code Sec. 54956.9, subd. (d)(1): Rickel v. Lake County Board of Supervisors, et al.*

*County Counsel Anita Grant explained the need to have this item taken up as an extra.*

**On motion of Supervisor Smith, and by vote of the Board, approved taking up this item as an extra. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington, Brown, and Rushing**

### 6. Current Construction Projects - Contract Change Orders

*There were no Contract Change Orders.*

### 7. Approval of the Consent Agenda

**7.1** Adopt Proclamation designating the week of August 1-7, 2014 as World Breastfeeding Week.

**7.2** Approve Agreement between the County of Lake and Hilltop Recovery Services for Lake County Residents for Fiscal Year 2014-15 in the amount of \$40,000, and authorize the Chair to sign.

- 7.3 Approve Agreement between the County of Lake and Davis Guest Home for Adult Residential Support for Fiscal Year 2014-15, in the amount of \$35,000, and authorize the Chair to sign.
- 7.4 Approve Agreement between the County of Lake and Redwood Children's Services for the Lake County WRAP Program, Foster Care Program, and the Intensive Treatment Foster Care (ITFC) Program for Specialty Mental Health Services for Fiscal Year 2014-15, in the amount of \$350,000, and authorize the Chair to sign.
- 7.5 Approve Agreement between Redwood Children's Services and the County of Lake for the MHSA Transitional Age (TAY) Drop-In Center for the Fiscal Year 2014-15, in the amount of \$61,200, and authorize the Chair to sign.
- 7.6 Approve Agreement between Crestwood Behavioral Health and the County of Lake for Adult Residential Support and Specialty Mental Health Services for Fiscal Year 2014-15 in the amount of \$400,000 and authorize the Chair to sign.
- 7.7 Approve Agreement between the County of Lake and Redwood Children's Services for Transitional Age Youth (TAY) Peer Support Program for Fiscal Year 2014-15, in the amount of \$42,500, and authorize the Chair to sign.
- 7.8 Adopt Resolution Approving Amendment to the Standard Agreement between the County of Lake and the Department of Health Care Services for Performance Agreement for Fiscal Year 2013-14 and authorize the Behavioral Health Director to sign.

Enactment No: Resolution No. 2014-100

- 7.9 Adopt Resolution Approving the Grant Agreement between the County of Lake and California Health Facilities Financing Authority (CHFFA) for Investment in Mental Health Wellness Grant Program for period between April 24, 2014 and December 31, 2014 and authorizing the Behavioral Health Director to sign Grant Agreement.

Enactment No: Resolution No. 2014-101

- 7.10 Approve Contract between the County of Lake Department of Social Services and Glenn County Health and Human Services for CWS/CMS Staff Training for FY 14-15 in the amount of \$15,824, and authorize the Social Services Director to sign said contract.
- 7.11 Approve Contract between the County of Lake and Lake Transit Authority for CalWORKs local public transportation services, for the period July 1, 2014 through June 30, 2017, in the amount of \$82,500 annually, and authorize the Chair to sign.
- 7.12 Approve Annual Renewal of Veterans Subvention Program Certificate of Compliance and Medi-Cal Cost Avoidance Program Certificate and authorize the Chair to sign said documents.

- 7.13** Approve Contract Between the County of Lake and Lake County Office of Education for Community Based Child Abuse Prevention (CBCAP) Services, V-1, in the amount of \$45,000, and authorize the Chair to sign.
- 7.14** (Sitting as the Board of Directors of the Kelseyville County Waterworks District No.3) - Approve Agreement between the County of Lake and Gibbs Water Mainline Extension for services at APN's 008-730-09 and -10/5650 and 5710 Kelsey Creek Drive and authorize the Chair to sign.
- 7.15** (a) Waive the County Consultant Selection Procedure, and (b) Approve Contract between the County of Lake and Industrial Employers and Distributors Association (IEDA) for Public Labor Labor Negotiations, in the amount of \$22,588 and authorize the Chair to sign.
- 7.16** (a) Waive the County's formal bid process, pursuant to Purchasing Ordinance Sec.38.2; (b) Authorize the Sheriff/Purchasing Agent to issue a purchase order in the amount of \$26,040 to California Tree Equipment for the procurement of a 2005 Brush Bandit Wood Chipper for the illegal marijuana eradication program; and (c) Approve budget transfer from Household Supplies and Equipment Maintenance Accounts to the Fixed Asset Account, in the amount of \$1,040 in BU 2203- Sheriff -Marijuana Suppression.
- 7.17** ADDENDUM - Approve First Amendment to the Agreement between the County of Lake and Redwood Toxicology Laboratory, Inc. for FY13-14 Drug Testing Services, in the amount of \$7,500, and authorize the Chair to sign.
- 7.18** ADDENDUM - Adopt Resolution Approving the Amended Memorandum of Understanding Between the County of Lake and Partnership Health Plan of California for MEDI-CAL Managed Care Services for FY 2013/14 and Authorizing the Director of Behavioral Health to sign the Amended Memorandum of Understanding.
- Enactment No: Resolution No. 2014-102
- 7.19** ADDENDUM - Approve Agreement between the County of Lake and Community Care HIV/AIDS Program for Provision of HIV/AIDS Counseling and Case Management Services for Lake County Residents for FY 14/15, in the amount of \$15,562, and authorize the Chair to sign.
- 7.20** ADDENDUM - Approve Agreement between the County of Lake and North Valley Behavioral Health, LLC for Acute Psychiatric Hospital Services for FY 14/15, and authorize the Chair to sign.
- 7.21** ADDENDUM - Approve Agreement between the County of Lake and FIRST 5 Lake for the Mother-Wise Program (Post Partum Depression Initiative) for FY 14/15, in the amount of \$71,000, and authorize the Chair to sign.

**On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.21. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington, Brown, and Rushing**

## 8. Timed Items

### 8.1 9:05 A.M. - Public Input

*Public Input: Joan Moss, Larry Anderson, and Lenny Dean.*

### 8.2 9:10 A.M. - Presentation of Proclamation designating the week of August 1-7, 2014 as World Breastfeeding Week

*Supervisor Brown read the proclamation into record and presented it to Angela Salazar. Many staff were present.*

### 8.3 9:15 A.M. - Review of Harbor House Coffee Kiosk Water Supply Compliance

*Environmental Health Director Ray Ruminski presented the 90-day update. Harbor House owner Martha was present and spoke as well.*

**This item was continued to August 12, 2015 at 9:15 a.m.**

### 8.4 9:30 A.M. - PUBLIC HEARING - a) Consideration of a Resolution Calling an Election to Submit to the Electors a Measure to Adopt an Ordinance Adding Article VI to Chapter 18 of the Lake County Code Imposing a Transaction and Use Tax Pursuant to Revenue and Taxation Code Section 7285.5 of One-Half of One Percent for the Lake County Water Quality, Aquatic Invasive Species, and Nuisance Aquatic Weed and Algae Programs and Establishing an Expenditure Plan for the Revenues Generated and placing such Measure on the November 4, 2014 ballot; (b) Discussion and possible action as to whether the Board of Supervisors desires to prepare an argument filed for or against the ballot measure

*County Counsel Anita Grant presented this item to the Board.*

*Chair Rushing opened the public hearing for item a) and the following people spoke: Joan Moss, Phil Murphy, Fletcher Thornton, David Neft, Jim Steele, and Larry Anderson. No one else present wished to speak and the public hearing was closed.*

*Chair Rushing opened the public hearing for item b) and the following people spoke: Scott Knickmeyer. No one else present wished to speak and the public hearing was closed.*

**a) On motion of Supervisor Smith, and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk did so).**

**Supervisor Smith offered the Ordinance and it was passed by role call vote (5 ayes).**

**Supervisor Smith offered the Resolution and it was passed by role call vote (5 ayes).**

**b) There was consensus of the Board that they did not want to prepare a ballot argument.**

Enactment No: Ordinance No. 3013/Resolution No. 2014-103

- 8.5** 9:45 A.M. - PUBLIC HEARING - (Continued from July 1st and 22nd, 2014) - Consideration of proposed Ordinance amending Chapter 11 of the Ordinance Code of the County of Lake adding Article III: Regulations for the dispensing of medical marijuana

*Community Development Director Rick Coel presented the item. Deputy County Counsel Shanda Harry spoke as well.*

*Chair Rushing opened the public hearing and the following people spoke: Fletcher Thornton, Daniel McClain, Mike Dean, Cheryl Carr, Star Skidmore, Joey Gustafson, Phil Murphy, Dan Kelly, Ronnie, John Brosnan, Adam Hourmanesh, and Tom Hardy. No one else present wished to speak and the public hearing was closed.*

**On motion of Supervisor Smith, and by vote of the Board, directed Supervisors Farrington and Brown to work with staff on some of the selection criteria and possible adjustments to the proposed Ordinance. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington, Brown, and Rushing**

## **9. Non-Timed Items**

- 9.1** Supervisors' weekly calendar, travel and reports

- 9.2** Consideration of appointment to the Child Care Planning Council Advisory Board

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

**On motion of Supervisor Brown, and by vote of the Board, approved the appointment of Louise Garrison to the Child Care Planning Council. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington, Brown, and Rushing**

- 9.3** (Sitting Concurrently as the Board of Supervisors and Board of Directors of Air Quality Management District) - Consideration of recommendations from the Space Committee: a) provide staff direction related to future utilization of the fourth floor of the Lake County Courthouse, and b) consider conceptual approval of purchase of property at 2613 South Main Street, Lakeport and establishment of a negotiating team.

*Deputy County Administrative Officer Alan Flora presented this item to the Board.*

*a) Special Districts Administrator Mark Dellinger spoke on this item.*

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

*b) Air Pollution Control Officer Doug Gearhart was present for this item.*

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

**There was Board consensus to direct staff to prepare a space plan for future consideration.**

**On motion of Director Brown, and by vote of the Board, approved in concept the purchase of property located at 2617 South Main Street, Lakeport, and established a negotiating team consisting of Supervisor Farrington, Air Pollution Control Officer Doug Gearhart, and Deputy County Administrative Officer Alan Flora, to meet with property owners. The motion carried by the following vote:**

**Ayes: Directors Comstock, Smith, Farrington, Brown, and Rushing**

- 9.4** County of Lake's opposition to proposed amendment to federal FY2015 Commerce-Justice-Science appropriations bill prohibiting Department of Justice from funding programs in states with medical marijuana laws

*Interim Undersheriff Chris Macedo presented the item to the Board.*

*Chair Rushing asked if anyone from the public wished to speak and the following people spoke: Joan Moss and Carrie Calvaney. No one else present wished to speak and the public input portion of this item was closed.*

**On motion of Supervisor Comstock, and by vote of the Board, approved the letters to Senator Boxer and Senator Feinstein in opposition to amendment prohibiting DOJ from funding States with medical marijuana laws. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington, Brown, and Rushing.**

**9.5** Consideration of Proposed Findings of Fact and Decision in the Appeal of Avtar Singh, Jagtar Singh, and Mohammed Sadiq - AB 14-02

*County Council Anita Grant presented this item to the Board.*

*Chair Rushing asked if anyone present wished 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 Smith, and by vote of the Board, approved Findings of Fact and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington and Brown**

**Noes: Supervisor Rushing**

**On motion of Supervisor Smith, and by vote of the Board, approved to deny the appeal. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Farrington and Brown**

**Noes: Supervisor Rushing**

## **10. Closed Session**

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

**10.2** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code Section 54956.9(d)(1): Lakeside Heights HOA, et al. v. County of Lake

**10.3** Employee Evaluations

Title: Air Pollution Control Officer

Title: Behavior Health Director

*The Board reconvened into Regular Session at 3:45 p.m. having taken no action.*

## **11. Adjournment**

*There being no further business the Board adjourned at 3:45 p.m.*

**MATT PERRY**

**Clerk of the Board**

By: \_\_\_\_\_

**Alicia M. Flores**

**Assistant Clerk of the Board**

\_\_\_\_\_  
**Chair - Lake County Board of Supervisors**